

The Public Records (Scotland) Act 2011

Renfrewshire Council and Licensing Board

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

10 October 2018

Contents

1. The Public Records (Scotland) Act 2011.....	3
2. Progress Update Review (PUR) Mechanism.....	4
3. Executive Summary.....	5
4. Authority Background.....	5
5. Assessment Process.....	5-6
6. Records Management Plan Elements Checklist and PUR Assessment.....	7-16
7. The Public Records (Scotland) Act Assessment Team's Summary.....	16-17
8. The Public Records (Scotland) Act Assessment Team's Evaluation.....	18

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 Final 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 **Renfrewshire Council and Licensing Board**. The outcome of the assessment and relevant feedback can be found under sections 6 – 8.

4. Authority Background

Renfrewshire Council is one of 32 council areas of Scotland. Located in the west central Lowlands, it is one of three council areas contained within the boundaries of the historic county of Renfrewshire, the others being East Renfrewshire to the east and Inverclyde to the west. It also shares borders with Glasgow, North Ayrshire and West Dunbartonshire Councils. It is the 9th largest local authority in Scotland with over 9000 staff and a population of 170000.

Renfrewshire Licensing Board consists of a convenor and 7 councillors covering licensing issues in the local authority area.

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: Renfrewshire Council and Renfrewshire Licensing Board

Element	Status of elements under agreed Plan, August 2016	Status of evidence under agreed Plan, August 2016	Progress assessment status, 2018	Keeper's Report Comments on Authority's Plan, August 2016	Self-assessment Update as submitted by the Authority since August 2016	Progress Review Comment, 2018
1. Senior Officer	G	G	G	Update required on any change		No immediate action required. Update required on any future change
2. Records Manager	G	G	G	Update required on any change		No immediate action required. Update required on any future change
3. Policy	G	G	G	Update required on any change		No immediate action required. Update required on any future change
4. Business Classification	A	G	A	Although a Business Classification Scheme has been developed, it is yet to be fully rolled out across the Council and Licensing Board. The RMP outlines how this will take place, with the BCS providing the structure for the EDMS and shared drives. The Keeper would welcome	The Business Classification Scheme provides a common and consistent framework for a range of records management tasks. It arranges information and records within a logical framework and enables the best use to be made of our information assets.	It is clear that a Business Classification Scheme has now been developed. The use of the Local Government Classification Scheme is sensible, aligning with existing Scottish local authority classifications. A gradual approach to rolling

				<p>updates concerning the progress of work in this area.</p> <p>The IT department of the Council are currently investigating the possibility of purchasing an Electronic Document and Records Management System (EDRMS). The Keeper would like to be informed of the Council's decisions on whether to implement an EDRMS.</p> <p>Once the BCS has been fully developed, the Council intends to integrate this document with the retention schedule and other information such as vital records to create a unified document. The Keeper commends this approach and would be interested to learn more about this project.</p> <p>The Keeper can agree this element on an 'improvement model' basis. This means that the authority has identified a gap in provision (a BCS that requires to be implemented across the Council) and has</p>	<p>Renfrewshire Council's scheme is based on the Local Government Classification Scheme and reviewed and approved by the Records Management Working Group.</p> <p>The Council has moved away from the approach of implementing BCS across all systems and all the Shared Drive by 2019, and instead focus on implementing it as and when identified as beneficial by departments. This partly due to there being over 200 systems and partly due to the rolling out of SharePoint 365 and OneDrive by IT during 2018. The Council is also working towards completing its updated Information Asset Register.</p> <p>It has been agreed that the Business Classification Scheme and Retention Schedule will be added to the Information</p>	<p>out the business classification scheme should ensure that there is more committed uptake of its use. As with most aspects of records management, schemes work best when the staff implementing them can see a benefit to their work and can take ownership of implementing them positively. SharePoint and OneDrive should both be structured to implement the business classification scheme to minimise legacy issues over time.</p> <p>The Assessment Team would welcome further updates in future PURs.</p>
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				identified how it intends to close this gap and the timescales involved. As part of this agreement the Keeper requests that he is kept informed as work to close the gap progresses.	Management Strategy action plan, aligning it with the principles in the strategy. This will ensure that, where relevant, future IT tender requirements will include the need for Function Classification and Retention Period monitoring functionality. Evidence included: 1. Business Classification Scheme	
5. Retention Schedule	G	G	G	Update required on any change		No immediate action required. Update required on any future change
6. Destruction Arrangements	A	G	G	The Records Manager is working on developing processes and procedures for the destruction of electronic records managed on some line-of-business systems. There is also a commitment to develop a methodology to impose control on these systems as they do not currently have the functionality	The Council has implemented a change in approach in regards to disposal of records, moving away from the certificate of destruction approach to a notification of non-compliance with retention schedules. The disposal of records is done in line with the Council Records	The Records Disposal Policy (Jan 2018 v1.0) has been provided. The Keeper thanks the Council for keeping its submission up to date. Annual statements of assurance from directors is good practice. Public authorities are at risk of not being able to comply with FOISA if they do not know

				<p>to allow the systematic deletion of records in line with the retention schedule. The Keeper commends this initiative and requests that he is kept up-to-date on progress.</p> <p>The Council's Document Disposal Guidelines Document will be approved by the Records Management Working Group in August 2016. Accordingly, the Keeper asks for sight of the approved version when it becomes available.</p> <p>The Keeper can agree this element on an 'improvement model' basis. This means that the authority has identified a gap in provision (the deletion of records from some line of business systems) and has evidenced a commitment to closing this gap. This agreement is dependent upon the Keeper being kept informed of progress as work to close the gap moves forward.</p>	<p>Disposal Policy and Council Retention Schedule.</p> <p>A new Records Disposal Policy has been produced and approved by both the Council Records Management Working Group and CMT.</p> <p>It was agreed that annually, directors would be asked to provide an assurance statement that their service has met the requirements of the Records Disposal Policy.</p> <p>The Council Records Disposal Policy is available to staff via the staff intranet.</p> <p>Evidence included:</p> <ol style="list-style-type: none"> 2. Council Records Disposal Policy 3. Electronic Disposal Guidance 4. Confidential Waste Guidance 	<p>when, why and on whose authority records have been destroyed. A robust retention schedule which clearly states when classes of information are destroyed (or preserved) and evidence of that destruction, either by certificate or by procedural documentation made available to staff, with additional evidence of staff training on the importance of proper records, is an acceptable, pragmatic method of complying with Element 6. Sufficient evidence of this has been provided to enable the Assessment Team to consider it likely that if this were a statutory review the RAG status would move to Green.</p>
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					5. RM Intranet Screen-print 6. CMT Extract	
7. Archiving and Transfer	G	A	G	<p>The Action Plan section of this element commits the Council to developing more detailed guidance concerning the selection and transfer of records to the Heritage Centre Archive. The Keeper would appreciate sight of this guidance once it has been completed and approved.</p> <p>The Keeper can agree this element on an 'improvement model' basis. This means that the authority has identified a gap in provision (a Council-wide system of transferring appropriate records to the archive) and has identified how it intends to close this gap. The Keeper, as a condition of this agreement, requests that he is kept informed of progress in this area.</p>	<p>Work on this area is still ongoing. New Guidelines for Archival Records were developed in 2017 and approved by the Council Records Management Working Group</p>	<p>The Council's Guidelines for Archival Records (Dec 2016 v0.1) has been provided. The Keeper thanks the Council for providing evidence of this development.</p> <p>The current iteration of the Guidelines do not yet fully cover the gap . It is not clear which records the Heritage Centre is able to accept and the Council's retention schedules appear to indicate that not all records of enduring value are being transferred to the Heritage Centre.</p> <p>The Assessment Team recommend that in developing the next iteration of the Guidelines, the Council should ensure it has professional archival advice both on preservation and making records accessible to</p>

						the public through appropriate facilities. The Assessment Team also recommend that the Council consider the Keeper's "Supplementary Guidance on Proper Arrangement for Archiving Public Records" when developing these Guidelines.
8. Information Security	G	G	G	Update required on any change		No immediate action required. Update required on any future change
9. Data Protection	G	G	G	Update required on any change		No immediate action required. Update required on any future change
10. Business Continuity and Vital Records	G	G	G	One of the Action Plans under this element is for the Records Manager to raise awareness of vital records within the Corporate Resilience Group and ultimately to include vital records within the Business Classification Scheme. The Keeper requests that he is kept informed of the progress of this work.		No immediate action required. Update required on any future change
11. Audit Trail	A	G	G	The project to implement the BCS will be used to identify the	Sections of the Council responsible for handling	The ability to maintain an audit trail has been identified

				<p>level of provision in place across different service areas and, if necessary, implement systems for the tracking of paper records. The Keeper would be interested to know the results of this project.</p> <p>The authority intends to assess the level of audit trail functionality of their electronic line of business systems and alongside this will establish disposal capabilities within these systems. This work is anticipated to be finished by December 2016. The Keeper would like to be kept informed of work in this area.</p> <p>There is no audit trail functionality or version control applied within the Council's shared drives. The authority intends to rectify this through the Business Classification Scheme and the development of staff guidance. The Keeper requests sight of this guidance and training material once available and asks for updates concerning the BCS.</p>	<p>particularly sensitive information use systems capable of monitoring the movement and amending of these records. Areas include OHMS (Housing), Information@Work (Corporate EDMS), SWIFT (Social Care), and SEEMIS (Education).</p> <p>Version control guidance is in place to help ensure that, where appropriate, documents are marked with version numbering and amendment history. This guidance is available to staff via the Staff Intranet.</p> <p>Evidence included:</p> <ul style="list-style-type: none"> 7. Version Control Guidance 8. RM Intranet Screen-print 9. OHMS Audit Examples 10. SWIFT Redacted Screen-print 11. Info@work Extract 	<p>in a number of software systems that are in wide use in Renfrewshire Council and other local authorities.</p> <p>Version control guidance (Feb 2018 v1.0) has been provided. The Keeper thanks the Council for bringing its submission up to date.</p> <p>As the business classification scheme is rolled out and structured SharePoint and OneDrive systems replace unstructured shared drives, the Team would encourage further use of version control and audit mechanisms including records of destruction. This will assist the Council in ensuring that retention schedules are applied appropriately.</p> <p>The Assessment Team would welcome further updates in future PURs. The Assessment Team consider that sufficient evidence of progress in this area has been provided to move the</p>
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				The Keeper can agree this element on an 'improvement model' basis. This means that the authority has identified a gap in provision (lack of audit trail for some electronic line of business systems and records stored on shared drives) and has identified how it intends to improve the levels of provision. As part of this agreement, the Keeper will need to be kept informed of progress.	12. SEEMIS Functionality Email - IT Training/Professional Development Officer	RAG status of this element to Green.
12. Competency Framework	G	G	G	The Keeper commends the initiative to create a specific training module on records management and would be interested to see a sample of this once available.		No immediate action required. Update required on any future change
13. Assessment and Review	A	G	G	There is a strong commitment to undertake periodic reviews and audits of the RMP and accompanying policies, as well as a plan to develop a review and assessment protocol which will provide a framework for ensuring that the RMP remains up-to-date. The Keeper commends this approach and requests that he	The Records Management Plan and Improvement Plans were audited in 2017 to ensure progress, monitoring and compliance. The Records Manager submits, on behalf of the Director of Finance & Resources, an annual report on implementation of the	Annual reports to a Council Board consisting of Elected Members is very positive and the Council is to be commended for giving records management a high profile in this way. Auditing the Plan is also positive. The Keeper would like to see the assessment methodology that is currently in use.

				<p>is sent the assessment methodology once it has been developed and approved.</p> <p>The Keeper can agree this element on an 'improvement model' basis. This means that the authority has identified a gap in provision (the methodology for carrying out regular reviews of the RMP) and has evidenced a commitment to closing this gap. This agreement is conditional on being provided with the assessment methodology once it has been developed and implemented.</p>	<p>RMP and general compliance with the PRSA to the Council's Audit, Scrutiny, and Petitions Board.</p> <p>The Council will also align annual reviews of the RMP with the Keeper of Records invitations for updates. Regular updates are also provided to the Head of Corporate Governance for discussion at CMT.</p> <p>Evidence included:</p> <p>13. CMT Approval Extract</p> <p>14. This PUR Submission</p>	<p>The Council is also to be commended for making use of the Progress Update Review process as part of their assessment methodology. The Assessment Team consider that sufficient evidence of progress in this area has been provided to move the RAG status of this element to Green.</p>
14. Shared Information	G	G	G	Update required on any change		No immediate action required. Update required on any future change
15. Freedom of Information	G	G	G	Update required on any change		No immediate action required. Update required on any future change
16. Contracts	G	G	G	The Council intends to use the Records Management Clauses for Contractors templates developed by the Scottish		No immediate action required. Update required on any future change

				<p>Council on Archives in the process of inviting tenders and entering into contracts. The Action Plan identified a date of May 2016 for completion of this work. The Keeper would be interested to know whether this has taken place and asks if he could have sight of a sample.</p>		
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Version

The progress update submission which has been assessed is the one received by the Assessment Team on 27 June 2018 with additional evidence provided on 10th September 2018. The author of the progress update submission is Andrew Connor, Records Manager.

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

7. PRSA Assessment Team’s Summary

The Assessment Team has reviewed **Renfrewshire Council and Licensing Board’s** Progress Update submission and agrees that the proper record management arrangements outlined by the fourteen 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

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

The Council is currently concentrating on rolling out its business classification scheme and is working on procedures for destruction of records and for transfer to archives where appropriate. It is to be expected that this will take some time for the scheme to be embedded in working practices. The Assessment Team recommend that the next iteration of the guidelines for transfer to the Archives would benefit from the advice of a professional archivist. The Council should also consider the Keeper's Supplementary Guidance on Proper Arrangements for the Archiving of Public Records. <https://www.nrscotland.gov.uk/files//record-keeping/public-records-act/supplementary-guidance-on-proper-arrangements-for-archiving-public-records.pdf> The Assessment Team would be glad to see further development in due course.

The Council has made very good progress in establishing a system of reviewing its Records Management Plan and is to be commended for ensuring that Elected Members receive annual reports. The Public Records (Scotland) Act does not require authorities to provide regular updates against progress to the Keeper. The Keeper, however, encourages such updates and welcomes the use of this Progress Update Review mechanism as a means of doing this.

The Council has also made good progress on establishing a practical methodology for documenting the appropriate destruction of records and in improving the arrangements for tracking records and maintaining version control.

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 resubmitted it plan under section (5)(6) of the Act. On the evidence provided it is likely that the RAG status of Elements 6, 11 and 13 would be changed to Green if this were a formal re-submission of the Plan.

Where 'no change' has been recorded under the update on provision by the authority, the Assessment Team is happy to agree that these elements require no further action for the time being.

8. PRSA Assessment Team's Evaluation

Based on the progress update assessment the Assessment Team considers that **Renfrewshire Council and 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,



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Elspeth Reid
Public Records Officer