

**The Public Records (Scotland) Act 2011**

**East Lothian Council and Licensing Board**

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

**01 November 2022**

**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.....	6
6. Records Management Plan Elements Checklist and PUR Assessment.....	7-22
7. The Public Records (Scotland) Act Assessment Team's Summary.....	23
8. The Public Records (Scotland) Act Assessment Team's Evaluation.....	24

## 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 East Lothian Council and Licensing Board. The outcome of the assessment and relevant feedback can be found under sections 6 – 8.

### **4. Authority Background**

East Lothian borders the City of Edinburgh, Midlothian and the Scottish Borders. Its administrative centre is Haddington, although its largest town is Musselburgh.

The council area was created in 1996, replacing the East Lothian district of the Lothian region. The district had been created in 1975 under the Local Government (Scotland) Act 1973, consisting of the old county of East Lothian plus the burghs of Musselburgh and Inveresk, which until then had been in the county of Midlothian.

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. East Lothian Licensing Board consists of 6 Board members.

## 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:

<b>G</b>	The Assessment Team agrees this element of an authority's plan.	<b>A</b>	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.	<b>R</b>	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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## 6. Progress Update Review (PUR) Template: East Lothian Council and Licensing Board

Element	Status of elements under agreed Plan 05JAN15	Progress Status 17JUL19	Progress Status 01NOV22	Keeper's Report Comments on Authority's Plan 05JAN15	Self-assessment Update 15MAY19	Progress Review Comment 17JUL19	Self-assessment Update as submitted by the Authority since 17JUL19	Progress Review Comment 01NOV22
1. Senior Officer	<b>G</b>	<b>G</b>	<b>G</b>	Update required on any change.	No Change.	No immediate action required. Update required on any future change.	The Council officer holding Senior Management responsibility for the Records Management Plan is now Morag Ferguson, Head of Corporate Support, mferguson@eastlothian.gov.uk.	The Assessment Team thanks you for this update which has been noted. Update required on any change.
2. Records Manager	<b>G</b>	<b>G</b>	<b>G</b>	Update required on any change.	East Lothian Council appointed Zarya Rathé as Team Manager for Information Governance and Data Protection in 2018. Due to maternity leave commencing in October 2018 Maureen Henderson was appointed interim Team Manager for Information Governance and Data	The Assessment Team thanks East Lothian Council for this update which we have noted.	Zarya Rathé has resumed her post as Team Manager-Information Governance (and Data Protection Officer).	Thank you for this update which has been noted. Update required on any future change.

					Protection.			
3. Policy	<b>G</b>	<b>G</b>	<b>G</b>	Update required on any change.	<p>No change has taken place due to the implementation of GDPR and other priorities so the review of the Information and Records Management Policy has not been done at this present moment but works is currently about start as it's been decided that a rewrite is required of East Lothian Council Records Management Plan which will coincide with the Launch of the new Records Management Plan.</p>	<p>The Keeper's Assessment Team note the Council intends to review and update their Records Management Plan (see element 13 below). This is apparent in the PUR text for several elements below and will be an important step going forward.</p> <p>The Act requires an authority to keep its Records Management Plan under review and this is a good indication that East Lothian Council is committed to complying with this aspect of the legislation. They look forward to being kept updated on this work in subsequent PURs.</p>	<p>Formal review of the Council's RMP has slowed since the activation of the Council's Business Continuity measures in March 2020, which limited activities to business-critical operations only. While these measures currently remain in effect, the Council is now looking toward recovery and we expect to progress toward our aim of developing and re-submitting a fresh RMP to the Keeper for assessment in the coming year. Formal review and approval of an up-to-date Information and Records Management Policy will be included in that process.</p> <p>The Council is also in the early stages of developing an Information Transformation Strategy to address the holistic management of Council information across formats, systems and platforms. The Strategy</p>	<p>Thank you for letting the Assessment Team know that that the Records Management Plan (RMP) review process has slowed down due to the impact of the pandemic and the prioritisation of business-critical operations.</p> <p>The receipt of evidence provided is acknowledged with thanks. The Report on the RMP progression, in particular, highlights East Lothian Council and LB's commitment to complying with PRSA, and it is hoped this results in a robust RMP submission for The Keeper's assessment. The Information</p>



						<p>The PUR notes that, because of this review, there has been some slippage in the review dates of other information governance documents (The Records Management Policy particularly). This is to be expected.</p> <p>The Keeper accepts that the current Records Management Policy is operational until superseded. However, if this were a formal re-submission under section 5 of the PRSA, the RM Policy would have to be 'in-date' to attain the Keeper's agreement.</p>	<p>will underpin the Council's Digital Strategy and Business Transformation agendas; we aim to complete this early in 2023, dependent on completion of the Digital Strategy, expected around the end of 2022.</p> <p>The Council's Information Governance team is also in the process of reviewing and updating its suite of Records Management and Archives guidance which is published on the Council Intranet.</p> <p>Supporting evidence:</p> <ul style="list-style-type: none"> <li>• Report presented to the Council's Policy and Performance Review Committee regarding progression of the RMP;</li> <li>• Briefing Note re: Information Transformation Strategy</li> </ul>	<p>Transformation Strategy and the review of guidance for staff will positively contribute to this process.</p> <p>See also Element 13.</p>
4. Business Classification	A	A	A	The Keeper would like to know when this survey is complete and potentially view	No change – work continues on the BCS but due to the RM manager leaving and other priorities but East Lothian Council	The BCS roll-out continues. The roll out of this major piece of work is bound to be incremental	The Council is currently undertaking an Asset Review project, addressing the consolidation of the	The Assessment Team thanks you for this update on the ongoing Asset Review project and

				<p>the 'targeted plan for implementation of classification scheme.'</p> <p>The Keeper requests that he is kept informed on the development of the proposal and that he may view the outcome of the "EDRMS Review" planned for 2015. He would be especially interested in information regarding any alternative solution should the CIVICA proposal be rejected.</p> <p>The RMP indicates that a restructuring of paper file store 'may' be undertaken. The Keeper will be</p>	<p>are committed to carrying on this work and implement the BCS standard throughout the council.</p> <p>EDRMS is still being looked into by East Lothian Council.</p> <p>No change to the paper filing system but as paper files are still generated and East Lothian Council still have legacy paper files this will form part of the EDRMS project which will look at options for the paper records going forward.</p> <p>No changes have been made to the naming guidance.</p>	<p>and further time must be allowed for it to bed in and become fully operational. This element remains at 'amber' for the moment as the work progresses.</p> <p>The Assessment Team notes the update of the EDRMS project and look forward to being kept updated on this work in subsequent PURs.</p>	<p>Council estate in line with changing ways of working. To support the closure and re-allocation of office space, the Council's Information Governance team is supporting individual Services via a series of mini-Record Audits, addressing the extent of paper records held in offices and identifying anticipated needs in terms of retention, storage and scanning. As part of this process, Services are also being encouraged to set up and enforce agreed File Plans in line with refreshed guidance and tied to the Council's BCS (see below).</p> <p>The Council has also continued to progress development of its Information Asset Register via an ongoing series of workshops with individual Service areas. As part of these workshops, Services are asked to review their record holdings against</p>	<p>the mini- Record Audits. It is also positive to hear that File Plan guidance has been updated and Services encouraged (although, it is noted, not required) to use these as they tie into the Council's Business Classification Scheme. <b>The Assessment Team would like to ask if this means the BCS has now been fully implemented and is operational.</b></p> <p>The development of the Information Asset Register, and how this ties up with the BCS, is also noted with thanks.</p> <p>Thank you for submitting supporting evidence, the receipt of which is acknowledged.</p>
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				<p>interested to know what decision is taken regarding this.</p>			<p>the BCS and Retention Schedule and link individual Information Assets to the appropriate entries on the BCS/Retention Schedule (and/or develop new entries/retention rules as required in conjunction with the Information Governance team).</p> <p>File Naming and File Planning guidance has recently been updated and distributed to Services which are currently participating in the Asset Review project. This will be made available to all staff via the Council Intranet shortly.</p> <p>Supporting evidence:</p> <ul style="list-style-type: none"> <li>• Sample Record Audit questionnaire;</li> <li>• Sample IAR entries;</li> <li>• File Naming Guidelines;</li> <li>• File Planning Principles</li> </ul> <p><b>Update in October 2022:</b> We would not characterise the BCS as fully implemented at this</p>	<p>Whilst progress has been made, this Element remains at Amber as the work continues. The Team look forward to a more comprehensive indication of the authority's position in the planned voluntary RMP resubmission.</p> <p><b>Comments on further update:</b> The Assessment Team is grateful for the clarification provided. It is good to hear of the changed approach to BCS.</p>
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							stage. Since our initial PUR submission in April, we have since taken a decision to replace use of the LGCS with use of the inherent BCS in the SCA BCS/RRS model Retention Schedules, and to update our Retention Schedule in line with revision schedule for the national model Schedules which are currently under review by the Scottish Council on Archives, with ongoing engagement with local authorities to be facilitated by a dedicated SCARRS Sub-group within the Archivists of Local Authorities Working Group (ASLAWG) which has been recently established. There will need to be updates made accordingly to the Council's existing Information Asset Register entries.	
5. Retention Schedule	A	A	A	The Keeper requires East Lothian Council to keep him up to date on	No change to the current status of destruction and the 2018 deadline has been missed, but as part of the rewrite of	The BCS/Retention Schedule roll-out continues. The roll out of this major piece of	Updates and revisions to the Retention Schedule continue, with particular focus on areas affected by the Asset Review over	Thank you for this update regarding ongoing work on updating and revising the

				<p>progress.</p>	<p>the Records Management Plan the retention schedule document will be reviewed.</p>	<p>work is bound to be incremental and further time must be allowed for it to bed in and become fully operational. This element remains at 'amber' for the moment as the work progresses. The PUR also notes that, because of the Records Management Plan review, and other issues affecting the Council in the last 12 months, there has been some slippage in the review dates of other information governance documents (The Retention Schedule). This is to be expected.</p>	<p>the next 6 months.</p> <p>Records disposal modules have been introduced in systems used by Revenues/Benefits, HR/Payroll and Housing, although further work continues to be required to address application of retention rules to digital records across Council systems.</p> <p>As the Information Asset Register develops, the Council is looking at use of the IAR as a tool for addressing regular review of information assets with reference to the Retention Schedule. It should be noted that this is currently in an exploratory phase and has not yet been formally adopted.</p>	<p>Retention Schedule. This is a key element in the practical implementation of records retention procedures, and allows for organisation-wide, consistent application of rules.</p> <p>The update mentions digital records retention rules and indicates that electronic records retention procedures are not fully in place. This is a cause for concern as the proportion of digital records over paper records has, as a general trend, been gradually increasing every year.</p> <p>Thank you also for informing the Assessment Team of the exploratory project of using the IAR as a tool to</p>
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								<p>address regular review of information assets.</p> <p>This Element will remain at Amber as the improvements requested by the Keeper have not yet been implemented. We look forward to hearing more about this in the upcoming voluntary RMP resubmission.</p>
6. Destruction Arrangements	A	A	A	<p>The Council is planning to set protocols for the use of internal shredders. The Keeper requests sight of these protocols when they are available.</p> <p>Electronic Records Destruction. The Keeper accepts that the Council has properly</p>	<p>No Change but will be consider during the rewrite of the Records Management Plan.</p>	<p>Along with many other Scottish public authorities the controlled, timely and secure destruction of digital records remains a potential weakness. East Lothian Council will be in a better position to address this when the BCS/Retention Schedule is fully implemented. This element remains at</p>	<p>The Council's arrangements for the destruction of paper records, including the engagement of external Suppliers of document management services, are currently under review. As part of the Information Transformation Strategy, we intend to set the future aims and direction for paper records management with consideration for the changing use of the Council estate and the</p>	<p>The Assessment Team thanks you for this update on records destruction arrangements. It is acknowledged that the Council's arrangements with regard to paper records are currently under review.</p> <p>It is noted that records destruction of electronic records remains unchanged.</p>

				identified a gap in provision and has appropriate mechanisms in place to close that gap.		'amber' for the moment as this work progresses.  The Assessment Team acknowledges the planned development of a new Records Management Plan. They look forward to being kept updated on record destruction provision in subsequent PURs.	recent introduction of a new Home Working Policy and associated provisions.  There have been no significant changes to the Council's provisions for electronic destructions, however work is planned regarding the implementation of EDRMS and exploring use of the Information Asset Register as another tool for managing destructions across formats.	The Team would like to remind East Lothian Council and Licensing Board that the implementation of EDRMS will also have major implications on the records destruction procedures, as well as Elements 4, 5 and 11.  It appears work continues. This Element will remain at Amber until this has been completed, but the implementation of EDRMS may require that approach to this Element's practical implementation is reconsidered.
7. Archiving and Transfer	<b>G</b>	<b>G</b>	<b>G</b>	The Keeper requests the two new documents (Acquisitions Policy & Transfer	No change but the policy will be reviewed during the re-write of the Records Management Plan.	No immediate action required. Update required on any future change. The Assessment Team	No change, but Digital Preservation will be included as a key component of the Information Transformation Strategy.	Thank you for letting the Assessment Team know that there have been no major changes to

				Procedures) planned relating to the management of archival material are forwarded to him when appropriate.		acknowledges the planned development of a new Records Management Plan.  They look forward to being kept updated on this work in subsequent PURs.		East Lothian Council and Licensing Board's archiving and transfer arrangements. That focus on digital preservation as a key component of the Information and Transformation Strategy is also noted with thanks.
8. Information Security	<b>G</b>	<b>G</b>	<b>G</b>	The Keeper requests that if any changes occur as part of the review of the Information Security Policy in December 2015 that he is provided with an updated version.	No change but the policy will be reviewed during the rewrite of the Records Management Plan.	No immediate action required. Update required on any future change.  The Assessment Team acknowledges the planned development of a new Records Management Plan. They look forward to being kept updated on this work in subsequent PURs.	Updates are in progress to the Council's IT Acceptable Use Policy, which is expected to be finalised and implemented imminently.	Thank you for this update on the IT Acceptable Use Policy review. This is one of a suite of documents that will assist East Lothian Council and LB keep adequate procedures in place to protect their records against unauthorised access, alteration, destruction, or removal of records, and the Team trusts that other policies, including the Information Security Policy, are regularly reviewed



								and kept up to date.
9. Data Protection  and  14. Shared Information	<b>G</b>	<b>G</b>	<b>G</b>	<p>The Keeper requests that he is provided with the Board's registration number when it becomes available.</p> <p><i>East Lothian Council and Licensing Board have opted to consider both of these Elements together under Element 9. On Shared Information (Element 14), update is required on any change.</i></p>	<p>A lot of change under this element due to the implementation of new Data Protection Legislation, so East Lothian Council have concentrated on updating guidance and this is evidence from E01-E07 and this information has been made available to staff and schools. We have also still been engaging with schools and attending meetings answering any relevant questions or concerns in relation to the new Data Protection Legislation. We are also midst drafting a Social Media policy for schools so they understand the rules in regards to social media in relation to children.</p> <p>We are also in the middle of renewing and updating our Data Sharing Agreements (E08) and Data Processing</p>	<p>As with all other Scottish public authorities East Lothian Council have been required to review and update their data protection procedures in light of the 2018 legislation. The Assessment Team acknowledge receipt of a suite of new GDPR compliant data protection policy and guidance documents. These will be stored to keep the East-Lothian Council submission up to date.</p> <p>The Assessment Team acknowledges the receipt of a screen-shot showing staff have access to the new GDPR staff guidance</p>	<p>Updates to policies, procedures and templates have been progressed to reflect that, following Brexit, personal data processing in the UK is now governed by the UK GDPR. Existing templates for Data Sharing Agreements, Data Protection Impact Assessments and wording within the Council's standard Terms and Conditions are also under review with reference to national and regional frameworks.</p> <p><b>Update in October 2022:</b> The Council's template Data Sharing Agreements have been updated as required since the approval of East Lothian Council's RMP in 2015. The most significant changes to existing templates were in 2018 to bring these in line with the requirements of the Data Protection Act 2018 and</p>	<p>Thank you for this update on ensuring that policies and templates reflect the most recent legislative framework in place. This is a key requirement under Element 9.</p> <p><b>Regarding Element 14, the Team assumes no changes to existing Data Sharing Agreements have taken place, and that these Agreements are being kept up to date and relevant for their purpose.</b></p> <p><b>Comments on further update:</b> Thank you for taking the time to confirm that Data Sharing Agreement templates have</p>

					<p>Agreements we have with suppliers and others so we are fully aware of who we are sharing information, ELC are also developing a register of these agreements which will hopefully linked to the Information Asset register and any relevant Data Protection Impact Assessments but all this is still in development but will be updated in rewrite of the Records Management Plan.</p>	<p>documents. The Assessment Team also note the updated information on the East Lothian Council website: <a href="https://www.eastlothian.gov.uk/info/2/10598/access_to_information/12340/privacy_and_cookies">https://www.eastlothian.gov.uk/info/2/10598/access_to_information/12340/privacy_and_cookies</a></p>	<p>the GDPR. Relevant updates have continued to be made, for example to reflect the implementation of the UK GDPR following the UK's withdrawal from the EU. The total number of Data Sharing Agreements in place for the Council's routine data sharing activities has significantly increased since 2015 and in particular since May 2018 when the Data Protection Act 2018 / GDPR came into effect.</p>	<p>been updated.</p>
10. Business Continuity and Vital Records	A	G	G	<p>The Keeper requires that the Council provide him with a redacted sample of a Service Business Continuity Plan when they are completed.</p>	<p>East Lothian Council have recently published an updated Business Continuity Plan and is evidenced at E09.</p>	<p>The Assessment Team acknowledge the receipt of the East Lothian Council Business Continuity Plan (v1.0) dated January 2019. As noted in previous PUR, the Assessment Team recognises the significant progress made in this area and the on-going initiative being undertaken</p>	<p>No change.</p> <p><b>Update in October 2022:</b> The current ongoing record audits are linked to the Council's Asset Review programme, through which Council buildings are being cleared and re-purposed as more flexible working spaces. While this programme was and is not directly driven by the Council's pandemic response, it has certainly</p>	<p>Thank you for letting the Assessment Team know there have been no major updates to Business Continuity arrangements. However, as this is the first update following the pandemic, the Team would have liked to hear how the authority's business continuity</p>

						<p>by the authority under this element. It is likely that if this were a formal re-submission under section 5 of the PRSA this element would gain a 'Green' RAG status.</p>	<p>grown and accelerated due to the changes to ways of working that were catalysed by the pandemic. A new Home Working Policy, for example, was introduced in April 2022, allowing employees to apply for contractual working-from-home arrangements, which has and will continue to reduce demand on office space, as well as introducing new challenges regarding records management and information security/data protection. Guidance on working safely from home while protecting personal information and managing records properly was developed near the start of the pandemic, and will continue to evolve in line with the preparation of the Council's second Records Management Plan.</p> <p>Our Business Continuity software was used throughout the pandemic as well as an ongoing spreadsheet detailing where each service was</p>	<p>processes fared during the disruption, and if any reviews to these are planned as a result.</p> <p>Under Element 4, the Council and Licensing Board noted that mini Record Audits were taking place, 'addressing the extent of paper records held in offices and identifying anticipated needs in terms of retention, storage and scanning.' <b>The Team would be interested to clarify if these records relate to changed ways of working during the pandemic, or if this action is taking place as business as usual.</b></p> <p><b>Comments on further update:</b></p>
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							at as regards BC. The BC software provide invaluable and was used by CMT to get a picture of the Council's BC response. Services which remain in BC mode remain invoked on the software. The only review would be to update all BC SPoCs [Single Points of Contact] on use of the software.	The Assessment Team is grateful for this clarification, and further information on Business Continuity Arrangements
11. Audit Trail	A	A	A	The Keeper requests that he is kept up to date with the project as it progresses.	No change.	No immediate action required. Update required on any future change. East Lothian Council will be in a better position to address this when the BCS/Retention Schedule is fully implemented.	As part of the Asset Review, the Council is taking steps to standardise the metadata applied to paper records and to enhance file tracking through the engagement of an external contractor.  Control of digital records is continuing to develop as staff identify information flows via the Information Asset Register.	The Keeper will expect authorities to maintain a complete and accurate representation of all changes that occur in relation to a particular records. This includes changes to the record's location, both in relation to analogue and digital records.
12. Competency Framework	G	G	G	Update Required on Any Change.	No change.	No immediate action required. Update required on any future change.	No change.	It is important that staff training requirements are reviewed regularly

								<p>as systems or way of working (e.g. working from home) change so that staff continue to be adequately supported in their adherence to the authority's RMP.</p> <p>Update required on any change.</p>
13. Assessment and Review	<b>G</b>	<b>G</b>	<b>A</b>	<p>The Keeper requests that if any changes result from the review he is provided with the updated version.</p> <p>The Keeper would be interested in the results of the Data Protection Health Check, if appropriate.</p>	<p>East Lothian Council have made the decision with the launch of the new Records Management Plan that they are going to do a re-write of the Records Management Plan this year.</p>	<p>Once the Records Management Plan has been revised and updated, the Council may choose to re-submit formally under section 5 of the Act. This would be welcomed.</p>	<p>No change.</p>	<p>East Lothian Council and Licensing Board should be commended for their regular participation in the PUR process (in 2016, 2017, 2019 and 2022).</p> <p>While no update has been given here regarding Element 13, Element 3 suggests that the pandemic-related delays have caused significant delay to the regular review and update process of the RMP</p>

								<p>and some adjacent policies.</p> <p>This Element has been changed from Green to Amber to indicate that the authority has not been able to keep focus on this Element while resource has been redeployed due to the pandemic. We acknowledge, however, that they are taking active steps to rectify this.</p>
14. Shared Information				<p><b>See element 9. East Lothian Council and Licensing Board have opted to consider both of these Elements together under Element 9.</b></p>				

## 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 18 May 2022. The progress update was submitted by Zarya Rathé, Team Manager and Information Governance and Data Protection Officer.

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

The Assessment Team has reviewed East Lothian Council and 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

East Lothian Council and 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 East Lothian 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

A handwritten signature in blue ink that reads "Iida Saarinen". The signature is written in a cursive style with a light blue background behind it.

Iida Saarinen  
Public Records Officer