

## **Public Records (Scotland) Act 2011**

**NHS 24**

**The Keeper of the Records of Scotland**

**8 December 2017**

**Contents**

1. Public Records (Scotland) Act 2011 .....3  
2. Executive Summary .....4  
3. Authority Background .....4  
4. Keeper’s Assessment Process .....6  
5. Model Plan Elements: Checklist .....7  
6. Keeper’s Summary .....29  
7. Keeper’s Determination .....29  
8. Keeper’s Endorsement.....30

## 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 NHS 24 by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 5<sup>th</sup> April 2017.

The assessment considered whether the RMP of NHS 24 was developed with proper regard to the 14 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 NHS 24 complies with the Act can be found under section 7 of this report with relevant recommendations.

## 3. Authority Background

NHS 24 is a Special Health Board responsible to Scottish Ministers through the Scottish Government Health and Social Care Directorates. The NHS (Scotland) Act 1978 and subsequent legislation defines the overall aims for Health Boards, including NHS 24. NHS 24 was constituted on 6 April 2001 under the NHS 24 (Scotland) Order 2001, No. 137. For policy/administrative purposes NHS 24 is a Non Departmental Public Body (NDPB), classified as an NHS body. The Board has corporate responsibility for ensuring that NHS 24 fulfils the aim[s] and objectives set by the Scottish Ministers and for promoting the efficient and effective use of staff and other resources by NHS 24 in accordance with the principles of Best Value. NHS 24 is also Scotland's provider of a national telehealth service. Specifically, the role of NHS 24 is to:

Triage calls, assess patients' symptoms and refer patients to the most appropriate healthcare professional within an appropriate timescale based on clinical need;

Work in partnership with local health services provided by NHS Boards, NHS staff organisations and local communities through integration with other parts of the NHS - in particular, the Primary Care Out-of-Hours Services provided by NHS Boards throughout Scotland, the Scottish Ambulance Service and the Acute Hospitals' Accident and Emergency Departments;

Support the health improvement agenda across Scotland by working in partnership with local Boards to provide added value services where and, when required, utilising the IT telephony and infrastructure to benefit patients 24 hours a day.

Effective strategic engagement between the SG and NHS 24 is essential in order that they work together as effectively as possible to maintain and improve public services and deliver improved outcomes. Both the SG and NHS 24 will take all necessary steps to ensure that their relationship is developed and supported in line with the jointly agreed principles set out in the statement on 'Strategic Engagement between the Scottish Government and Scotland's NDPBs'.

<http://www.nhs24.com/>

## 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 [named public authority]'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:

<b>G</b>	The Keeper agrees this element of an authority's plan.		<b>A</b>	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.		<b>R</b>	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

Element	Present	Evidence	Notes
1. Senior Officer <i>Compulsory element</i>	<b>G</b>	<b>G</b>	<p>NHS 24 have identified Margo McGurk, Director of Finance and Performance, as the individual with overall responsibility for records management in the authority.</p> <p>Ms. McGurk is NHS 24’s SIRO.                      The appointment of Ms. McGurk to this role is confirmed by a letter from Angiolina Foster, NHS 24’s Chief Executive.</p> <p>The NHSScotland’s Code of Practice:  <a href="http://www.gov.scot/Publications/2012/01/10143104/0">http://www.gov.scot/Publications/2012/01/10143104/0</a>                      makes it clear that the Chief Executive of a Health Board is ultimately responsible for records management (see COP section 33). This is acknowledged in the NHS 24 <i>Records Retention and Destruction Policy</i> (section 8.1) <b>(see element 5)</b>. However the Keeper is content that, in the case of NHS 24, this role can be delegated to the SIRO.</p> <p>Ms. McGurk signed the <i>Records Management Plan</i> (the <i>Plan</i>) on 29<sup>th</sup> March 2017 (<i>Plan</i> page 5).</p> <p>The <i>Records Management Policy</i> <b>(see element 3)</b> confirms that the SIRO has responsibility for the management and mitigation of risks associated with information management processes.” (see section 8). This is repeated in the <i>Information Security Policy</i> <b>(see element 8)</b> (section 7) the <i>Data Protection Policy</i> <b>(see element 9)</b> (section 7.2) and the <i>Records Retention and Destruction Policy</i> (8.2).</p>

			<p>Ms. McGurk is the lead officer for the <i>NHS 24 Organisational Resilience Framework 2017-2019</i> (<b>see element 10</b>) and, alongside the Head of Information Governance and Security (<b>see element 2</b>) is responsible for permitting any exceptions to the <i>Records Management Policy</i> and other information governance policy documents.</p> <p>The Keeper agrees that NHS 24 have identified an appropriate individual to this role as required by the Public Records (Scotland) Act 2011 (the Act).</p>
<p>2. Records Manager <i>Compulsory element</i></p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>NHS 24 have identified Sanny Gibson, Head of Information Governance and Security, as the individual with day-to-day responsibility for implementing the <i>Plan</i>.</p> <p>The appointment of Mr. Gibson to this role is confirmed by a letter from Angiolina Foster, NHS 24’s Chief Executive.</p> <p>Mr. Gibson is the author of the <i>Plan</i>; the <i>Records Management Policy</i> (<b>see element 3</b>); the <i>Record Retention and Destruction Policy</i> (<b>see element 5</b>); the <i>Information Security Policy</i>, the <i>Clear Desk Clear Screen Policy</i>, the <i>Information Classification Scheme Policy</i>, the <i>Security Incident Management Policy</i> and the <i>Password Management Policy</i> (<b>for all see element 8</b>); the <i>Data Protection, Confidentiality and Privacy Policy</i> and the <i>Access to Personal Information Policy</i> (<b>for both see element 9</b>). He is document ‘owner’ of the <i>Document Version Control &amp; Naming Convention Guidance</i> (<b>see element 11</b>).</p> <p>Mr Gibson is the NHS 24 records management, information security and data protection lead.</p> <p>The Head of Information Governance and Security chairs the Records Management Group (<b>see IGSG under General Comments below</b>).</p>

			<p>The above would suggest that Mr Gibson has a detailed knowledge of the records management provision in the authority.</p> <p>Alongside the Director of Finance and Performance (<b>see element 1</b>), Mr Gibson is responsible for permitting any exceptions to the <i>Records Management Policy</i> (<b>see element 3</b>) and other information governance policy documents. Record types not identified in the <i>Record Retention and Destruction Policy</i> must be brought to Mr Gibson’s attention.</p> <p>The <i>Records Management Policy</i> confirms that the Head of Information Governance and Security has responsibility to “provide guidance on all areas of Records Management.” (see section 8).</p> <p>The Head of Information Governance and Security is responsible for updating the Board’s registration with the Information Commissioner (<b>see element 9</b>).</p> <p>The Keeper notes that records management responsibilities may change due to proposals currently under consideration by NHS 24 and the Scottish Ambulance Service. <b>The Keeper requests that he is kept updated regarding any developments in this area.</b></p> <p>The Keeper agrees that NHS 24 have identified an appropriate individual to this role as required by the Act.</p>
<p>3. Policy Compulsory element</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>NHS 24 have a <i>Records Management Policy</i> which has been submitted to the Keeper in evidence. This is version 1.0 dated Jan 2017.</p> <p>The <i>Records Management Policy</i> is endorsed by a letter from Angiolina Foster, NHS 24’s Chief Executive dated March 2017.</p>

			<p>The Keeper agrees that the <i>Plan</i> supports the aims of the <i>Policy</i>.</p> <p>As well as operating their own Records Management Policy, NHS 24 map their provision to The Records Management: NHS Code of Practice (Scotland) - <a href="http://www.gov.scot/Publications/2012/01/10143104/0">http://www.gov.scot/Publications/2012/01/10143104/0</a></p> <p>Intranet screen-shots have been provided showing staff can access records management documents and training.</p> <p>The Keeper agrees that the NHS 24's <i>Records Management Policy</i> represents a general statement regarding the 'procedures to be followed in managing the authority's public records' as required by the Act.</p>
<p>4. Business Classification</p>	<p><b>A</b></p>	<p><b>G</b></p>	<p>The <i>Records Management Policy (see element 3)</i> requires that NHS 24 will "Establish a Business Classification Scheme" and "establish and maintain mechanisms through which all departments and services can register the records (and information assets) they create and maintain.." (<i>Records Management Policy</i> sections 2.1 and 4.2).</p> <p>With these commitments in mind NHS 24 are creating a <i>Business Classification Scheme</i>. This is shown in the Plan as being "still under development" and "The BCS will be developed to a new network share drive"</p> <p>The <i>Business Classification Scheme</i> will be populated with record types based on the NHS Scotland template: <a href="http://www.nhsggc.org.uk/media/236761/nhsggcbcsv0-3.pdf">http://www.nhsggc.org.uk/media/236761/nhsggcbcsv0-3.pdf</a></p> <p>The <i>Business Classification Scheme</i> is being developed with input from local service areas. The Keeper commends this practice as liable to help create a stronger business tool.</p>

			<p>The Head of Information Governance and Security (<b>see element 2</b>) is the 'owner' of the development of the Business Classification Scheme.</p> <p>The <i>Plan</i> states: "The BCS will form the basis of the document filing structure which is being implemented throughout the NHS 24 functions." (page 12). It goes on to indicate a target for the work on the <i>Business Classification Scheme</i> and on the structuring of the network drive to map this scheme to 2020. It is understandable that progress on this work will be incremental and the Keeper agrees that 2020 target as being a reasonable one. He notes that a pilot project (using the old shared drive) has been carried out for one local service area. The Keeper recognises this as further evidence of an intention to proceed with the work explained in the <i>Plan</i>.</p> <p>NHS 24 hold records in bespoke line-of-business systems and on networked shared drives.</p> <p>Although primarily working with electronic records, NHS 24 operate a hybrid system. They hold some hard-copy records in local offices and others with a third party storage company. Contracts have been supplied to the Keeper in evidence of this latter arrangement.</p> <p><b>The Keeper agrees this element of NHS 24's <i>Records Management Plan</i> under 'improvement model' terms. This means that an authority has identified a gap in its records management provision (in this case that the <i>Business Classification Scheme</i> is not fully developed), but has put processes in place to close that gap. The Keeper's agreement is conditional on his being updated as the project progresses.</b></p>
5. Retention schedule	<b>G</b>	<b>G</b>	NHS 24 has submitted their <i>Records Retention and Destruction Policy</i> which shows the categories of records created by the Board and the retention actions assigned to

			<p>them. The submitted <i>Policy</i> is version 2.0 dated March 2017.</p> <p>This document enables NHS 24 to meet a commitment that they will “ensure that records are retained and disposed of appropriately, using consistent and documented retention and disposal procedures” (<i>Records Management Policy – see element 3 – section 2.1</i>) and an acknowledgement that “Records management is a discipline which utilises an administrative system to direct and control the ...retention...of records in a way that is administratively sound, at the same time serving the operational needs of NHS 24 and preserving appropriate historical records”(section 4.1 sections 4.3 and 5.4 also support).</p> <p>The retention decisions applied in the <i>Policy</i> are mapped to the Records Management: NHS Code of Practice (Scotland) - <a href="http://www.gov.scot/Publications/2012/01/10143104/0">http://www.gov.scot/Publications/2012/01/10143104/0</a> NHS 24 have noted that this C.O.P. is being reviewed in 2017.</p> <p>A sample entry would be: Inspection Reports – e.g. boilers, lifts etc./years after operational lifetime of installation/ plant/Should be retained indefinitely if there is any measurable risk of a liability.</p> <p>The <i>Records Retention and Destruction Policy</i> details the type of record which may be considered for permanent preservation (<b>see element 7</b>) such as Area Health Plans.</p> <p>The <i>Records Retention and Destruction Policy</i> mentions the Public Records (Scotland) Act 2011.</p> <p>NHS 24 recognise that the permanent retention of <u>all</u> records is undesirable. The Keeper notes this and commends.</p>
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			<p>The Keeper agrees that NHS 24 have a retention schedule that allocates retention decisions to the record types expected of a NHS special board.</p>
<p>6. Destruction Arrangements <i>Compulsory element</i></p>	<p><b>A</b></p>	<p><b>G</b></p>	<p>NHS 24 commit to establishing “Records Management good practice in relation to the...disposal of NHS 24 records.” And to “ensure that records are retained and disposed of appropriately, using consistent and documented retention and disposal procedures” (<i>Records Management Policy – see element 3 – section 2.1</i>) and that “records management is a discipline which utilises an administrative system to direct and control the...disposal of records in a way that is administratively sound, at the same time serving the operational needs of NHS 24...” (<i>Policy and Record Retention and Destruction Policy – see below – section 4.1</i>).</p> <p>These general objectives are supported by statements in the <i>Plan</i> for example Introduction (page 3): “Effective management of information ...allows the timely destruction of redundant information...”</p> <p>With these commitments in mind, NHS 24 has the following procedures in place for the destruction of records:</p> <p><u>Paper (internal)</u>: NHS 24 generally destroy hard-copy records internally using appropriate shredding specifications (shared with the Keeper). This is supported by statements in the <i>Records Retention and Destruction Policy (see element 5)</i> for example at section 4.24. Proposals to contract this service out to a third party are being actively pursued at the time of assessment. <b>The Keeper requests that he is updated regarding this.</b></p> <p><u>Paper (external)</u>: NHS 24 store hard-copy records with a third party storage supplier. They have provided the Keeper with copy of the contract with this organisation that refers to the standards met by their destruction processes and they have also provided sample destruction certificates.</p>

			<p><b><u>Electronic:</u></b> In common with many Scottish public authorities, NHS 24 is not satisfied that the controlled deletion of those records held electronically on shared drives is being universally carried out efficiently. With this in mind, they state in the <i>Plan</i> (page 15) “As the review of current network share drives continues then a data cleanse of information will take place and an NHS 24 wide procedure will be formalised for adoption by all NHS 24 staff to ensure compliance with the NHS 24 Records Retention and Destruction Policy.” This is supported by the ‘actions’ column against this element: “As the review of current network share drives continues then a data cleanse of information will take place and an NHS 24 wide procedure will be formalised for adoption by all NHS 24 staff to ensure compliance with the NHS 24 Records Retention and Destruction Policy.” The Head of Information Governance and Security (see element 2) is lead officer on this work. The Keeper agrees these actions and requires that NHS 24 report progress when appropriate.</p> <p><b><u>Hardware:</u></b> Destruction of records held on redundant hardware is carried out by a third party provider. This procedure is supported by statements in the <i>Records Retention and Destruction Policy</i> (see element 5) for example at section 4.24. NHS 24 have provided the Keeper with various documents as evidence that this process is operational.</p> <p>These procedures are explained in detail in the <i>Records Retention and Destruction Policy</i>.</p> <p><b><u>Back-Ups:</u></b> NHS 24, quite properly, back-up their information for business continuity purposes. The back-up cycle is explained in the <i>Plan</i> (pages 13, 17 and 21).</p> <p>Intranet screen-shots have been provided showing staff can access records management documents and training.</p>
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			<p>The Keeper notes that NHS 24 routinely keep a log of records that have been destroyed and commends this practice.</p> <p><b>The Keeper agrees this element of NHS 24’s <i>Records Management Plan</i> under ‘improvement model’ terms. This means that an authority has identified a gap in its records management provision (in this case that the deletion of electronic records is not fully developed), but has put processes in place to close that gap. The Keeper’s agreement is conditional on his being updated as the project progresses.</b></p>
<p>7. Archiving and Transfer <i>Compulsory element</i></p>	<p><b>G</b></p>	<p><b>A</b></p>	<p>NHS 24 have identified the National Records of Scotland (NRS) as the appropriate repository for records identified as suitable for permanent preservation.</p> <p>A Memorandum of Understanding regarding the transfer of records from NHS 24 to NRS is being negotiated at the time of this assessment. This is confirmed by the NRS Client Management Team.</p> <p>NHS 24 have made the following statement in the “Actions” against this element: “Agree schedule of archive transfer with NRS. Complete Memorandum of Understanding with NRS.”</p> <p>The pursuit of formal archiving arrangements is supported by statements in the <i>Plan</i> for example Introduction (page 3): “Effective management of information ...allows... the identification and protection of vital and historically important records” and in the <i>Records Management Policy (see element 3)</i> “ensure that records are retained and disposed of appropriately...which include – where required – the permanent preservation of records which have archival value” (<i>Policy</i> section 2.1) and “Records management is a discipline which utilises an administrative system to direct and control the ...retention of records in a way that is administratively sound, at the same</p>

			<p>time serving the operational needs of NHS 24 and preserving appropriate historical records.” (<i>Policy 4.1</i>)</p> <p>Archiving arrangements with NRS are the responsibility of the Head of Information Governance and Security (<b>see element 2</b>).</p> <p><b>The Keeper agrees this element of NHS 24’s <i>Records Management Plan</i> under ‘improvement model’ terms. This means that he acknowledges that the authority has identified a gap in provision (there is no formal transfer agreement with the archive) and have put processes in place to close that gap. The Keeper’s agreement is conditional on his PRSA Assessment Team being provided with a copy of the signed MOU when available.</b></p>
<p>8. Information Security <i>Compulsory element</i></p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>NHS 24 has an <i>Information Security Policy</i> which has been provided to the Keeper. This is version 2.0 approved by the Information Governance and Security Group (<b>see under General Comments below</b>) in January 2017.</p> <p>The <i>Policy</i> states at 1.3 “It is essential that the information systems used by NHS 24 are developed, operated, used and maintained in a safe and secure fashion.” And with this in mind it is supported by a suite of other security policies and guidance such as a <i>Clear Desk Clear Screen Policy</i> and an <i>Information Classification Scheme Policy</i>. This framework also complies with NHS Scotland Information Security Framework: <a href="http://www.ehealth.nhs.scot/wp-content/uploads/sites/7/2015/07/IG4-NHSS-Information-Security-Policy-Framework.pdf">http://www.ehealth.nhs.scot/wp-content/uploads/sites/7/2015/07/IG4-NHSS-Information-Security-Policy-Framework.pdf</a></p> <p>NHS 24 have provided the Keeper with a copy of their <i>Incident Management Policy</i> (v2.0 January 2017) which explains the procedure for reporting actual or potential security breaches. The operation of this management policy is in support of an objective in the <i>Information Security Policy</i> (section 2.1 and 8.8) repeated in the <i>Data Protection Policy</i> (<b>see element 9</b>) (at 8.9).</p>

			<p>The development of the information security framework is supported by the <i>Record Retention and Destruction Policy</i> (<b>see element 5</b>) section 2.1.</p> <p>Staff contracts include clauses regarding information security. Staff must sign a confidentiality statement. The Keeper commends this inclusion.</p> <p>Intranet screen-shots have been provided showing staff can access records management documents and training.</p> <p>The <i>Records Management Policy</i> (<b>see element 3</b>) commits NHS 24 to adhere “to National Information Governance and Information Security Standards” (<i>Policy</i> section 2.1).</p> <p>The <i>Information Security Policy</i> mentions the Public Records (Scotland) Act 2011.</p> <p>Responsibility for monitoring the effectiveness of the <i>Information Security Policy</i> and carrying out its biennial review falls to the Head of Information Governance and Security (<b>see element 2</b>).</p> <p>The Keeper notes that NHS 24 are rolling out MetaCompliance Policy Compliance which monitors and audits staff awareness of policies. Statistics to be reported to the Information Governance and Security group (<b>see under General Comments below</b>). Statistics on training uptake are already supplied to this group.</p> <p>The Keeper agrees that NHS 24 have processes in place to ensure the security of the records they hold as required by the Act.</p>
9. Data Protection	<b>G</b>	<b>G</b>	NHS 24 have a <i>Data Protection, Confidentiality and Privacy Policy</i> (the <i>Data Protection Policy</i> ), which has been supplied to the Keeper. This is version 2.0

			<p>authorised by the EMT in April 2016.</p> <p>NHS 24 are registered as data controllers with the Information Commissioner: Z8707451.</p> <p>The <i>Data Protection Policy</i> explains the process for making subject access requests (section 9) and the <i>Policy</i> is supplemented by an <i>Access to Personal Information Policy</i> which has also been shared with the Keeper (version 1.0 April 2016). NHS 24 also have staff guidance in the form of a subject access request flowchart (also shared with the Keeper and commended). Access information is available to the public at: <a href="http://www.nhs24.com/explained/myinfonhs24/accessrecords/">http://www.nhs24.com/explained/myinfonhs24/accessrecords/</a> and the use of records more generally at: <a href="http://www.nhs24.com/explained/myinfonhs24/">http://www.nhs24.com/explained/myinfonhs24/</a></p> <p>The <i>Data Protection Policy</i> explains the (current) eight principles of data protection (Appendix 1).</p> <p>The availability of staff guidance is one of the policy objectives in the <i>Data Protection Policy</i> (section 2.1).</p> <p>NHS 24 have a privacy policy at <a href="http://www.nhs24.com/privacypolicy/">http://www.nhs24.com/privacypolicy/</a> and provides reference to the Data Protection Act 1998 at <a href="http://www.nhs24.com/explained/myinfonhs24/dataprotection/">http://www.nhs24.com/explained/myinfonhs24/dataprotection/</a></p> <p>The <i>Records Management Policy</i> (<b>see element 3</b>) and the <i>Records Retention and Destruction Policy</i> (<b>see element 5</b>) and <i>Information Security Policy</i> (<b>see element 8</b>) specifically mention compliance with the Data Protection Act 1998.</p> <p>Intranet screen-shots have been provided showing staff can access records management documents and training.</p>
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			<p>Staff contracts include clauses regarding compliance with the Data Protection Act 1998. Staff must sign a confidentiality statement. The Keeper commends this inclusion.</p> <p>The Board commit to “an annual review and audit...of the way in which personal identifiable information is managed...” (<i>Data Protection Policy</i> section 8.8). Responsibility for monitoring the effectiveness of the <i>Data Protection Policy</i> and carrying out its biennial review falls to the Head of Information Governance and Security (<b>see element 2</b>).</p> <p>The <i>Data Protection Policy</i> mentions the Public Records (Scotland) Act 2011.</p> <p>The Keeper agrees that NHS 24 has properly considered their responsibilities under the Data Protection Act 1998.</p>
<p>10. Business Continuity and Vital Records</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>NHS 24 operate a <i>Organisational Resilience Framework</i>. This has been provided to the Keeper. The Keeper agrees that this documents consider the recovery of records in an “disruptive challenge”.</p> <p>The <i>Framework</i> acts as a response to the statement in the Introduction to the <i>Plan</i> that “Systematic management of records allows organisations to provide continuity in the event of a disaster.” (<i>Plan</i> page 3).</p> <p>Intranet screen-shots have been provided showing staff can access records management documents and training.</p> <p><b>For back-ups see element 6.</b></p> <p>As evidence that these arrangements are operational NHS 24 have provided the</p>

			<p>Keeper with: A sample <i>Business Continuity Plan (Governance &amp; Performance)</i>, the <i>NHS 24 Clinical Processes Technical Malfunction Instruction Manual</i> and the authority's <i>Incident Management Plan</i>.</p> <p>The Keeper agrees that NHS 24 have appropriate business continuity arrangements in place and that they consider the recovery of records as part of their disaster recovery/business continuity planning.</p>
11. Audit trail	<b>G</b>	<b>G</b>	<p>NHS 24 have a formally stated objective to “ensure that records, and the information in them, can be located and accessed in a controlled and approved manner” and that “Appropriate record keeping ... supports organisational resilience by providing an accurate access and retention of records.” (<i>Records Management Policy – see element 3 – section 2.1</i>) and define records management, among other things, as “an administrative system to direct and control...the naming, version control...of records that is administratively sound.” (<i>Records Retention and Destruction Policy – see element 5 – section 4.1</i>).</p> <p>These general objectives are supported by statements in the <i>Plan</i> for example Introduction (page 3): “Effective management of information allows fast, accurate and reliable access to records...” ; “Effective records management involves efficient and systematic control of the...retrieval...of records...” and “Systematic management of records allows organisations to know what records they have, and locate them easily.” The <i>Records Management Policy</i> indicates an objective of establishing mechanisms through which NHS 24 can ensure “records maintenance (including tracking of record movements)” (<i>Policy section 4.2</i>).</p> <p>The Keeper agrees that many of the line-of-business systems used by NHS 24 will impose suitable naming convention/version control at time of record-creation to adequately track records subsequently.</p>

			<p>Supplementary to these automated systems NHS 24 has a <i>Document Version Control &amp; Naming Conventions Standards</i> guidance document. This is available to staff on their intranet (screen-shot provided). This guidance has been provided to the Keeper (version 1.0 dated March 2017). The Keeper agrees that this guidance provides staff with appropriate instruction as to the naming of records to allow their retrieval in a shared drive environment. By following this guidance staff should be able to create traceable records on their shared drives.</p> <p>Hard-copy records held by the third party storage provider are tracked and ordered by inventories held between the authority and the storage company. A sample inventories and flowchart have been provided as evidence that this arrangement is operational.</p> <p>The <i>Plan</i> makes the following statement (page 23): “Paper corporate records are held at NHS 24 locations in accordance with individual departmental filing systems.” The Keeper has been provided with a sample (Purchase Ledger) of how paper records held internally can be tracked – for an FOI enquiry for example.</p> <p>The Keeper agrees that NHS 24 has processes in place to trace records and identify the most up-to-date version of those records.</p>
<p>12. Competency Framework for records management staff</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>NHS 24 have included Sanny Gibson’s’ <i>Job Description</i> (V3.0). This shows that he is responsible for providing “advice and leadership for the organisation’s records management function and to manage NHS 24’s Records Management Plan in accordance with the legislative framework and current good practice.” The <i>Records Management Policy</i> (<b>see element 3</b>) confirms that the Head of Information Governance and Security: “will act as the Records Management lead and will provide guidance on all areas of Records Management. Ensuring relevant legislation and guidance are incorporated into NHS 24 practices.” (<i>Policy</i> section 8.5).</p>

			<p>They have also submitted the <i>Active Objectives</i> for Mr Gibson. These confirm that he has the relevant objectives to undertake the implementation of the <i>Plan</i> .</p> <p>The <i>Plan</i> states (page 25): “NHS 24 will provide appropriate training and development support to ensure all staff are aware of their records management responsibilities.” The Keeper commends this commitment.</p> <p>NHS 24 commit to training staff in information governance procedure: “The Information Governance and Security Team will provide training and training materials, for staff in relation to information records management.” (<i>Records Management Policy</i> section 8.5). This is also an objective in the Information Security Policy (<b>see element 8</b>) at section 2.1 and 7.5.</p> <p>eLearning courses on Safe Information Handling and Protecting Information are mandatory and must be completed as refresher training every two years.</p> <p>NHS 24 have provided the Keeper with their <i>Staff Handbook</i> and <i>Induction Day Agenda</i>. The Keeper agrees that both feature information governance guidance (such as “Information Governance signpost (Freedom of information). <b>The Keeper thanks the authority for this inclusion and notes that a new staff handbook will be available shortly. If the information governance text has changed in the new version he would appreciate being sent a copy in order that he may keep NHS 24’s submission up-to-date.</b></p> <p>Intranet screen-shots have been provided showing staff can access records management documents and eLearning training packages.</p> <p>NHS 24 is considering the development of further records management training for staff. Training proposals have been shared with the Keeper. <b>He requests that he is</b></p>
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			<p><b>informed if these proposals are adopted.</b></p> <p>The Keeper agrees that the individual identified at Element 2 has the authority and skills required to implement the <i>Plan</i> and that training is provided for staff.</p>
<p>13. Assessment and Review</p>	<p><b>A</b></p>	<p><b>G</b></p>	<p>The Act requires a scheduled public authority to “keep its records management plan under review” (part 1 5.1 (a)).</p> <p>The review of the implementation of the <i>Plan</i> will be pursued quarterly by the Head of Information Governance and Security (<b>see element 2</b>) and results of this review are reported to the Information Governance and Security Group (<b>see under General Comments below</b>).</p> <p>The document control sheet of the <i>Plan</i> indicates a full formal review annually. It should have its annual review by 14<sup>th</sup> March 2018.</p> <p>“The Information Asset Owners are required to ensure that an annual assessment of their records management (information asset) registers, their compliance to the document conventions, the retention and disposal schedules and the risks to their records are carried out and reported to the NHS 24 Senior Information Risk Owner.” (<i>Records Management Policy</i> - <b>see element 3</b> – section 4.4).</p> <p><b>NHS 24 have not yet determined a methodology for reviewing implementation progress. They state (<i>Plan</i> page 26) “NHS 24 are currently reviewing the Scottish Council on Archives ARMS online self-evaluation tool for use as an assessment and review resource...” The action against this element states: “Records Management Group to assess ARMS tool with the aim of using the tool on an ongoing basis as an assessment mechanism / July 2017.” The Keeper has previously endorsed ARMS for use by Scottish public authorities. However, he also notes that NHS 24 refer to “...business tool reports, internal</b></p>

			<p>and external audits...” in the <i>Records Management Policy</i> (section 5.1). Might these solutions be employed in the review of the <i>Plan</i>? The Keeper request that he is updated in the self-assessment mechanism adopted.</p> <p>The Keeper acknowledges that policies and procedures submitted in evidence have review dates included in their control sheets and front cover. The Board commit to “the ongoing improvement of its records management through review and assessment.” (<i>Record Retention and Destruction Policy</i> - <b>see element 5</b> – section 1.6). The Keeper commends this commitment:</p> <p>The <i>Information Security Policy</i>, the <i>Clear Desk Clear Screen Policy</i>, the <i>Information Classification Scheme Policy</i>, the <i>Security Incident Management Policy</i> and the <i>Password Management Policy</i> (<b>for all see element 8</b>) should be reviewed by January 2019.</p> <p>The <i>NHS 24 Organisational Resilience Framework 2017-2019</i> (<b>see element 10</b>) should be reviewed by February 2019.</p> <p>The <i>Records Management Policy</i> (<b>see element 3</b>), the <i>Record Retention and Destruction Policy</i> (<b>see element 5</b>) and the <i>Document Version Control &amp; Naming Convention Standards</i> (<b>see element 11</b>) should be reviewed by March 2019.</p> <p>The authority’s registration with the Information Commissioner is currently due to be renewed by 25 August 2017.</p> <p><b>The Keeper can agree this element on an ‘improvement model’ basis. This means that NHS 24 has identified a gap in provision (lack of a self-assessment mechanism) and are clearly working to identify a solution to close this gap. This agreement is conditional upon the Keeper being kept informed of progress.</b></p>
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14. Shared Information	<b>G</b>	<b>G</b>	<p>“The duty to share information can be as important as the duty to protect patient confidentiality” (Caldicott principle 7 <a href="https://nhsnss.org/pages/corporate/caldicott_guardians.php">https://nhsnss.org/pages/corporate/caldicott_guardians.php</a>)</p> <p>The <i>Records Management Policy</i> (<b>see element 3</b>) indicates an objective of establishing mechanisms through which NHS 24 can ensure “sharing of information with other bodies such as other NHS Scotland Health Boards, Police Scotland etc.” (<i>Policy</i> section 4.2).</p> <p>NHS 24 have a template information security document which has been provided to the Keeper. The Keeper agrees this includes information governance clauses.</p> <p>NHS 24 have supplied the Keeper with a sample NHSScotland information sharing protocol NHS 24/Police Scotland. The Keeper agrees this includes information governance clauses.</p> <p>The <i>Plan</i> states (page 27): “In February 2017 it was mandated by Scottish Government and NHS Scotland that information sharing would be done in line with the new Information Sharing Tool-Kit for Scotland”.</p> <p>NHS 24 has committed to adopt this Toolkit (2017). This toolkit will replace the use of the SASPI system which has been superseded. SASPI is referred to in the Data Protection Policy (see element 9) section 8.11. The Keeper is familiar with this new toolkit and agrees it adequately considers information governance risks when sharing personal information. Responsibility for the implementation of the Toolkit with information sharing partners, such as Police Scotland or Scottish local authorities, falls to the Head of Information Governance and Security (<b>see element 2</b>).</p>

			<p>Uniquely, due to the nature of their functions, NHS 24 share data with all NHS territorial boards. This done through the <i>Intra NHS Information Sharing</i> document (supplied to Keeper).</p> <p>The Keeper agrees that there are robust procedures in place to safely share information with other bodies when required.</p>
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## NHS 24

### General Notes on RMP, Including Concerns:

Version: This assessment is on the *Records Management Plan* (the *Plan*) of NHS 24 submitted to the Keeper of the Records of Scotland in April 2017. This version 1.0 approved by the Board's Executive Management Team and issued in March 2017.

The *Plan* is accompanied by a letter from Angiolina Foster, Chief Executive, dated 21<sup>st</sup> March 2017 in which she confirms that she is "endorses" the records management policies adopted by the Board and "fully supports" the *Plan*.

NHS 24 acknowledges records as a business asset (for example *Records Management Policy* section 1.5 and 1.6 or *Record Retention and Destruction Policy* 1.5). The Keeper commends this recognition.

The *Plan* features an 'Actions' column against each element.

The *Plan* mentions the Public Records (Scotland) Act 2011 (the Act) and is based on the Keeper's, 14 element, Model Plan <http://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources/model-records-management-plan>

### Third Parties

The Act makes it clear that records created by a contractor in carrying out a scheduled authority's functions are public records (Part 1 section 3.1 (b)).

The Records Management Policy (see element 3) states at 6.1 that the scope of the Policy would include "contractors supplying services or carrying out work on behalf of NHS 24". This clause is repeated in the Record Retention and Destruction Policy (section 6.1), the Data Protection Policy (see element 9) and the Information Security Policy (see element 8) (both section 5.1).

On This issue NHS 24 state "We will review our current Procurement Policy to reflect the provisions of the Public Records (Scotland) Act 2011 and in doing so revise the following documentation:

- Tender Documentation including Prequalifying and tender information documents
- Terms and Conditions of Purchase
- Contract Award notifications
- Supplier Approval Guidance

The wording to be contained within these documents will be developed on the basis of relevant standard Record Management clauses and will be presented to the RMG at its meeting on 4 December 2017 for approval. Thereafter the procurement documents will be amended for future approval of the Finance and Performance Committee in early 2018."

#### Information Governance and Security Group (IGSG):

NHS 24's Information Governance and Security Group makes decisions on policy matters and includes representation from clinical and non-clinical staff and is linked appropriately to other Information Governance and Security Groups. Input from NHS 24 healthcare professionals is a key element of NHS 24 Records Management.

The Keeper has been provided with the Terms of reference for the IGSG. The Head of Information Governance and **Security (see element 2)** is a member of this group.

The support of this group during the implementation of the *Plan* is confirmed by a letter from Angiolina Foster, NHS 24's Chief Executive.

Reports on the implementation of the *Plan* will be formally submitted to the IGSG by the Records Management Group. The Records Management Group, chaired by the Head of Information Governance and Security (**see element 2**), is directly responsible to the IGSG for the implementation of the *Plan* and the Keeper has also be provided with their terms of reference. The Records Management Group includes representatives from the authority's different service areas. The Keeper commends the involvement of local 'records management champions' as liable to create stronger business tools and to encourage 'buy-in'. The Records Management Group reports quarterly to the IGSG. The IGSG reports to the Finance and Performance and Audit and Risk Committees and to the EMT.

The IGSG approved the *Plan*, the *Records Management Policy* (**see element 3**), the *Document Version Control & Naming Convention Standards* (**see element 11**), the *Record Retention and Destruction Policy* (**see element 5**), the *Information Security Policy*, the *Clear Desk Clear Screen Policy*, the *Security Incident Management Policy*, the *Information Classification Scheme Policy*, and the *Password Management Policy* (**for all see element 8**).

The Group are responsible for monitoring the development of the *Business Classification Scheme* (**see element 4**).

The IGSG is responsible for monitoring compliance with the *Records Management Policy* and other information governance policy documents. They also monitor the uptake of information governance training (**see element 12**).

This group is clearly of fundamental importance to records management in the authority and the Keeper thanks NHS 24 for including information about their work in the submission.

## 6. Keeper's Summary

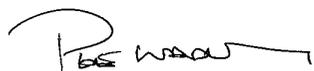
Elements 1 - 14 that the Keeper considers should be in a public authority records management plan have been properly considered by NHS 24. Policies and governance structures are in place to implement the actions required by the plan.

## 7. Keeper's Determination

Based on the assessment process detailed above, the Keeper **agrees** the RMP of **NHS 24**.

- The Keeper recommends that NHS 24 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

.....  
**Robert Fotheringham**  
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 NHS 24. In agreeing this RMP, the Keeper expects NHS 24 to fully implement the agreed RMP and meet its obligations under the Act.



.....  
**Tim Ellis**  
Keeper of the Records of Scotland