National Records of Scotland

# Public Records (Scotland) Act 2011

# Scottish Fire and Rescue Service

## The Keeper of the Records of Scotland

## 8 December 2017

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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 the Scottish Fire and Rescue Service by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 1st May 2017.

The assessment considered whether the RMP of the Scottish Fire and Rescue Service 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 the Scottish Fire and Rescue Service complies with the Act can be found under section 7 of this report with relevant recommendations.

## 3. Authority Background

The Scottish Fire and Rescue Service was established on 1st April 2013, bringing together Scotland's previous eight fire and rescue services and the Scottish Fire Services College. The main purpose of the Scottish Fire and Rescue Service is to work in partnership with communities, the public and private sectors and other agencies on fire safety, prevention, protection and emergency response to improve the safety and wellbeing of people throughout Scotland.

The Scottish Government appointed a Chair and 11 other members to serve as members of the SFRS Board. The Act allows for the appointment of up to a total of 15 members. The Board provides strategic direction, support and guidance to the SFRS ensuring that it operates effectively and that the Scottish Government's priorities are implemented. Board members are personally and corporately accountable for the Board's actions and decisions. They also scrutinise plans and proposals and hold the Chief Officer Alasdair Hay and Senior Leadership Team (SLT) to account.

Based in Cambuslang, the SFRS Strategic Leadership Team (SLT) is responsible for delivering the Scottish Fire and Rescue Service on behalf of the Board. The SLT is headed up by the Chief Officer.

http://www.firescotland.gov.uk

## 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 the Scottish Fire and Rescue Service'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:**

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| 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. |

## 5. Model Plan Elements: Checklist

| Element | Present | Evidence | Notes |
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| 1. Senior Officer *Compulsory element* | **G** | **G** | The Scottish Fire and Rescue Service (SFRS) have identified Mark McAteer, Director of Strategic Planning, Performance and Communications, as the individual with overall responsibility for records management in the authority.<br><br>Mr. McAteer is SFRS's SIRO.<br><br>The appointment of Mr. McAteer to this role is confirmed by the SFRS *Records Management Policy* **(see element 3)** section 4.<br><br>Mr. McAteer authorised the *Records Management Plan* (the *Plan*) on 27th April 2017 (*Plan* cover).<br><br>Mr. McAteer reports directly to the Chief Officer of the service.<br><br>The Director of Strategic Planning, Performance and Communications has overall responsibility for the *Access to Information Policy* and therefore public access to public records (for example through Freedom of Information enquiries).<br><br>The Keeper agrees that the Scottish Fire and Rescue Service have identified an appropriate individual to this role as required by the Public Records (Scotland) Act 2011(the Act). |
| 2. Records Manager *Compulsory* | **G** | **G** | SFRS have identified Morag Allan, Records Management Officer, as the individual with day-to-day responsibility for implementing the *Plan.* |

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| *element* | | | The appointment of Ms. Allan to this role is confirmed by the SFRS *Records Management Policy* **(see element 3)** section 4 which states: “The Records Management Officer has day-to-day operational responsibility for records management, for implementing the Records Management Plan and for ensuring compliance with this policy and the Plan.”<br><br>Ms. Allan is the author of the *Plan*, the *Records Management Policy*, the *Records Retention Schedule (Interim)* **(see element 5)**, and the *File Naming Conventions – Guidance* **(see element 11)**.<br><br>The Records Management Officer sat on the Document Management User Intelligence Group. This group was set up ‘to look into SFRS requirements for external records storage, records destruction and electronic records management solutions’ and met between September 2016 and April 2017.<br><br>The Records Management Officer is responsible for ensuring that systems and policies are operational and that staff are adequately trained **(see element 12)** and for ensuring policies are reviewed as required **(see element 13)**.<br><br>The Records Management Officer is responsible for ensuring that the business continuity arrangements in SFRS include the identification and recovery of vital records **(see element 10)**.<br><br>The Records Management Officer is leading on the work described in elements 4 and 5 below.<br><br>The Records Management Officer will collate records disposal forms **(see element 6)**.<br><br>The Records Management Officer will act as liaison between the National Records |

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| | | | of Scotland Client Management Team and SFRS **(see element 7)**.<br><br>The Records Management Officer is responsible for managing the review system for internal controlled documents and ensures that reviews and amendments to these documents are tracked.<br><br>The Keeper agrees that the Scottish Fire and Rescue Service have identified an appropriate individual to this role as required by the Act. |
| 3. Policy *Compulsory element* | **G** | **G** | SFRS have a *Records Management Policy* which has been submitted to the Keeper in evidence. This is version 2.0 dated Feb 2017. The Keeper has been provided with minutes showing the Strategic Leadership Team in SFRS approving v1.0 of this policy.<br><br>This *Policy* is available to the public at http://www.firescotland.gov.uk/media/841843/records_management_policy.pdf<br><br>The Keeper agrees that the *Plan* supports the aims of the *Policy*. The *Policy* is also supported by other guidance documents submitted in evidence.<br><br>The *Records Management Policy* mentions the Act and the Data Protection Act 1998 **(see element 9)**.<br><br>SFRS also have a *Access to Information Policy* which has been supplied to the Keeper version 2.0 February 2017. This Policy explains the publics right to information under FOI and SAR **(see element 9)**. http://www.firescotland.gov.uk/media/285092/access_to_information_policy.pdf<br><br>The *Access to Information Policy* mentions the Data Protection Act 1998 **(see element 9)** and the Public Records (Scotland) Act 2011. |

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| | | | Intranet screen-shots have been provided showing staff can access records management documents.<br><br>**The *Records Management Policy* refers to several associated documents, for example the *Naming Convention Guidance* that are currently draft (see under separate elements below).**<br><br>The Keeper agrees that the Scottish Fire and Rescue Service have a records management policy statement as required by the Act. |
| 4. Business Classification | **A** | **G** | The SFRS *Records Management Policy* **(see element 3)** states in section 2 that the authority will introduce "a business classification scheme to reflect the functions, activities and transactions of SFRS, which will enable the efficient storage, retrieval and disposal of records." This system will "act as the main repository for SFRS records" (Also *Records Management Policy* section 2).<br><br>SFRS operate a hybrid system with public records held in hard-copy and in electronic shared drives (both locally and service-wide) and in line-of business systems. The *Policy* indicates that SFRS will introduce an ERMS to act as the main repository for records, except where the records are created, stored and used in other electronic 'line of business' systems or required in another format, e.g. paper.<br><br>The *Plan* provides a good explanation of developments around the centralisation of record keeping systems over many years, starting prior to the merger in 2013. The *Plan* then goes on to state: "Legacy electronic systems, e.g. shared drives and intranets, continue to exist, although staff are discouraged from adding new material to them and there is an ongoing project to decommission each of these sites." The Keeper agrees this action. |

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| | | | Once legacy systems are decommissioned, SFRS staff will store public records on service-wide systems.<br><br>A *Business Classification Scheme* is being developed to provide a structure to records prior to populating the central system. The *Plan* states (page 19): “The classification scheme will be reviewed and developed, prior to implementation within an SFRS-wide electronic records management system”. The development of a service-wide *Business Classification Scheme*, with input from local service areas, is confirmed in the SFRS *Records Management Action Plan* (supplied – July 2017): “Develop a file classification scheme to reflect the functions of the Service in a hierarchical model”.<br><br>Evidence has been shared with the Keeper to demonstrate commitment to pursue a single *Business Classification Scheme* for SFRS.<br><br>**However this is not yet ready for implementation and: “The scheme has not been imposed on [the] shared sites at this stage.” (*Plan* page 17)**<br><br>**Please see comments in element 5, below, for more about ‘adding value’ to the *Classification Scheme* by, for example, combining with the *Retention Schedule*.**<br><br>SFRS intend to implement a SFRS-wide electronic records management system.<br><br>As with many Scottish public authorities SharePoint is being considered as a corporate records management solution. The Keeper would remind the Service that SharePoint is not in itself a records management system and for full functionality, particularly relating to ensuring that metadata travels with the record when extracted from the system – for the purposes of archiving for example – a records management bolt-on may be required. |

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| | | | The *Plan* explains that the ICT project to review the 'requirements for corporate records management solution' may 'potentially shift to 18/19'<br><br>"Until such time as there is one main ERMS, records will continue to be stored in legacy intranets, legacy shared drives and will continually be transferred to new team shared sites." (*Plan* page 18).<br><br>Mark McAteer, Director of Strategic Planning, Performance and Communications **(see element 1)** has provided the Keeper with a covering commitment that includes the acknowledgment: "The Plan provides a starting point on which SFRS will build, acknowledging that there are currently gaps in our provision and areas for improvement." The Keeper notes this with thanks and accepts this is likely to refer to this element.<br><br>**N.B. The development of this element is tied in to the development of a central service-wide records management structure as explained above. This will also effect elements 5, 6 and 11 below.**<br><br>**The Keeper is able to agree this element of Scottish Fire and Rescue's plan under 'improvement model' terms. This means that the authority has identified a gap in their records management provision (use of legacy drives and an eRDM not yet implemented) and have put processes in place to close that gap – see above. The Keeper's agreement is conditional on his being updated on the progress of this project when requested. SFRS have committed to doing this in the introduction to the *Plan* (page 8).** |
| 5. Retention schedule | **A** | **G** | **N.B. The development of this element is tied in to the development of a central service-wide records management structure as explained above (see element 4). This will also effect elements 6 and 11 below.** |

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| | | | SFRS have submitted their *Interim Records Retention Schedule* which shows some of the categories of records created by the service and the retention actions assigned to them. The submitted *Interim Schedule* is version 8.0 dated July 2017.<br><br>The *Records Management Policy* (section 2) notes that embedding a records retention schedule "will provide guidance as to how long to keep different types of records and how to dispose of them."<br><br>**However, the *Interim Retention Schedule* under which SFRS is operating does not cover all record types in the business. The authority is currently developing a full version by providing business units with a template/feedback form to complete (this has been shared with the Keeper). The Keeper commends the involvement of local business areas in the design of the *Retention Schedule* as liable to create a stronger business tool.**<br><br>There is an action against this element: "The full SFRS Records Retention Schedule will be developed following feedback on the interim schedule".<br><br>To be fully embedded, the *Retention Schedule* will also have to cover records not on an eRDM system. The *Plan* acknowledges this (page 25): "The Records Management Officer **(see element 2)** will also develop processes to ensure that staff regularly apply the retention periods and disposal actions to paper records and electronic records held in systems outwith the main ERMS."<br><br>The *Plan* also states: "The full SFRS records retention schedule will ensure that all records in all formats are routinely assigned retention periods and disposal actions, disposal being either permanent destruction or transfer to an appropriate archive." (*Plan* page 28). The Keeper agrees this in principle. |

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| | | | Furthermore, the Keeper notes and commends the consideration of expanding the information raised during the *Retention Schedule* exercise to include other relevant information such as identifying vital or sensitive records.<br><br>He notes also that SFRS have recognised that a combined *Business Classification Scheme*/*Retention Schedule* would be a stronger business tool than two separate documents. The Keeper agrees and notes that if 'extra' information as mentioned above is added then the basics of an Information Asset Register could be created which might be a stronger tool yet.<br><br>The development of a service-wide *Retention Schedule* with input from local service areas is a commitment in the SFRS *Records Management Action Plan* (supplied – July 2017): "Develop a full retention schedule for SFRS".<br><br>SFRS note the opportunity to rearrange the retention schedule in the future so that it better reflects the functions of the authority, rather than the departmental structure. This must remain a business decision for SFRS, but the Keeper has acknowledged that a functional system is currently considered best practice.<br><br>Mark McAteer, Director of Strategic Planning, Performance and Communications **(see element 1)** has provided the Keeper with a covering commitment that includes the acknowledgment: "The Plan provides a starting point on which SFRS will build, acknowledging that there are currently gaps in our provision and areas for improvement." The Keeper notes this with thanks and accepts this is likely to refer to the actions against this element.<br><br>**The Keeper is able to agree this element of Scottish Fire and Rescue's plan under 'improvement model' terms. This means that the authority has identified a gap in their records management provision (currently running on an incomplete 'interim' retention schedule) and have put processes in place to** |

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| | | | **close that gap – see above. The Keeper's agreement is conditional on his being updated on the progress of this project when requested. SFRS have committed to doing this in the introduction to the *Plan* (page 8).** |
| 6. Destruction Arrangements *Compulsory element* | **A** | **G** | **N.B. The development of this element is tied in to the development of a central service-wide records management structure as explained in element 4. This will also effect elements 5, and 11.**<br><br>SFRS commit to establishing "Record destruction arrangements, such as guidance to staff and contracts with external contractors." (*Records Management Policy* **– see element 3 –** section 2).<br><br>The *Plan* (page 6) states that effective records management ensures the "timely destruction of redundant information".<br><br>With this in mind SFRS have the following processes in place to ensure the secure and irretrievable destruction of records when appropriate:<br><br><u>Paper (Internal)</u>: Paper records held in house are destroyed using local shredders or, as and when required, an external contractor. Evidence in the form of a certificate of destruction has been supplied showing that the use of external contractors is in operation in the service.<br><br><u>Paper (External)</u>: SFRS hold some legacy paper records with a third-party storage contractor. The Keeper has been provided with documentation showing that these arrangements include the destruction of records when required.<br><br><u>Electronic</u>: The development of a service-wide electronic record destruction processes is a commitment in the SFRS *Records Management Action Plan* (supplied – July 2017): "Develop SFRS-wide records destruction arrangements |

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| | | | (Target - Spring 2018)".<br><br>**The *Plan* states (page 31): "SFRS will investigate how to develop and implement records destruction arrangements for records in all formats, especially all electronic formats and locations, e.g. e-mail, recycle bins, folders/drives of employees who have left, etc." The Keeper notes that, until the service can be confident that records are disposed of according to their retention decisions, this issue remains a 'risk'.**<br><br>**The controlled and systematic deletion of records held on shared drives is a particular area of difficulty for many public authorities and the Keeper welcomes the acknowledgement of this. He agrees that the suggested improvements the Authority is considering are a reasonable response to these difficulties. Therefore, the Keeper may be able to accept these statements as grounds for agreeing this element under improvement model terms if other destruction issues can be settled, particularly regarding evidence around the retention of back-up copies (see below).**<br><br>The Keeper agrees that certain line-of-business systems and some EDRM solutions may have auto-destruct functionality that the service could impose.<br><br>There is an action point against this element in the Plan: "SFRS-wide records destruction arrangements will be developed and implemented".<br><br>Mark McAteer, Director of Strategic Planning, Performance and Communications **(see element 1)** has provided the Keeper with a covering commitment that includes the acknowledgment: "The Plan provides a starting point on which SFRS will build, acknowledging that there are currently gaps in our provision and areas for improvement." The Keeper notes this with thanks and accepts this is likely to refer to this element. |

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| | | | Hardware: Redundant hardware is cleansed of records by a third-party service provider. SFRS have provided a disposal certificate as evidence that this arrangement is operational.<br><br>Back-Ups: SFRS quite properly keep back-up copies of public records for business continuity purposes. The Plan explains (page 31) that these back-ups are retained in a 'cycle'. The Keeper has been provided with details of this back-up cycle.<br><br>The *Records Management Policy* makes it clear that SFRS understand the importance of logging the destruction of records for future reference. The Keeper has seen a draft copy of the disposal form. The Keeper commends this. **However, it is noted that "The Disposal Form will not be issued for staff to use until a national solution for records destruction is in place; until then, staff will continue to use local, legacy arrangements for records destruction." (*Plan* page 28).**<br><br>**The *Records Management Policy* (page 15) and the *Plan* (page 27) both refer to SFRS having a *Records Destruction Arrangements* procedure. The Keeper requires to be provided with this guidance document as soon as it is available.**<br><br>**The Keeper is able to agree this element of Scottish Fire and Rescue's plan under 'improvement model' terms. This means that the authority has identified a gap in their records management provision (formal destruction processes for electronic records are not yet fully embedded) and have put processes in place to close that gap – see above. The Keeper's agreement is conditional on his being updated on the progress of this project when requested.** |

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| 7. Archiving and Transfer *Compulsory element* | **A** | **G** | SFRS have identified the National Records of Scotland (NRS) as the appropriate repository for records identified as suitable for permanent preservation.<br><br>A Memorandum of Understanding regarding the transfer of records from SFRS to NRS is being negotiated at the time of this assessment. This is confirmed by the NRS Client Management Team.<br><br>The *Records Management Policy* **(see element 3)** states that "The systematic management of records will allow SFRS to: Provide a 'corporate memory'" (repeated in *Plan*, page 6) and commits SFRS to "The establishment of record transfer arrangements to appropriate public archives of records of enduring, historical value." (both quotes *Policy* section 2). The *Plan* (page 6) states that efficient records management allows the "protection of vital and historically important records". The MOU with NRS should help address these objectives.<br><br>The development of this MOU is a commitment in the SFRS *Records Management Action Plan* (supplied – July 2017): "Arrange MoU with NRS (Target - Spring 2019)" and the *Plan* itself: "Once progress is being made in the development and implementation of the classification scheme, the Records Management Officer will make contact again with the NRS client managers and work with them to identify SFRS records suitable for transfer to NRS" **(see element 4)** and an action: "A Memorandum of Understanding between SFRS and NRS will be set up to implement a mechanism to transfer records of historical value".<br><br>**The *Records Management Policy* (page 15) and the *Plan* (page 35) both refer to SFRS having a *Records Transfer Arrangements* procedure in the future. The Keeper requires to be provided with this guidance document as soon as it is available.**<br><br>**The Keeper is able to agree this element of Scottish Fire and Rescue's plan** |

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| | | | **under 'improvement model' terms. This means that the authority has identified a gap in their records management provision (no formal MOU with an appropriate archive) and have put processes in place to close that gap – see above. The Keeper's agreement is conditional on his being updated on the progress of this project when requested. SFRS have committed to doing this in the introduction to the *Plan* (page 8) and to supply the MOU (page 37).** |
| 8. Information Security *Compulsory element* | **G** | **G** | The *Records Management Policy* **(see element 3)** outlines a commitment that "SFRS will manage its records in a manner which ensures that records must be securely maintained to prevent unauthorised access, alteration, damage or removal. They must be stored in a secure environment, the degree of security reflecting the sensitivity and importance of the contents". The Keeper commends this commitment.<br><br>The *Policy* goes on to commit SFRS to create and implement "…appropriate information security policies and procedures to protect records…"<br><br>The *Plan* (page 7) commits the authority to manage its records in a manner that they remain secure.<br><br>SFRS have an *Information Security Handbook* which has been provided to the Keeper in evidence. This is version 1.0 dated October 2017. This seems a robust document designed to ensure staff protect public records from unintended disclosure. It includes the security of e-mail, paper records and mobile devices. It mentions the requirements of the Data Protection Act 1998 and the importance of 'decluttering' shared drives. The reporting of security incidents is a feature.<br><br>The *Handbook* is supported by a suite of policies the *ICT Acceptable Use Policy*, *Secure Desk Policy* and *Network Password Policy* these have also been provided to the Keeper. The Keeper understands that more may follow (specifically pertaining to |

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| | | | e-mail for example) and requests that they are provided when the SFRS Plan is reviewed.<br><br>SFRS have indicated their intention to publish an Information Security Strategy document. **The Keeper requests that he is provided with a link to this when available.**<br><br>The Keeper has been provided with evidence that staff can access the information security guidance and that training is provided. The Plan states (page 42) "The Information Security Officer has … developed an e-learning package, including information security, based on the Government's Protecting Information package, which all staff will have to complete on an ongoing basis, every 3 years. New employees will also sit this assessment as part of their induction."<br><br>The Keeper agrees that the Scottish Fire and Rescue Service have processes in place to ensure the security of the records they hold as required by the Act. |
| 9. Data Protection | **G** | **G** | SFRS have a *Data Protection Policy* which is available on their website: http://www.firescotland.gov.uk/media/285096/data_protection_policy.pdf<br>This is version 1.0 dated March 2013. The policy was last reviewed on 24 October 2017.<br><br>SFRS also publish their privacy statement: http://www.firescotland.gov.uk/media/285104/privacy_statement.pdf<br><br>The service is registered with the Information Commissioner: Z3555625<br><br>The *Data Protection Policy* explains the (current) eight principles of data protection (Section 5). |

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| | | | Subject access request information is available to the public.<br>http://www.firescotland.gov.uk/media/285088/subject_access_form.pdf<br>and<br>http://www.firescotland.gov.uk/media/285112/subject_access_public_guidance.pdf<br>and<br>http://www.firescotland.gov.uk/media/285100/handling_subject_access_requests_procedure.pdf<br><br>Staff instruction on how to deal with subject access requests forms a section of the *Data Protection Policy* (section 8) and also given, more fully, in their *Subject Access Request Procedure*, which has also been provided to the Keeper.<br><br>The above address the commitment in the *Records Management Policy* **(see element 3)** that SFRS will establish "appropriate data protection policies and procedures to ensure that the management of records containing personal data complies with the Data Protection Act 1998."<br><br>Intranet screen-shots have been provided showing staff can access data protection documents.<br><br>Staff are also alerted to data protection requirements in their *Code of Conduct* (shared with the Keeper) which they have to acknowledge receiving .<br><br>The Keeper agrees that the Scottish Fire and Rescue Service have provided evidence that they understand their responsibilities under the Data Protection Act 1998. |
| 10. Business Continuity and Vital | **A** | **G** | The *Records Management Policy* **(see element 3)** states that "The systematic management of records will allow SFRS to: Provide continuity in the event of a disaster" (*Policy* section 2. Repeated in *Plan*, page 6) and goes on to commit the |

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| Records | | | authority to the "The establishment of a business continuity plan, which includes the identification of the records which are vital to the operation of SFRS" (also *Policy* section 2).<br><br>With this commitment in mind, SFRS have developed an *Business Continuity Plan Guidance Note* a draft of which has been supplied to the Keeper. The Keeper agrees this demonstrates commitment to pursue the *Records Management Policy* objective. The *Business Continuity Guidance Note* when approved will require service areas to create *Business Continuity Plans*. The *Note* (section 7) gives detailed guidance, templates and a flow-chart about how a business continuity plan should be created.<br><br>The Keeper agrees that these will include the recovery of records. He also agrees that the planned *Business Continuity Plans* will address the issue of identifying 'vital' records.<br><br>It is the intention to support the *Business Continuity Plans* with an overarching *Business Continuity Policy*. This has been provide to the Keeper in its draft form. The Policy states that SFRS has established a formal structure for Business Continuity Management to ensure that it is given the correct level of importance within the organisation, with overall responsibility resting with the Chief Officer, as Accountable Officer." **The Keeper requires a 'final' version of the *Policy* as soon as it is approved and operational.**<br><br>The development of arrangements to protect vital records in an emergency is a commitment in the SFRS *Records Management Action Plan* (supplied – July 2017): "Develop arrangements in support of records vital to business continuity" and in the *Plan* itself (page 51) "Arrangements in support of records vital to business continuity will be developed". |

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| | | | Mark McAteer, Director of Strategic Planning, Performance and Communications **(see element 1)** has provided the Keeper with a covering commitment that includes the acknowledgment: "The Plan provides a starting point on which SFRS will build, acknowledging that there are currently gaps in our provision and areas for improvement." The Keeper notes this with thanks and accepts this is likely to refer to this element.<br><br>**The Keeper is able to agree this element of Scottish Fire and Rescue's plan under 'improvement model' terms. This means that the authority has identified a gap in their records management provision (business continuity plans featuring vital records are not yet embedded in authority and proposed *Business Continuity Policy* is not available) and have put processes in place to close that gap – see above. The Keeper's agreement is conditional on his being updated on the progress of this project when requested. SFRS have committed to doing this in the *Plan* (page 8 and evidence list for element 10).** |
| 11. Audit trail | **A** | **G** | **N.B. The development of this element is tied in to the development of a central service-wide records management structure as explained in element 4. This will also effect elements 5, and 6.**<br><br>The *Records Management Policy* **(see element 3)** states that "The systematic management of records will allow SFRS to: Know which records SFRS holds and locate them easily" (repeated in *Plan*, page 6) and a commitment that "SFRS will manage its records in a manner which ensures that records must be readily accessible when needed." (both quotes *Policy* section 2). It goes on to state that "With electronic records, changes and additions must be identifiable through audit trails" and that SFRS should ensure :"The introduction of audit trail mechanisms in order to capture the key events in a record's lifecycle" (both also *Policy* section 2). |

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| | | | The *Plan* (page 6) states that records management allows the "fast, accurate and reliable access to records".<br><br>The Keeper agrees that many of the line-of-business systems used by SFRS (such as VisionBoss) will impose suitable naming convention/version control at time of record-creation to adequately track records subsequently.<br><br>**However, SFRS have identified shared drives as an area with little or no audit trail provision: "Electronic systems used by the eight legacy services, prior to their merger into one national service on 1 April 2013, are still used, e.g. shared drives and intranets, although staff are discouraged from adding new material to them. Teams across Scotland now have Office 365 'shared sites', where they can upload and share information with other team members, regardless of their locations. There is currently no standard audit trail mechanism in use across these systems and sites, with no control over records being added, deleted, moved, edited or renamed." Options are currently being explored for solutions to this. It is anticipated that the development of the BCS and the possible implementation of a new EDRMS (see element 4) will remedy this. The Keeper agrees that the implementation of a service-wide electronic records solution should "greatly improve the audit trail functionality" (*Plan* page 53).**<br><br>**SFRS have been candid in identifying that embedding a service wide records management platform is only one of many priorities demanding resources in the service. He agrees that, with an organisation the size of the SFRS, it is inevitable that progress will be made on an incremental basis. The Keeper requests that he is kept informed of this work as it progresses.**<br><br>In the meantime SFRS will have to rely on staff saving public records in a manner that easily allows retrieval and this will most likely be dependent on record creators |

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| | | | following naming convention version control guidance. These should be imposed as soon as possible and the *Plan* suggests that this may be done prior to an ERMS and BCS being implemented (*Plan* page 55).<br><br>**The *Plan* states: "SFRS recognise that there is a need for better management of paper records and will investigate the best way to impose an audit trail mechanism on its paper records, so that the location of a record is known at all times. This may be through the use of tools such as markers left in place of a record or a logging out sheet held in each location." The Keeper agrees a log-out or file registry system should be imposed on SFRS hard-copy records.**<br><br>There is an action against this element in the *Plan*: "An audit trail mechanism will be developed that records the movement of records, in order to know where records are at any given time and to have robust version."<br><br>Mark McAteer, Director of Strategic Planning, Performance and Communications **(see element 1)** has provided the Keeper with a covering commitment that includes the acknowledgment: "The Plan provides a starting point on which SFRS will build, acknowledging that there are currently gaps in our provision and areas for improvement." The Keeper notes this with thanks and accepts this is likely to refer to this element.<br><br>SFRS note that record tracking will be addressed when and if they re-negotiate with a third-party record storage service. (some paper records are currently held by a third-party supplier under legacy arrangements). The Keeper agrees that this should be agreed at the outset of any third-party storage contract.<br><br>**The Keeper can agree this element on an 'improvement model' basis. This means that the authority has identified a gap in provision (lack of audit trail provision in shared drives and for paper records) and has identified solutions** |

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| | | | **to close these gaps. This agreement is conditional upon the Keeper being kept informed of progress. SFRS have committed to doing this in the introduction to the *Plan* (page 8).** |
| 12. Competency Framework for records management staff | **G** | **G** | Scottish Fire and Rescue Service have included Morag Allan's formal annual objectives as part of the evidence package. This shows that she has a responsibility to "Prepare the SFRS Records Management Plan for submission to the National Records of Scotland, under the terms of the Public Records (Scotland) Act 2011" and "once approved, implement their recommendations throughout SFRS." The *Records Management Policy* confirms that the Records Management Officer "will be responsible for ensuring that relevant procedures, systems and practices are in place, for providing appropriate guidance and training to staff."<br><br>The *Plan* commits to encouraging Ms Allan's CPD including professional qualifications within budgetary constraints.<br><br>Staff undergo mandatory training in data protection as required by the published *Data Protection Policy* **(see element 9)** sections 1 and 6. The Information Governance Team have hosted a series of data protection awareness seminars. The Keeper has been provided with the presentation and papers from these seminars as well as staff guidance posters. In addition, Elements 8, 9 and 14 state that all staff will have to complete the e-learning package, including data protection, every 3 years, as well as new employees as part of their induction.<br><br>Staff are alerted to information governance issues through news items on the service's intranet. Sample screen-shots have been provided showing staff can access these news items.<br><br>The Keeper acknowledges that the service have committed to providing him with a screen-shot of the information governance e-learning module when available and |

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| | | | welcomes this.<br><br>SFRS have committed to staff training in support of whichever records management solution is adopted in the service **(see element 4)**. The Keeper agrees this will be vital.<br><br>The Keeper agrees that the individual identified at Element 2 has the authority and skills required to implement the *Plan* and that training is provided for staff. |
| 13. Assessment and Review | **G** | **G** | The Act requires a scheduled public authority to "keep its records management plan under review" (part 1 5.1 (a)).<br><br>The Information Governance Manager reports through the Head of Strategic Planning and Performance to the Director of Strategic Planning, Performance and Communications, who is a member of the Senior Leadership Team.<br><br>The Plan commits SFRS to undertake the Keeper's Progress Update reporting mechanism.<br><br>The review of the *Plan* is a commitment in the SFRS *Records Management Action Plan* (supplied – July 2017): "Review RMP regularly".<br><br>The Keeper notes that records management provision in the authority was subject to an internal audit in 2015 and thanks SFRS for submitting the internal audit report for his consideration. He commends the use of internal audit in an authority, where available, to test the information governance systems operationally. The *Plan* states (page 91): "The Internal Audit department present regular progress reports on their work programme to the Audit and Risk Assurance Committee of the SFRS Board. The minutes of the ARAC are published on the website. There is no rolling pattern of internal audit reviews, as risk based internal auditing is undertaken, in line with |

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| | | | Public Sector Internal Audit Standards. The department meet each year with SLT members, the Chief Officer and ARAC Committee members to decide which areas will be audited that year, based on known and emerging risks."<br><br>The Keeper acknowledges that policies and procedures submitted in evidence have review dates included on their front cover. The Records Management Officer **(see element 2)** is responsible for managing the review system for internal controlled documents and ensures that reviews and amendments to these documents are tracked.<br><br>The *Records Management Policy* **(see element 3)** is due for review by February 2019.<br><br>The *Access to Information Policy* **(see element 3)**, the *Processing Personal Data Procedure* the *Privacy* Statement, the *Subject Access Public Guidance* and the *Subject Access Requests (SAR) Procedure* are all due for review by April 2019.<br><br>The *File Naming Conventions – Guidance* **(see element 11)** is due for review by September 2019.<br><br>The *Plan* states (page 49) "Regular reviews by Internal Audit and directorate management will ensure that Business Continuity Plans remain fit for purpose, with a suitable level of resilience." **(see element 10)**.<br><br>The authority's registration with the Information Commissioner is currently due to be renewed by 12 February 2018.<br><br>The Keeper agrees that the Scottish Fire and Rescue Service have made a firm commitment to review their RMP as required by the Act and have explained who will carry out this review and by what methodology. |

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| 14. Shared Information | **A** | **G** | The *Plan* states (page 73): “Government policy places a strong emphasis on the need to share information across organisational and professional boundaries, in order to ensure effective co-ordination and integration of services.”<br><br>With this in mind, SFRS routinely share information with other Scottish public authorities and have provided the Keeper with a sample *Information Sharing Protocol* to show the issues considered at the outset of a formal data sharing arrangement with the authority.<br><br>The Records Management Policy **(see element 3)** states that effective records management procedures should include: “The establishment of appropriate information sharing arrangements…” (*Policy* page 7).<br><br>SFRS have supplied the Keeper with a sample ISP showing how control is currently imposed on information sharing projects. This uses the Scottish Accord for the Sharing of Personal Information (SASPI) as a template. The Keeper has previously endorsed SASPI. ISPs will be logged on the staff intranet<br><br>The authority intends to support information sharing practices in SFRS by introducing a service-wide *Information Sharing Policy*. The Keeper has been provided with a draft of this *Policy* and flowchart (version 0.3) and agrees that it properly considers information governance issues. **He requires that the final version is forwarded when approved.**<br><br>Mark McAteer, Director of Strategic Planning, Performance and Communications **(see element 1)** has provided the Keeper with a covering commitment that includes the acknowledgment: "The Plan provides a starting point on which SFRS will build, acknowledging that there are currently gaps in our provision and areas for improvement." The Keeper notes this with thanks and accepts this is likely to refer to |

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| | | | the development of the formal *Information Sharing Policy*.<br><br>**The Keeper can agree this element on an 'improvement model' basis. This means that the authority has identified a gap in provision (the *Information Sharing Policy* is not yet approved) and has identified a solution to close this gap. This agreement is conditional upon the Keeper being kept informed of progress. SFRS have committed to doing this in the introduction to the *Plan* (page 8).** |

## Scottish Fire and Rescue Service (SFRS)

General Notes on RMP, Including Concerns:

Version: This assessment is on the *Records Management Plan* (the *Plan*) of the Scottish Fire and Rescue Service (SFRS) submitted to the Keeper of the Records of Scotland in May 2017. This version 3.0 approved by the Service's Director of Strategic Planning, Performance and Communications **(see element 1)**, reviewed in November 2017.

The *Plan* contains a statement of commitment from Mark McAteer, Director of Strategic Planning, Performance and Communications, in which he confirms that he is "approves" the *Plan* and acknowledges that there remain areas for improvement.

SFRS acknowledges records as a business asset (for example *Plan* page 6, *Information Security Handbook* section 1 or *Records Management Policy* section 1). The Keeper commends this recognition.

The *Plan* features an 'Actions' column against each element and in a summary at the end. SFRS have also supplied the Keeper with their *Records Management Action Plan* which was updated during the assessment period. The Keeper thanks SFRS for this.

The Keeper agrees that the *Plan* supports the objective in the *SFRS Strategic Plan*: “we are a high quality, continuously improving, efficient public service” and the Annual Operating Plan http://www.firescotland.gov.uk/media/782719/annual_operating_plan_2015_2016_v1_0.pdf.

SFRS have committed to publish their *Plan* when it has been agreed by the Keeper. The Keeper commends this.

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

Each element of the SFRS Plan contains a link to the Keeper’s guidance on that element: https://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources/model-plan-guidance

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)).

On this issue, SFRS state: “no functions of SFRS are contracted out to third parties”

## 6. Keeper's Summary

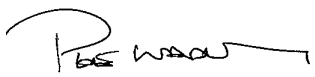
Elements **1 - 14** that the Keeper considers should be in a public authority records management plan have been properly considered by the Scottish Fire and Rescue Service. Policies and governance structures are in place to implement the actions required by the plan.

## 7. Keeper's Determination

Based on the assessment process detailed above, the Keeper **agrees** the RMP of the **Scottish Fire and Rescue Service**.

- The Keeper recommends that the Scottish Fire and Rescue Service 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,



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**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 the Scottish Fire and Rescue Service In agreeing this RMP, the Keeper expects the Scottish Fire and Rescue Service to fully implement the agreed RMP and meet its obligations under the Act.

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