

Public Records (Scotland) Act 2011
Strathclyde Partnership for Transport (SPT)

The Keeper of the Records of Scotland

11th August 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 **Strathclyde Partnership for Transport (SPT)** by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 17th January 2017.

The assessment considered whether the RMP of SPT 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 SPT complies with the Act can be found under section 7 of this report with relevant recommendations.

3. Authority Background

Strathclyde Partnership for Transport (SPT) is the largest of Scotland's seven regional transport partnerships and the Regional Transport Partnership for the west of Scotland. SPT was formed in 2006 as part of the transport framework created by the Scottish Government, which is made up of a national transport agency, Transport Scotland, and seven Regional Transport Partnerships. The SPT area comprises of the following council areas: East Dunbartonshire, East Ayrshire, East Renfrewshire, Glasgow City, Inverclyde, North Ayrshire, North Lanarkshire, Renfrewshire, South Ayrshire, South Lanarkshire, West Dunbartonshire and the Helensburgh and Lomond area of Argyll and Bute. SPT's role involves planning and delivering transport solutions for all modes of transport across the region, in conjunction with member councils and industry partners.

<http://www.spt.co.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 SPT's RMP was developed with proper regard to the elements of the Model Plan and is compliant with the Act. The assessment also considered whether there was sufficient supporting evidence of such compliance.

Key:

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

5. Model Plan Elements: Checklist

Element	Present	Evidence	Notes
1. Senior Officer <i>Compulsory element</i>	G	G	<p>Strathclyde Partnership for Transport (SPT) have identified Valerie Davidson, Assistant Chief Executive (Business Support), as the individual with overall responsibility for records management in the authority.</p> <p>This is confirmed in a letter from the Chief Executive of SPT to the Keeper of the Records of Scotland (the Keeper) which accompanies the <i>Records Management Plan</i> (the <i>Plan</i>). It is also stated in the <i>Records Management Policy</i> (see element 3) at section 3.1.</p> <p>The Assistant Chief Executive (Business Support) approved and ‘owns’ the <i>Plan</i>.</p> <p>The Keeper agrees that SPT have identified an appropriate individual to this role as required by the Public Records (Scotland) Act 2011 (the Act).</p>
2. Records Manager <i>Compulsory element</i>	G	G	<p>SPT have identified Valerie Bowen, Senior Committee Officer, as the individual with day-to-day responsibility for implementing the <i>Plan</i>.</p> <p>This is confirmed by the <i>Records Management Policy</i> (see element 3) at section 3.2.</p> <p>The Senior Committee Officer is the author of the <i>Plan</i>.</p>

			<p>SPT have supplied the <i>Job Description of the Senior Committee Officer</i> which supports her responsibility for public records in the authority (see element 12).</p> <p>The Keeper agrees that SPT have identified an appropriate individual to this role as required by the Act.</p>
<p>3. Policy Compulsory element</p>	<p>G</p>	<p>G</p>	<p>SPT have a <i>Records Management Policy</i> which has been submitted to the Keeper in evidence. This is the version dated 28 March 2013 (approved by the partnership meeting in May 2013). A minute of approval has been provided.</p> <p>The <i>Records Management Policy</i> is publically available at http://www.spt.co.uk/documents/rtp030513%20agenda6.pdf</p> <p>The Keeper commends the principle of public authorities publishing the <i>Records Management Policy</i> online.</p> <p>The <i>Records Management Policy</i> explains the purpose of robust records management.</p> <p>The <i>Records Management Policy</i> specifically mentions compliance with the Act. It states as one of its objectives “to develop and encourage a culture which acknowledges the value and benefits of effective records management within SPT” (section 1.3). The Keeper commends this aim as being entirely in the spirit of the Act.</p> <p>The <i>Records Management Policy</i> has been signed by the Assistant Chief Executive (Business Support) (see element 1).</p> <p>The Keeper agrees that SPT have a records management policy statement as required by the Act.</p>

<p>4. Business Classification</p>	<p>A</p>	<p>G</p>	<p>The <i>Records Management Policy</i> (see element 3) requires SPT to “ensure a corporate approach to records management” and to “ensure that an effective framework exists...” (both <i>Records Management Policy</i> section 1.3).</p> <p>With this in mind SPT are creating a <i>Business Classification Scheme</i>. An <i>Overview of the Organisational Business Classification</i> has been provided to the Keeper. This is yet to be populated with transactions/record types.</p> <p>SPT intend to base their <i>Business Classification Scheme</i> on a template provided by the Local Government Classification Scheme: http://www.irms.org.uk/resources/information-guides/198-local-government-classification-scheme-v203</p> <p>There is a target date for the completion of the <i>Business Classification Scheme</i> of May 2018 (coinciding with the introduction of the General Data Protection Regulations). The Keeper agrees this timetable is reasonable.</p> <p>SPT have committed to roll out guidance training to support the implementation of the <i>Business Classification Scheme</i>.</p> <p>SPT have an <i>E-Mail Policy</i> which has been supplied to the Keeper as part of the <i>Information Security Framework</i> (see element 8).</p> <p>The Keeper agrees this element of SPT’s <i>Plan</i> under ‘improvement model’ terms. This means that the authority has identified a gap in records management provision (lack of a corporate <i>Business Classification Scheme</i>), but has committed to closing that gap. The Keeper’s agreement is conditional on him being updated as this project progresses. SPT have committed to doing this.</p>
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<p>5. Retention schedule</p>	<p>G</p>	<p>G</p>	<p>The <i>Plan</i> states (section 5.2) “SPT’s Retention & Disposal Schedules as outlined in its Records Management Plan are available on the Partnership’s intranet.”</p> <p>Each department has their own Retention & Disposal schedule and is responsible for its maintenance. Retention schedules for Legal and Property/ Corporate have been included as evidence, together with a screen shot of the relevant intranet page.</p> <p>The Keeper agrees that SPT have allocated retention decisions to the record types expected of a transport partnership.</p>
<p>6. Destruction Arrangements <i>Compulsory element</i></p>	<p>A</p>	<p>G</p>	<p>The <i>Records Management Policy (see element 3)</i> requires SPT to “have standard processes in place for identifying records ready for disposal and to ensure they are transferred or destroyed appropriately.”</p> <p>To this end SPT have the following procedures in place:</p> <p><u>Paper (internal)</u>: Paper records are destroyed under contract with a third party shredding company. A customer service agreement, proving that these arrangements are operational, has been supplied as evidence.</p> <p><u>Paper (external)</u>: SPT does not hold records with a third party storage supplier.</p> <p><u>Electronic Records</u>: The <i>Plan</i> states “SPT is reviewing the arrangements for the deletion of electronic records in accordance with the Retention and Disposal Schedule, together with ensuring that appropriate processes are in place.” ‘Future Development’ Action Plan against this element. The Keeper</p>

			<p>agrees this action. The development of a business-wide solution for electronic records (see element 4) will greatly assist this aspect of destruction. Monitoring the imposition of retention decisions will be fundamental in mapping the success of this project.</p> <p><u>E-mail</u>: SPT operate an ‘Enterprise Vault’ which automatically deletes e-mails from users accounts to a schedule. This is explained to staff in the <i>SPT IT User Guide</i>. This guide has been supplied to the Keeper and is available to staff on the authority’s intranet (screen-shot provided).</p> <p><u>Hardware</u>: Hardware is destroyed under contract with a third party shredding company. A guidance document, <i>ICT Equipment Disposal</i>, and disposal form proving that these arrangements are operational, has been supplied as evidence. This is supported by requirements in the <i>IT and Information Security Policy</i> (sections 7.3 and 7.6).</p> <p><u>Back-Ups</u>: SPT, quite properly, take back-up copies of records for business continuity reasons. The back-up cycle is explained in the <i>IT and Information Security Policy</i> (section 7.4.16). The Keeper agrees that SPT know how long back-up copies of records remain available.</p> <p>The Keeper agrees this element of SPT’s <i>Records Management Plan</i> on improvement model terms. This means that an authority has identified a gap in their records management provision (in this case that electronic records are not universally destroyed at the end of their retention period), but have put processes in place to close that gap. The Keeper’s agreement is conditional on his being updated as the project explained in element 4 is progressed.</p>
7. Archiving and Transfer	A	G	SPT have identified Glasgow City Archives as the ‘proper repository’ for records selected for permanent preservation.

<p><i>Compulsory element</i></p>			<p>http://www.glasgowlife.org.uk/libraries/the-mitchell-library/archives/pages/home.aspx</p> <p>The Keeper agrees this is a suitable archive for the public records of SPT.</p> <p>SPT have submitted an Email from Dr Irene O'Brien, Senior Archivist, Glasgow City Archives confirming the accession of SPT records for permanent preservation and further confirming the intention to create a formal agreement.</p> <p>The Keeper can agree this Element on an 'improvement model' basis. That means that the authority has an agreement in principal to transfer records to an appropriate archive, but requires to formalise these arrangements. Once the Keeper receives a document, such as a MoU or SLA or similar, showing that there is an agreement to transfer records, he should be able to fully agree this Element.</p>
<p>8. Information Security <i>Compulsory element</i></p>	<p>G</p>	<p>G</p>	<p>SPT have an <i>IT and Information Security Policy</i> which has been provided to the Keeper. This is the version signed by the IT Manager in July 2014.</p> <p>The <i>IT and Information Security Policy</i> is publically available at: http://www.spt.co.uk/documents/per090514_agenda6.pdf</p> <p>The <i>IT and Information Security Policy</i> is supported by the SPT <i>Internet and Email Policy</i>, the <i>IT User Guide</i> and the <i>Data Movement Guide</i>. These policies have also been supplied.</p> <p>The <i>IT and Information Security Policy</i> includes a section on Physical Security (7.3).</p> <p>SPT have committed to information security in line with ISO 27001.</p> <p>The <i>IT and Information Security Policy</i> specifically mentions the Data Protection Act</p>

			<p>1998 (see element 9) at section 3.2.1.</p> <p>A intranet screen-shot has been provided showing staff can access to information security documents and training.</p> <p>The Keeper agrees that SPT have procedures in place to ensure security of the public records in their care.</p>
9. Data Protection	G	G	<p>SPT have a <i>Data Protection Policy</i> which has been supplied to the Keeper.</p> <p>SPT's <i>Data Protection Policy</i> is available online at: http://www.spt.co.uk/corporate/wp-content/uploads/2012/09/SPT-Data-Protection-Policy.pdf</p> <p>SPT is registered with the Information Commissioner: Z9340370.</p> <p>The <i>Data Protection Policy</i> explains the (current) 8 principles of data protection.</p> <p>Subject access information is available to the public as part of the published <i>Data Protection Policy</i>.</p> <p>The officer responsible for compliance with the Data Protection Act in SPT is the Assistant Chief Executive (Business Support) (see element 1).</p> <p>The Keeper agrees that SPT have properly considered their responsibilities under the Data Protection Act 1998.</p>
10. Business	G	G	<p>SPT make the following statement in the Plan (section 10.1): "All SPT departments</p>

<p>Continuity and Vital Records</p>			<p>are required to have in place business continuity plans in the event of any disaster. Reference to records management arrangements in particular vital IT applications and systems, has been included in each plan.”</p> <p>SPT have chosen not to send a sample plan due to the sensitive nature of the contents. The Keeper has previously accepted that some evidential documents cannot be shared with his assessment team either because of security concerns or in line with a particular policy applied in a public authority. Most commonly he has been asked to accept the commitment of a senior officer of an authority in the matter of business continuity and is happy to do so in this case.</p> <p>SPT have supplied the Keeper with a letter from Valerie Davidson, Assistant Chief Executive (Business Support) (see element 1) in which she confirms that the above statement regarding the business continuity arrangements in SPT is correct.</p> <p>The Keeper agrees that SPT have business continuity arrangements that recognise the recovery of records in an emergency.</p>
<p>11. Audit trail</p>	<p>A</p>	<p>G</p>	<p>The introduction to the <i>Plan</i> (page 5) notes that effective records management allows the “fast, accurate and reliable access to records.” Therefore it is vital that SPT are able to track records and correctly identify the version of any record they locate.</p> <p>However, it is clear that SPT have much ground to make up regarding this. They state in the Plan:</p> <p>(Section 11.2) “Currently, most electronic records held within SPT are not held in a structured format and have neither and audit trail nor a limit on the number of copies or versions of the same document.”</p>

			<p>And</p> <p>(Section 11.3) “At present no procedures or guidance have been produced in relation to version control when records are being created, amended or updated.”</p> <p>The Keeper agrees that the centralisation of records management processes, based around the work explained in element 4, will improve this situation as long as appropriate guidance and staff training is included.</p> <p>Under “Future Development” against this element SPT state: “SPT will investigate ways in which we can improve audit trails in relation to records by investigating procedures and guidance to ensure that a corporate approach is developed and established.” The Keeper agrees this action in principle, but would request further details of the ‘corporate approach’ as soon as they are available.</p> <p>The Keeper agrees this element of SPT’s <i>Plan</i> under ‘improvement model’ terms. This means that the authority has identified a gap in records management provision (lack of a corporate procedure for the tracking and identification of records), but has committed to closing that gap. The Keeper’s agreement is conditional on him being updated as this project progresses.</p>
<p>12. Competency Framework for records management staff</p>	<p>G</p>	<p>G</p>	<p>SPT have provided the <i>Job Description of the Senior Committee Officer (see element 2)</i> which shows her responsibility for “the development, implementation and delivery of an effective information strategy which ensures the organisation is fully compliant with the requirements of Public Records Management, storage, retention and destruction of documents.”</p> <p>The Keeper agrees that the <i>Plan</i> provides a framework for these objectives.</p>

			<p>Details of training courses attended by the <i>Senior Committee Officer</i> have been provided. The Keeper acknowledges that his assessment team have been invited to speak personally to Ms. Bowen regarding the <i>Plan</i>.</p> <p>The <i>Records Management Policy (see element 3)</i> commits SPT as follows “Records management training is included as part of departmental induction for new staff and that ongoing refresher training is also available.”</p> <p>A sample of a training PowerPoint presentation has been supplied to the Keeper. A selection of training guides such as ‘learning to de-clutter’ have also been provided as well as intranet links as evidence that staff can access these internal documents.</p> <p>The <i>IT and Information Security Policy, Email and Internet Policy</i> and the <i>SPT User Guide</i> (supplied to the Keeper) are all introduced to new staff as part of their induction.</p> <p>The Assistant Chief Executive (Business Support) (see element 1) is responsible for “the provision of data protection training for staff within SPT” (<i>Data Protection Policy</i> section 8.1).</p> <p>The Keeper agrees that the individual identified at element 2 has the appropriate responsibilities to implement the <i>Plan</i> and that there is clear accessibility to relevant training for this officer. Furthermore he agrees that information governance training is made available to appropriate staff.</p>
<p>13. Assessment and Review</p>	<p>G</p>	<p>G</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 records management provision existing in the authority was self-assessed prior</p>

			<p>to the creation of the <i>Plan</i>. Minutes confirming this have been provided.</p> <p>After agreement, the <i>Plan</i> will be reviewed annually by the Senior Committee Officer and the outcome of this review reported to Corporate Records Management Group (see under general comments below).</p> <p>The efficiency of records management in the organisation will be reviewed by the authority's Internal Audit Group. SPT have provided the <i>Strathclyde Partnership for Transport Internal Audit plan 2016/17</i> which features records management.</p> <p>The <i>Internal Audit Plan</i> is available at: http://www.spt.co.uk/documents/aud170616agenda11.pdf</p> <p>SPT self-assess their IT Security provision. The Survey results from 2015 have been shared with the Keeper.</p> <p>SPT's registration with the Information Commissioner must be renewed by 26 March 2018.</p> <p>The Keeper agrees that SPT have processes in place to keep the <i>Plan</i> under review as required by the Act.</p>
14. Shared Information	G	G	<p>From the text in the <i>Plan</i> it seems likely that SPT routinely share information as part of their function.</p> <p>Non routine information sharing, for example in the case of a subject access request, is done according to the authority's <i>Data Protection Policy</i> (see element 9).</p> <p>SPT have provided the Keeper with their <i>Physical Data Movement Guide</i> which forms part of their information security arrangements. This document is designed as</p>

			<p>guidance that ensures “any data being sent from SPT to any external party is properly handled...”</p> <p>With regard to more structured information sharing, SPT have supplied a sample information sharing agreement (created in response to a request from Police Scotland). The Keeper agrees that this agreement includes information governance clauses and can be used to demonstrate that SPT when involved in the “limited and managed” information sharing, they may occasionally be required to undertake, appropriate safeguards are put in place.</p> <p>The Keeper agrees this element.</p>
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Strathclyde Partnership for Transport (SPT)

Version:

This assessment is on the *Records Management Plan* (the *Plan*) of Strathclyde Partnership for Transport (SPT) version 10, approved by the Assistant Chief Executive (Business Support) (**see element 1**) in December 2016 – updated July 2017.

The Plan is already published at:

http://www.spt.co.uk/documents/latest/rtp120816_agenda8.pdf

The Keeper agrees the *Plan* supports the objectives of the *Records Management Policy* (**see element 3**).

The Plan refers to the Public Records (Scotland) Act 2011 (the Act) and follows the Keeper of the Records of Scotland’s (the Keeper) 14 element model plan: <https://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources/model-records-management-plan>

The Keeper agrees that robust records management provision will assist SPT in attaining their strategic objective to “provide effective and efficient management of the Partnership’s people and resources”: <http://www.spt.co.uk/corporate/about/strategy/our-strategic-objectives/>

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)).

SPT state: “SPT does enter into contracts for goods and services and works in furtherance of our statutory functions. We would confirm that our contracts will be reviewed in advance of the GDPR implementation date in order to ensure that, where required, a contractor has appropriate records management processes in place.”

Corporate Records Management Group:

SPT have a Corporate Records Management Group chaired by Assistant Chief Executive (Business Support) (**see element 1**) and attended by the Senior Committee Officer (**see element 2**). This group brings together records management ‘champions’ (co-ordinators) from different service areas in the authority. The Corporate Records Management Group has a responsibility to ensure a corporate approach to records management initiatives and to promote standardised practices. It seems likely that they will be of fundamental importance during the development of business-wide records management solutions as explained in the ‘future development’ sections of the *Plan*.

6. Keeper's Summary

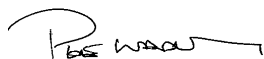
Elements 1 -14 that the Keeper considers should be in a public authority records management plan have been properly considered by Strathclyde Partnership for Transport (SPT). Policies and governance structures are in place to implement the actions required by the plan.

7. Keeper's Determination

Based on the assessment process detailed above, the Keeper **agrees** the RMP of **Strathclyde Partnership for Transport**.

- The Keeper recommends that Strathclyde Partnership for Transport 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 **Strathclyde Partnership for Transport**. In agreeing this RMP, the Keeper expects Strathclyde Partnership for Transport to fully implement the agreed RMP and meet its obligations under the Act.



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