

To Senior Accountable Officers of Scottish Public Authorities

The Public Records (Scotland) Act 2011

Background

The Public Records (Scotland) Act 2011 (the Act) was implemented on 1 January 2013. The Scottish public authorities named in the Schedule to the Act are required to manage their corporate records efficiently. To this end, each of these authorities must submit a formal records management plan (RMP) to the Keeper of the Records of Scotland (the Keeper) for his agreement. The Keeper has published a 'model plan' that explains the various elements he would expect to see in a public authority RMP. The Keeper has also set up a team at the National Records of Scotland (NRS) who will offer assistance.

What you must do

First you should determine whether your organisation is scheduled under the Act. Be aware that your authority may appear on the schedule under an umbrella term such as 'Special Health Boards' or 'Local Authorities'.

You must ensure that your authority has, or is developing, a RMP that is robust enough to gain the agreement of the Keeper. You should identify someone with records management responsibility to carry out the day to day task of implementing the authority's RMP. The Keeper will expect to be informed of the name of this responsible person.

You must be prepared to approve every aspect of your authority's RMP. Your 'sign-off' is vital evidence that the submitted RMP accurately reflects the policies and practices implemented in your organisation.

What will happen?

Authorities will be invited by the Keeper to submit their RMPs for his agreement. Once agreed, the RMP will be filed by the Keeper for reference and an acknowledgement that the plan has been agreed will be published to the NRS website. The Act only permits the Keeper to review an authority's plan after 5 years, unless he has reason to believe an agreed plan is not being complied with. He does, however, urge all authorities to comply with the spirit of the Act by regularly reviewing and updating their plan.

With this in mind, after an authority has had its plan agreed by the Keeper, it will be invited to participate in an annual Progress Update Review (PUR) process. This process is voluntary, but provides an opportunity to report on any new initiatives and progress made. The Keeper's team will provide constructive feedback and report informally on all submissions received.

For more information:

Public Records (Scotland) Act 2011 and Schedule:

<http://www.scottish.parliament.uk/parliamentarybusiness/Bills/22476.aspx>

The Keeper's Model Plan, online guidance and other information:

<https://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources/model-records-management-plan>

The Keeper's PRSA Team: E-Mail – public_records@nrscotland.gov.uk

