LEADERSHIP GROUP

The Public Records (Scotland) Act 2011: update on implementation

Executive summary

1. The Public Records (Scotland) Act (PRSA) is due to come into force in January 2013 and introduces an obligation on named public authorities, including the Scottish Parliament, the Scottish Parliamentary Corporate Body and the Scottish Commission for Public Audit (SCPA), to produce and implement a records management plan (RMP). It is seen as a means of improving public services through better management of public records and the information those records contain.

2. The Keeper of the Records of Scotland will make available a Model RMP and guidance for public authorities to assist with the development of RMP’s. Our RMP will have to be submitted to, and approved by the Keeper. The RMP will need to satisfy 15 elements and will need to state how and when we will look after, keep and dispose of our records. The timetable for submission is currently unknown.

3. A culture of improvement in record keeping is fundamental to the spirit of the Act – a public body is not expected to be fully mature by the date of implementation, although each body will be required to demonstrate progress towards full maturity – complete compliance with the FOISA code of practice on records management and the PRSA.

Model Records Management Plan

4. The Keeper is statutorily obliged under the terms of the Act to publish a Model RMP to assist authorities when preparing their own RMP for submission to the Keeper for agreement as required by the Act. The Model RMP should be read in conjunction with the guidance made available. Guidance will draw on existing good practice as much as possible to avoid the need to duplicate or generate new guidance.

5. The Model RMP currently consists of 15 elements that the Keeper would expect public authorities to consider when creating an RMP – consultation is on-going which may impact the final version. The Parliament and SCPA are represented on a stakeholder forum by the Information Manager from SPICe.

6. Annex A provides detail concerning the 15 elements of the RMP and information regarding our initiatives.

Issues and Options

7. Previous records management activities have ensured that we are in a strong position to develop and implement an RMP, although the implementation efforts, particularly for elements four and fifteen, should not be underestimated. The Information Manager has been improving records management in accordance with a records management maturity model, previously approved by LG, which broadly meets the requirements of the
Model RMP and may be sufficient enough in its current form to be submitted to the Keeper as our RMP.

8. Future RM phases of the RM project will continue to develop our RM capability and will ensure progression that will satisfy our RMP.

Resource Implications

9. There are no immediate additional resource implications of the PRSA being implemented. All work required to comply with the Act, has already been captured in our road map and further resource requirements for future phases of the RM project will be scoped and presented to Leadership Group as and when this work is required.

Dependencies

10. The Model RMP elements may be subject to change following a consultation period.

Governance issues

11. Governance issues have been considered and appropriate action will be taken as and when additional RM project activities are scoped.

Publication Scheme

12. This paper should be published in line with the SPCB’s Publication Scheme. Annex A should not be published as it contains information which is considered exempt under the Freedom of Information (Scotland) Act 2002.

Next steps

13. Future work to improve our RM maturity will be scoped by the Information Manager and presented to Leadership Group for approval. All future activities will be developed in line with the requirements of the RMP.

Decision

14. Leadership Group is asked to note the requirements of the Public Records (Scotland) Act 2011 and subsequent activities required in order to satisfy our obligations under the Act.

SPICe
December 2011