

Public Records (Scotland) Act 2011

Argyll and Bute Integration Joint Board

The Keeper of the Records of Scotland

13 February 2023

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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 fully 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 record keeping 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. Executive Summary

This report sets out the findings of the Keeper's assessment of the RMP of Argyll and Bute Integration Joint Board by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 19 August 2020.

The assessment considered whether the RMP of Argyll and Bute Integration Joint Board was developed with proper regard to the 15 elements of the Keeper's statutory Model Records Management Plan (the Model Plan) under section 8(3) of the Act, and whether in this respect it complies with it and the specific requirements of the Act.

The outcome of the assessment and the Keeper's decision on whether the RMP Argyll and Bute Integration Joint Board complies with the Act can be found under section 7 of this report with relevant recommendations.

3. Authority Background

Argyll and Bute Integration Joint Board (the Board) is responsible for the planning and oversight of delivery of health and social care integrated functions for Argyll and Bute.

The Board's Integration Scheme sets out the functions which are delegated by NHS Highland and Argyll & Bute Council to the IJB.

The Board operates as a body corporate (a separate legal entity), acting independently of NHS Highland and Argyll & Bute Council. The Board consists of eight voting members appointed in equal number by the NHS Highland and Argyll & Bute Council with a number of representative members who are drawn from the third sector, independent sector, staff, carers and service users. The Board is advised by a number of professionals including the Chief Officer, Head of Finance and Transformation, Medical Director, Lead Nurse and Chief Social Work Officer.

The key functions of the Board are to:

- Prepare a Plan for integrated functions that is in accordance with national and local outcomes and integration principles

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- Allocate the integrated budget in accordance with the Plan
- Oversee the delivery of services that are within the scope of the Partnership.

[Health and Social Care Partnership \(argyll-bute.gov.uk\)](http://argyll-bute.gov.uk)

4. Keeper's Assessment Process

The RMP was assessed by the Public Records (Scotland) Act Assessment Team on behalf of the Keeper. Assessors used the checklist elements listed in section 5, to establish whether Argyll and Bute Integration Joint Board's RMP was developed with proper regard to the elements of the Model Plan and is compliant with the Act. The assessment also considered whether there was sufficient supporting evidence of such compliance.

Key:

G	The Keeper agrees this element of an authority's plan.		A	The Keeper agrees this element of an authority's plan as an 'improvement model'. This means that he is convinced of the authority's commitment to closing a gap in provision. He will request that he is 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 Keeper may choose to return the RMP on this basis.
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5. Model Plan Elements: Checklist

Argyll and Bute Integration Joint Board (‘The IJB’ in the assessment below)

Explanation of record keeping:

Clear statements are made, both in the *Records Management Plan* and in a *Letter from the Chief Officer*, that Argyll and Bute Integration Joint Board (the IJB) have adopted the record management practices outlined in the Records Management Plan of Argyll and Bute Council and that all IJB records are held digitally on the systems of Argyll and Bute Council. For example, “the IJB record creation, storage and management will comply with the Record Management Plan and Policy of Argyll & Bute Council.” (*RMP* page 8).

The *Letter from the Chief Officer* is clear as to the arrangements and scope of the *RMP*, while also acknowledging the partnership working with both Argyll and Bute Council and NHS Highland, “The plan covers Records Management only for records created as part of the business of the Argyll and Bute IJB including formal committees identified through the Scheme of Integration. This is separate from the records management plans attached to each of the employing partners which relate to the business of the delivery of services.” The *Letter* further notes, “The IJB opted on 30 January 2019 to adopt the Records Management Approach of one partner, Argyll & Bute Council, specifically for IJB records.”

The scope of the *RMP* is further confirmed, “The IJB RMP will pertain to documents created in the business of the Board. This will include Board minutes, committee minutes as identified in the structure within the Integration Scheme e.g. Audit Committee, policies, plans, formal communications made on behalf of the Chief Officer” (*RMP* page 6-7). It has further been confirmed since submission that “Officers of the IJB are employed by either employing partner and submit papers to Committee Services for publication to IJB and committees.” And “Committee Services within the council are now employed in support of delivering the administration of committees and as such creation and management of records is undertaken by the council.”

Record keeping arrangements are explained in the submitted document titled *NRS Response* which notes, in relation to arrangements in place, “This is clearly stated as being Argyll & Bute Council with the IJB formally agreeing to adopt their records management policy for IJB records. There is further explanation of the records created by each employing body in the delivery of Health and Social Care Partnership business e.g. patient records being subject to the policies of the partner.” These arrangements are confirmed in the *Information Governance Policy*.

While the submitted *RMP* makes reference to NHS Highland, it has been explained separately, and been assumed in the undertaking of this assessment, that that references to NHS Highland are included as “further explanation of the records created by each employing body in the delivery of Health and Social Care Partnership business e.g. patient records being subject to the policies of the partner.” (*NRS Response*, page 1). Further statements have been provided separately confirming “this provides the wider context of partnership working and work documents governed by each partners RMP. As an initial submission in 2019 this information was provided to note the integrated working environment and outline the parameters between the operational HSCP and the strategic business of the IJB.” It has been confirmed these references will be removed at the next review of the RMP.

The Keeper agreed Argyll and Bute Council and Licensing Board’s Records Management Plan in March 2017 [Draft Keeper’s Report \(nrscotland.gov.uk\)](https://www.nrscotland.gov.uk).

Element	Present	Evidence	Notes
1. Senior Officer	G	G	<p>The Public Records (Scotland) Act 2011 (the Act) requires that an individual senior staff member is identified as holding corporate responsibility for records management in a public authority.</p> <p>Argyll and Bute Integration Joint Board (the IJB) have confirmed Fiona Davies, Chief Officer of Argyll and Bute Health and Social Care Partnership, is the individual with</p>

			<p>overall responsibility for records management in the organisation. Ms Davies was appointed to this role after submission of the Records Management Plan (RMP) and the change in post-holder was confirmed separately. The Keeper can accept that the post of Chief Officer continues to assume overall responsibility for records management and that the change in post-holder will be reflected in updates to the <i>RMP</i>.</p> <p>The <i>RMP</i> is endorsed by the Chief Officer, who is also the corporate owner of the document. A <i>Letter from the Chief Officer</i>, included as part of the <i>RMP</i>, dated 19 August 2020, confirms this. As stated above, the Keeper accepts the change in post-holder does not affect the endorsement and statements made in the <i>Letter from the Chief Officer</i>.</p> <p>The Chief Officer is also the Senior Information Risk Owner (SIRO) for the IJB.</p> <p>The Chief Officer chairs the Senior Leadership Team which has strategic responsibility for the Health and Social Care Partnership.</p> <p>A document submitted as evidence titled <i>NRS Response</i> notes, “The Chief Officer is also a member of the Senior Management Team for both partner bodies and has oversight of policy development and agreement.”</p> <p>The IJB have developed an <i>Information Governance Policy</i> (Version 1.0 October 2020), which has been submitted separately and is available publically at Information Governance Policy.pdf (argyll-bute.gov.uk). This further supports the identification of the Chief Officer.</p> <p>A <i>Job Description</i> for the Chief Officer of Argyll and Bute Health and Social Care Partnership post has been provided.</p>
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			<p>A <i>Draft Minute of the IJB 27 March 2019</i> has been provided as evidence of records management arrangements with Argyll and Bute Council (the Council). The minutes confirm approval of the minutes of 30 January 2019 at which the IJB “Endorsed a recommendation that IJB records are formally stored and maintained by Argyll & Bute Council”.</p> <p>The Keeper agrees that Argyll and Bute Integration Joint Board have identified an appropriate individual to this role as required by the Act.</p>
<p>2. Records Manager</p>	<p>G</p>	<p>G</p>	<p>The Act requires that each authority identifies an individual staff member as holding operational responsibility for records management and has appropriate corporate responsibility, access to resources and skills. Due to the partnership nature of the arrangements affecting an IJB, the Keeper has determined that two individuals may be identified to this role if appropriate.</p> <p>The IJB have identified Iain Jackson, Governance, Risk and Safety Manager, Argyll and Bute Council as having operational responsibility for records management. In addition, Charlotte Craig, Business Improvement Manager, Argyll & Bute Health and Social Care Partnership (HSCP), is also identified and is the corporate contact for the IJB.</p> <p>The compliance statement outlines the responsibilities of this role, which include:</p> <ul style="list-style-type: none"> • “Managing the IJB’s records • Reviewing and implementing operational policies and procedures in line with the RMP; • Ensuring relevant health and social care staff have records management training”

		<p>As outlined in the ‘explanation of record keeping’ above and in element 3, all IJB records are created, maintained and stored on the systems of Argyll and Bute Council. Therefore, the identification of the Council’s Governance, Risk and Safety Manager under this element is entirely appropriate.</p> <p>A <i>Job Description</i> for the Council’s Governance, Risk and Safety Manager has been provided. This outlines records management responsibilities. The Council’s Governance, Risk and Safety Manager is also the Data Protection Officer (see element 9).</p> <p>In March 2017 the Keeper agreed the Council had appropriately identified the post of Governance and Risk Manager, held by Iain Jackson, as having operational responsibility for records management as required by the Act.</p> <p>An email from the Council’s Governance, Risk and Safety Manager has been provided separately. This confirms responsibility for IJB public records and commits to liaising with the IJB around any relevant updates relating to records management provision in the Council.</p> <p>A <i>Job Description</i> for the HSCP Business Improvement Manager has also been provided. This confirms the post-holder reports directly to the individual identified at element 1.</p> <p>The text in the compliance statement explaining the arrangements in place for the management of records created arising from “The business undertaken by the Health and Social Care Partnership at the direction of the IJB” is noted but, as made clear in the ‘explanation of record keeping’ above, these records are not within the remit of this assessment.</p>
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			The Keeper agrees that Argyll and Bute Integration Joint Board have identified two appropriate individuals to this role as required by the Act.
3. Policy	G	G	<p>The Act requires an authority to have an appropriate policy statement on records management.</p> <p>The IJB have made clear statements that their public records will be managed in accordance with the records management arrangements in place at Argyll and Bute Council. For example, “The IJB records ... will be held and managed by Argyll & Bute Council who are nominated to providing it with support services in this area. As such the IJB record creation, storage and management will comply with the Record Management Plan and Policy of Argyll & Bute Council.” (<i>RMP</i> page 8).</p> <p>A copy of the Council’s <i>Records Management Policy</i> has been submitted. This <i>Policy</i> is dated 2016 and is version 1.0. A copy of the Council’s <i>Records Management Plan</i> has also been provided as evidence.</p> <p>The <i>Letter from the Chief Officer</i> states “The identified policy should be followed by all IJB members and officers in the creation, storage, archiving and destruction of records on behalf of the IJB.”</p> <p>While the <i>RMP</i> makes reference to NHS Highland, statements have been provided separately confirming “this provides the wider context of partnership working and work documents governed by each partners RMP. As an initial submission in 2019 this information was provided to note the integrated working environment and outline the parameters between the operational HSCP and the strategic business of the IJB.”</p> <p>Since submission, the IJB have developed an <i>Information Governance Policy</i> (Version 1.0 October 2020). This <i>Policy</i> (section 6) states “Records are vital for the</p>

			<p>effective functioning of Argyll & Bute IJB: they support the decision-making; document its aims, policies and activities; and ensure that legal, administrative and audit requirements are met to ensure accountability.” This <i>Policy</i> specifically addresses IJB public records which are covered by the IJB’s <i>RMP</i> in section 7 and also addresses records created by the partner authorities (Argyll and Bute Council and NHS Highland) through the Health and Social Care Partnership at the direction of the IJB and covered under their respective records management plans.</p> <p>In March 2017 the Keeper agreed that the <i>Records Management Policy</i> of Argyll and Bute Council was appropriate for the management of public records in an authority.</p> <p>The <i>Records Management Policy</i> of Argyll and Bute Council has been adopted by the IJB. The Keeper agrees this is entirely appropriate as all the public records of Argyll and Bute Integration Joint Board are created, managed and stored on Council systems.</p>
4. Business Classification	A	G	<p>The Keeper of the Records of Scotland (the Keeper) expects that the public records of an authority are known and are identified within a structure.</p> <p>The IJB is clear that it will follow the Business Classification Scheme (BCS) in use by Argyll and Bute Council, “identified through its information asset register activity as noted on the plan and in relation to its Information management strategy.” (<i>RMP</i> page 9).</p> <p>It has been confirmed separately that work is ongoing to include IJB public records in the Council’s Information Asset Register (IAR) and this work has been identified as an “improvement action”. The IJB <i>Information Governance Policy</i> includes an appendix, which is “a starting point for the IAR referenced in element 4 and references the records management policy as a supporting document. It notes this</p>

			<p>is not an exhaustive list and other records created will be registered.” The <i>Policy</i> states “These will be included in an Information Asset Register maintained by Argyll and Bute Council which will include details of where the record is held, who the owner is, and the retention period before disposal.”</p> <p>All IJB records will be held digitally on the systems of Argyll and Bute Council. (<i>RMP</i> pages 11 & 12). A document submitted as evidence titled <i>NRS Response</i> notes, “There is an agreement with the council for the use of committee support services to support the business of the IJB and committees including use of the Mod.gov system to store electronic records.” Board Minutes and Agendas are published and made publically available on the Council website (Integration Joint Board meeting minutes (argyll-bute.gov.uk)). It is noted under the ‘Further Development’ section (<i>RMP</i> page 8) that a SharePoint site is being developed for the IJB’s records as part of a wider Argyll and Bute Council records management development plan. A copy this <i>Development Plan</i> has been submitted as evidence. It has been confirmed separately that “The IJB also has a developing area in sharepoint. The function of this and supporting guidance is currently being scoped given a change of working practice for members post pandemic.” This work is also noted in the IJB <i>Information Governance Policy</i>.</p> <p>In March 2017, the Keeper agreed this element of Argyll and Bute Council’s RMP. However, he did so under ‘improvement model’ terms. A gap in provision was acknowledged (the lack of an organisation-wide method of classifying the records and information it creates and manages) and measures were identified to address this.</p> <p>The Keeper has determined that the RAG status of a Records Management Plan of any authority, whose records are managed on the systems of a separate authority, cannot be higher than that awarded to the ‘host’ authority. This agreement status means the Keeper can agree this element on the same</p>
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			'improvement model' terms for Argyll and Bute Integration Joint Board. In addition, work is ongoing to develop a SharePoint site and to include IJB in the Council's IAR.
5. Retention schedule	A	G	<p>The Keeper expects an authority to have allocated retention periods to its public records and for those records to be retained and disposed of in accordance with a Retention Schedule.</p> <p>All IJB records are created, managed and stored on the systems of Argyll and Bute Council. As such, the IJB will follow the retention schedules in place at Argyll and Bute Council.</p> <p>The <i>RMP</i> notes that the IJB will "remain responsible for its records under the partner body schedule" and under the 'Further Development' section (<i>RMP</i> page 10) the IJB state they will "Identify points of regular review of the retention schedule with the collaborating partner and utilise the IJB Audit & Risk committee to monitor and support IJB decisions on retention." The recognition that retention decisions will require ongoing review is commended by the Keeper. It has been further noted separately that, "Policies approved by the IJB are also subject to a minimum bi-annual review with oversight through the Audit and Risk Committee." See element 13 for comments on review</p> <p>An email from the Council's Governance, Risk and Safety Manager has been provided which commits to liaising with the IJB around any relevant updates relating to records management provision in the Council.</p> <p>In 2017, in his agreement report for Argyll and Bute Council (page 9), the Keeper noted "the development of corporate retention schedules is tied in with the development of IARs ... Retention and disposal information will be added to the IARs and will be based on the SCARRS model. At present where a service area</p>

			<p>doesn't have a finalised IAR, the SCARRS template is used to provide guidance on retention periods.”</p> <p>As noted under element 4, work is ongoing around adding IJB records to the Council IAR.</p> <p>In March 2017, the Keeper agreed this element of Argyll and Bute Council's RMP. However, he did so under 'improvement model' terms. A gap in provision was acknowledged (the lack of an organisation-wide retention schedule) and a solution to close this gap identified (the development of IARs which include retention information).</p> <p>As with element 4, the Keeper has determined that the RAG status of this element should match that of the 'host' authority. This agreement status means the Keeper can agree this element on the same 'improvement model' terms for Argyll and Bute Integration Joint Board.</p>
<p>6. Destruction Arrangements</p>	<p>A</p>	<p>G</p>	<p>The Act requires that public records are destroyed in a timely, controlled and secure manner.</p> <p>All IJB records are held digitally on Argyll and Bute Council systems and as such the destruction processes in use by this partner authority will be adopted. The <i>RMP</i> (page 11) states, “It is almost certainly going to be the case that destruction of Board records, in all formats, will be undertaken by the partner body managing the Board's records.”</p> <p>A copy of the Argyll and Bute Council <i>Disposal of Records</i> document has been submitted as evidence. Both this document (page 6) and the Argyll and Bute Council RMP (page 7) explain the processes in place for the destruction of digital records, back-ups, and hardware.</p>

			<p>In 2017, in his agreement report for Argyll and Bute Council (page 9), the Keeper noted “The RMP acknowledges that this is an area that requires development and it is included in the Records Management Development Plan (Appendix 1) as a distinct action (DP07.02)... The Keeper also appreciates the difficulties in ensuring that electronic records are disposed of appropriately according to the retention schedules and requests that he is kept informed on whether the Council decides to implement an EDRMS or Structured Drives.”</p> <p>As noted under element 5, the Keeper commends the planned action under the ‘Further Development’ section for this element around regular review of retention decisions.</p> <p>In March 2017, the Keeper agreed this element of Argyll and Bute Council’s plan. However, he did so under ‘improvement model’ terms. A gap in provision was acknowledged (lack of organisation-wide ability to consistently destroy electronic records when required) and consideration was being given as to close this gap.</p> <p>As with element 4, the Keeper has determined that the RAG status of this element should match that of the ‘host’ authority. This agreement status means the Keeper will be able to agree this element on the same ‘improvement model’ terms for Argyll and Bute Integration Joint Board.</p>
7. Archiving and Transfer	A	G	<p>The Act requires that all Scottish public authorities identify a suitable repository for the permanent preservation of any records considered suitable for archiving. A formal arrangement for transfer to that repository must be in place.</p> <p>The IJB acknowledge that good record keeping practices contribute to the “Preservation of vital and historical records” (<i>RMP</i> page 2).</p>

			<p>All IJB public records are held digitally on Argyll and Bute Council systems. It is noted (<i>RMP</i> page 12) that as a result, “no hard copies will require to be archived.”</p> <p>As noted at element 4 and 5, work is ongoing around adding IJB records to the Council IARs and the development of the Council’s retention schedules is tied to this work. The Keeper understands that this work will identify IJB records selected for permanent preservation.</p> <p>An email from the Council’s Governance, Risk and Safety Manager has been provided separately. It confirms that “all IJB digital records will be managed through the Council’s preservation and archiving arrangements and an arrangement is in place for all records selected for permanent preservation to be managed under the archiving arrangements of the Council.”</p> <p>Argyll and Bute Council’s <i>RMP, Disposal of Records</i> document, and <i>Central Archives Procedures</i> have been submitted as evidence. These documents explain the processes in place for the transfer of selected records for permanent preservation.</p> <p>The Council’s <i>RMP</i> (page 8) states “Digital records cannot be accepted by the Archives at the moment, although options for implementing a digital repository are being explored.” This is also noted in the <i>Central Archives Procedures</i> (para 2.3) and in the Council’s <i>Records Management Development Plan</i> (DP7.01).</p> <p>In March 2017, the Keeper agreed this element of Argyll and Bute Council’s plan. In his agreement report (page 12), the Keeper noted “the Council archive is currently considering the purchase of a digital repository which would allow it to receive transfers of electronic records selected for permanent preservation.”</p>
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			<p>Since the Keeper agreed the Argyll and Bute Council RMP in March 2017, Argyll Live has been established and now provides archive services to the Council as an arm's length external organisation.</p> <p>The Keeper acknowledges it is likely that no IJB records have yet reached the point of transfer to an archive. The Keeper also acknowledges that digital archiving in the Scottish public sector is in its infancy, and it may be many years before those records selected for permanent preservation can be transferred to the selected repository. The Keeper would encourage the IJB, in conjunction with the Council, to keep abreast of developments at the selected repository which will affect the transfer of digital records for permanent preservation.</p> <p>The Keeper can agree this element for Argyll and Bute Integration Joint Board under 'improvement model' terms while their 'host authority' Argyll and Bute Council, and Argyll Live, select and implement a digital preservation solution.</p>
8. Information Security	G	G	<p>The Act requires that public records are held in accordance with information security compliance requirements.</p> <p>All IJB records are held digitally on Argyll and Bute Council systems.</p> <p>In 2017 the Keeper agreed that Argyll and Bute Council had "appropriate measures in place to protect the information that the Council creates and manages."</p> <p>A copy of the <i>Argyll and Bute Council Practical Information Security and Data Protection Handbook</i> has been provided. In the Keeper's agreement report of 2017, it was confirmed that Council staff could access this resource on the staff intranet site. It has been confirmed separately that staff creating and managing IJB records</p>

			<p>have access to Council training and resources. This includes ongoing training and targeted training in response to changes in policies, procedures or legislation.</p> <p>Copies of the <i>ICO Data Sharing Checklists and Code of Practice</i> have been provided.</p> <p>Data sharing agreements are used by the IJB and the <i>RMP</i> notes that information about data sharing arrangements between the IJB and partner bodies (the Council and the NHS) are outlined in section 10 of the <i>Integration Scheme</i> (version 4 dated 2018), which has also been provided.</p> <p>Information security is addressed in section 8 of the IJB <i>Information Governance Policy</i>.</p> <p>The Keeper commends the commitment under the 'Further Development' section (<i>RMP</i> page 13) to put in place regular review of information security with the partner authority.</p> <p>The Keeper agrees that Argyll and Bute Integration Joint Board have suitable information security arrangements in place to appropriately ensure the security of their records as required by the Act.</p>
9. Data Protection	G	G	<p>The Keeper expects a Scottish public authority to manage records involving personal data in compliance with data protection law.</p> <p>The <i>RMP</i> (page 14) states "The IJB specifies that all business set before the IJB should consider General Data Protection Principles."</p> <p>The IJB have appointed Iain Jackson, named at element 2, as their Data Protection Officer (DPO) at the recommendation of an internal audit. A copy of the <i>Argyll &</i></p>

			<p><i>Bute Integrated Joint Board Internal Audit Report 2019/20 Information Governance</i> (dated November 2019) has been provided.</p> <p>It has been confirmed separately that “this arrangement has been in place since 6 December 2019 and is noted in the information governance policy. The Governance and Risk Manager acts as the data controller. IJB corporate templates explore the use of data and the manager is instrumental in review and development of data sharing agreements between partners. The Governance and Risk Manager would ensure monitoring of FOI requests and complaints against the IJB. A specific IJB complaints policy was implemented in early 2022 as a response to audit guidance.” As noted in the above statement, this arrangement is further confirmed in the IJB’s <i>Information Governance Policy</i> (sections 5 and 9).</p> <p>As all IJB records are created, stored and managed on Council systems this is entirely appropriate. Iain Jackson is the Council’s DPO (<u>Data Protection (argyll-bute.gov.uk)</u>).</p> <p>The evidence submitted and the appointment of the Council’s DPO as the IJB’s DPO indicates the IJB will adhere to the data protection policies of the partner authority, the Council. This is further indicated by the submission of the Council’s <i>Data Protection Policy</i>.</p> <p>In 2017 the Keeper agreed this element of Argyll and Bute Council’s RMP.</p> <p>It has been confirmed separately that staff creating and managing IJB records have access to Council training and resources. This includes ongoing training and targeted training in response to changes in policies, procedures or legislation.</p> <p>The Keeper agrees that Argyll and Bute Integration Joint Board have arrangements in place that allow them to properly comply with data protection legislation.</p>
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<p>10. Business Continuity and Vital Records</p>	<p>A</p>	<p>G</p>	<p>The Keeper expects that record recovery, prioritising vital records, is an integral part of the authority’s business continuity planning.</p> <p>The Keeper agrees the statement that the IJB will be subject to the business continuity arrangements of the partner authority and that “there is no direct requirement for the IJB to have its own arrangements for business continuity of vital records.” It has been confirmed in an email from the Council’s Governance, Risk and Safety Manager (named at element 2) that the public records of the IJB will be subject to the Council’s Business Continuity arrangements.</p> <p><i>A Job Description</i> for the Council’s Governance, Risk and Safety Manager has been provided. This includes business continuity responsibilities.</p> <p>In March 2017, the Keeper agreed this element of Argyll and Bute Council’s plan. However, he did so under ‘improvement model’ terms. A gap in provision was identified (vital records across the Council have not been identified) and a commitment was given to close this gap.</p> <p>As with element 4, the Keeper has determined that the RAG status of this element should match that of the ‘host’ authority. This agreement status means the Keeper will be able to agree this element on the same ‘improvement model’ terms for Argyll and Bute Integration Joint Board.</p>
<p>11. Audit trail</p>	<p>A</p>	<p>G</p>	<p>The Keeper expects an authority to have processes in place to track public records in such a way that their location is known and changes recorded.</p> <p>The introduction to the <i>RMP</i> acknowledges that managing records effectively will ensure</p>

			<ul style="list-style-type: none"> • “Staff will save time when searching for information as documents will be easily located” and • “Provides confidence that the correct version of a document is being used.” <p>The IJB create, manage and store all their public records on the information systems of Argyll and Bute Council. These records are all electronic and in the Mod.gov system and an IJB SharePoint site is also being developed (see element 4). As such, IJB records are subject to the audit trail provision of the Council, which is addressed for both SharePoint and Mod.gov in their agreed RMP.</p> <p>In his agreement report of 2017, the Keeper acknowledged the Council were planning work to improve the audit trail provision for their digital records and that appropriate naming convention and version control guidance had been developed and was available to staff.</p> <p>It has been confirmed separately that staff creating and managing IJB records have access to Council training and resources, through “...the Council online learning and relevant training opportunities and guidance. An active working relationship is in place between the Governance and Risk manager and the Business Improvement Manager in respect of records and across a number of information governance items. This is the primary source of guidance along with the relevant team.”</p> <p>In 2017 the Keeper agreed this element of the Council’s RMP on an ‘improvement model’ basis as the authority had identified a gap in provision (lack of standardised audit trail provision for paper records) and had identified and evidenced how it intended to close this gap. The Keeper acknowledges that the IJB do not create paper records.</p>
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			<p>The <i>RMP</i> states “The progress of integration and requirement for shared systems may incur a review of this and the requirement for audit will be given consideration in any such planning.” The Keeper commends this approach to planning for the introduction of new systems and ensuring that audit trail functionality is considered.</p> <p>As with element 4, the Keeper has determined that the RAG status of this element should match that of the ‘host’ authority. This agreement status means the Keeper can agree this element on the same ‘improvement model’ terms for Argyll and Bute Integration Joint Board.</p>
<p>12. Competency Framework for records management staff</p>	<p>G</p>	<p>G</p>	<p>The Keeper expects staff creating, or otherwise processing records, to be appropriately trained and supported.</p> <p>All IJB records are created and managed digitally on Argyll and Bute Council systems. The <i>RMP</i> states the partner authority’s Records Manager (named at element 2) will be relied on for compliance with this element. The Keeper agrees this is appropriate.</p> <p>As noted at element 2, one of the listed responsibilities of the Council’s Governance, Risk and Safety Manager is to ensure staff have records management training. A <i>Job Description</i> for the Council’s Governance, Risk and Safety Manager, supporting this statement, has been provided.</p> <p>As Charlotte Craig, Business Improvement Manager, Argyll and Bute Health and Social Care Partnership (also identified at element 2) is a Council employee, it can be taken that the training she can access is suitable. It has been confirmed separately that future records management training for this post-holder “is supported and this will be noted for the next personal development plan which is undertaken annually within the council.” A <i>Job Description</i> for the HSCP Business Improvement Manager has also been provided.</p>

			<p>It is further noted that the “Council provides scheduled training when policies are reviewed or updated to ensure staff are equipped. The IJB reviews committees on an annual basis over and above staff and officer review. While there was some hiatus during pandemic response this was completed in early 2020 in respect of ensuring the competency of committees and any training needs required. These were presented at IJB.”</p> <p>The <i>RMP</i> (page 6) states “Staff will be trained in appropriate Data and Information handling policies by their employing partner body.” As noted above, it has been confirmed that staff creating and managing IJB records have access to Council training and resources.</p> <p>The Council’s <i>RMP</i> (page 12) explains staff training in place and that the development of further training is planned, “The Council operates an online learning module (LEON), which is available to all employees, and contains mandatory short e-learning modules – including Data Protection and Freedom of Information requirements and responsibilities. A similar approach will be considered for records management.”</p> <p>The Council’s <i>Records Management Development Plan</i> has been provided to the Keeper. This outlines work to be undertaken between 2016 and 2018. Objectives include, for example, “To ensure all employees are trained and aware of the records management practices that exist within Argyll and Bute Council.” Under the ‘Further Development’ section in the <i>RMP</i>, the IJB note the implementation of the <i>Development Plan</i> in relation to the IJB. The Keeper would be interested to learn how this progresses and can be updated through the annual Progress Update Review mechanism, Progress Update Reviews National Records of Scotland (nrscotland.gov.uk).</p>
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			<p>In 2017 the Keeper agreed this element of Argyll and Bute Council's RMP. He agreed the person named at element 2 "has the necessary skills and access to training to fulfil this role and that there is evidence of the commitment to provide training to staff."</p> <p>Further commitments to training IJB staff are made in relation to use of SharePoint (<i>RMP</i> page 6) and data sharing and data protection (<i>RMP</i> page 19). The Keeper welcomes these commitments.</p> <p>IJB staff training is also addressed in the <i>Information Governance Internal Audit 2019/20</i> (page 9) which has been provided to the Keeper. An action is noted to liaise with partner bodies annually on staff training compliance levels. The 'Further Development' section of the <i>RMP</i> also provides a commitment to "Identify points of regular audit and scrutiny with the collaborating partner".</p> <p>The Keeper agrees that the individuals identified at element 2 have the appropriate responsibilities, resources and skills to implement the records management plan. The Keeper further agrees that Argyll and Bute Integration Joint Board has ensured that staff processing their public records are provided with appropriate training and guidance.</p>
<p>13. Assessment and Review</p>	<p>G</p>	<p>G</p>	<p>Section 1(5)(i)(a) of the Act says that an authority must keep its RMP under review.</p> <p>The IJB are clear that as their public records are created, managed and stored on the systems of Argyll and Bute Council, for compliance with this element they "will be subject to the plans in place in the collaborating partner Argyll & Bute Councils Records Management Plan."</p>

			<p>The IJB make the commitment that their <i>RMP</i> “will be continuously reviewed at prompting of the Keeper with the interim Progress Update Review and at least every 5 years as required.” (<i>RMP</i> page 3)</p> <p>Regular review and self-assessment will be reported to the IJB’s Audit and Risk Committee. This Committee will also “interrogate the detail of this document [the <i>RMP</i>] and make recommendation to the IJB.” The evidence column lists “Prospectively IJB Audit Committee minute.” The Keeper understands review of the <i>RMP</i> will not yet have been undertaken. The IJB’s Chief Officer, named at element 2, sits on this committee. A copy of <i>Argyll & Bute Integration Joint Board Committee Terms of Reference</i> has been provided separately, showing the composition of committees. It has been confirmed separately that the Audit Committee has developed into the Audit and Risk Committee since the original submission.</p> <p>The IJB Chief Officer is part of the Senior Management Team for both the Council and the NHS and as such has “oversight of policy development and agreement.” (<i>NRS Response</i> document). It has been further confirmed separately that the Chief Officer is also Executive Director of the Council and “As such any updates on records management are subject to the review of the Senior Management Team of the council and require a subsequent implementation plan for approval.”</p> <p>In 2017 the Keeper agreed Argyll and Bute Council arrangements for assessment and review and commended the use of internal audit. The Council’s Governance and Risk Manager (named at element 2) was identified as being involved in the review process along with the Council’s Internal Audit Team.</p> <p>IJB use of internal audit to review information governance provision is noted in the <i>RMP</i> and a copy of an <i>Information Governance Internal Audit 2019/20</i> has been provided to the Keeper.</p>
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		<p>As IJB public records are managed on Council systems and governed by their records management policies and procedures, the Keeper would expect regular communication between the IJB and partner authority. The <i>RMP</i>, under 'Further Development' commits to identifying "points of regular review ... with the collaborating partner and utilise the IJB Audit committee to monitor and support IJB decisions.." regarding retention decisions (pages 10), destruction arrangements (page 11), archiving (page 12), information security (page 13), data protection (page 14), audit trail (page 16), and competency framework (page 17). It also commits to "Collaborative working on review of the development plan in relation to the IJB". The Keeper welcomes these commitments.</p> <p>The IJB <i>Information Governance Policy</i> is to be reviewed every two years. The noted date for review was March 2022. The Keeper can be updated on reviews through the PUR process. Section 9 of this <i>Policy</i> confirms the governance arrangements in place and notes that the Chief Officer will "seek assurance from each of these partner bodies on an annual basis that they have reviewed their information governance arrangements insofar as they affect the Health & Social Care Partnership and are satisfied that these are satisfactory. This will include ensuring that all HSCP staff are trained in information governance matters and comply with the policies and procedures of the respective employing organisation. In addition, the Chief Officer will seek assurance from Argyll and Bute Council that it has complied with this policy in respect of all ABIJB records."</p> <p>It has been confirmed separately that "The Governance and Risk Manager will work with the Business Improvement Manager to implement any change specific to the IJB." This is supported by an email from the Council's Governance, Risk and Safety Manager which commits "to liaising with the IJB corporate contact regarding any relevant updates relating to records management provision in the Council."</p>
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			<p>The Keeper agrees that Argyll and Bute Integration Joint Board have made a firm commitment to review their <i>RMP</i> have a review process in place (internal audit and reports submitted to the Audit and Risk Committee). Furthermore, the Keeper agrees that supporting Argyll and Bute Council policy and guidance documents have appropriate review periods allocated.</p>
<p>14. Shared Information</p>	<p>G</p>	<p>G</p>	<p>The Keeper expects a Scottish public authority to ensure that information sharing, both within the Authority and with other bodies or individuals, is necessary, lawful and controlled.</p> <p>As part of its function an IJB must utilise the records of other partners and, therefore, information sharing is a key part of its business. In the case of Argyll and Bute Integration Joint Board the records of the Board itself are managed by a third party (the Council). For these reasons the Keeper must be satisfied that robust data sharing agreements are in place in that third party.</p> <p>The <i>RMP</i> states data sharing agreements are utilised by the IJB when working with partners.</p> <p>As noted at element 9, information about data sharing arrangements between the IJB and partner bodes (the Council and the NHS) are outlined in the <i>Integration Scheme</i>, which has also been provided to the Keeper. Section 10 of the <i>Scheme</i> states “The Parties agree to be bound by the Data Sharing Protocol and to continuance of the existing agreement to use the Scottish Accord on the Sharing of Personal Information (SASPI), in respect of information sharing.”</p> <p>Copies of the <i>ICO Data Sharing Checklist and Code of Practice</i> have been provided to the Keeper.</p>

			<p><i>The Argyll and Bute Council Practical Information Security and Data Protection Handbook</i> provides guidance to staff on data sharing (section 2.4.4).</p> <p>It has been confirmed separately that staff creating and managing IJB records have access to Council training and resources. This includes ongoing training and targeted training in response to changes in policies, procedures or legislation.</p> <p>The IJB notes further training is planned around data protection legislation. The Keeper can be updated on training through the annual PUR mechanism.</p> <p>In 2017 the Keeper agreed that Argyll and Bute Council had had suitable information sharing arrangements in place.</p> <p>The Keeper can agree that Argyll and Bute Integration Joint Board properly considers records governance when undertaking information sharing programmes.</p>
<p>15. Public records created or held by third parties</p>	<p>N/A</p>	<p>N/A</p>	<p>The Public Records (Scotland) Act 2011 (PRSA) makes it clear that records created by third parties when carrying out the functions of a scheduled authority should be considered 'public records' - PRSA Part 1 3 (1)(b).</p> <p>Argyll and Bute Integration Joint Board have confirmed separately it does not contract out any of its functions to a third party, "The function of the IJB is outlined in the original submission and none of these functions are delegated to a third party. Operational delivery is by the HSCP with both employing bodies governed by their own records management policies. The IJB remains a separate public body from its partners with separate responsibilities."</p> <p>The Keeper agrees that Element 15 does not apply to Argyll and Bute Integration Joint Board.</p>

General Notes on submission:

Version: This assessment is on the Argyll and Bute Integration Joint Board Records Management Plan (the *RMP*) submitted to the Keeper for agreement on 19 August 2020. This is version 6.0 of the *RMP* dated 19th August 2020.

The IJB recognise that “Records are vital for the effective functioning of Argyll & Bute IJB: they support the decision-making; document its aims, policies and activities; and ensure that legal, administrative and audit requirements are met to ensure accountability.” (*RMP* page 3)

6. Keeper's Summary

Elements **1-15** that the Keeper considers should be in a public authority records management plan have been properly considered by **Argyll and Bute Integration Joint Board**. Policies and governance structures are in place to implement the actions required by the plan.

Elements that require development by **Argyll and Bute Integration Joint Board** are as follows:

- 4. Business Classification
- 5. Retention Schedule
- 6. Destruction Arrangements
- 7. Archiving and Transfer
- 10. Business Continuity and Vital Records
- 11. Audit trail

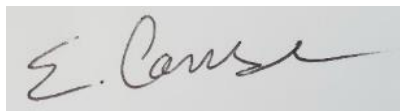
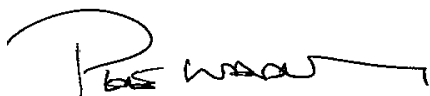
The Keeper acknowledges that these elements require improvement action on the part of the partner authorities on whose systems the IJB's public records are managed rather than by the IJB.

7. Keeper's Determination

Based on the assessment process detailed above, the Keeper agrees the RMP of ***Argyll and Bute Integration Joint Board***.

- The Keeper recommends that ***Argyll and Bute Integration Joint Board*** should publish its agreed RMP as an example of good practice within the authority and the sector.

This report follows the Keeper's assessment carried out by,



.....
Pete Wadley
Public Records Officer

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Liz Course
Public Records Officer

8. Endorsement of Report by the Keeper of the Records of Scotland

The report has been examined and is endorsed under the signature of the Keeper of the Records of Scotland as proof of compliance under section 1 of the Public Records (Scotland) Act 2011, and confirms formal agreement by the Keeper of the RMP as submitted by **Argyll and Bute Integration Joint Board** In agreeing this RMP, the Keeper expects **Argyll and Bute Integration Joint Board** to fully implement the agreed RMP and meet its obligations under the Act.



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Laura Mitchell
Deputy Keeper of the Records of Scotland