

Public Records (Scotland) Act 2011

Edinburgh Integration Joint Board

The Keeper of the Records of Scotland

25th October 2021

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1. Public Records (Scotland) Act 2011

The Public Records (Scotland) Act 2011 (the Act) received Royal assent on 20 April 2011. It is the first new public records legislation in Scotland since 1937 and came fully into force on 1 January 2013. Its primary aim is to promote efficient and accountable record keeping by named Scottish public authorities.

The Act has its origins in *The Historical Abuse Systemic Review: Residential Schools and Children's Homes in Scotland 1950-1995* (The Shaw Report) published in 2007. The Shaw Report recorded how its investigations were hampered by poor record keeping and found that thousands of records had been created, but were then lost due to an inadequate legislative framework and poor records management. Crucially, it demonstrated how former residents of children's homes were denied access to information about their formative years. The Shaw Report demonstrated that management of records in all formats (paper and electronic) is not just a bureaucratic process, but central to good governance and should not be ignored. A follow-up review of public records legislation by the Keeper of the Records of Scotland (the Keeper) found further evidence of poor records management across the public sector. This resulted in the passage of the Act by the Scottish Parliament in March 2011.

The Act requires a named authority to prepare and implement a records management plan (RMP) which must set out proper arrangements for the management of its records. A plan must clearly describe the way the authority cares for the records that it creates, in any format, whilst carrying out its business activities. The RMP must be agreed with the Keeper and regularly reviewed.

2. Executive Summary

This report sets out the findings of the Keeper's assessment of the RMP of Edinburgh Integration Joint Board by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 30th November 2020.

The assessment considered whether the RMP of Edinburgh Integration Joint Board was developed with proper regard to the 15 elements of the Keeper's statutory Model Records Management Plan (the Model Plan) under section 8(3) of the Act, and whether in this respect it complies with it and the specific requirements of the Act.

The outcome of the assessment and the Keeper's decision on whether the RMP of Edinburgh Integration Joint Board complies with the Act can be found under section 7 of this report with relevant recommendations.

3. Authority Background

The Edinburgh Integration Joint Board (EIJB) for Edinburgh Health and Social Care Partnership is made up of representatives from City of Edinburgh Council and NHS Lothian, Third Sector representatives, service users and carers. The Edinburgh Integration Joint Board, through its Chief Officer has responsibility for the planning, resourcing and the operational oversight of a wide range of health and social care services.

[The EIJB - Edinburgh Health & Social Care Partnership \(edinburghhsc.scot\)](http://edinburghhsc.scot)

4. Keeper's Assessment Process

The RMP was assessed by the Public Records (Scotland) Act Assessment Team on behalf of the Keeper. Assessors used the checklist elements listed in section 5, to establish whether Edinburgh Integration Joint Board's RMP was developed with proper regard to the elements of the Model Plan and is compliant with the Act. The assessment also considered whether there was sufficient supporting evidence of such compliance.

Key:

G	The Keeper agrees this element of an authority's plan.		A	The Keeper agrees this element of an authority's plan as an 'improvement model'. This means that he is convinced of the authority's commitment to closing a gap in provision. He will request that he is updated as work on this element progresses.		R	There is a serious gap in provision for this element with no clear explanation of how this will be addressed. The Keeper may choose to return the RMP on this basis.
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5. Model Plan Elements: Checklist

Edinburgh Integration Joint Board

For simplicity this authority is referred to as ‘the IJB’ in the assessment below

Explanation: The public records of Edinburgh Integration Joint Board (the IJB) are created and managed digitally on Edinburgh City Council systems. Arrangements between the IJB and its partners are supported by a *Memorandum of Understanding* (MoU) between Edinburgh Integration Joint Board, City of Edinburgh Council and Lothian Health Board. This has been shared with the Keeper. The MoU does not specifically state that the records of the IJB are managed on the Council systems.

However, the Integration Joint Board’s *Records Management Plan* (the *RMP*) seems clear that the public records of the IJB are created and stored on the City of Edinburgh Council systems. For example on page 6: “It is important to note that the RMP applies to all records irrespective of the technology used by the Council to create and store IJB records or the type of information they contain.” and page 11 “It [the *Records Management Policy*] shows how the IJB and Council creates and manages authentic, reliable and useable records capable of supporting business functions and activities for as long as they are required through any organisational or system change irrespective of format.”

The principle that the public records of the IJB are entirely managed on Council systems is further supported in the *Records Management Policy Statement* (see element 3). For example, Introduction Section 2.

“For the avoidance of doubt, the following definitions will apply:

- Records are information, received and maintained as evidence;

- Information is knowledge that has been recorded; and
- Documents are items created and stored by the City of Edinburgh Council (the Council).” (See also element 4 below).

For the reasons explained above, the IJB Plan must rely heavily on the records management provision in the Council.

On 23 June 2016 the Keeper of the Records of Scotland (the Keeper) agreed the *Records Management Plan* of the City of Edinburgh Council: [City of Edinburgh Council and Licensing Board Assessment Report \(nrscotland.gov.uk\)](http://nrscotland.gov.uk)

Element	Present	Evidence	Notes
1. Senior Officer	G	G	<p>The Public Records (Scotland) Act 2011 (the Act) requires that an individual senior staff member is identified as holding corporate responsibility for records management in a public authority.</p> <p>Edinburgh Integration Joint Board (the IJB) have identified Moira Pringle, Chief Finance Officer, as the individual with overall responsibility for records management in the organisation.</p> <p>The identification of the Chief Finance Officer to this role is supported by a <i>Covering Letter</i> from Judith Proctor, Chief Officer (see under General Comments below) and by the <i>Records Management Policy Statement</i> (see element 3), for example section 17.</p> <p>The Keeper agrees that Edinburgh Integration Joint Board have identified an appropriate individual to this role as required by the Act.</p>

<p>2. Records Manager</p>	<p>G</p>	<p>G</p>	<p>The Act requires that each authority identifies an individual staff member as holding operational responsibility for records management and has appropriate corporate responsibility, access to resources and skills.</p> <p>The IJB have identified Cathy Wilson, IJB Lead Information Governance Practitioner and Operations Manager, as the individual with day-to-day responsibility for implementing the <i>RMP</i>.</p> <p>The identification of the IJB Lead Information Governance Practitioner and Operations Manager to this role is supported by the <i>Minutes of the IJB Audit and Assurance Committee</i> (dated November 2020) which have been supplied to the Keeper and which confirm Ms Wilson in the supplementary role of “Records Manager”. The Keeper will refer to Ms Wilson as Records Manager throughout this assessment. She is also confirmed as the IJB information governance lead in the <i>Memorandum of Understanding</i> between the IJB, the Council and the Health Board which has also been shared with the Keeper.</p> <p>The <i>RMP</i> makes it clear that Ms Wilson is supported by the Information Governance Manager at the Council. Ms Wilson also attends the Council’s Information Board as well as the IJB Audit and Assurance Committee.</p> <p>As the public records of the IJB are managed on the systems of City of Edinburgh Council and are, for the moment, relatively limited in scope, the Keeper agrees that it is reasonable that the IJB have not appointed a full-time records manager to this role and acknowledges that Ms Wilson has other roles.</p> <p>However, it is clear that Ms Wilson has been given appropriate responsibilities. For example: “The EIJB Records Manager is responsible for providing advice and ensuring records management policies and procedures are established in line with legal requirements and professional best practice standards.” <i>Records Management</i></p>
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			<p><i>Policy Statement</i> (see element 3) section 18.</p> <p>Furthermore, it is also clear that Ms Wilson has been provided with adequate training opportunities. The <i>RMP</i> explains under element 12 that: “The named officer under element 2 will be attending regular information governance related events for continuous professional development – this included in their personal development plan.” And “the Council’s Information Asset Manager ... has committed to oversee training through regular mentoring sessions with the IJB Records Manager”. (<i>RMP</i> page 22) The <i>RMP</i> then goes on to list a series of available records management training topics that the Keeper considers to be appropriate to Ms Wilson’s role.</p> <p>Ms Wilson reports governance issues and progress on records management to the Council’s Information Board by on a regular basis (<i>Records Management Policy Statement</i> section 21).</p> <p>Ms Wilson is the author of the IJB <i>Records Management Policy Statement</i>.</p> <p>The IJB have provided a screen-shot showing that Ms Wilson can access IJB records on the Council system.</p> <p>The Keeper agrees that Edinburgh Integration Joint Board have identified an appropriate individual to this role as required by the Act.</p>
3. Policy	G	G	<p>The Act requires an authority to have an appropriate policy statement on records management.</p> <p>Edinburgh Integration Joint Board have provided the Keeper with a <i>Records Management Policy Statement</i> (version 1.4 dated August 2021). The IJB Audit and Assurance Committee approved the Policy in August 2021.</p>

			<p>Sections 2 and 13 of the <i>Records Management Policy Statement</i> confirms the IJB’s record management arrangements (see ‘Explanation’ above).</p> <p>The Policy Statement has been circulated by email to all IJB members and those individuals who have a role in supporting the IJB. The Policy Statement is also stored and accessible on the internal IJB Microsoft Teams site. A relevant screenshot from this site has been provided as evidence.</p> <p>The <i>Records Management Policy Statement</i> (v1.0) was written by the IJB Records Manager (see element 2).</p> <p>The Keeper agrees that the <i>RMP</i> supports the objectives outlined in the <i>Records Management Policy Statement</i>.</p> <p>The Keeper agrees that Edinburgh Integration Joint Board has a formal records management policy statement as required by the Act.</p>
4. Business Classification	G	G	<p>The Keeper of the Records of Scotland (the Keeper) expects that the public records of an authority are known and are identified within a structure.</p> <p>Edinburgh Integration Joint Board <i>Records Management Policy Statement</i> (section 8) confirms that “[records] must therefore be preserved and safeguarded for as long as they’re needed for business and legal purposes in the appropriate recordkeeping system where they can be shared with whoever has authorisation to access them. This applies to all records regardless of their physical location or format.” and “Records must be usable and located in official recordkeeping systems where they can be preserved until the end of their retention period and easily retrieved.” (section 10).</p>

			<p>All public records of the IJB are managed digitally on the systems of the City of Edinburgh Council. This is confirmed in the <i>Records Management Policy Statement</i>, for example sections 2, 13 and 16: “Documents are items created and stored by the City of Edinburgh Council” (section 2) “The EIJB creates, stores and manages its records electronically.” (section 13). “Clauses on record keeping responsibilities must be included with its partner organisation – the Council as the EIJB does not have its own infrastructure to retain records. Formal arrangements and agreements are laid out in the EIJB’s Records Management Plan.” (Section 16)</p> <p>Although their public records are managed on the record keeping systems of the City of Edinburgh Council, the IJB maintain their own <i>Business Classification Scheme Records Retention Schedule and Destruction Arrangements</i> spreadsheet which has been shared with the Keeper.</p> <p>This spreadsheet shows records type/description/retention details and storage systems. For example it shows that accounting ledgers are retained and then transferred to archive. The record type ‘accounting ledgers’ are shown to be held in City of Edinburgh Council ‘Democratic’ digital folder.</p> <p>The IJB’s <i>Business Classification Scheme, Records Retention and Destruction Schedule</i> was approved by their Audit and Assurance Committee in November 2020.</p> <p>The Records Manager (see element 2) is responsible for maintaining the <i>Business Classification Scheme Records Retention Schedule and Destruction Arrangements</i> spreadsheet.</p> <p>The IJB intends to combine their <i>Business Classification Scheme</i> with that of the Council when the Council carries out an update. This is explained in the Improvement Plan (Appendix 1 of the <i>RMP</i>) and is agreed as appropriate by the</p>
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			<p>Keeper. The IJB has confirmed to the Keeper, separately, that the intention is for the IJB Operations Manager to work with the Council to develop a combined business classification scheme as an improvement action as part of updates in preparation for a council RMP re-submission in 2022. The Keeper commends this action as helping ensure the IJB retains oversight of the records management provision applied to their own information assets. The Chief Officer of the IJB confirms that improvements are forthcoming when she states in the Foreword to the <i>RMP</i> “The Plan also recognises that we are on a journey. Many of the elements within the plan describe the future developments which will improve our records management policies and procedures.” The Keeper commends this recognition.</p> <p>The Keeper agrees that Edinburgh Integration Joint Board retains all its public records in controlled systems which are structured in a clear manner and which can be used by staff to manage public records where appropriate.</p>
5. Retention schedule	G	G	<p>The Keeper expects an authority to have allocated retention periods to its public records and for those records to be retained and disposed of in accordance with a Retention Schedule.</p> <p>See element 4 above for the IJB <i>Business Classification Scheme Records Retention Schedule and Destruction Arrangements</i> spreadsheet, which has been provided to the Keeper.</p> <p>There is a recognition that a retention schedule is a living document: The RMP states that: “Any new retention rules will be proposed by the named IJB Records Manager in Element 2 and approved by the Senior Accountable Officer named in Element 1. Any rule change deemed to be a significant change will be authorised by the Chief Officer.” (<i>RMP</i> page 13). This is a good statement demonstrating a commitment to good practice and shows IJB control of the retention periods allocated to their information assets.</p>

			<p>The Keeper agrees that Edinburgh Integration Joint Board has a schedule providing retention decisions for the record types created while pursuing its functions.</p>
<p>6. Destruction Arrangements</p>	<p>G</p>	<p>G</p>	<p>The Act requires that public records are destroyed in a timely, controlled and secure manner.</p> <p>The IJB appreciates the importance of controlling the appropriate destruction of records. The Chief Officer of the IJB states in the Foreword of the <i>RMP</i> (page 3) that “we do not waste valuable resources storing information which is no longer required is superseded or is duplicated elsewhere.”</p> <p>The <i>RMP</i> states in its introduction that the IJB's Record Management Principles include that "that there are consistent and documented retention and disposal procedures" (<i>RMP</i> page 6) and “All records created by or on behalf of the IJB are public assets, and are protected under secure systems and managed into destruction or permanent preservation as appropriate.” (<i>RMP</i> page 11).</p> <p>With this commitment in mind the IJB has a <i>Business Classification Scheme Records Retention Schedule and Destruction Arrangements</i> document (see element 4) which sets out instructions for disposition including destruction and archiving. This has been provided to the Keeper. In principle all destruction at the end of the relevant retention period is carried out by the records manager (see element 2) once authorised by the Financial Officer of the IJB. As the range of records created by the IJB is limited this arrangement is appropriate and allows for an unusually robust level of centralised control. The Keeper can agree that the Records Manager has full control over retention (see element 5) and disposition.</p> <p>The Keeper has been provided with a screen shot showing that the Records Manager has access to the IJB records on the Council systems to allow destruction.</p>

			<p>All public records of the IJB are held digitally on this system.</p> <p>The <i>Records Management Policy Statement</i> makes it clear that the destruction of continuity back-up copies is the responsibility of the City of Edinburgh Council. It states at section 22: “The Council’s Information and Communication Technology (ICT) Team is responsible for data storage, backup and disaster recovery for in-house systems which hold the EIJB’s electronic records.” The Keeper has already agreed (in 2016) that the City of Edinburgh Council has appropriate back-up procedures in place including a clear control on the availability of back-up copies.</p> <p>IT equipment used by officers supporting the EIJB is owned by either the City of Edinburgh Council or NHS Lothian and is disposed of in accordance with ICT and Information Governance policies detailed within their respective Records Management Plan. The Keeper has already agreed that the hardware destruction processes in NHS Lothian and in City of Edinburgh Council are appropriate.</p> <p>The Keeper can agree that Edinburgh Integration Joint Board has arrangements in place to ensure the controlled, secure and irretrievable destruction of their public records when appropriate.</p>
7. Archiving and Transfer	G	G	<p>The Act requires that all Scottish public authorities identify a suitable repository for the permanent preservation of any records considered suitable for archiving. A formal arrangement for transfer to that repository must be in place.</p> <p>The IJB appreciates the importance of retaining a historical record of their activities. The Chief Officer of the IJB states in the Foreword of the <i>RMP</i> (page 3) “Our historical records and archives inform the historians of today and will provide a rich supply of material for the historians of the future. This is a heavy responsibility.” The <i>RMP</i> states in its introduction that the IJB's Record Management Principles include "provision for permanent preservation of archival records" (<i>RMP</i> page 6) and that</p>

			<p>“All records created by or on behalf of the IJB are public assets, and are protected under secure systems and managed into destruction <u>or permanent preservation</u> as appropriate.” (<i>RMP</i> page 11).</p> <p>With this in mind, the IJB has made formal arrangements with Edinburgh City Archives for the permanent preservation of those public records selected as historically significant.</p> <p>The <i>Records Management Policy Statement</i> (see element 3) confirms this arrangement “Any records deemed worthy of historical interest must be notified to the Records Manager who will arrange for their transfer to the Council’s City Archives for preservation.” (<i>Policy Statement</i> section 15)</p> <p>The Keeper agrees that the IJB has selected a suitable repository: Edinburgh City Archives – The City of Edinburgh Council</p> <p>A formal <i>Memorandum of Understanding</i> (MoU) between the IJB and the Council for archiving and transferring is currently in place and is signed by both the Chief Officer of the IJB and the Council’s Chief Executive. The Keeper has been provided with a copy of this agreement. The <i>MoU</i> is confirmed in the <i>Records Management Policy Statement</i> (section 19).</p> <p>The Keeper agrees that Edinburgh Integration Joint Board has arrangements in place to properly archive records when appropriate.</p>
8. Information Security	G	G	<p>The Act requires that public records are held in accordance with information security compliance requirements.</p> <p>The <i>RMP</i> states in its introduction that the IJB's Record Management Principles include that "Records will be held in a robust format which remains readable for as</p>

			<p>long as records are required" (<i>RMP</i> page 6). The <i>RMP</i> goes on to explain that the IJB "is committed to establishing and maintaining recordkeeping practices which provide evidence of its activities, demonstrate transparency, provide reliable information for its stakeholders and safeguard all personal data held." And "All records created by or on behalf of the IJB are public assets, and are protected under secure systems" (both <i>RMP</i> page 11).</p> <p>With this commitment in mind the IJB have adopted the information security practices of the City of Edinburgh Council on whose systems the IJB's public records are held.</p> <p>The IJB have provided the Keeper with a City of Edinburgh Council information security compliance statement. In 2016, the Keeper agreed that the information security provision in the Council was appropriate: City of Edinburgh Council and Licensing Board Assessment Report (nrscotland.gov.uk)</p> <p>The IJB <i>Records Management Policy Statement</i> (see element 3) states: "Records must be kept secure from unauthorised access according to the sensitivity of their content and the correct protective marking procedures followed. All relevant EIJB/EHSCP officers responsible for the safeguarding of records must have completed the mandatory protecting information training and apply this to all handling of records, including when transporting records and when remote working." (<i>Policy Statement</i> section 14).</p> <p>A changing security landscape requires continually updated training, this is acknowledged and addressed in the IJB <i>RMP</i> under element 12 (page 25).</p> <p>The Keeper agrees that Edinburgh Integration Joint Board have arrangements in place to maintain the security of information contained in the authority's public records.</p>
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<p>9. Data Protection</p>	<p>G</p>	<p>G</p>	<p>The Keeper expects a Scottish public authority to manage records involving personal data in compliance with data protection law.</p> <p>The <i>RMP</i> explains that the IJB “is committed to establishing and maintaining recordkeeping practices which provide evidence of its activities, demonstrate transparency, provide reliable information for its stakeholders and safeguard all personal data held.” (<i>RMP</i> page 11)</p> <p>The <i>Records Management Policy Statement</i> (see element 3) makes the following statements: “The EIJB is committed to establishing and maintaining recordkeeping practices which provide evidence of its activities, ... and safeguard all personal data held” (<i>Policy Statement</i> section 2) and “Personal identifiable information will be protected and shared appropriately” (section 20). This is supported in section 20: “Personal identifiable information will be protected and shared appropriately.”</p> <p>The public records of the IJB are subject to the Data Protection <u>processes</u> employed by the City of Edinburgh Council. In 2016, the Keeper agreed that these were appropriate and although there has been a change in legislation since that agreement, he has no reason to change this agreement: City of Edinburgh Council and Licensing Board Assessment Report (nrscotland.gov.uk)</p> <p>The Council is registered as a Data Controller with the UK Information Commissioner (Registration No: ZB127030). The Council also manages registration on behalf of Elected Members. The process of registration is administered by the Data Protection team who also provide specialist support and advice to services regarding their data protection responsibilities</p> <p>The IJB has appointed the City Council’s Data protection Officer as their DPO. As the records of the IJB are held on Council systems this is a sensible appointment.</p>
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			<p>The DPO “reports regularly to the Council’s Leadership Team on specific data protection matters to ensure that progress and risks are properly highlighted in this area.” (<i>Information Board Terms of Reference</i>).</p> <p>The Keeper has been provided with a <i>Memorandum of Understanding (MoU)</i> between the IJB, the Council and NHS Lothian. This makes clear the data protection responsibilities of the parties and confirms the IJB as a data controller (shared with a partner body in the case of delegated functions). The <i>MoU</i> notes that “a request for information created by the Board and then shared with the Council is likely to be managed, in the first instance, by the Board.” (<i>MoU</i> section 5). The <i>RMP</i> supports this where it states: “Request for information made under the Data Protection Act 2018 will be dealt with by the Chief Officer’s office.” (<i>RMP</i> page 17). The following link provides information relating to requests for information: Access to information - Edinburgh Health & Social Care Partnership (edinburghhsc.scot)</p> <p>The Keeper agrees that that Edinburgh Integration Joint Board have appropriate arrangements in place to comply with current data protection legislation.</p>
<p>10. Business Continuity and Vital Records</p>	<p>G</p>	<p>G</p>	<p>The Keeper expects that record recovery, prioritising vital records, is an integral part of the authority’s business continuity planning.</p> <p>All the public records of the IJB are managed on systems provided by the City of Edinburgh Council. The IJB must rely on the record recovery systems of the Council under this element.</p> <p>The <i>RMP</i> makes this clear where it states (page 19): “The IJB’s records will be subject to the policies and procedures of the Council in relation to business</p>

			<p>continuity.”</p> <p>The IJB have provided a copy of the City Council’s compliance statement under this element as evidence. The have also provided a memorandum of understanding between the IJB and the Council which refers to the preservation of IJB vital records.</p> <p>In June 2016 the Keeper agreed that there were robust procedures in place to allow the Council to resume its normal business in the event of a disaster and that appropriate consideration has been given to identifying and protecting vital records.</p> <p>The Keeper agrees that the public records of Edinburgh Integration Joint Board are covered by an approved and operational business continuity process and that information management and records recovery properly feature in continuity plans.</p>
11. Audit trail	A	G	<p>The Keeper expects an authority to have processes in place to track public records in such a way that their location is known and changes recorded.</p> <p>The <i>RMP</i> states in its introduction that the IJB's Record Management Principles include that "that records and the information within them can be efficiently retrieved by those with a legitimate right of access" (<i>RMP</i> page 6).</p> <p>The <i>Records Management Policy Statement</i> confirms that “Records must be usable and located in official recordkeeping systems where they can be preserved until the end of their retention period and <u>easily retrieved.</u>” (<i>Policy Statement</i> section 10).</p> <p>The public records of the IJB are held digitally on the systems operated by the City of Edinburgh Council. The IJB must therefore rely on the record tracking and identification systems of the Council.</p>

			<p>The <i>RMP</i> confirms this: “IJB records created and stored on Council systems are managed via the Council’s information governance policies.” (<i>RMP</i> page 21). The IJB has provided a memorandum of understanding, and the Council’s compliance statement around this element, as evidence.</p> <p>In June 2016, The Keeper agreed this element of the City of Edinburgh Council’s plan. However, he did so under ‘improvement model’ terms. This was in recognition of a lack of universally operational record tracking at the Council.</p> <p>The Keeper has determined that the RAG status of a <i>Records Management Plan</i> of any authority, whose records are managed on the systems of a separate authority, cannot be higher than that awarded to the ‘host’ authority. As noted above, the City of Edinburgh Council is in an improvement period and carries an amber status against this element.</p> <p>Therefore, the Keeper can to agree element 11 on the same ‘improvement model’ terms as the Council.</p>
<p>12. Competency Framework for records management staff</p>	<p>G</p>	<p>G</p>	<p>The Keeper expects staff creating, or otherwise processing records, to be appropriately trained and supported.</p> <p>The <i>RMP</i> states in its introduction that the IJB’s record management principles include that “ all staff are informed of their record-keeping responsibilities through appropriate training and guidance ” (<i>RMP</i> page 6).</p> <p>The <i>Records Management Policy Statement</i> also makes the training requirement clear: “All relevant EIJB/EHSCP officers responsible for the safeguarding of records must have completed the mandatory protecting information training and apply this to all handling of records, including when transporting records and when remote</p>

			<p>working.” (<i>Policy Statement</i> section 14) and “The EIJB Chief Officer and Chief Finance Officer are responsible for ensuring that records relating to EIJB business are handled in accordance with records management policy and procedures. They must ensure any new EIJB members, relevant partner or contractors are made aware of the policy and undertake relevant information and records management training.” (section 17).</p> <p>There is evidence in the <i>RMP</i> that appropriate training in core data protection and security issues is provided to IJB staff. This supports elements 8 and 9 above. The training and development opportunities offered to the Records Manager (see element 2) are detailed and seem thorough.</p> <p>Training for IJB staff is overseen by the Information Board at City of Edinburgh Council (specifically through the Information Asset Manager). In 2016 the Keeper agreed that the training programme of the Council was compliant with expectations under the Act.</p> <p>The Keeper has also been provided with a copy the text used in a staff newsletter explaining records management arrangements in the Board. This is good evidence of engagement with staff around this issue.</p> <p>Finally the <i>RMP</i> makes the following, important, commitment: “The Information Board will regularly review the requirements for information management training for all staff with an information management requirement.” (<i>RMP</i> page 22).</p> <p>The Keeper agrees that the individual identified at element 2 has the appropriate responsibilities, resources and skills to implement the records management plan. Furthermore, he agrees that Edinburgh Integration Joint Board consider information governance training for staff as required.</p>
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<p>13. Assessment and Review</p>	<p>A</p>	<p>G</p>	<p>Section 1(5)(i)(a) of the Act says that an authority must keep its RMP under review.</p> <p>The introduction to the <i>RMP</i> explains that “Governance and oversight on the content of this document will be provided by the IJB Audit and Risk Committee. Progress update on the improvement plan will feature as a standing agenda item for this Committee.” The Keeper of the Records of Scotland’s PRSA Assessment Team will provide the IJB with a Progress Update Review (PUR) template annually. The completion and submission of this template is entirely voluntary, but the IJB might consider utilising the PUR process as a prompt for annual review.</p> <p>The IJB have provided a link to the Audit and Risk Committee terms of reference.</p> <p>The Keeper notes that the forward action plan (Appendix 1 of the <i>RMP</i>) has an objective that the “IJB Audit and Assurance Committee to receive quarterly updates on the RMP Improvement Plan.” Annually the Board is to be provided with a report on updates to existing information governance policies, and progress with the development and implementation of the <i>RMP</i> Improvement Plan. These reporting actions are agreed and are welcome evidence of an intention to actively pursue this requirement of the Act.</p> <p>Review arrangements have been included in the text against each element in the <i>RMP</i>.</p> <p>The <i>Records Management Policy Statement</i> (see element 3) is reviewed annually by the Records Manager (see element 2) and “regular reports on progress will be submitted to both the Council’s Information Board and the EIJB Audit and Assurance Committee.” (<i>Records Management Policy Statement</i> section 25).</p> <p>Responsibility for reviewing the plan lies with the IJB Audit and Assurance Committee. They do this with input from City of Edinburgh Council who have</p>
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			<p>committed to provide an progress report on yearly basis once the <i>RMP</i> is agreed. This is pursued by the Council’s Information Board and is in line with their terms of reference, which have been provided to the Keeper (<i>Information Board Terms of Reference v1.4</i>).</p> <p>As the IJB’s public records are managed on Council record keeping systems, the regular input from the Council Information Board is vital.</p> <p>However, in 2016 when the Keeper agreed the RMP of City of Edinburgh Council, he did so for element 13 (Assessment and Review) under ‘improvement model’ terms. This was because a suitable review methodology had at that point not been developed. Agreement was possible because responsibility for review, timing and reporting were all in place. The Keeper said in his 2016 <i>Agreement Report</i>: “The Keeper can agree this Element on an ‘improvement model’ basis. This means that the authority has identified a gap in provision (lack of an assessment and review methodology) but has evidenced a clear commitment of how it intends to close this gap (a pilot programme of assessment, followed by the roll-out of a self-assessment procedure commencing in early 2017). As part of this agreement the Keeper will expect to be kept up-to-date on the progress of this project.” City of Edinburgh Council has not yet provided an update regarding the self-assessment programme.</p> <p>As the self-assessment of the Council’s systems are integral to the confidence that the IJB can have in those systems, the Keeper can only agree this element of the IJB’s <i>RMP</i> at the same RAG status as that of the ‘host’ authority.</p>
14. Shared Information	G	G	The Keeper expects a Scottish public authority to ensure that information sharing, both within the Authority and with other bodies or individuals, is necessary, lawful

			<p>and controlled.</p> <p>As part of its function an IJB must utilise the records of other partners and, therefore, information sharing is a key part of its business. In the case of Edinburgh Integration Joint Board the records of the Board itself are managed by a third party (the Council). For these reasons the Keeper must be satisfied that robust data sharing agreements are in place in that third party.</p> <p>In 2016 the Keeper agreed that the information sharing procedures in the City of Edinburgh Council were appropriate. The Keeper has been provided with a memorandum of understanding (MoU) which make clear that the IJB follows formal arrangements around information sharing and that these arrangements have been agreed with the Council, who hold the public records of the IJB (see MoU section 3). The Keeper can therefore accept that the public records of the IJB will be shared, when appropriate, under the standards adopted by the Council.</p> <p>The <i>RMP</i> confirms (page 24) “To support effective service delivery and compliance with information governance legislation, the MoU will be underpinned by local documentation setting out practical arrangements and responsibilities.”</p> <p>The Keeper can agree that Edinburgh Integration Joint Board properly considers records governance when undertaking information sharing programmes.</p>
<p>15. Public records created or held by third parties</p>	<p>N/A</p>	<p>N/A</p>	<p><u>Third Parties:</u></p> <p>The Public Records (Scotland) Act 2011 (PRSA) makes it clear that records created by third parties when carrying out the functions of a scheduled authority should be considered ‘public records’ - PRSA Part 1 3 (1)(b).</p> <p>The Integration Joint Board <i>RMP</i> is arranged according to the 14 element version of</p>

			<p>the Keeper’s Model Plan. In May 2019 the Keeper introduced a 15th “Third Party Contractors” element: https://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources/model-records-management-plan</p> <p>However, it should be noted that the requirement to address the issue of third party contractors carrying out functions of an authority has always been integral to the Act.</p> <p>It is unlikely that the IJB contract any of its statutory functions to a third-party. However, the <i>Records Management Policy Statement</i> refers to “...agents, contractors or consultants acting on behalf of the EIJB in the course of carrying out its functions.”</p> <p>Subsequently, the Keeper has been provided with the following statement from Edinburgh Integration Joint Board: “Under the provisions of the Public Bodies (Joint Working) (Scotland) Act 2014, the EIJB can enter directly into contracts for the provision of services. At the time of writing the records management plan, the EIJB does not have direct arrangements with a third party, other than City of Edinburgh Council or NHS Lothian. City of Edinburgh Council and NHS Lothian may make arrangements with third parties to carry out functions on behalf of the EIJB. They will do this in accordance with their respective records management plans.”</p> <p>The Keeper agrees that this element does not currently apply to the IJB.</p>
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Edinburgh Integration Joint Board (‘The IJB’ in the assessment below)

Explanation: The public records of Edinburgh Integration Joint Board (the IJB) are created and managed digitally on Edinburgh City Council systems. Arrangements between the IJB and its partners are supported by a *Memorandum of Understanding* (MoU) between Edinburgh Integration Joint Board, City of Edinburgh Council and Lothian Health Board. This has been shared with the Keeper. The MoU does not specifically state that the records of the IJB are managed on the Council systems.

However, the Integration Joint Board’s *Records Management Plan* (the *RMP*) seems clear that the public records of the IJB are created and stored on the City of Edinburgh Council systems. For example on page 6: “It is important to note that the RMP applies to all records irrespective of the technology used by the Council to create and store IJB records or the type of information they contain.” and page 11 “It [the Records Management Policy] shows how the IJB and Council creates and manages authentic, reliable and useable records capable of supporting business functions and activities for as long as they are required through any organisational or system change irrespective of format.”

The principle that the public records of the IJB are entirely managed on Council systems is further supported in the *Records Management Policy Statement* (see element 3). For example, Introduction Section 2.

“For the avoidance of doubt, the following definitions will apply:

- Records are information, received and maintained as evidence;
- Information is knowledge that has been recorded; and
- Documents are items created and stored by the City of Edinburgh Council (the Council).” (See also element 4 below).

For the reasons explained above, the IJB Plan must rely heavily on the records management provision in the Council.

On 23 June 2016 the Keeper of the Records of Scotland (the Keeper) agreed the *Records Management Plan (RMP)* of the City of Edinburgh Council: [City of Edinburgh Council and Licensing Board Assessment Report \(nrscotland.gov.uk\)](https://www.nrscotland.gov.uk/city-of-edinburgh-council-and-licensing-board-assessment-report)

General Notes on submission:

This assessment is on the Records Management Plan (the *RMP*) of Edinburgh Integration Joint Board version 2.2 as submitted to the Keeper 15th September 2021.

The submission to the Keeper included

- The *Records Management Plan* featuring an Improvement Plan;
- A *Covering Letter* from Judith Proctor, Chief Officer Edinburgh Health and Social Care Partnership, dated 19th December 2018
- The *IJB Records Management Policy Statement*
- An *Executive Team Structure Map*
- *Memorandum of Understanding (MoU) between the IJB, the Council and the Health Board addressing information governance*
- *Memorandum of Understanding (MoU) between the IJB and the Council addressing archive provision*
- The *IJB Business Classification Scheme Records Retention Schedule and Destruction Arrangements*;
- Minutes of relevant Audit and Assurance Committee meetings;
- Screen shots showing IJB staff access to relevant documents
- The *Terms of Reference* of the Council's Information Board
- The text of article to be included the in-house Newsletter

The Foreword to the *RMP* states: “The Edinburgh Integration Joint Board for Health and Social Care recognises and values record management as an important part of our quality assurance and continuous improvement activity. The management of records is central to good governance, openness and transparency. This Records Management Plan has been created for the Edinburgh Integration Joint Board. It has been prepared in compliance with requirements of the Public Records (Scotland) Act 2011..” The Keeper agrees and commends this introductory statement.

The *RMP* also notes that systemic management of records allows the organisation to:

- Increase efficiency and effectiveness;
- Make savings in administrative costs, both in staff time and storage;
- Ensure compliance with the Public Records (Scotland) Act 2011 and other legislative requirements, standards and codes of conduct;
- Provide continuity in the event of a disaster; and
- Support decision making, transparency, accountability and good governance.

The Keeper fully agrees this introductory statement.

He also notes that the *RMP* includes the following statement “The IJB is committed to ensuring that a culture of continuous record management is embedded in its business practices.” This is a welcome commitment. The IJB also note: “In submitting this RMP, the IJB acknowledges that further development work is needed in order to demonstrate full compliance for each element of the PRSA. As such, an improvement plan incorporating action area for improvement on each element is linked directly to this RMP.” This principle of ‘improvement’ is also highlighted in the Foreword to the *RMP* (signed by the IJB Chair and by the Chief Officer). Appendix 1 of the *RMP* is the Improvement Plan. It is noted that the *RMP* suggests that a more detailed improvement plan is forthcoming (*RMP* page 8). **The Keeper would be interested in receiving a copy of this plan when it becomes available.**

The IJB has proposed that, once the Records Management Plan is formally agreed by the Keeper, it will be published on the Health and Social Care area of their website. This is welcomed by the Keeper.

The introduction to the *RMP* provides a good explanation of the principles of records management (page 6).

The public records of the IJB are managed on the systems of the City of Edinburgh Council. The Keeper notes that the control sheet shows that the council records manager has reviewed the *RMP* prior to submission.

The authority refers to records as a business ‘asset’ (for example *Records Management Policy* - see element 3 - section 1 and *RMP* page 11). This is an important recognition and the Keeper commends it.

The Keeper agrees that efficient control over their information assets will assist the IJB in pursuing the objectives laid out in their Strategic Plan [Strategic-Plan-2019-2022-1.pdf \(edinburghhsc.scot\)](#)

Key Group: the City of Edinburgh Council Information Board

Records management in the IJB is facilitated through the City of Edinburgh Council Information Board. The Keeper has been provided with a copy of the terms of reference of this group. The Information Board brings together the Council's Senior Information Risk Owner (SIRO) with Information Asset Owners from across the Council including a representative from Health and Social Care Partnership/Integration Joint Board (specifically stated in the *Terms of Reference*). The SIRO will escalate information issues and risks to the Council's Leadership Team.

The IJB *Business Classification Scheme* (see element 4) will be assessed and reviewed as required on an ongoing basis as stipulated by the Information Board.

This group is clearly of fundamental importance to records management in the authority and the Keeper thanks the IJB for including information about their work in the submission.

Local Records Management

The *Records Management Policy Statement* (see element 3) provides general instructions for IJB officers, such as at section 10: "Appropriate officers must ensure conformance with any titling and classification instructions for their business area at the time the record is created or captured in the official recordkeeping system." As the number of staff directly creating IJB records is limited it is reasonable that the authority does not identify specific 'records management champions' for separate business areas. The Records Manager (see element 2) should be able to directly oversee the appropriate creation of records in the IJB.

6. Keeper's Summary

Elements **1 – 15** that the Keeper considers should be in a public authority records management plan have been properly considered by Edinburgh Integration Joint Board. Policies and governance structures are in place to implement the actions required by the plan.

Elements that require development are as follows:

Element 11 Audit trail

Element 13 Assessment and Review

The Keeper acknowledges that these elements require improvement action on the part of the authority on whose systems the IJB's public records are managed rather than by the IJB.

7. Keeper's Determination

Based on the assessment process detailed above, the Keeper **agrees** the RMP of Edinburgh Integration Joint Board.

- The Keeper recommends that Edinburgh Integration Joint Board should publish its agreed RMP as an example of good practice within the authority and the sector.

This report follows the Keeper's assessment carried out by,



.....
Pete Wadley
Public Records Officer

.....
Liz Course
Public Records Officer

8. Endorsement of Report by the Keeper of the Records of Scotland

The report has been examined and is endorsed under the signature of the Keeper of the Records of Scotland as proof of compliance under section 1 of the Public Records (Scotland) Act 2011, and confirms formal agreement by the Keeper of the RMP as submitted by Edinburgh Integration Joint Board In agreeing this RMP, the Keeper expects Edinburgh Integration Joint Board to fully implement the agreed RMP and meet its obligations under the Act.



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Paul Lowe
Keeper of the Records of Scotland