

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

### **South East of Scotland Transport Partnership (SEStran)**

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

**14<sup>th</sup> July 2017**

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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 South East of Scotland Transport Partnership by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 30<sup>th</sup> January 2017.

The assessment considered whether the RMP of the South East of Scotland Transport Partnership was developed with proper regard to the 14 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 South East of Scotland Transport Partnership complies with the Act can be found under section 7 of this report with relevant recommendations.

## 3. Authority Background

Before December 2005, SEStran was a voluntary partnership of local authorities formed to identify, develop, implement and monitor matters of "mutual transport interest". On becoming a statutory body, under the Transport (Scotland) Act 2005, SEStran was given the task of producing a Regional Transport Strategy for South East Scotland. SEStran is one of 7 Regional Transport Partnerships in Scotland. The partnership area includes 8 local authorities, within an area of 3,180sq miles and is home to 28% of Scotland's population. The local authorities are; Borders, East Lothian, West Lothian and Midlothian, Edinburgh, Fife, Falkirk and Clackmannanshire. The Scottish Government has published guidance on Regional Transport. Paragraph 112 of the Guidance requires the preparation of an annual delivery or business plan to be submitted to Scottish Ministers. SEStran's current business plan can be accessed on their website:

<http://www.sestran.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 the South East of Scotland Transport Partnership’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:

<b>G</b>	The Keeper agrees this element of an authority’s plan.		<b>A</b>	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.		<b>R</b>	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 <i>Compulsory element</i>	<b>G</b>	<b>G</b>	<p>South East of Scotland Transport Partnership (SEStran) have identified George Eckton, Partnership Director, as the individual with overall responsibility for records management in the authority.</p> <p>This is confirmed by a letter from the Partnership Director himself to the Keeper of the Records of Scotland (the Keeper) which accompanies the <i>Records Management Plan</i> (the <i>Plan</i>). It is also stated in the <i>Records Management Policy</i> (<b>see element 3</b>) at sections 3.1, 3.3 and 4.2. and <i>Records Management Guidance</i> document (section 3.1) (<b>also element 3</b>).</p> <p>The Partnership Director is SEStran’s ‘data owner’ and responsible for data protection in the authority (<b>see element 9</b>).</p> <p>The Partnership Director is responsible for information security in the authority (<b>see element 8</b>).</p> <p>The Partnership Director ‘owns’ the <i>Plan</i>, the <i>Records Management Policy</i>, the <i>Records Management Guidance</i> (<b>see element 3</b>) and the <i>Information Security Policy</i> (<b>see element 8</b>). He specifically endorses the <i>Plan</i> and the improvement processes it explains (<i>Plan</i> page 5).</p> <p>The Partnership Director and Business Manager are responsible for reviewing information governance policies (<b>see element 13</b>).</p>

			<p>The Keeper agrees that SEStran have identified an appropriate individual to this role as required by the Public Records (Scotland) Act 2011 (the Act).</p>
<p>2. Records Manager <i>Compulsory element</i></p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>SEStran have identified Angela Chambers, Business Manager, as the individual with day-to-day responsibility for implementing the <i>Plan</i>.</p> <p>This is confirmed by a letter from the Partnership Director to the Keeper which accompanies the <i>Plan</i>, by the <i>Records Management Policy</i> (<b>see element 3</b>) at section 3.4. and by the <i>Records Management Guidance</i> document (section 3.2) (<b>also element 3</b>).</p> <p>The Business Manager is the author of the <i>Plan</i>, the <i>Records Management Policy</i>, the <i>Records Management Guidance</i> (<b>see element 3</b>) and the <i>Information Security Policy</i> (<b>see element 8</b>).</p> <p>SEStran have supplied the <i>Job Description of the Business Manager</i> which supports her responsibility for public records in the authority (<b>see element 12</b>).</p> <p>The Business Manager is responsible for the SEStran archive (<i>Records Management Policy</i> section 3.5) (<b>see element 7</b>).</p> <p>The Business Manager is responsible for ensuring staff use the SEStran network securely.</p> <p>The Business Manager and Partnership Director are responsible for reviewing information governance policies (<b>see element 13</b>).</p> <p>The Business Manager is responsible for responding to queries regarding data protection and to subject access requests (<b>see element 9</b>).</p>

			<p>All the above suggests that Ms. Chambers has a thorough understanding of the information governance provision in SEStran.</p> <p>The Keeper agrees that SEStran have identified an appropriate individual to this role as required by the Act.</p>
<p>3. Policy <i>Compulsory element</i></p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>SEStran have a <i>Records Management Policy</i> which has been submitted to the Keeper in evidence. This is version 1.1 dated Jan 2017 (approved by the Partnership Board in Dec 2016). A minute of approval has been provided.</p> <p>The <i>Records Management Policy</i> is publically available at <a href="http://www.sestran.gov.uk/files/2016_01_31_SEStran_Records_Management_Policy_v1.1.pdf">http://www.sestran.gov.uk/files/2016_01_31_SEStran_Records_Management_Policy_v1.1.pdf</a></p> <p>The Keeper commends the principle of public authorities publishing the <i>Records Management Policy</i> online.</p> <p>The <i>Records Management Policy</i> explains the purpose of robust records management.</p> <p>The <i>Records Management Policy</i> specifically mentions compliance with the Act.</p> <p>The <i>Records Management Policy</i> is ‘owned’ by the Partnership Director (<b>see element 1</b>).</p> <p>The Keeper agrees that the <i>Plan</i> supports the aims of the <i>Policy</i>.</p> <p>The <i>Records Management Policy</i> is supported by a <i>Records Management Guidance</i> document which has also been supplied to the Keeper. This is also version 1.1 dated Jan 2017 (approved by the Partnership Board in Dec 2016). SEStran have provided the Keeper with a screen-shot showing that staff can access</p>

			<p>this guidance.</p> <p>The <i>Records Management Guidance</i> specifically mentions the Public Records (Scotland) Act 2011.</p> <p>The Keeper agrees that SPT have a records management policy statement as required by the Act.</p>
<p>4. Business Classification</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>The <i>Records Management Policy</i> (<b>see element 3</b>) requires that “Records will be created, maintained and retained in order to provide information about and evidence of SEStran’s transactions and activities. Retention schedules will govern the period of time that records will be retained.” (<i>Records Management Policy</i> section 1.2).</p> <p>With this in mind SEStran have a <i>Business Classification System</i> including retention decisions. This has been supplied to the Keeper. A sample entry would be: Projects/Project Files (non -European funded)/Termination + 6 years.</p> <p>The SEStran <i>Business Classification Scheme</i> is arranged by function rather than office structure. This must remain a business decision for SEStran. However, the Keeper acknowledges that a <u>functional</u> arrangement, such as that demonstrated here, is currently considered best practice.</p> <p>SEStran have also shared their, more detailed <i>Full File Index</i>, which provides some idea of the file-level content which sits underneath the main <i>Business Classification Scheme/Retention Schedule</i>.</p> <p>SEStran operate a hybrid system with electronic and hard-copy records.</p> <p>The Plan notes that an upgrade of the authority’s IT system is underway and a new electronic filing structure will be imposed. SEStran note that the new system will be</p>

			<p>based on the <i>Business Classification</i> that has been provided to the Keeper with the <i>Plan</i>. The Keeper wishes to acknowledge that SEStran have provided him with an update on this project since submission of their <i>Plan</i>.</p> <p>The <i>Plan</i> states that “The Business Classification Scheme will be monitored and reviewed to ensure all functions are represented. This is the responsibility of the Business Manager <b>(see element 2)</b>.”</p> <p>The <i>Information Security Policy</i> <b>(see element 8)</b> contains a section on e-mail usage (section 16). The Keeper welcomes the acknowledgement that e-mail presents particular risks to organisations information governance.</p> <p>The Keeper agrees that SEStran have a business classification scheme (combined with retention schedule) that features the activities expected of a transport partnership.</p>
<p>5. Retention schedule</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>Combined <i>Business Classification Scheme</i> and <i>Retention Schedule</i>. <b>See Element 4.</b></p> <p>SEStran retention decisions have been mapped to those used by Local Government Partner Authorities and demanded by EU Project rules. Furthermore the <i>Plan</i> states (section 5.2) “Retention periods have been mapped to the Business Classification scheme which also draws on the Scottish Council on Archives Records and Retention Schedules (SCARRS).”</p> <p>SEStran have supplied a <i>Statement of Compliance</i> signed by Mr Eckton (27<sup>th</sup> January 2017) <b>(see element 1)</b> in which they commit to ensuring records are “destroyed or preserved in accordance with SEStran’s retention &amp; disposal schedule.”</p>

			<p>The adoption of record retention periods complies with the <i>Records Management Policy</i> (section 1.2) (<b>see element 3</b>).</p> <p>The Records (Business) Manager (<b>see element 2</b>) is responsible for ensuring retention decisions are allocated effectively and reviewed and revised when appropriate.</p> <p>The Keeper agrees that SEStran have allocated retention decisions to the record types indicated in the <i>Business Classification Scheme</i>.</p>
<p>6. Destruction Arrangements <i>Compulsory element</i></p>	<p><b>A</b></p>	<p><b>G</b></p>	<p>SEStran have supplied a <i>Statement of Compliance</i> signed by Mr Eckton (27<sup>th</sup> January 2017) (<b>see element 1</b>) in which they commit to ensuring records are “destroyed or preserved in accordance with SEStran’s retention &amp; disposal schedule.”</p> <p>With this in mind, SEStran have the following destruction procedures in place:</p> <p><u>Paper (internal)</u>: Paper records are destroyed in-house or under contract with a third party shredding company. This is confirmed by the Information Security Policy (section 24) (<b>see element 8</b>). A contract, proving that these arrangements are operational, has been supplied as evidence.</p> <p><u>Paper (external)</u>: There is no indication that The Partnership holds records with a third party storage supplier.</p> <p><u>Electronic</u>: The <i>Plan</i> states that SEStran have future plans as follows: “As part of the IT upgrade, mailbox storage will be reviewed and limits set to encourage regular housekeeping of email and working files. A protocol will be developed and issued to staff. To complete the deletion of time expired documents from the shared drive in line with the Retention Schedule prior to implementation of the new electronic file</p>

			<p>structure migration..” The Partnership states: “Managing Records and Documents issued to staff. Staff are undertaking mailbox housekeeping before limits are applied. Completion target September 2017.”</p> <p>Hardware: The <i>Information Security Policy</i> requires that SEStran must ensure that “storage media should be disposed of only after reliable precautions to destroy the data have been taken” (IS Policy section 22). Hardware is destroyed under contract with a third party destruction company. Disposal of hardware is arranged through the business manager (<b>see element 2</b>). A Destruction Certificate proving that these arrangements are operational, has been supplied as evidence.</p> <p>Back-ups: SEStran quite properly take back-ups of records for business continuity purposes. This is confirmed in the <i>Information Security Policy</i> section 21. and in the <i>Business Continuity Plan</i> (section 1.9) (see element 10) The <i>Records Management Plan</i> (section 10.3) explains how long back-up copies of records remain available. Destruction arrangements will be subject to annual review by the Business Manager (<b>see element 2</b>).</p> <p>The <i>Information Security Policy</i> contains a section on e-mail usage (section 16). The Keeper welcomes the acknowledgement that e-mail presents particular risks to organisations information governance.</p> <p><b>The Keeper agrees this element of SEStran’s Records Management Plan on improvement model terms. This means that an authority has identified a gap in their records management provision (in this case that electronic records and e-mails are not yet destroyed at the end of their retention period to the satisfaction of the authority), but have put processes in place to close that gap. The Keeper’s agreement is conditional on his being updated as the project is progressed. He acknowledges that an update has been supplied during the assessment process and is content that progress on this element</b></p>
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			<p><b>is proceeding satisfactorily.</b></p>
<p>7. Archiving and Transfer <i>Compulsory element</i></p>	<p><b>A</b></p>	<p><b>G</b></p>	<p>The <i>Records Management Guidance</i> document (<b>see element 3</b>) acknowledges that records “establish an organisational identity and maintain a corporate memory”.</p> <p>To promote this principle, SEStran have identified City of Edinburgh Archives as the ‘proper repository’ for records selected for permanent preservation. <a href="http://www.edinburgh.gov.uk/info/20249/edinburgh_city_archives">http://www.edinburgh.gov.uk/info/20249/edinburgh_city_archives</a></p> <p>SEStran have supplied evidence that archiving arrangements are being discussed with City of Edinburgh Archives and the <i>Plan</i> states (page 11) that a formal memorandum of understanding will be created. The Partnership state “MOU has just been finalised and will be signed July 2017.” <b>The Keeper needs sight of this document before he can fully agree this element.</b></p> <p>The permanent archiving of selected records complies with the <i>Records Management Policy</i> (section 1.3) (<b>see element 3</b>).</p> <p>The Business Manager is responsible for the SEStran archive (<i>Records Management Policy</i> section 3.5) and therefore liaison with City of Edinburgh Archives (<b>see element 2</b>).</p> <p><b>The Keeper agrees this element of SEStran’s <i>Records Management Plan</i> under ‘improvement model’ terms. This means that he acknowledges that the authority has identified a gap in provision (there is no formal transfer agreement with the archive) and have put processes in place to close that gap. The Keeper’s agreement is conditional on his PRSA Assessment Team being provided with a copy of the signed MOU when available.</b></p>

<p>8. Information Security <i>Compulsory element</i></p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>SEStran have an <i>Information Security Policy</i> which has been provided to the Keeper. This is version 1.1 approved by the Partnership Board in December 2016.</p> <p>The Policy is supported by a suite of other security documents and guidance such as the <i>SEStran Home Working Policy</i> and <i>ICT Policy</i>. These have also been provided to the Keeper. At the time of submission the <i>ICT Policy</i> was being updated. Subsequently SEStran have stated: “Following review, the Business Manager and Partnership Director agreed that the Info Security Policy was robust and covered the main contents of the ICT Policy. The ICT policy has been replaced with Information Security Policy, Social Media Acceptable Use Policy and Draft Mobile Device Usage Policy. These have been supplied to the Keeper.”</p> <p>The <i>Information Security Policy</i> specifically mentions data protection responsibilities <b>(see element 9)</b>.</p> <p>Information security training will be provided for all staff (IS Policy section 8) and a signed acknowledgement submitted by staff on completion of this training(sample provided).</p> <p>Staff should report security breaches to the Partnership Director <b>(see element 1)</b>.</p> <p>The <i>Information Security Policy</i> includes details of the physical security of SEStran’s offices and equipment (section 24).</p> <p>The <i>Information Security Policy</i> (section 8) requires managers to “ensure that all staff have access to ...this Information Security Policy”. SEStran have supplied an e-mail to all staff requiring them to read and acknowledge the <i>Information Security Policy</i>. The Keeper accepts this as evidence that staff can access the <i>Policy</i> when required.</p>
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			The Keeper agrees that SEStran have current arrangements in place to ensure that records are held securely as required by the Act.
9. Data Protection	<b>G</b>	<b>G</b>	<p>SEStran have a <i>Data Protection Policy</i> which has been supplied to the Keeper. This is the version dated September 2015.</p> <p>It is available online at <a href="http://www.sestran.gov.uk/wp-content/.../SEStran_Data_Protection_Policy_Sept_2015.doc">www.sestran.gov.uk/wp-content/.../SEStran_Data_Protection_Policy_Sept_2015.doc</a></p> <p>The <i>Data Protection Policy</i> explains the (current) 8 principles of data protection.</p> <p>The <i>Data Protection Policy</i> explains the subject access procedures in the authority.</p> <p>SEStran are registered with the ICO: Z9382423</p> <p>SEStran note in the <i>Plan</i> (page 4) that they hold “minimal personal or other sensitive data and most of our key records are routinely published.” <b>The Keeper accepts this, but reminds SEStran that records relating to their own employees must be managed with the Data Protection Act 1998 in mind.</b></p> <p>SEStran’s <i>Records Management Guidance</i> document specifically mentions the Data Protection Act 1998.</p> <p>The Keeper agrees that SEStran have properly considered their responsibilities under the Data Protection Act 1998.</p>
10. Business Continuity and Vital	<b>G</b>	<b>G</b>	SEStran make the following statements in the Plan (section 10.1 and 10.2): “SEStran has a business continuity plan to be used in the event of any disaster or incident, to ensure that key systems and services can be recovered as soon as

Records			<p>possible. The scope of the plan applies to the organisation as a whole.”</p> <p>“Reference to records management arrangements, in particular vital IT applications and systems, has been included in the plan and the Information Security Policy.”</p> <p>SEStran have provided the Keeper with their <i>Business Continuity Management Plan</i>. This is the version dated September 2016 and signed by both the Partnership Director (<b>see element 1</b>) and the Business Manager (<b>see element 2</b>). The Keeper agrees that this plan includes the recovery of records, ‘data’, in an emergency.</p> <p>The Keeper has been provided with a screen-shot of the SEStran team intranet site showing that staff can access the business continuity arrangements.</p> <p>SEStran stores all vital records electronically and recovers these under the terms of the <i>Business Continuity Management Plan</i>.</p> <p>The Keeper agrees that SEStran has procedures in place for the recovery of records in the event of a ‘disaster’.</p>
11. Audit trail	<b>G</b>	<b>G</b>	<p>The <i>Records Management Policy</i> (<b>see element 3</b>) defines a record as follows: “it can be accessed (it is possible to discover, locate and access the information, and present it in a way that is true to the original presentation of the information).” This is confirmed in the <i>Records Management Guidance</i> document (section 2.2). SEStran have also supplied a <i>Statement of Compliance</i> signed by Mr Eckton (27<sup>th</sup> January 2017) (<b>see element 1</b>) in which they commit to ensuring records are “accessible to users and that the appropriate technical, organisational and human resource elements exist to make this possible.”</p> <p>Therefore, it is vital that SEStran are able to track records and correctly identify the version of any record they locate.</p>

			<p>To this end SEStran have imposed version control and document naming conventions for electronic records. Documents are ‘published’ by conversion to PDF. Hard-copy records are tracked to a filing index system.</p> <p>The Keeper has been provided with “Formal guidelines on naming conventions, in line with business classification, and document control are being drafted and will be issued to staff by March 2017.”</p> <p>The Business Manager (<b>see element 2</b>) is responsible for monitoring tracking arrangements.</p> <p>The Keeper agrees that SEStran have procedures in place to adequately track records and identify the correct version when located.</p>
<p>12. Competency Framework for records management staff</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>SEStran have provided the <i>SEStran Business Manager Job Description (see element 2)</i> which shows her responsibility to “Ensure appropriate records management and information governance is undertaken in a responsible manner for SEStran” and “The postholder will be the Records Manager for SEStran for the purposes of the Public Records (Scotland) Act.”</p> <p>The Keeper accepts that in an organisation of the size of the SEStran it would not be necessary (or practical) to have a full-time records manager.</p> <p>The Business Manager’s performance review for 2016 has been provided. This also confirms her responsibility for the <i>Plan</i> and for information governance issues in the authority.</p> <p>SEStran have also supplied training certificates as evidence that the Business Manager has access to information governance training when required. The Keeper</p>

			<p>thanks Ms. Chambers for sharing these documents.</p> <p>The <i>Plan</i> (page 16) makes the following commitment: “All staff responsible for operational records management will be afforded the opportunity to attend any relevant courses, seminars or conferences as and when required.” The Keeper strongly commends this commitment.</p> <p>The <i>Data Protection Policy</i> (<b>see element 9</b>) commits SEStran to ensuring that “everyone managing and handling personal data is appropriately trained to do so.” (<i>DP Policy</i> section 9). This is confirmed in the <i>Plan</i>.</p> <p>The <i>Information Security Policy</i> (<b>see element 8</b>) commits SEStran to provide information security training as part of employee induction (<i>IS Policy</i> section 4).</p> <p>To this end “The Partnership Director has made a commitment to provide training to all staff on Information Security Awareness, Data Protection, Records Management and Social Media.” (<i>Plan</i> page 12. Information governance and social media training confirmation submitted as evidence).</p> <p>The <i>Plan</i> states (section 12.1) “SEStran will provide appropriate training and development support to ensure all staff are aware of their records management responsibilities.”</p> <p>Staff training in records management complies with the <i>Records Management Policy</i> (section 1.4) and <i>Guidance</i> (3.3)(<b>see element 3</b>). It is assumed that this records management training will include version control/document naming instructions (<i>Plan</i> page 15).</p> <p>SEStran have indicated that they are developing an in-house training day for all staff (<i>Plan</i> page 10). It is proposed that relevant aspects of this training will be carried</p>
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			<p>over to the induction programme for new starts.</p> <p>Staff are alerted to information governance policy updates by direct e-mail. A sample (Information Security Policy) has been provided.</p> <p>The Keeper agrees that the individual identified at element 2 has the appropriate responsibilities to implement the <i>Plan</i> and that there is clear accessibility to relevant training for this officer. Furthermore he agrees that information governance training is made available to appropriate staff.</p>
<p>13. Assessment and Review</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>The Act requires a scheduled public authority to “keep its records management plan under review” (part 1 5.1 (a)).</p> <p>The Control sheet of the <i>Plan</i> indicates that it will be reviewed annually (first review December 2017). Any change to be approved by SEStran’s Performance and Audit Committee.</p> <p>The Business Manager and Partnership Director are responsible for reviewing the <i>Plan</i> (<b>see elements 1 and 2</b>).</p> <p>The review will form part of the internal audit cycle for the authority and minutes have been provided as evidence of this.</p> <p>The assessment and review process is endorsed specifically in a covering letter from the Partnership Director (<b>see element 1</b>). Furthermore SEStran have also supplied a <i>Statement of Compliance</i> signed by Mr Eckton (27<sup>th</sup> January 2017) in which SEStran commit to ensure regular assessment of the effectiveness of the <i>Plan</i>.</p> <p>The Business Manager and Partnership Director are also responsible for reviewing all other information governance policies:</p>

			<p>The <i>Business Continuity Management Plan</i> (<b>see element 10</b>) is due for review by September 2017.</p> <p>The <i>Records Management Policy</i> (<b>see element 3</b>), the <i>Information Security Policy</i> (<b>see element 8</b>) and the <i>Records Management Guidance</i> (<b>see element 3</b>) are due for review by December 2017.</p> <p>The retention decisions on all record types are also due for review in December 2017. <b>The Keeper request that he is informed of any changes resulting from this review in order that he may keep SEStran’s submission up-to-date.</b></p> <p>Destruction arrangements (<b>see element 6</b>) will be subject to annual review by the Business Manager (<b>see element 2</b>).</p> <p>The <i>Data Protection Policy</i> (<b>see element 9</b>) must be reviewed annually and SEStran’s registration with the Information Commissioner must be renewed by 23 March 2018.</p> <p>The Keeper agrees that SEStran have processes in place to keep the <i>Plan</i> under review as required by the Act. Furthermore, he agrees that other information governance documents have review periods imposed as required.</p>
14. Shared Information	<b>N/A</b>	<b>N/A</b>	<p>The SEStran <i>Plan</i> states “SEStran does not routinely share information with other public authorities or third parties.”</p> <p>The Keeper agrees that this element does not apply to the functions of SEStran.</p>

General Notes on RMP, Including Concerns:

**Version**

This assessment is on the *Records Management Plan* (the *Plan*) of the South East of Scotland Transport Partnership (SEStran) version 3.0 dated June 2017. This version was prepared by Angela Chambers (**see element 2**).

The Plan is accompanied by a letter to the Keeper of the Records of Scotland (the Keeper) from George Eckton, Partnership Director (**see element 1**). This letter, dated 31<sup>st</sup> January 2017, specifically endorses the *Plan*, the *Policy* and the *Records Management Guidance Document* (**see element 3**). In this letter Mr Eckton states: "I will ensure the required improvements to records management procedures are implemented corporately and monitored by the designated officers through the assessment and review process". Improvements to the *Business Classification Scheme*, *Data Protection Policy* and *Information Security Policy* are specifically mentioned in the 2017/18 *SEStran Business Plan*. **The Keeper thanks Mr Eckton for this clear commitment and looks forward to updates as they become available.**

SEStran have also supplied a *Statement of Compliance* signed by Mr Eckton (27<sup>th</sup> January 2017) in which SEStran commit to implementing the *Records Management Plan* and to ensure regular assessment of the effectiveness of that *Plan*.

SEStran acknowledge records as a business asset (for example *Plan* section 3.2, *Information Security Policy* section 1 or *Records Management Guidance* document section 2.4). The Keeper commends this recognition.

The *Plan* mentions the Public Records (Scotland) Act 2011 (the Act) and is based on the Keeper's, 14 element, Model Plan <http://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources/model-records-management-plan>.

### Third Parties

The Act makes it clear that records created by a contractor in carrying out a scheduled authority's functions are public records (Part 1 section 3.1 (b)).

SEStran have supplied a statement from Partnership Director George Eckton in which he states "Please be advised that no function of SEStran is carried out by any third-party contractors."

## 6. Keeper's Summary

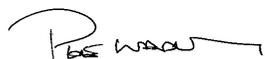
Elements 1 - 13 that the Keeper considers should be in a public authority records management plan have been properly considered by South East of Scotland Transport Partnership. Policies and governance structures are in place to implement the actions required by the plan.

## 7. Keeper's Determination

Based on the assessment process detailed above, the Keeper **agrees** the RMP of **South East of Scotland Transport Partnership**.

- The Keeper recommends that South East of Scotland Transport Partnership 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

.....  
**Robert Fotheringham**  
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 South East of Scotland Transport Partnership. In agreeing this RMP, the Keeper expects South East of Scotland Transport Partnership to fully implement the agreed RMP and meet its obligations under the Act.



.....  
**Tim Ellis**  
Keeper of the Records of Scotland