

The Public Records (Scotland) Act 2011

Inverclyde Council and Inverclyde Licensing Board

Progress Update Review (PUR) Report by the PRSA Assessment Team

28 May 2021

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1. Public Records (Scotland) Act 2011

The Public Records (Scotland) Act 2011 (the Act) received Royal Assent on 20 April 2011. It is the first new public records legislation in Scotland since 1937 and came 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 recordkeeping 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. Progress Update Review (PUR) Mechanism

Under section 5(1) & (2) of the Act the Keeper may only require a review of an authority's agreed RMP to be undertaken not earlier than five years after the date on which the authority's RMP was last agreed. Regardless of whether an authority has successfully achieved its goals identified in its RMP or continues to work towards them, the minimum period of five years before the Keeper can require a review of a RMP does not allow for continuous progress to be captured and recognised.

The success of the Act to date is attributable to a large degree to meaningful communication between the Keeper, the Assessment Team, and named public authorities. Consultation with Key Contacts has highlighted the desirability of a mechanism to facilitate regular, constructive dialogue between stakeholders and the Assessment Team. Many authorities have themselves recognised that such regular communication is necessary to keep their agreed plans up to date following inevitable organisational change. Following meetings between authorities and the Assessment Team, a reporting mechanism through which progress and local initiatives can be acknowledged and reviewed by the Assessment Team was proposed. Key Contacts have expressed the hope that through submission of regular updates, the momentum generated by the Act can continue to be sustained at all levels within authorities.

The PUR self-assessment review mechanism was developed in collaboration with stakeholders and was formally announced in the Keeper's Annual Report published on 12 August 2016. The completion of the PUR process enables authorities to be credited for the progress they are effecting and to receive constructive advice concerning on-going developments. Engaging with this mechanism will not only maintain the spirit of the Act by encouraging senior management to recognise the need for good records management practices, but will also help authorities comply with their statutory obligation under section 5(1)(a) of the Act to keep their RMP under review.

3. Executive Summary

This Report sets out the findings of the Public Records (Scotland) Act 2011 (the Act) Assessment Team's consideration of the Progress Update template submitted for Inverclyde Council and Inverclyde Licensing Board. The outcome of the assessment and relevant feedback can be found under sections 6 – 8.

4. Authority Background

Inverclyde is one of 32 council areas used for local government in Scotland. Together with the East Renfrewshire and Renfrewshire council areas, Inverclyde forms part of the historic county of Renfrewshire, which currently exists as a registration county and lieutenancy area - located in the west central Lowlands. It borders the North Ayrshire and Renfrewshire council areas, and is otherwise surrounded by the Firth of Clyde.

Inverclyde District was one of nineteen districts within Strathclyde Region, from 1975 until 1996. Prior to 1975, Inverclyde was governed as part of the local government county of Renfrewshire, comprising the burghs of Greenock, Port Glasgow and Gourock, and the former fifth district of the county.

<https://www.inverclyde.gov.uk/>

Licensing is the responsibility of licensing boards under powers contained in the Licensing (Scotland) Act 2005. Local licensing boards have wide discretion to determine appropriate licensing arrangements according to local needs and circumstances and their own legal advice. Each local government area must have a licensing board.

The Inverclyde Licensing Board *Policy Statement* is publically available from:

<https://www.inverclyde.gov.uk/law-and-licensing/licensing/alcohol-and-gambling/licensing-board/licensing-board-policies-regulations-and-public-information/policy-statement>

5. Assessment Process

A PUR submission is evaluated by the Act's Assessment Team. The self-assessment process invites authorities to complete a template and send it to the Assessment Team one year after the date of agreement of its RMP and every year thereafter. The self-assessment template highlights where an authority's plan achieved agreement on an improvement basis and invites updates under those 'Amber' elements. However, it also provides an opportunity for authorities not simply to report on progress against improvements, but to comment on any new initiatives, highlight innovations, or record changes to existing arrangements under those elements that had attracted an initial 'Green' score in their original RMP submission.

The assessment report considers statements made by an authority under the elements of its agreed Plan that included improvement models. It reflects any changes and/or progress made towards achieving full compliance in those areas where agreement under improvement was made in the Keeper's Assessment Report of their RMP. The PUR assessment report also considers statements of further progress made in elements already compliant under the Act.

Engagement with the PUR mechanism for assessment cannot alter the Keeper's Assessment Report of an authority's agreed RMP or any RAG assessment within it. Instead the PUR Final Report records the Assessment Team's evaluation of the submission and its opinion on the progress being made by the authority since agreeing its RMP. The team's assessment provides an informal indication of what marking an authority could expect should it submit a revised RMP to the Keeper under the Act, although such assessment is made without prejudice to the Keeper's right to adopt a different marking at that stage.

Key:

G	The Assessment Team agrees this element of an authority's plan.	A	The Assessment Team agrees this element of an authority's progress update submission as an 'improvement model'. This means that they are convinced of the authority's commitment to closing a gap in provision. They will request that they are 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 Assessment Team may choose to notify the Keeper on this basis.
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Progress Update Review (PUR) Template: Inverclyde Council and Inverclyde Licensing Board

Element	Status of elements under agreed Plan 12NOV15	Progress assessment status 03JUL19	Progress assessment status 28MAY21	Keeper's Report Comments on Authority's Plan 12NOV15	Self-assessment Update 03JUL19	Progress Review Comment 03JUL19	Self-assessment Update as submitted by the Authority since 03JUL19	Progress Review Comment 28MAY21
1. Senior Officer	G	G	G	Update required on any change.	From May 2017, the Senior Information Risk Owner for the Council is Louise Long, Corporate Director of HSCP Inverclyde. This change has been notified to the Keeper and the published version of the plan has been updated.	The Assessment Team thanks Inverclyde Council for this update which we have noted.	No change.	Update required on any change.
2. Records Manager	G	G	G	Update required on any change. Please advise if the post has been restructured as per the Records Management Plan 12.1	From February 2018, the Records Manager for the Council is the Information Governance Solicitor. The Records Management Plan will be updated to reflect this change.	The Assessment Team thanks Inverclyde Council for this update which we have noted.	The Records Manager will leave the Council on 8 th February 2021. The role will be advertised and the Keeper will be notified once a new Records Manager is in post.	<p>The Assessment Team thank Inverclyde Council for this update which we have noted.</p> <p>The Act specifies, under Section 1(2)(a)(ii), that an authority is required to identify an individual within the organisation, answerable to senior management, to have operational responsibility for records management within the organisation.</p> <p>The authority have provided an update (28 May 2021) on staff members with operational responsibility for records management. The named key contacts with joint responsibility for records management are now Martin Hughes, newly appointed Information Governance Solicitor and Vicky Pollock, Legal Services Manager (Procurement, Conveyancing & Information Governance) and Data Protection Officer.</p>

3. Policy	G	G	G	Update required on any change.	<p>The Council has revised various policy and guidance documents to reflect the General Data Protection Regulation and the Data Protection Act 2018 which will be discussed in detail in Element 9.</p> <p>In addition, the Council has implemented: Information Classification Policy; Email Deletion Policy; Business Classification Scheme (BCS) Guidance and Digital Strategy.</p> <p>The Council has prepared draft Version Control and Naming Convention Guidance, which is pending approval from the Policy and Resources Committee following a Consultation period with the Extended Management Team. The Policy and Resources will consider the draft Guidance on 26th March 2019.</p> <p>The Councils Records Management Plan will be reviewed within the next 12 months.</p>	<p>As with all other Scottish public authorities Inverclyde Council have been required to review and update their data protection procedures in light of the 2018 legislation.</p> <p>The Assessment Team thanks Inverclyde Council for highlighting new policy and guidance documents. If this were a formal re-submission the Keeper would require that copies of these documents were submitted in evidence.</p> <p>The Assessment Team notes that version control and naming convention guidance is being approved at the moment and looks forward to a further update in the Council's next PUR. These will be vital for tracking digital records efficiently (see element 11).</p>	<p>The following policies have been approved since the previous PUR:</p> <ul style="list-style-type: none"> - The Policy for the Retention and Disposal of Documents and Records Paper and Electronic has been updated and approved at the Policy and Resources Committee on 15th September 2020 - https://www.inverclyde.gov.uk/meetings/meeting/2276; - The Data Protection Impact Assessment Guidance and Template was approved at the Policy and Resources Committee on 26th March 2019 - https://www.inverclyde.gov.uk/meetings/meeting/2153; - The Version Control and Naming Convention Guidance was approved at the Policy and Resources Committee on 26th March 2019 - https://www.inverclyde.gov.uk/meetings/meeting/2153; - The Data Protection Policy was updated and approved at the Policy and Resources Committee on 19th November 2019 - https://www.inverclyde.gov.uk/meetings/meeting/2217; - The Subject Access Request Guidance was created in September 2019; - The Clear Desk Policy was updated in November 2020: <p>The following policies have been amended and approval is being sought:</p> <ul style="list-style-type: none"> - The Acceptable Use Policy. <p>The following new policies have been drafted and are currently under review:</p> <ul style="list-style-type: none"> - Freedom of Information Policy and Procedures. 	<p>It is clear that the authority continues to regularly update and review information governance policies and supporting documentation. It is encouraging to see this work being carried out and also evidence of new policies and procedures being created.</p> <p>The Assessment Team thank the authority for providing links to committee papers relating to updated and approved policies and guidance. Several of these are available to view on the authority's public website (Policy for the Retention and Disposal of Documents and Records Paper and Electronic; and Data Protection Policy) Data Protection Policy - Inverclyde Council.</p> <p>In the authority's last PUR submission it was noted that the Council's Records Management Plan was due to be reviewed within 12 months. We would be interested to learn if this review is still scheduled to take place. For more on assessment and review see element 12.</p>
4. Business Classification	A	A	G	The Keeper agrees this element of the Council's plan under 'Improvement Model' terms. This means that he acknowledges that the authority has identified a gap in provision [business classification not rolled out throughout the organisation] and has put processes in place to close that gap. The Keeper's agreement is conditional on his being	BCS Implementation is ongoing. The Council has identified 2 stages of this implementation process. Stage 1 is having a file structure in place in new drives, and stage 2 is the migration of data. The Council's Annual Governance Statement has identified 31 st October 2018 for completion of stage 1	<p>The Assessment Team acknowledge that the ongoing work committed to in the Council's original submission is progressing well.</p> <p>The roll out of the BCS is bound to be incremental and further time must be allowed for it to bed in and become fully operational.</p>	<p>The Business Classification Scheme has been successfully implemented. This was achieved on 31st March 2019.</p> <p>It is acknowledged that whilst the BCS has been implemented, it will require to be maintained regularly by all Services and therefore this will be a standing item on the agenda of the Information Governance Steering Group.</p>	<p>News of the successful roll out of the Business Classification Scheme for all services is welcomed by the Assessment Team. As is notification that maintaining it will be a focus of the Information Governance Steering Group.</p> <p>If this were a formal resubmission it is likely that this element would</p>

				updated on progress as the EDM project develops.	and 31 st March 2019 for completion of stage 2. All Services have completed stage 1 and are on track for completion of stage 2. This will be monitored by the Information Governance Team and the Information Governance Steering Group, with regular updates to the Corporate Management Team.	This element remains at 'amber' for the moment as the work progresses. The Assessment Team commends the commitment of time and resources and the commitment to monitor the new structures. They look forward to being kept updated on this work in subsequent PURs.		change from Amber to Green on receipt of sufficient evidence.
5. Retention Schedule	G	G	G	Update required on any change.	The Council continues to base its Policy for the Retention and Disposal of Documents and Records Paper and Electronic on the model retention and disposal schedules produced by the Scottish Council on Archives. The Council requires to revise and update this policy to reflect the General Data Protection Regulation and the Data Protection Act 2018. This outstanding action is highlighted in the Council's GDPR Post Implementation Plan. The Council has received a number of s21 Notices in relation to the Scottish Child Abuse Inquiry (SCAI) and therefore some Social Work Records have not been destroyed as per the Council's Retention Policy.	In their original submission Inverclyde Council committed to updating relevant policy documents on a regular basis. The Assessment Team appreciates the confirmation that this is being done. This is a recognition that a Retention Schedule is a 'living document'. The Assessment Team acknowledges the statement regarding the Scottish Child Abuse Enquiry and agrees this, temporarily, takes precedence over implementing retention decisions.	The Policy for the Retention and Disposal of Documents and Records Paper and Electronic has been updated and was approved at the Policy and Resources Committee on 15 th September 2020 - https://www.inverclyde.gov.uk/meetings/meeting/2276	The Assessment Team thank the authority for providing a link to the committee paper relating to the updated and approved Policy for the Retention and Disposal of Documents and Records Paper and Electronic. Regularly updating retention documentation ensures it remains fit for purpose. See element 3 for further comment on policy. The committee paper notes that it is the intention to establish a Records Management Working Group to progress implementation and ensure consistency and compliance (para 4.13). We would be interested to learn more about this in subsequent PUR submissions.
6. Destruction Arrangements	A	A	A	... the Council makes clear "There is no process in place yet for deletion of electronic documents from network drives." The roll-out of the EDM and the full adoption of a <i>Business Classification Scheme</i> linked to the already extant <i>Retention Schedule</i>	As advised in element 4, the Council is currently implementing BCS. As part of this process, Services will require to transfer data to the new file drives, during which they will apply the Council's Retention Policy to the old file	The Assessment Team acknowledge that the ongoing work committed to in the Council's original submission is progressing well. In common with many Scottish public authorities, Inverclyde Council is not	The Business Classification Scheme has been implemented, whereby the Council's Retention Policy was applied to the old file drives, which were then subsequently deleted on 31 st March 2019. It is acknowledged that whilst the BCS has been implemented, it will require to be maintained regularly by all Services	The roll out of the Business Classification Scheme to the new EDM system and application of retentions resulting in the permanent deletion of old file drives is noted as having been completed on schedule. This is

				<p>(see elements 4 and 5) should facilitate this.</p> <p>The Keeper agrees this element of Inverclyde Council's records management plan on 'Improvement Model' terms. This means that he acknowledges that the Council has identified a gap in records management provision [the deletion of electronic records is not properly controlled] and has put processes in place to close that gap. The Keeper's agreement is conditional on his being updated on progress as the EDM project develops.</p>	<p>drives. The old drives will then be deleted by 31st March 2019.</p> <p>Services will then apply the Retention Policy to the new BCS Structure on an ongoing basis which will be monitored. In addition, Services will then develop a retention schedule for each element of their BCS where a record is held.</p> <p>The Council has received a number of s21 Notices in relation to the Scottish Child Abuse Inquiry (SCAI) and therefore some Social Work Records have not been destroyed as per the Council's Retention Policy.</p>	<p>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 their original submission <i>Plan</i> "There is no process in place yet for deletion of electronic documents from network drives." The roll-out of the EDM and the full adoption of a <i>Business Classification Scheme</i> linked to the already extant <i>Retention Schedule</i> (see elements 4 and 5) should facilitate this.</p> <p>It is clear from this PUR that the processes to close the gap in provision are progressing.</p> <p>The Assessment Team commends the commitment of time and resources to pursue the BCS structure (element 4). They look forward to being kept updated on this work in subsequent PURs.</p>	<p>and therefore this will be a standing item on the agenda of the Information Governance Steering Group. This will include Services regularly applying the Council's Retention Policy to the Business Classification Scheme.</p> <p>EDRM Update: Implementation of the upgraded EDMS including the Archive and deletion module is scheduled for March 2020.</p> <p>Additional services have been identified to implement projects to migrate from paper based storage to EDRM.</p>	<p>commended by the Assessment Team.</p> <p>Commitment to continued maintenance and monitoring of the application of retentions is evident.</p> <p>The planned upgrade of the EDRM system to include an archive and deletion module is noted and we would be interested to hear how this progresses in future PURs.</p> <p>The authority has confirmed that the implementation date for the EDRM system was due to be March 2020, but this was delayed due to Covid-19. However, the upgraded infrastructure is in place and the Council is scheduled to deliver the new modules over Summer 2021.</p> <p>We would also be interested to learn more about planned work to migrate from paper based storage to EDRM.</p> <p>While work towards implementing destruction arrangements for electronic records is ongoing this element will remain Amber.</p>
7. Archiving and Transfer	A	A	A	<p>...the Council's <i>Plan</i> makes it clear that the archive provision at the Watt Library is in need of improvement... the Keeper accepts that the Council is aware of shortcomings in the archive repository and are considering an improvement programme. The Keeper expects to be informed of the Committee's decision when appropriate...</p> <p>The agreement of this important element is conditional on the Keeper being provided an update as the current situation improves</p>	<p>The Committee's decision of 3rd November 2015 as requested by the Keeper is available at: https://www.inverclyde.gov.uk/meetings/meeting/1817</p> <p>However, the Committee made an amendment on 8th March 2016 and their decision is available at: https://www.inverclyde.gov.uk/meetings/meeting/1846</p>	<p>The Assessment Team is pleased to receive such a positive update regarding the archive provision in Inverclyde.</p> <p>The Keeper will be particularly pleased that the position of archivist in the council has been made a permanent one.</p> <p>The Assessment Team thanks Inverclyde Council for highlighting new archive policy and guidance documents. If this were a formal re-submission the</p>	<p>The Watt Institution re-opened to the public in November 2019 and a substantial proportion of the archives collection was repatriated to the refurbished building from the external store. Staff at the Watt welcomed representatives from the National Records of Scotland who visited the Watt Institution on 11 March 2020 to see the progress that had been made. Unfortunately, given the C19 pandemic and related lockdowns the Watt Institution closed to the public in March 2020, re-opened on a very restricted basis from July 2020, and then closed again in December 2020 and remains closed at the time of writing. It has therefore not been possible to make progress in the</p>	<p>The Assessment Team acknowledges the authority's good engagement with the team, as demonstrated by the meeting on 11 March 2020.</p> <p>We understand the wide reaching impact of Covid-19 on planned work in public authorities. The closure of and limited access to buildings has hindered and in some cases halted the work of archive services.</p> <p>Delayed work:</p>

				<p>and on the Council agreeing to provide a statement on their archiving provision once they have been able to measure their facilities against the <i>Proper Arrangements</i> guidance document.</p>	<p>The Watt Library is currently being refurbished as part of a £2 million investment by the Council. The Archives Collection is stored temporarily in an external storage facility. The Watt Library is anticipated to be reopened in July 2019.</p> <p>Once the Watt Library has been reopened and the Archives Collection have been reinstated, the Council will then measure their facilities against the Proper Arrangements guidance and issue a statement to the Keeper on their archiving provision.</p> <p>In addition, a feasibility study will be carried out in relation to the external storage to determine whether improvements can be made or alternative accommodation sought.</p> <p>Additional investment has been made by the Council, such as the installation of new metal shelving and acid free archival storage boxes to house the Archive collection. Further improvements, such as repacking materials and cataloguing continues.</p> <p>The Archivist position has now been made permanent.</p> <p>Relevant policies and procedures have been produced by the Archivist: Archives and Local Studies Service Collecting Policy, Appraisal Policy, Disposal Policy, Transfer Procedure, Closed Records Policy,</p>	<p>Keeper would require that copies of these documents were submitted in evidence.</p> <p>This element remains Amber awaiting completion of the work on the archive store and mapping the service against the Keeper's 'Proper Arrangements' document.</p>	<p>last year on some planned building work required to facilitate a further archives store room, or on the feasibility study to be carried out on the current external store, or on some aspects of measuring the facilities against the Keeper's Proper Arrangements for Archives guidance. Inverclyde Council will seek to move forward with these projects as soon as circumstances allow.</p>	<ul style="list-style-type: none"> • Further transfer of records from external storage to refurbished Watt Institution. • Planned building work to create another archives storage room. • Feasibility study on the current external archives storage. • Work to produce document measuring the archive facility against the Keeper's 'Proper Arrangements' guidance. Supplementary Guidance on Proper Arrangements for Archiving Public Records (nrscotland.gov.uk). <p>This element remains Amber while the work noted above is still to be progressed. We look forward to further updates in future PUR submissions.</p>
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					Packing Policy, Preservation Policy and Security Policy. These will be added and updated as required.			
8. Information Security	G	G	G	Update required on any change.	<p>As part of the Council's GDPR Implementation Plan a Data Protection Breach Management Protocol has been introduced. In addition, all data breaches are now recorded in the Council's Data Breach Register.</p> <p>In addition, the Council has committed to implement in full the requirements of the Scottish Public Sector Cyber Security Action Plan in line with the Key Action Timeline.</p> <p>The Council also continues to have Public Services Network Accreditation.</p> <p>The Council has been accredited as a Cyber Essential Plus Organisation.</p>	<p>As with all other Scottish public authorities Inverclyde Council have been required to review and update their data protection procedures in light of the 2018 legislation.</p> <p>The Assessment Team thanks Inverclyde Council for updating them regarding the Council's security accreditation. This has been noted in order that the original submission can be kept up-to-date.</p>	No change	Update required on any change.
9. Data Protection	G	G	G	Update required on any change.	<p>As part of the Council's GDPR Implementation Plan, a Data Protection Officer was appointed in February 2018.</p> <p>The Council also created an Information Governance Team in March 2018.</p> <p>The Council has implemented Data Breach Management Protocol; a Data Breach Register; and Data Sharing Agreement Templates.</p> <p>The Council has also introduced guidance documents such as Privacy Notice Template and Guidance; an Employee GDPR Guide;</p>	<p>As with all other Scottish public authorities Inverclyde Council have been required to review and update their data protection procedures in light of the 2018 legislation.</p> <p>The Assessment Team acknowledges that the public facing Inverclyde Council website has been updated appropriately:</p> <p>https://www.inverclyde.gov.uk/law-and-licensing/freedom-of-information/data-protection-policy</p>	<p>The Data Protection Impact Assessment Guidance and Template was approved at the Policy and Resources Committee on 26th March 2019 - https://www.inverclyde.gov.uk/meetings/meeting/2153</p> <p>Subject Access Request Guidance was created in September 2019.</p> <p>The Data Protection Policy was updated and approved at the Policy and Resources Committee on 19th November 2019 - https://www.inverclyde.gov.uk/meetings/meeting/2217</p> <p>Information request forms have been created:</p> <ul style="list-style-type: none"> - External data request to Inverclyde Council - Inverclyde Council data request to external body 	<p>The Assessment Team note these updated and new guidance and policy documents. See element 3 above.</p> <p>The creation of data request forms is also acknowledged. These updates indicate the authority's ongoing work to develop and enhance compliance with data protection obligations.</p> <p>For training see element 12.</p>

					<p>an e-learning GDPR module which is mandatory for all employees; and Elected Members GDPR Guide.</p> <p>The Council's Corporate Privacy Notice has been updated, together with Service specific Privacy Notices, and these are available on the Council's website.</p> <p>A draft Data Protection Impact Assessment Guidance and Template is pending approval from Policy and Resource Committee following a Consultation period with the Extended Management Team. The Policy and Resources will consider the draft Guidance on 26th March 2019.</p> <p>Outstanding policies are noted in the Council's GDPR Post Implementation Plan and will be actioned accordingly.</p>		<p>Additional e-learning modules have been developed focusing on Data Breaches and Data Protection Impact Assessment which are available to all employees.</p>	
10. Business Continuity and Vital Records	G	G	G	<p>Update required on any change.</p>	<p>The Information Asset Register includes a field in each entry where business continuity details are recorded for that information asset.</p> <p>The Council has an up-to-date Directorate Business Continuity Plan in place.</p>	<p>Information noted with thanks.</p> <p>Populating the IAR with recovery information is to be commended as helping create a stronger business tool.</p>	<p>An IT IAR Management System has been developed in-house to allow Services to maintain their respective IARs more effectively and efficiently.</p> <p>In addition, as a result of the UK's exit from the EU, the IAR has been updated to capture processing of personal data out-with the UK.</p> <p>The formal roll out of the new IAR Management System will take place in early 2021.</p> <p>Business Continuity Plans continue to be reviewed annually. The standard review process for 2020 was affected by the response to the C19 Pandemic. However, existing plans were developed to reflect requirements and adapt to the significant challenges that continue to be placed on the Council. It is intended that key learning points are incorporated for future Business Continuity Plan reviews.</p>	<p>Local service input to the newly developed IT IAR Management System is noted.</p> <p>The IAR being updated to reflect the capture and processing of personal data out-with the UK is also acknowledged. This is evidence of best practice procedures being developed and carried out.</p> <p>The Assessment Team would be interested to hear how the planned roll out of the new IAR Management System goes in future PUR submissions.</p> <p>The practice of adapting existing plans and incorporating key learning points into future Business Continuity Plan reviews</p>

								based on the authority's experiences and response to the Covid-19 pandemic is welcomed by the Assessment Team.
11. Audit Trail	A	A	G	<p>The Keeper agrees this element of the Council's plan under 'Improvement Model' terms. This means that he acknowledges that the authority has identified a gap in provision [audit/tracking facility not available for all record types] and has put processes in place to close that gap. The Keeper's agreement is conditional on his being updated on progress as the EDM project develops.</p>	<p>The Council is currently implementing BCS across all Services.</p> <p>Draft Document Version Control and Naming Convention is pending approval from the Policy and Resource Committee following a Consultation period with the Extended Management Team. The Policy and Resources will consider the draft Guidance on 26th March 2019.</p>	<p>The Assessment Team acknowledge that the ongoing work committed to in the Council's original submission is progressing well (See element 4).</p> <p>The roll out of the BCS is bound to be incremental and further time must be allowed for it to bed in to become fully operational.</p> <p>Once the BCS structure is operational and the version control and naming convention guidance is bedded in the tracking of documents in the Council system will be greatly enhanced.</p> <p>This element remains at 'amber' for the moment as the work progresses.</p> <p>The Assessment Team looks forward to being kept updated on this work in subsequent PURs.</p>	<p>The Business Classification Scheme has been successfully implemented. This was achieved on 31st March 2019.</p> <p>It is acknowledged that whilst the BCS has been implemented, it will require to be maintained regularly by all Services and therefore this will be a standing item on the agenda of the Information Governance Steering Group.</p> <p>The Document Version Control and Naming Convention was approved at the Policy and Resources Committee on 26th March 2019 - https://www.inverclyde.gov.uk/meetings/meeting/2153;</p>	<p>For business classification see elements 4 and 6.</p> <p>The application of the approved Document Version Control and Naming Convention Guidance and the implementation of the BCS will enhance the tracking of electronic records. As both were achieved in 2019 it is assumed that they have had time to become fully operational.</p> <p>If this were a formal resubmission, and sufficient evidence provided, it is likely that this element would change from Amber to Green.</p>
12. Competency Framework	G	G	G	<p>Update required on any change.</p>	<p>A full training programme has taken place over the course of 2018/2019 including: Information Security; an Introduction to GDPR aimed at managers; How GDPR will impact on Elected Members; Data Breaches; and Data Protection Impact Assessments.</p> <p>The training programme focuses on face to face and e-learning.</p> <p>An e-learning module on GDPR has been developed which is mandatory for all employees processing personal data.</p>	<p>The Assessment Team note that appropriate GDPR training is provided by the Council and, furthermore, that information governance training is undertaken at induction. The Assessment Team commends this commitment to providing staff with appropriate training.</p>	<p>Additional e-learning modules have been developed focusing on Data Breaches and Data Protection Impact Assessment which are available to all employees.</p>	<p>Thank you for this update on the development of staff training modules and confirmation they are available to all staff members.</p>

					A robust Corporate Induction procedure has been introduced to ensure effective integration of new employees into and across the Council. This requires to be completed before the new employee can access the system.			
13. Assessment and Review	G	G	G	Update required on any change.	<p>To support the Council's GDPR Implementation an Implementation Group was created that included subject matter experts from across the Services.</p> <p>Quarterly updates on GDPR Implementation are provided to the CMT. In addition, annual updates will be provided to the Policy and Resource Committee.</p> <p>An audit of GDPR Implementation was carried out by Internal Audit, which highlighted actions to develop the control environment.</p> <p>Regular updates are provided to the CMT on BCS Implementation.</p> <p>The sub groups highlighted in 13.2 of the RMP have been consolidated into one group to ensure efficiency.</p> <p>The Record Management Plan continues to be discussed regularly by the Information Governance Steering Group.</p>	<p>The Assessment Team thanks the Council for the update. It seems that the Information Governance Steering Group are monitoring the implementation of the Council's plan.</p> <p>The completion of this Progress Update Review can also be considered as evidence of a commitment to review stated in the original submission.</p>	<p>The Council is aware that the RMP was last approved in November 2015 and therefore will receive an invite in July 2021 for a formal submission in November 2021. It is hoped that this PUR will assist with this process, and the Information Governance Steering Group will make this the priority for 2021.</p>	<p>Regarding formal resubmission of the authority's RMP, email correspondence from the Keeper's Assessment Team dated 5 March 2021 confirmed that, <i>'this invitation has been postponed to allow the (newly expanded) PRSA Team to catch up with assessments of first time RMPs, where public records are not yet being managed under an agreed plan. This means that your invitation will now be dispatched in January 2022 with a May 2022 submission date.'</i></p> <p>The authority's participation in the PUR process in 2019 and 2020 demonstrates continued review and assessment.</p>
14. Shared Information	A	G	G	The Keeper wishes to be supplied with a copy of the <i>Information Sharing Protocol</i> when approved. The Keeper notes that the Council committed to do this during the assessment process....	<p>A copy of the Information Sharing Protocol has been provided.</p> <p>As part of GDPR Implementation, a Data</p>	<p>The Assessment Team thanks Inverclyde Council for providing the <i>Information Sharing Protocol</i> which was being reviewed at the time of the original submission.</p>	<p>The Data Sharing Agreement Repository is now available on the Council's intranet.</p>	<p>The Assessment Team thank the authority for this update on the availability of the Data Sharing Agreement Repository on the their intranet site.</p>

				<p>The Keeper agrees this element of Inverclyde Council's records management plan on 'improvement model' terms. This means that the authority has recognised a gap in provision [Data sharing processes need formalising] and the Keeper has acknowledged that procedures have been put in place to close that gap. He agrees this element on the condition that Inverclyde Council provides a fully signed-off version of the <i>Information Sharing Protocol</i> as soon as it is available.</p>	<p>Sharing Agreement Template has been developed and the Information Sharing Protocol will be amended to reflect this.</p> <p>As part of the GDPR Post Implementation Plan a Data Sharing Agreement repository will be published on the Council's Intranet.</p>	<p>If this were a formal re-submission it is likely that this element of the Inverclyde Council and licensing Board plan could be re-graded from Amber to Green.</p>		
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7. The Public Records (Scotland) Act Assessment Team's Summary

Version

The progress update submission which has been assessed is the one received by the Assessment Team on 24 February 2021. The progress update was submitted by Gwen Murphy, Principal Solicitor (Contracts and Procurement).

The progress update submission makes it clear that it is a submission for **Inverclyde Council and Inverclyde Licensing Board**.

The Assessment Team has reviewed Inverclyde Council and Inverclyde Licensing Board's Progress Update submission and agrees that the proper record management arrangements outlined by the various elements in the authority's plan continue to be properly considered. The Assessment Team commends this authority's efforts to keep its Records Management Plan under review.

General Comments

Inverclyde Council and Inverclyde Licensing Board continues to take its records management obligations seriously and is working to bring all elements into full compliance.

Section 5(2) of the Public Records (Scotland) Act 2011 provides the Keeper of the Records of Scotland (the Keeper) with authority to revisit an agreed plan only after five years has elapsed since the date of agreement. Section 5(6) allows authorities to revise their agreed plan at any time and resubmit this for the Keeper's agreement. The Act does not require authorities to provide regular updates against progress. The Keeper, however, encourages such updates.

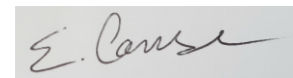
The Keeper cannot change the status of elements formally agreed under a voluntary submission, but he can use such submissions to indicate how he might now regard this status should the authority choose to resubmit its plan under section (5)(6) of the Act.

8. The Public Records (Scotland) Act Assessment Team's Evaluation

Based on the progress update assessment the Assessment Team considers that Inverclyde Council and Inverclyde Licensing Board continue to take their statutory obligations seriously and are working hard to bring all the elements of their records management arrangements into full compliance with the Act and fulfil the Keeper's expectations.

The Assessment Team recommends authorities consider publishing PUR assessment reports on their websites as an example of continued good practice both within individual authorities and across the sector.

This report follows the Public Records (Scotland) Act Assessment Team's review carried out by,



Liz Course
Public Records Officer