The Public Records (Scotland) Act 2011

Scottish Prison Service

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

25th February 2022

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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 Scottish Prison Service. The outcome of the assessment and relevant feedback can be found under sections 6 – 8.

4. Authority Background

The Scottish Prison Service (SPS) is an Agency of the Scottish Government and was established in 1993. The purpose of the Service is to maintain secure custody and good order within prisons, whilst caring for prisoners with humanity and delivering opportunities which give the best chance to reduce reoffending once a prisoner returns to the community. SPS has 13 publicly managed prisons and 2 privately managed prisons. These prisons are managed by the Chief Executive who chairs an internal board which comprises Non-Executive Directors appointed by Scottish Ministers and Executive Directors. The Executive Board supports the Chief Executive in providing leadership, direction and control.

http://www.sps.gov.uk/home/home.aspx

N.B. The Scottish Prison Service appears on the schedule to the Public Records (Scotland) Act 2011 under the umbrella body 'Scottish Ministers'. However, SPS have chosen to submit their records management plan separately and the Keeper is entitled to consider and agree the plan in isolation from the rest of Scottish Ministers.

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.

Progress Update Review (PUR) Template: Scottish Prison Service

Element	Status under agreed Plan 23SEP14	Progress status 12MAY21	Progress status 25Feb22	Keeper's Report Comments on Authority's Plan 23SEP14	Self-assessment Update 21DEC20	Progress Review Comment 12MAY21	Self-assessment Update as submitted by the Authority since 12MAY21	Progress Review Comment 25Feb22
1. Senior Officer	G	G	G	Update required on any change.	Caroline Johnston, Director of Corporate Services has taken over senior responsibility for all aspects of Records Management in SPS and is the corporate owner of the SPS Records Management Plan. Caroline Johnston is also the Senior Information Risk Owner (SIRO) for the Scottish Prison Service. • UE01 Appointment and Responsibilities of the SIRO	The Keeper's Assessment Team thanks for this update on the appointment of a new Senior Officer responsible for records management in post. Her additional role as acting SIRO is also noted.	**No update**	Noted with thanks. Update required on any change.
2. Records Manager	G	G	G	Update required on any change.	Mary Rooney has moved to the role of Information Security Manager within the SPS Information Management Unit. She continues to have day-to-day operational responsibilities for records management within the SPS and for implementation of the RMP.	Thank you for the update that the post holder as well as the role title has changed since the last PUR. The Assessment Team acknowledges that SPS's day-to-day operational responsibilities for records management continue to be professionally managed and addressed.	The SPS has gone through an approval process to recruit a Corporate Records Manager at an appropriate senior level. The recruitment process is underway and is on track to appoint a person in role in February 2022. In the meantime, Mary Rooney has continued to have day-to-day operational responsibilities for records management within the SPS.	Noted with thanks. As you will be aware, the Keeper expects to be kept informed regarding changes to Element 2. Once the post of Corporate Records Manager has been filled, we would be grateful if SPS could update us: public_records@nrscotland.gov.uk The Keeper's Assessment Team are pleased to hear that, in the meantime, Mary Rooney continues to be responsible for records management within the authority.
3. Policy	G	G	G	Update required on any change.	The Records Management Policy is under review. The review updates guidance on Social	The Keeper's Assessment Team acknowledges that the Scottish Prison	This policy remains in draft as the update on the retention and destruction of Social Work Records has not been agreed by Chief Social Work officers from all local	The Assessment Team thank SPS for the update regarding their Records Management Policy.

					Work Records and incorporates guidance on handling disclosure information. • UE02 Records Management Policy version 1.1 (Draft)	Service Records Management Policy is currently under scheduled review and commends that this continues to be done on a regular basis.	authorities. One signature remains outstanding and the SPS Head of Social Justice is taking actions to gain this. Once recruited the Corporate Records Manager will review the policy before it is issued.	The Team acknowledge that the authority will issue the Policy once they receive the outstanding signature, and once the Policy has been reviewed the new Corporate Records Manager. We look forward to being updated in future PURs.
4. Business Classification	**A**	**A**	**A**	SPS have a draft Business Classification Scheme arranged by functionality. The Keeper requests updates on the project to roll out the BCS across all SPS sites. The Keeper agrees this element of SPS's RMP on 'improvement model' terms. This means that he is convinced of the authority's commitment to implement the business classification scheme fully over time but would request that he is updated as this project progresses.	The work to complete information audits on paper records in establishments is still ongoing. This work has been delayed by the response to the global pandemic, but it has not been discarded. The SPS currently uses SharePoint on-premises as its corporate document storage system. The SPS has engaged with Information Technology Consultants to develop Microsoft 365 in the cloud as an integrated information management system and to develop SharePoint online as the corporate electronic document and records management system. To support this development, the Information Management Team is undertaking an audit of the 3.5 million documents that SharePoint currently stores. Information is being gathered on functional structure, content types, data category, sensitivity, access rights and retention. The SPS is committed to producing a full Business Classification	The Assessment Team welcome the update on the information audit process on paper records and acknowledges the global pandemic has made this work challenging to complete. It encourages the SPS to continue this work as soon as it is possible to do so. The implementation of SharePoint and Microsoft 365 is also noted, and it is accepted that implementing a cloud-based integrated information management system and an electronic document and records management system will take time. This change to a new electronic information management framework will have implications on the Business Classification Scheme, but also other Elements.	The global pandemic has continued to impact on the ability to carry out information audits in establishments, however the SPS has been able to continue with the development of cloud-based services. SPS worked with consultants to pilot the introduction of Microsoft Teams, SharePoint Online and OneDrive with two business teams. The pilots ran until August 2021. SPS is now working with another Information Technology Consultancy to roll out this functionality to the entire organisation. The consultancy will work with each business unit to review their current SharePoint structure, business processes and retention schedules in order to develop MS365 as an integrated information management system and electronic document and records management system The analysis of each business unit will contribute towards a functional Business Classification Scheme, but SPS recognises the assessment of paper records still needs to be completed.	The Assessment Team welcome SPS's update on Element 4. The Team recognise the challenges faced by authorities over the past few years due to the coronavirus pandemic. We understand that this is having a continuing impact on SPS's ability to carry out the information audit on their paper records. The Team are confident that SPS will continue this work when possible, and look forward to updates in subsequent PURs. It is positive to hear that SPS are moving forward in their implementation of M365 applications across their business areas following the pilot scheme in August 2021. It is likely that migration will take some time, but ultimately implementation of M365 will help streamline records management practices across SPS. The work being undertaken by the authority to migrate to M365, in conjunction with the planned paper records audit will help SPS work towards a functional BCS.

					Scheme and sees the establishment audits and the work to develop Microsoft 365 in the cloud as integral to this.	This element remains in Amber while the process of producing a full and functional Business Classification System is ongoing. The Assessment Team welcomes updates on this in consecutive PURs.		The Element remains at amber while progress continues to be made by SPS and updates on progress are welcome in future PURs.
5. Retention Schedule	**A**	**A**	**A**	The Retention Schedule has not been fully developed across all functions of the business but it is clear that SPS are committed to closing the identified gap in provision. The Keeper agrees this element of SPS's RMP on 'improvement model' terms. This means that he is convinced of the authority's commitment to implement the retention schedule fully over time but would request that he is updated as this project progresses.	Retention schedules are continuing to be reviewed and developed for different business areas. The retention schedule for paper prisoner records was reviewed and a Retention and Destruction Policy for paper records was issued. • UE03 Prisoner Records Retention and Destruction Policy A retention schedule for Health, Safety and Fire records was developed and a Retention and Destruction Policy was issued. • UE04 Health, Safety and Fire Retention and Destruction Policy SPS worked with prison based Social Work Managers to develop a retention and destruction policy for Prison Based Social Work Records. The Policy has to be signed by the Chief Social Work Officer of every local authority with a prison in its area. So far, twelve of the fourteen local authorities have signed it. Once all fourteen	The Assessment Team welcome this update and accompanying evidence on retention schedules. Steady progress is continuing to be made, and the scheduled regular review of policy documents in a particularly good sign of commitment to responsible records destruction. The changes within the organisation in terms of electronic records management will require an update of electronic records retention and destruction policies. The Assessment Team is confident that this will be addressed based on the SPS's previous track record but seeing evidence of this in consecutive PURs would be reassuring. The element will remain Amber until the new systems are fully implemented and electronic records	Due to a section 21 being issued by the Scottish Child Abuse Inquiry, there is a moratorium on all relevant files throughout the Inquiry Retention schedules are continuing to be reviewed and developed for business areas. A Retention and Destruction Policy for Estates and Technical Services is in development. • UE01 Estates & Technical Services Retention and Destruction Policy The SPS Information Management Team, responsible for data protection and records management, is leading on the project to roll out Microsoft 365 to the whole organisation. The move to Microsoft 365 represents a huge opportunity for SPS to improve the way it controls and manages the information that is currently stored in H Drives, emails and SharePoint. It also gives the opportunity to develop SharePoint online as a corporate electronic document and records management system. The Information Management Team is part of the larger Digital Services Team. This structure ensures records management and data protection requirements are considered when electronic systems to replace paper processes are being developed.	The Assessment Team thank SPS for the update regarding Retention Schedules at Element 5 and acknowledge receipt of evidence provided. We also thank the authority for the update regarding the issue of a Section 21 and the subsequent suspension of activities on files relating to the Scottish Child Abuse Inquiry. It is positive to hear that retention schedules continue to be reviewed and developed by the authority. The move to M365, as noted by the authority, will allow for greater and more consistent control over management of information. It will take some time for M365 to properly "bed-in," but it will ultimately provide for a more structured approach to records management across the authority. The Team are pleased to hear that the Information Management Team form part of the authority's Digital Services Team, allowing for records management and data protection considerations to be appropriately addressed during the development phases of new electronic systems.

					have signed the Policy will be implemented. • UE05 Prison Based Social Work Retention and Destruction Policy (Draft) An Outlook and Email Policy was approved and issued to all staff. A decision has been made to upgrade Outlook Exchange and move online. The retention period will be applied to emails after this move. • UE06 Outlook and Email Policy Prisoner paper records are being disposed of in line with the current retention schedules. • UE07 Prisoner Records Destroyed November 2018 – October 2020	management processes are being integrated into business processes and procedures.	Prisoner paper records are being disposed of in line with the current retention schedules. • UE02 Prisoner Records Destroyed November 2020 – November 2021	The authority are clearly working hard to bring their RM obligations under Element 5 into compliance with the Keeper's expectations. The Element remains at amber while work continues.
6. Destruction Arrangements	**G**	**G**	**G**	Update required on any change.	No change. Mitie Waste & Environmental Services provide confidential on-site destruction of paper records.	This update is noted with thanks.	In May 2021 Restore DataShred Limited were awarded the contract for confidential on-site destruction of paper records. • UE03 Provision of Secure On-Site Shredding	This update and accompanying document are noted with thanks.
7. Archiving and Transfer	**A**	**A**	**A**	There are currently informal arrangements in place to permanently deposit records with the National Records of Scotland (NRS), although this appears to exist on a prison-by-prison basis. The Keeper would welcome the creation of more comprehensive policy documents such as a formal Memorandum of Understanding (MoU) with the NRS which applies to all sites. Even though the current arrangement is quite informal, the Keeper is	SPS has transferred the last of the historical paper registers from HMP Barlinnie to NRS. It has also transferred a number of Policy files. • UE08 Records transferred to NRS SPS is in discussion with NRS to develop a Policy for archival arrangements. Once the detail has been agreed it will be submitted to the Executive Management Group for approval.	The Assessment Team is contented that SPS is taking steps to ensure records due to be preserved long-term are being appropriately identified and transferred to the NRS and commends the SPS for paying ongoing attention to this important element. **However, as an Archival Deposit Agreement is still**	There is no update on the approval of the policy on Archival Arrangements with NRS. The global pandemic has halted the transfer or records from SPS to NRS, but this Policy will need to be agreed as the SPS is moving its Headquarters to a new building and will need this review and transfer process to be in place. Once recruited the SPS Corporate Records Manager will review the content of the Policy, alongside NRS, before approval is gained.	The Assessment Team recognise the impact of the pandemic on records transfer between the authority and NRS, and that SPS's move to a new Headquarters building will affect transfer arrangements. It is positive to hear that the authority are planning to take steps to finalise the agreement with NRS once their newly recruited Corporate Records Manager reviews the Policy. SPS are clearly working hard to bring Element 7 into

				willing to agree this element of the SPS plan on the understanding that steps will be taken to formalise these procedures with his client managers.	• UE09 Archival Arrangements with the NRS (Draft)	**being finalised (first mentioned in the 2018 PUR submission), we feel it is justifiable to change this element to Amber until a policy is formalised.** We welcome updates on progress made in subsequent PURs. *The authority has confirmed that the policy is under development and that Executive Management Group approval will be gained for its implementation.*		compliance with the Keeper's expectations. The Element remains at amber for now and the Assessment Team look forward to updates in subsequent PURs.
8. Information Security	**G**	**G**	**G**	Update required on any change.	SPS has recruited a second Information Security Manager, which increases the resource available to SPS to: • Train staff and information officers and raise awareness of information security throughout SPS. • Ensure that information security policies are embedded into the processes and procedures of Establishments and Head Office teams. • Ensure that information security policies are rolled out and embedded into the activities of SPS delivery partners and contractors. • Ensure that systems of monitoring and assurance are put in place for	The Keeper's Assessment Team welcomes the appointment of a second Information Security Manager and agrees that the SPS is taking its responsibilities with regard to information security seriously. No action is required at this point, but updates are required on any change in subsequent PURs.	SPS is underway with a programme of Digital Transformation to move all applications to the cloud. The SPS has invested in purchasing Microsoft E5 licences for all staff. Current workstreams include: • Migration to Outlook online • Microsoft Teams and SharePoint online • eHR has moved to the cloud SPS will be developing and implementing sensitivity labels to all applications which will give greater control over the flow of information, in particular the flow of information outwith the organisation.	The update regarding the authority's purchase of Microsoft E5 licenses, and the current migration of applications to online is noted with thanks. This, and the implementation of security labels to applications will help to improve control and security over the authority's information. The Team are satisfied that SPS continue to take their Information Security obligations seriously.

					Establishments, Head Office and delivery partners. The pandemic has impacted on some of the Information Officer training, but the SPS has continued to deliver Protecting Information training to new operational recruits to the organisation. • UE10 Information Management Awareness Training All staff continue to complete an eLearning Responsible for Information package every two years.			
9. Data Protection	**G**	**G**	**G**	Update required on any change.	SPS has updated its Privacy Notices to include information sharing that has been carried out as a result of the global pandemic • UE11 Revised Privacy Notices SPS is continuing to embed its process for carrying out data protection impact assessments. This has been of importance during the global pandemic where SPS responded to the need to keep prisoners in touch with their families, when physical visiting could not take place, by introducing virtual visits and mobile phones for people in custody. • UE12 DPIA Virtual Visits • UE13 DPIA Mobile Telephony	Thank you for the update concerning reviewed Privacy Notices. The Assessment Team acknowledges that carrying out Data Protection Impact Assessments are also a welcome development. The Assessment Team are confident this element is receiving due attention and is contented the SPS is aware of its obligations as well as best practice in this regard.	The SPS has appointed a new Data Protection Officer after the retirement of the previous person in the role. SPS continues to complete and update documentation required under data protection legislation, and example of this is the SPS website. • UE04 Notice to Staff 25/21 Changes to the SPS' Data Protection Officer Role • https://www.sps.gov.uk/Corporate/Information/Your_Private_Information.aspx	The Assessment Team thank SPS for the update and the documents provided and linked to. The Team are pleased to hear that the SPS has successfully appointed a new Data Protection Officer and that the authority continue to develop and update their documentation in order to fulfil their responsibilities under Element 9.
10. Business Continuity and Vital Records	**A**	**A**	**A**	Although SPS have comprehensive plans for the recovery of electronic information following a 'disaster', the continuity plans for	The information audit, to date, has identified a small number of paper records as vital records that are core to the	The steps the SPS is taking to address business continuity matters and to preserve vital	The SPS position on vital paper records remains the same. The SPS is committed to transforming its current paper processed to electronic	The Assessment Team thanks the authority for sight of their management of paper records document.

				paper records have not yet been fully developed. The Keeper recognises that SPS have identified this gap in their arrangements and that SPS are committed in their *Action Plan* to addressing this issue. The Keeper agrees this element of the SPS plan on 'improvement model' terms. This means that he is convinced of the service's commitment to implement the continuity plan fully over time, but would request that he is updated as this project progresses.	business for example warrants and invoices. For these vital records the SPS has an electronic back-up of the information contained in the paper records and would be able to request a duplicate from the issuing organisation. While the information audit is still ongoing the SPS has not yet developed a specific recovery plan for critical paper records. In the meantime, SPS has mitigated the risk to these records by keeping them in no-smoking areas where any electronic equipment is regularly tested and in some cases they are stored in fire-proof cabinets.	records show that progress is clearly being made. This element will remain Amber while the information audit process remains ongoing but understands policies will be put in place following its completion. The Assessment Team would welcome updates on this in consecutive PURs.	processes. This will reduce the risks associated with having no back-up of vital paper records. The SPS Information Governance Forum has approved the next steps of a plan to replace paper record processes with electronic record processes. • UE05 Records Management Paper Records	SPS are clearly taking steps to preserve and reduce risk to their vital paper records and the Team are pleased to hear that plans to introduce electronic record processes have been approved by the authority's Information Governance Forum. The element remains at amber while progress continues.
11. Audit Trail	**G**	**G**	**G**	Update required on any change.	The SPS Information Management Unit carried out Establishment audits in March 2019 and October 2019. Part of these audits assessed the use of audit trails and made recommendations where audit trails were not in place. • UE14 Establishment Information Management Audit October 2019 The Information Management Team intends to continue carrying out audits every six months when they can return to visiting establishments. SPS is still committed to training the network of Records Officers to understand the need for audit trails but due to the	The Assessment Team is grateful for this update on continued audit practice. The Team recognises the impact of the global pandemic on the practical implementation of regular audits and remains confident that the SPS will continue to address this matter when it is possible again.	The position on audit trails remains the same. SPS has still not been able to carry out any on-site audits or training since February 2020 but is planning to resume these in Spring 2021. Where there has been change in Records Officers the local Information Officers have been delivering awareness sessions.	Noted with thanks. The Assessment Team recognise that carrying out on-site audits and training has been difficult due to the coronavirus pandemic. We would be interested to hear when these have recommenced in future PURs. The Team are pleased to hear that awareness sessions are being implemented for Records Officers. Update required on any change.

					global pandemic the Records Manager has not been able to carry out any on-site training since February. Where there has been change in Records Officers the local Information Officers have been delivering awareness sessions.			
12. Competency Framework	**G**	**G**	**G**	SPS are developing records management competencies which the Keeper considers to be appropriate to the role of implementing the RMP. He requires an updated version when these competencies are approved.	Mary Rooney has gained a Practitioner Certificate in Data Protection and will shortly complete a Practitioner's Certificate in Records Management.	The Assessment Team welcome this update in continuing professional development. **The Team would welcome clarification on the role of an Information Security Manager, and how this role differs from the previous role of Records Manager. See element 2.** *The authority confirms that the Information Security Manager, formerly the Records Manager, will continue to be responsible for records management until a new Records Manager is recruited following a restructuring process.*	**No update**	Noted with thanks. Update required on any change.
13. Assessment and Review	**G**	**G**	**G**	The SPS Records Management Plan and Records Management Policy will be reviewed in January 2015 and January 2016 and every two years thereafter. The Keeper commends this commitment to review the key policies and would welcome updates on these internal assessments,	Records management policies continue to be reviewed and implemented, for example UE02 Records Management Policy v1.1 and retention and destruction policies. Carrying out Establishment Information Management audits has	The Assessment Team is satisfied that the SPS continue have the appropriate structures in place to ensure that the RMP is kept under review. Undergoing an information management audit is also a welcome step	The Information Management Unit is a function within the Digital Services Branch. Digital Services has a monthly Strategic Planning meeting where Policy review and development is discussed. The Information Management team has been unable to carry out any establishment audits since March 2020 due to the ongoing global pandemic. It is planned to resume these in Spring 2022.	The Assessment Team thank SPS for the update. Despite the challenges presented by the coronavirus pandemic, the authority plan to resume onsite audits in Spring 2022. Meanwhile, RM is clearly kept under consideration by the Information Management Unit who attend monthly Digital Services Strategic Planning

				especially if they have led to significant changes in arrangements.	allowed the SPS to assess the implementation of its policies and recommend actions to the establishment Information teams on how to improve the management of their records. • UE14 Establishment Information Management Audit October 2019	which further demonstrates the SPS commitment to appropriate review and audit processes.		meetings where policy is regularly discussed and reviewed. It is clear that the authority continue to take their responsibilities under Element 13 seriously.
14. Shared Information	**G**	**G**	**G**	Update required on any change.	The SPS considers each request to supply information to an external organisation on a case-by-case basis and where required a full data protection impact assessment is carried out. • UE15 Information Sharing Agreements Information Sharing Agreements with the Scottish Courts and Tribunal Service and the Crown Office and Procurator Fiscal Service are under review. SPS is in the process of signing off agreements with the Public Social Partnerships Shine, Moving On and New Routes who all provide support to different categories of people when they leave our care.	The Assessment Team acknowledges that the SPS continue to fulfil its responsibilities and comply with the legal framework regarding shared information.	The SPS continues to develop Information Sharing Agreements • UE06 Information Sharing Agreements	Update and provision of evidence noticed with thanks. Update required on any change.

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 17th January 2022. The progress update was submitted by Mary Rooney, Acting Head of Information Management and SPS Data Protection Officer.

The progress update submission makes it clear that it is a submission for the **Scottish Prison Service**.

The Assessment Team has reviewed Scottish Prison Service'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

The Scottish Prison Service 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.

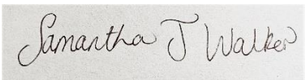
The Keeper cannot change the status of elements formally agreed under a voluntary submission, but he can use such submissions to indicate how he might now regard this status should the authority choose to resubmit its plan under section (5)(6) of the Act.

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

Based on the progress update assessment the Assessment Team considers that the Scottish Prison Service 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



Samantha Walker

Public Records Support Officer