

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

## **Scottish Fiscal Commission**

### **The Keeper of the Records of Scotland**

**17th November 2021**

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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 the Scottish Fiscal Commission by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 31<sup>st</sup> July 2020.

The assessment considered whether the RMP of the Scottish Fiscal Commission 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 of the Scottish Fiscal Commission complies with the Act can be found under section 7 of this report with relevant recommendations.

## 3. Authority Background

The Scottish Fiscal Commission, which was established on 1 April 2017 under terms of the Scottish Fiscal Commission Act 2016, is the independent fiscal institution for Scotland. It is the only sub-national fiscal institution which produces its own fiscal and economic forecasts which are used as the official forecasts; in most countries equivalent organisations scrutinise or certify the Government's own forecasts. The Scottish Fiscal Commission is a Non-Ministerial Office: the Commission is part of the Scottish Administration but not part of the Scottish Government. This ensures the operational independence of the authority. The Commission is directly accountable to the Scottish Parliament for the delivery of its functions.

[Scottish Fiscal Commission](#)

## 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 the Scottish Fiscal Commission'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

Element	Present	Evidence	Notes
1. Senior Officer	<b>G</b>	<b>G</b>	<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>John Ireland, Chief Executive and Senior Information Risk Owner (SIRO) for the Scottish Fiscal Commission (the Commission) has been identified as the individual with overall strategic responsibility for records management. This is confirmed by a <i>Covering Letter from Mr Ireland</i>, dated 30 July 2020, and included under the submission.</p> <p>The Chief Executive and SIRO approved the <i>Records Management Plan</i> (the RMP).</p> <p>The Chief Executive and SIRO also approved the <i>Records Management Policy</i> (see element 3), and the <i>Data Protection Policy</i> (see element 9).</p> <p>The Commission have provided a copy of their <i>Internal Scheme of Delegation</i> (approved 25 October 2021) which makes clear that Mr Ireland has responsibility for a number of delegated Commission functions including corporate governance, scrutiny and risk and statutory compliance.</p> <p>It is clear from the above that Mr Ireland has ultimate responsibility for the authority's records management arrangements.</p>

			<p>The Keeper agrees that the Commission have identified an appropriate individual to this this role as required by the Act and therefore agrees this element of the Scottish Fiscal Commission’s plan.</p>
<p>2. Records Manager</p>	<p><b>G</b></p>	<p><b>G</b></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.</p> <p>James White, Governance Manager, has been identified as the individual who has operational responsibility for implementing the <i>Records Management Plan</i>. This is confirmed by a <i>Covering Letter from Mr Ireland, Chief Executive and SIRO</i>, dated 30 July 2020. The letter confirms that Mr White has operational responsibility for the <i>Records Management Plan</i> to whom responsibility for statutory compliance has been formally delegated.</p> <p>The Governance Manager prepared the <i>RMP</i>.</p> <p>The Governance Manager also prepared the <i>Records Management Policy</i> (see element 3).</p> <p>The <i>Covering Letter</i> further confirms that Mr White is supported by the Chief Executive and SIRO in accessing all necessary training to ensure that the Commission’s responsibilities and duties in relation to record keeping and archiving are met. This includes being part of the Public Records (Scotland) Act network, benefitting from networking opportunities offered through that, as well as workshops and events organised by National Records of Scotland.</p> <p>The Keeper has been provided with a copy of the <i>Job Description</i> for the Governance Manager, who is responsible for all Governance matters within the Scottish Fiscal Commission. This clearly outlines the records management</p>

			<p>responsibilities of this post.</p> <p>The authority has, without doubt, properly positioned responsibility for the day to day management of the plan’s arrangements and the delegation of all records management duties to the Governance Manager. The evidence supports this and so the Keeper is content to agree this element.</p>
3. Policy	<b>G</b>	<b>G</b>	<p>The Act requires an authority to have an appropriate policy statement on records management.</p> <p>The Commission has a <i>Records Management Policy</i>, a link to which has been supplied in evidence. This is version 2.0 dated July 2021. The <i>Policy</i> has been authorised by the Chief Executive/SIRO and will be reviewed annually.</p> <p>It is a robust document which clearly references the importance of good records management to regulatory compliance, business efficiency and the authority’s ambitions as a transparent and trustworthy public body. It says, “Scottish Fiscal Commission recognises that its records are an important public asset and are a key resource in the effective operation, policy making and accountability of the Commission ... this policy sets out the Commission’s responsibilities and activities in respect of this.”</p> <p>The <i>Policy</i> is published to the authority’s website, <a href="#">Records Management Policy   Scottish Fiscal Commission</a>, which is good practice and is commended by the Keeper. And, it clearly sets out the policy principles, including the commitment to “create and capture accurate, authentic and reliable records.” It set out the responsibilities of staff and includes reference to systems employed, naming convention mechanism, staff training and governance responsibilities.</p> <p>As well as being publically available on the Commission’s website, staff can access</p>



			<p>the <i>Policy</i> from a link provided in the <i>Staff Handbook</i>. The <i>Handbook</i> is stored within the Commission’s eRDM file plan.</p> <p>This is a strong policy that satisfies the Keeper’s expectations under the Act. He therefore agrees the Commission has a credible operational records management policy.</p>
<p>4. Business Classification</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>The Keeper expects that the public records of an authority are known and are identified within a structure.</p> <p>The Commission operates a solely digital system with no paper records retained (<i>RMP</i>, element 6). The majority of public records of the authority are created and managed on the Scottish Government (SG) eRDMs under which it has its own separate file plan. It has adapted the SG’s <i>Business Classification Scheme (BCS)</i> to meet its own business model and organisational needs and it appears to be a dynamic system that accommodates changes inevitable under a new authority. The <i>RMP</i> makes it clear that the authority sees a dynamic and flexible <i>BCS</i> as central to the authority’s ability to manage its records through their lifecycle from creation to disposal. The <i>BCS</i> incorporates the authority’s <i>Retention Schedule</i> and each class of record is identified as having disposal dates which appear appropriate.</p> <p>The <i>BCS</i> (version 2.0 dated September 2021) has been submitted to the Keeper. This is based on function with subject-based sub-classes.</p> <p>The Commission’s file plan is reviewed annually to ensure it accurately reflects current activity. It also makes clear that the authority does not contract out any of its functions (see element 15).</p> <p>The <i>BCS</i> is clear it covers records held on the eRDM system (<i>BCS</i>, page 3), however reference is also made to records being created and managed on shared</p>

			<p>drives. The <i>Records Management Policy</i> (paragraph 15) notes eRDM is “the corporate repository for the majority of information created and received by Commission officials in the course of their duties”. It goes on to outline the use of shared drives for linked spreadsheets and databases (paragraph 18). The issue of format incompatibility necessitating the continued use of shared drives is noted, as is the practice of capturing “the Corporate Record” at set periods and storing this on the eRDMs. The BCS (page 3) addresses the management of records held in shared drives confirming this process and explaining, “Such files are, however, kept only as long as there is a business need before they are destroyed and become irretrievable as the rolling backup programme for the shared folders (a cycle of around one month). The files remain accessible in the main corporate record, ie eRDM.”</p> <p>The Keeper agrees that the Commission retains its public records in controlled systems which are structured in a clear manner and which can be used by staff to manage public records where appropriate.</p>
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<p>5. Retention schedule</p>	<p><b>G</b></p>	<p><b>G</b></p>	<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>The <i>BCS</i> incorporates the authority’s Retention Schedule and each class of record is identified as having disposal dates which appear appropriate. This document is reviewed annually. (see element 4).</p> <p>The <i>RMP</i> notes that “retention rules are applied consistently across the Commission’s functions and extends to all records in the organisation”.</p> <p>The majority of the public records of the Commission are managed on the SG eRDMs. The <i>RMP</i> indicates the standard retention schedule, established as part of the SG eRDMs, and used by all SG and non-ministerial bodies, has been adopted. Retention decisions, and in particular the identification of records for permanent preservation, should be determined by the authority which creates the records. The Commission have used the available retention periods appropriate for the their needs. Staff are able to reassess retention and disposal instructions before the final action is taken.</p> <p>The Commission continue to use shared drives for records unable to be transferred to eRDMs due to format compatibility issues. The <i>Records Management Policy</i> confirms “Information held within shared drives is reviewed regularly by the relevant analytical team and deleted from the system when no longer required, ensuring that a record copy is within eRDM.” The Commission confirm that “information is retained within the shared drive only for as long as it is required.” As noted above, copies routinely deleted from the shared drive are irretrievably destroyed from the system under the under the SCOTS arrangements common to all SG clients.</p>
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			<p>The authority does not create or hold paper records and any paper records received from other sources would be scanned into the eRDMS and appropriate retention applied.</p> <p>The Keeper agrees that the Commission has a schedule providing retention decisions for the record types created while pursuing its functions.</p>
<p>6. Destruction Arrangements</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>The Act requires that public records are destroyed in a timely, controlled and secure manner.</p> <p>The Commission acknowledge the requirements of the Act and sets out that “Information and records shall be retained only as long as they are required to support the Scottish Fiscal Commission in its business requirements and legal obligations. At the end of that time, the records will either be destroyed or transferred to the National Records of Scotland for permanent preservation” (<i>Records Management Policy</i>, paragraph 21). The appropriate disposal of records is also listed as one of the principles of this policy.</p> <p>The <i>RMP</i> sets out the arrangements for destruction of electronic records on the eRDMS, records destroyed from back-ups and the processes in place to destroy hardware. These processes are managed through the use of SG eRDM systems and the SG <i>iTECS Standard Terms of Supply</i>, which has been submitted.</p> <p><u>Hardcopy (paper)</u> The authority does not create or hold paper records and any paper records received from other sources would be scanned into the eRDMS and appropriate retention periods applied. The scanned records would then be securely disposed of onsite using shredding facilities.</p> <p>Digital eRDM</p>

			<p>The eRDMs supplies an annual overview of records at the end of their retention period which is provided by the SG Records Management Team. Records are then destroyed once reviewed and approved by the authority.</p> <p><u>Digital shared drives</u> As noted under element 5, “Information held within shared drives is reviewed regularly by the relevant analytical team and deleted from the system when no longer required, ensuring that a record copy is within eRDM.” (<i>Records Management Policy</i>, paragraph 19)</p> <p><u>Hardware</u> The <i>RMP</i> is clear that the disposal of hardware is managed on its behalf by SG iTECS and is carried out, to agreed standards, by a third party contractor. Processes are also in place covering the secure deletion of encrypted data from mobile devices prior to disposal. Evidence of this process, in the form of destruction certificates, would normally be expected. As the authority is a relatively new organisation this may not yet be relevant.</p> <p><u>Back-ups</u> The majority of the Commission’s public records are covered by the back-up feature of the eRDMs. The <i>RMP</i> explains the regular SCOTS system (on which the eRDMs sits) back-up process supplied by iTECS. When information is deleted from a shared drive, it is retained on the SCOTS backup system for one month before being irretrievably deleted (<i>Records Management Policy</i>, paragraph 19). The Keeper can agree that the destruction of digital back-up copies is controlled and understood.</p> <p>The Keeper agrees that the Commission has processes in place to irretrievably destroy their records when appropriate.</p>
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<p>7. Archiving and Transfer</p>	<p><b>A</b></p>	<p><b>G</b></p>	<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 Commission has identified National Records of Scotland (NRS) as the repository for their public records selected for permanent preservation. Discussions are ongoing to finalise a MoU/deposit agreement and emails pertaining to this have been provided separately.</p> <p>NRS is an accredited archive <a href="https://www.nrscotland.gov.uk/news/2015/national-records-of-scotland-receives-archive-accreditation-award">https://www.nrscotland.gov.uk/news/2015/national-records-of-scotland-receives-archive-accreditation-award</a> and fully adheres to the Keeper's Supplementary Guidance on Proper Arrangements for Archiving Public Records: <a href="https://www.nrscotland.gov.uk/files//record-keeping/public-records-act/supplementary-guidance-on-proper-arrangements-for-archiving-public-records.pdf">https://www.nrscotland.gov.uk/files//record-keeping/public-records-act/supplementary-guidance-on-proper-arrangements-for-archiving-public-records.pdf</a>.</p> <p>The <i>RMP</i> notes the Commission currently use the NRS Web Continuity Service to preserve current and past websites, <a href="https://webarchive.nrscotland.gov.uk/*/http://www.fiscalcommission.scot/">https://webarchive.nrscotland.gov.uk/*/http://www.fiscalcommission.scot/</a>. Engagement with this service is commended by the Keeper.</p> <p>An annual review of records that reach the end of their retention period allows for records of enduring value to be identified and decisions to be checked before transfer or disposal.</p> <p><b>The Keeper agrees that the Commission has identified a suitable repository and that appropriate archiving arrangements will be in place once a formal agreement is secured. He can therefore agree this element on an 'Improvement Model' basis. The Commission is currently in discussions with the NRS Client Management Team to finalise arrangements. The Keeper's</b></p>
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			<p><b>requests notification once this process is completed.</b> Updates can be provided as part of the Progress Update Review (PUR) mechanism, <a href="#">Progress Update Reviews   National Records of Scotland (nrscotland.gov.uk)</a>.</p>
<p>8. Information Security</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>The Act requires that public records are held in accordance with information security compliance requirements.</p> <p>The <i>RMP</i> states the “Commission has a number of information security policies, which are approved by either the Commission’s Governance Board or Chief Executive and are subject to regular review. Any changes made are communicated to staff.”</p> <p>This statement is supported by the submission of the <i>Information Security Policy Statement</i> (dated 2016, reviewed and approved by the Audit and Risk Committee and Governance Board in May 2021). The <i>Policy Statement</i> is published on the Commission’s website, <a href="#">Information Security Policy Statement   Scottish Fiscal Commission</a>.</p> <p>The SG SCOTS IT system, used by the Commission, incorporates security systems and these are outlined under section 7 of the submitted <i>iTECS Standard Terms of Supply</i>.</p> <p>Staff are provided with access to the <i>Information Security Policy Statement</i> and associated policies and best practice guidance on information security in the <i>Staff Handbook</i>. Staff training is provided through the SG e-learning portal which staff are directed to in the handbook. This includes a mandatory module on data protection, which is retaken annually; eRDMS and Freedom of Information (FOI). The Keeper commends the authority for this encouraging approach to staff training.</p> <p>The submitted documents explain that the Commission has the following</p>

	<b>G</b>	<b>G</b>	<p>procedures in place to ensure the security of its public records:</p> <p><u>Hardcopy (paper)</u> The Commission does not have paper records, however guidance on the secure storage of physical documents is provided in the <i>Staff Handbook</i>.</p> <p><u>Digital eRDM</u> The eRDMs is covered by the SG security arrangements outlined in the <i>iTECS Standard Terms of Supply</i>.</p> <p><u>Digital shared drives</u> Digital shared drives are kept within SCOTS and subject to the SG security arrangements outlined in the <i>iTECS Standard Terms of Supply</i>.</p> <p>A system for reporting data breaches is in place. The <i>Security Breach Management Policy</i> (dated June 2020), which has been submitted, clearly sets out responsibilities and actions. This is reviewed every two years and is made available to staff in the <i>Staff Handbook</i>. This policy was reviewed and approved by the Governance Board in May 2021.</p> <p>The Keeper can agree that the Commission has procedures in place to appropriately ensure the security of their records as required by the Act.</p>
9. Data Protection	<b>G</b>	<b>G</b>	<p>The Keeper expects a Scottish public authority to manage records involving personal data in compliance with data protection law.</p> <p>The Commission is registered as a data controller with the Information Commissioner’s Office (ICO): <a href="https://ico.org.uk/for-the-public/data-protection/register/">Information Commissioners - Data protection register - entry details (ico.org.uk)</a> and a copy of this registration has been submitted.</p>



			<p>The Keeper has been provided with a copy of the Commission’s <i>Data Protection Policy</i> (version 2.0, dated June 2020). It includes a statement of responsibility demonstrating the authority’s ambition to comply with the law and to safeguard and fair process any personal data held.</p> <p>The <i>Data Protection Policy</i> explains the 6 principles of data protection (pages 4-7).</p> <p>A Data Protection Officer (DPO) is identified in the <i>Data Protection Policy</i> (page 3) as the Head of Strategy, Governance and Corporate Services. The Governance Manager (see element 2) reports directly to the Head of Strategy, Governance and Corporate Services.</p> <p>The <i>Data Protection Policy</i> (page 3) acknowledges there is a process in place to deal with Subject Access Requests (SARs) and that these should be directed to the DPO.</p> <p>A <i>FoI, EIR and Data Protection, Publication Scheme Privacy Notice</i> (dated November 2019) has also been submitted. It is published on the Commission’s website, <a href="#">FoI, EIR, Data Protection, Publication Scheme and Privacy Notice   Scottish Fiscal Commission</a>. A <i>Privacy Policy</i> is also published on the Commission’s website, <a href="#">Privacy Policy   Scottish Fiscal Commission</a>.</p> <p>The <i>Privacy Notice</i> acknowledges that the public can make and SAR using a Subject Access Request Form. This form is available on the Commission’s website, <a href="http://www.fiscalcommission.scot/wp-content/uploads/2021/06/Scottish-Fiscal-Commission-Subject-Access-Request-Form.pdf">www.fiscalcommission.scot/wp-content/uploads/2021/06/Scottish-Fiscal-Commission-Subject-Access-Request-Form.pdf</a>.</p> <p>Staff guidance and training is made available through the SG/Civil Service e-learning modules on <i>data protection</i> and <i>responsible for information</i>, screenshots have been submitted. The <i>Staff Handbook</i> includes the <i>Data Protection Policy</i> and</p>
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			<p>provides links to other supporting policies and procedures, including the <i>Information Security Policy</i> and <i>Security Breach Management Policy</i>.</p> <p>The Keeper can agree that the Commission has arrangements in place that allow them to properly comply with data protection legislation.</p>
<p>10. Business Continuity and Vital Records</p>	<p><b>G</b></p>	<p><b>G</b></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 Commission has supplied in evidence the current operational <i>Business Continuity Plan (BCP)</i> (dated June 2019, revised March 2020 and updated every two years). <i>Minutes of the Governance Board</i> (dated June 2019) have been submitted as evidence of its authorisation. The Commission have confirmed separately that this policy was reviewed and approved by the Governance Board in May 2021.</p> <p>The <i>Business Continuity Plan</i> (page 2) identifies the Chief Executive (named at element 1) as the owner of the plan. Responsibility for maintaining it is delegated to the Head of Strategy, Governance and Corporate Services (Governance Manager named at element 2 reports directly to the Head of Strategy, Governance and Corporate Services).</p> <p>The <i>RMP</i> is clear that the Commission do not feel it necessary to specifically identify vital records.</p> <p>The <i>Business Continuity Plan</i> is clear that the Commission's electronic records are managed on the eRDM system, which sits on the SG SCOTS IT system, and provides details of the backup and recovery processes in place. These are in place under the iTECS Standard Terms of Supply (see element 6) and in the event of an incident affecting SCOTS Connect Services the iTECS Business Continuity Plan</p>

			<p>may be invoked (<i>BCP</i>, page 4). The Keeper agrees there is provision in place to backup records on the eRDMs and enable recovery in the event of any disruption.</p> <p>The <i>Business Continuity Plan</i> (page 3) notes an action “Saving backup version of SEFF during forecast period”. This relates to records held on shared drives, due to format incompatibility, and which are saved to the eRDMs at set intervals (see element 4). Digital shared drives are kept within the SG SCOTS IT system and are subject to the same back up arrangements noted above.</p> <p>Staff can access business continuity information in the <i>Staff Handbook</i> which contains a link to the Covid-19 Business Continuity Plan.</p> <p>The Commission has an approved and operational business continuity process and information management and records recovery properly feature in the authority’s plans.</p>
11. Audit trail	<b>G</b>	<b>G</b>	<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 <i>RMP</i> is clear the Commission creates and manages all of its public records on the SG eRDMs, Objective, which provides it with immediate access to a full audit trail recording access to all Commission files and their content.</p> <p><u>Digital eRDM</u>  An <i>eRDM Functionality Handbook</i> detailing audit and searching function has been submitted, along with an <i>Audit Trail screenshot</i>. Automatic version control is in place in Objective which, “allows the Organisation to maintain a single source of truth on documents and records, whereby avoiding duplication or copies.” (<i>eRDM Functionality Handbook</i>, introduction)</p>

			<p><u>Hardcopy (paper)</u> The Commission do not have paper records. If any paper records are received by them they would be scanned and saved on the eRDMs. (see element 6)</p> <p><u>Digital shared drives</u> Public records held on shared drives are saved at set periods and saved on the eRDMs (see element 4).</p> <p>The Commission provide details of their <i>eRDM Naming Convention guidelines</i> as an appendix to the <i>Records Management Policy</i>, which has been provided to the Keeper (see element 3). These guidelines are used for all records, including those stored on shared drives.</p> <p>The Commission's <i>Records Management Policy</i> commits it to following the standard eRDM naming convention and ensuring all staff follow this.</p> <p>The <i>RMP</i> compliance statement also makes it clear that all staff are required to complete eRDMs training before being given access to the system, to ensure they are familiar with their obligations. An <i>eRDM Information Management Training document</i> has been submitted.</p> <p>The Keeper agrees the Commission has procedures in place that will allow them to locate their records and assure themselves that the located record is the correct version.</p>
<p>12. Competency Framework for records management</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>The Keeper expects staff creating, or otherwise processing records, to be appropriately trained and supported.</p> <p>The <i>RMP</i> confirms the Governance Manager's (named at element 2) participation in the PRSA network and attendance at PRSA events. Evidence of attendance at</p>

<p>staff</p>			<p>these events has been submitted. The Chief Executive <i>Covering Letter</i> confirms the “the Governance Manager is able to access training required to ensure that the Commission’s responsibilities and duties in relation to record keeping and archiving are met...” <b>In addition, the Governance Manager is booked on the Practitioner Certificate in Scottish Public Sector Records Management. The <i>Booking Form</i> for this course has been submitted. The Keeper commends the authority for undertaking this training and would be pleased to be informed when this training has been completed. Updates such as this can be communicated through the PUR mechanism.</b></p> <p>Two Information Management Support Officers (IMSOs) support the Governance Manager with file creation and the monitoring of the eRDMs. The IMSOs have access to the <i>eRDM IMSO Information Handbook</i>, which has been submitted. The Commission’s <i>Records Management Policy</i> (paragraph 23) states “All Scottish Fiscal Commission staff receive training so they are aware of their responsibilities as individuals with respect to record keeping and management and to ensure they are competent to carry out their designated duties.”</p> <p>The <i>RMP</i> compliance statement and evidence submitted is valuable in addressing the Governance Manager’s participation in and access to training. IMSO responsibilities and training are also noted. Staff training, including mandatory SG training for eRDM, data protection and Freedom of Information (FOI), is referenced under elements 8 and 9.</p> <p>The <i>Staff Handbook</i> provides access to several information governance policies and guidance (see elements 3, 8, 9 and 10) and contains an eRDM and records management section</p> <p>The Keeper agrees the individual identified at element 2 is appropriately trained and has access to necessary training opportunities to support the outlined</p>
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			<p>responsibilities of the post. He also agrees that the Commission consider information governance training for staff as required.</p>
<p>13. Assessment and Review</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>Section 1(5)(i)(a) of the Act says that an authority must keep its RMP under review.</p> <p>The <i>RMP</i> is to be reviewed annually (<i>Letter from the Chief Executive</i>, dated August 2021). This review will be carried out by the Governance Manager (see element 2).</p> <p>Information governance policies and procedures are regularly reviewed and approved by either the Commission’s Governance Board or Chief Executive. Review dates are recorded on document control sheets and in the submitted <i>Summary of Corporate Policies and Statutory Reporting</i>, which also includes frequency of review information:</p> <ul style="list-style-type: none"> <li>• The <i>Records Management Policy</i> is reviewed annually and is due for review in July 2022.</li> <li>• The <i>Business Classification Scheme</i> is reviewed annually</li> <li>• The <i>Information Security and Security Breach Management policies</i>, and the <i>Business Continuity Plan</i> are all reviewed every two years and were approved on 25 May 2021. They are next due for review in 2023.</li> <li>• The <i>Data Protection Policy and Privacy Notice</i> are due for review in November 2021.</li> </ul> <p>It is clear there is a review schedule in place for the <i>RMP</i> and supporting policies and procedures, and that the Governance Manager has responsibility for review. The Keeper has been provided with a <i>Letter from the Chief Executive</i> (dated August 2021) which further supports this and explains that the Commission’s internal auditors will be involved with the first annual review. Thereafter, the internal auditors will have the chance to provide input through the Audit and Risk Committee when the <i>RMP</i> is reviewed annually. It also confirms the <i>RMP</i> will be formally put to the</p>

			<p>Audit and Risk Committee in November 2021. Minutes of this meeting will be published on the Commission’s website once approved.</p> <p>A commitment to engaging with the National Records of Scotland voluntary review process, Progress Update Review (PUR) is made in the <i>RMP</i> and <i>Letter from the Chief Executive</i>. This is to be commended. It should be noted that the PUR process does not specify how reviews are to be carried out but acts as a reporting mechanism for authorities to highlight changes and progress.</p> <p>The Keeper agrees that the Commission is committed to keeping the RMP under review and has a schedule in place for this and the review of information governance policies and procedures.</p>
<p>14. Shared Information</p>	<p><b>G</b></p>	<p><b>G</b></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>The Commission shares information with the SG and this relationship is outlined in the <i>Framework Document between Scottish Fiscal Commission, Scottish Ministers and Scottish Parliament</i> (dated June 2019) and processes are detailed in the <i>Protocol with Scottish Government</i> (version 3.0, published September 2019), both submitted to the Keeper. The <i>Protocol</i> was agreed to by both bodies “with a view to increasing the transparency of interactions between the Commission and the Scottish Government during the forecasting, assessment and reporting processes” (<i>Framework</i>, paragraph 8.2).</p> <p>Information sharing with the SG is achieved through permissions under the eRDMS, Objective, restricting access to named individuals for a fixed period of time only. The Commission has provided copies of <i>MoUs</i> in place with HM Revenue and</p>

			<p>Customs, Revenue Scotland, the Department of Work and Pensions and the Office for Budget Responsibility as evidence of the arrangements in place.</p> <p><i>A Statement of Voluntary Compliance with the Code of Practice for Official Statistics</i> has been submitted as additional evidence. While Commission does not produce statistics it adheres to the Code of Practice.</p> <p>The Keeper can agree that the Commission properly considers records governance when undertaking information sharing programmes.</p>
<p>15. Public records created or held by third parties</p>	<p><b>N/A</b></p>	<p><b>N/A</b></p>	<p>The Act expects a public authority to ensure that adequate arrangements are in place for the management of records created and held by third parties who carry out any functions of the authority.</p> <p>The Scottish Fiscal Commission is clear under its plan, authorised by the CEO and SIRO, that no public records are created or held by third parties on behalf of the Commission.</p> <p>The Keeper agrees that this element does not apply to this authority.</p>



Assessment Sheet

## Scottish Fiscal Commission

### General Notes on submission:

This assessment is on the Scottish Fiscal Commissions Records Management Plan (the RMP) submitted to the Keeper for his agreement on 31 July 2020. This assessed RMP is version 1.1 and was approved on 29 July 2020. The RMP was prepared by the Governance Manager (see element 2) and approved by the Chief Executive and SIRO (see element 1).

The authority states it recognises that records are 'an important public asset and are a key resource in the effective operation, policy making and accountability of the Commission' (Records Management Policy, page 2 - see element 3). The Keeper commends this recognition.

The Records Management Policy 'applies to all records created, received or maintained by Scottish Fiscal Commission staff in the course of carrying out their functions.' (page 2)

The RMP mentions the Act and covers all elements set out in the Keeper's, 15 element, Model Plan <http://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources/model-records-management-plan>. Element 15 of the RMP clearly states 'no public records are created or held by third parties on behalf of the Scottish Fiscal Commission'.

### Key Group

The Governance Manager, who is part of the Strategy, Governance and Corporate Services Team, is responsible for development of records management practice, promoting compliance with the Commission's Records Management Policy and advising on policy and best practice. Reporting to the SIRO is done via the Head of Strategy, Governance and Corporate Services.

## 6. Keeper's Summary

Elements **1 to 15** that the Keeper considers should be in a public authority records management plan have been properly considered by **the Scottish Fiscal Commission**. Policies and governance structures are in place to implement the actions required by the plan.

Elements that require development by **the Scottish Fiscal Commission** are as follows:

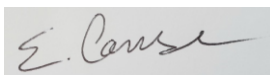
Element 7 - Archiving and Transfer

## 7. Keeper's Determination

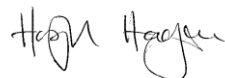
Based on the assessment process detailed above, the Keeper agrees the RMP of **the Scottish Fiscal Commission**.

- The Keeper recommends that the Scottish Fiscal Commission 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,



**Liz Course**  
Public Records Officer



**Hugh Hagan**  
Senior 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 ***the Scottish Fiscal Commission***. In agreeing this RMP, the Keeper expects ***the Scottish Fiscal Commission*** to fully implement the agreed RMP and meet its obligations under the Act.



**Paul Lowe**

Keeper of the Records of Scotland