The Public Records (Scotland) Act 2011

Water Industry Commission for Scotland

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

25th April 2022

Contents

1. Public Records (Scotland) Act 2011

The Public Records (Scotland) Act 2011 (the Act) received Royal Assent on 20 April 2011. It is the first new public records legislation in Scotland since 1937 and came into force on 1 January 2013. Its primary aim is to promote efficient and accountable record keeping by named Scottish public authorities.

The Act has its origins in *The Historical Abuse Systemic Review: Residential Schools and Children's Homes in Scotland 1950-1995* (The Shaw Report) published in 2007. The Shaw Report recorded how its investigations were hampered by poor recordkeeping and found that thousands of records had been created, but were then lost due to an inadequate legislative framework and poor records management. Crucially, it demonstrated how former residents of children's homes were denied access to information about their formative years. The Shaw Report demonstrated that management of records in all formats (paper and electronic) is not just a bureaucratic process, but central to good governance and should not be ignored. A follow-up review of public records legislation by the Keeper of the Records of Scotland (the Keeper) found further evidence of poor records management across the public sector. This resulted in the passage of the Act by the Scottish Parliament in March 2011.

The Act requires a named authority to prepare and implement a records management plan (RMP) which must set out proper arrangements for the management of its records. A plan must clearly describe the way the authority cares for the records that it creates, in any format, whilst carrying out its business activities. The RMP must be agreed with the Keeper and regularly reviewed.

2. Progress Update Review (PUR) Mechanism

Under section 5(1) & (2) of the Act the Keeper may only require a review of an authority's agreed RMP to be undertaken not earlier than five years after the date on which the authority's RMP was last agreed. Regardless of whether an authority has successfully achieved its goals identified in its RMP or continues to work towards them, the minimum period of five years before the Keeper can require a review of a RMP does not allow for continuous progress to be captured and recognised.

The success of the Act to date is attributable to a large degree to meaningful communication between the Keeper, the Assessment Team, and named public authorities. Consultation with Key Contacts has highlighted the desirability of a mechanism to facilitate regular, constructive dialogue between stakeholders and the Assessment Team. Many authorities have themselves recognised that such regular communication is necessary to keep their agreed plans up to date following inevitable organisational change. Following meetings between authorities and the Assessment Team, a reporting mechanism through which progress and local initiatives can be acknowledged and reviewed by the Assessment Team was proposed. Key Contacts have expressed the hope that through submission of regular updates, the momentum generated by the Act can continue to be sustained at all levels within authorities.

The PUR self-assessment review mechanism was developed in collaboration with stakeholders and was formally announced in the Keeper's Annual Report published on 12 August 2016. The completion of the PUR process enables authorities to be credited for the progress they are effecting and to receive constructive advice concerning on-going developments. Engaging with this mechanism will not only maintain the spirit of the Act by encouraging senior management to recognise the need for good records management practices, but will also help authorities comply with their statutory obligation under section 5(1)(a) of the Act to keep their RMP under review.

3. Executive Summary

This Report sets out the findings of the Public Records (Scotland) Act 2011 (the Act) Assessment Team's consideration of the Progress Update template submitted for the Water Industry Commission for Scotland. The outcome of the assessment and relevant feedback can be found under sections 6 – 8.

4. Authority Background

The Water Industry Commission for Scotland (WICS) is the economic regulator of Scottish Water, a publicly owned business that serves millions of people and businesses across Scotland. They work for customers, communities and the environment. The Scottish water and sewerage sector is a £1.2bn industry that improves infrastructure, creates jobs and supports livelihoods across Scotland. WICS works to ensure that Scotland's water is sustainable both today and for generations to come by ensuring that Scottish Water has the funding it needs to:

- continue to deliver a flourishing and improving aquatic environment, and drinking water to be proud of;
- ensure that its assets – such as pipes and sewers – are better able to withstand future unexpected events;
- make the transition it needs to achieve the ambitious target of net zero emissions by 2040.

The work that WICS do is wide-ranging – from benchmarking Scottish Water's costs and challenging Scottish Water to improve its performance, to ensuring that customers' views are at the heart of its decision making.

5. Assessment Process

A PUR submission is evaluated by the Act's Assessment Team. The self-assessment process invites authorities to complete a template and send it to the Assessment Team one year after the date of agreement of its RMP and every year thereafter. The self-assessment template highlights where an authority's plan achieved agreement on an improvement basis and invites updates under those 'Amber' elements. However, it also provides an opportunity for authorities not simply to report on progress against improvements, but to comment on any new initiatives, highlight innovations, or record changes to existing arrangements under those elements that had attracted an initial 'Green' score in their original RMP submission.

The assessment report considers statements made by an authority under the elements of its agreed Plan that included improvement models. It reflects any changes and/or progress made towards achieving full compliance in those areas where agreement under improvement was made in the Keeper's Assessment Report of their RMP. The PUR assessment report also considers statements of further progress made in elements already compliant under the Act.

Engagement with the PUR mechanism for assessment cannot alter the Keeper's Assessment Report of an authority's agreed RMP or any RAG assessment within it. Instead the PUR Final Report records the Assessment Team's evaluation of the submission and its opinion on the progress being made by the authority since agreeing its RMP. The team's assessment provides an informal indication of what marking an authority could expect should it submit a revised RMP to the Keeper under the Act, although such assessment is made without prejudice to the Keeper's right to adopt a different marking at that stage.

Key:

G	The Assessment Team agrees this element of an authority's plan.	A	The Assessment Team agrees this element of an authority's progress update submission as an 'improvement model'. This means that they are convinced of the authority's commitment to closing a gap in provision. They will request that they are updated as work on this element progresses.	R	There is a serious gap in provision for this element with no clear explanation of how this will be addressed. The Assessment Team may choose to notify the Keeper on this basis.

6. Progress Update Review (PUR) Template: Water Industry Commission for Scotland

Element	Status under agreed Plan 13DEC16	Progress status 06APR20	Progress status 25APR22	Keeper's Report Comments on Authority's Plan 13DEC16	Self-assessment Update 06FEB20	Progress Review Comment 06APR20	Self-assessment Update as submitted by the Authority since 06APR20	Progress Review Comment 25APR22
1. Senior Officer	G	G	G	Update required on any change.	No changes to record.	No immediate action required. Update required on any future change.	Following a restructure, and since our last PUR, senior management responsibility has changed. This is now the responsibility of Donna Very, Assistant Director.	The Keeper's Assessment Team thank you for this update which has been noted.
2. Records Manager	G	G	G	Update required on any change.	The Records Management Working Groups and Project Boards were dissolved during the Records Managers maternity leave. Since return, the Records Manager has been continuing to work alongside a smaller group made up of the Senior Officer and Assistant Manager for Analysis and Strategy. Assistance is sought from the DPO on any data protection related queries. Relations are improving between the Records Manager and IT Team given the increased focus and pressures around information security and cyber resilience.	Thank you for this update regarding the structure of information governance in the Commission.

The adjustment of reporting and oversight arrangements is a usual part of the business of a public authority. However, the Keeper would be concerned if these adjustments resulted in less resource being provided for records management or if reporting to senior management became less coordinated. The authority must consider this and the Assessment Team offers support if necessary.

Alternatively the changes described may result in a similar (or improved) system to the Working Groups.

Unless informed otherwise this element remains Green. | Following a restructure, and since our last PUR, there has been a slight change to the team responsible for the day-to-day management of WICS records. The records manager is still the main contact with operational responsibility, but this is one area of business which has moved into the new 'Central Office' team.

The Central Office Team is responsible for a wide range of operational activity, including work planning, risk management, project management, records management, data protection, recruitment and is heavily involved in business continuity. | Thank you for letting us know of the organisational restructure. The move of records management as a business area sounds like a significant change, but it is positive to hear that the named Records Manager continues to hold operational responsibility.

As long as an authority's Records Management Plan names an appropriate individual responsible for day-to-day operation of records management activities, Element 2 remains at Green. |
| 3. Policy | G | G | G | The Commission intends to develop a programme of induction and on-going refresher training. The Keeper commends this approach to training staff in their records management responsibilities and requests that he is sent a sample of this training once it has been developed and rolled-out. | Through 2019 we have been working with our DPO to ensure records management training (including data protection and FoI) is rolled out to every new employee by way of induction. This is often in addition to an informal meeting with the Records Manager within the first week, and refresher training which is carried out annually.

Much work has been underway to revise our suite of records management policies which is now collectively known as the 'Information Management' Policy. This is shared with new employees as one pack but can | The Assessment Team notes that the authority has a new governance document which is not yet publicly available in full. Sections are published to the authority's corporate website, for example the 'access to information' policy is available in the Freedom of Information section: https://www.watercommission.co.uk/view_Freedom_of_information.aspx

It is available in full to WICS staff.

This Information Management Policy replaces the Records Management Policy agreed by the Keeper in 2016.

The Assessment Team acknowledges that the authority is | We are continuing to provide our staff with support and guidance by way of our information management policy. This continues to be available on our PeopleHR system.

The policy has recently undergone a thorough review and update exercise, which has been carried out by the records manager and DPO. We are aiming to conclude this piece of work within the next month.

Unfortunately, we have had slow progress with the development of the staff guidance document which is largely down to our focus for 2020 | The Assessment Team acknowledges the continued internal availability of information management policy and support, and the more recent update and review exercise, with thanks.

It is understandable that development of staff guidance document has been delayed due to the pandemic which necessitated the prioritisation of remote working set up. It is good to hear that this remains on WICS' radar for 2022. |

					also be published in separate sections as required, for example, the 'Access to information' policy on the FoI pages of our corporate website. Records Management Guidance is currently being developed to sit alongside our policies. In addition to this formal guidance, we are preparing a 'lighter reading pack' which will focus on assisting staff with the day to day aspects of records management. The Records Manager is looking for the Commission to develop its own e-learning platform however this piece of work is only at the very initial stages of discussion.	developing further records management guidance and considering bespoke training (see element 12 below). This is to be commended. The Assessment Team looks forward to an update on the delivery of this guidance in subsequent PURs.	and 2021 being on responding to the covid-19 pandemic and like many other organisations, getting our staff fully set up to work remotely. We are planning to increase our focus in this area through 2022. Please see element 12 for an update on training.	Update required on any change.
4. Business Classification	**A**	**A**	**A**	The Commission is working on creating a combined Business Classification Scheme and Retention Schedule, with a target date for full roll-out of May 2018. The Keeper commends this endeavour and requests that he is kept informed of the progress of this work as it progresses. The Keeper can agree this element on an 'improvement model' basis. This means that the authority has identified a gap in provision (the lack of an organisation-wide operational BCS) and has evidenced a commitment to closing this gap and the timescales for undertaking this work. As part of this agreement, the Keeper requests that he is kept informed of the progress of this work.	The Commission has made huge improvements to its business classification and retention schedule, which has recently been renamed as the 'asset register'. This register has been updated to ensure it contains a far more streamlined and coherent record of the data we hold, and how its stored and handled. In 2019, Information Asset Owners were tasked with agreeing suitable retention periods for each data type they have responsibility for. This should enable the Records Manager to work alongside IAOs on a regular basis (quarterly or 6monthly) to ensure data is being archived or destroyed in line with our policies. This will also enable us to make progress with our plans to automate retention policies. Unfortunately, the SharePoint restructure project did not progress during 2018 which means we still have some work to do in building a new SharePoint depository that is structured in a more practical sense, and that will map much easier to our evolving business	In previous updates the Water Industry Commission for Scotland have indicated that they were pursuing an information asset register style structure around the management of their public records. The Assessment Team acknowledge that this action has now been completed. The achievement of this objective marks a measurable improvement in the records management provision in the authority. The Information Asset Register is now being monitored at a local level by information asset owners (the involvement of local business areas in the work is vital). The Assessment Team looks forward to updates in subsequent PURs. The Commission currently uses SharePoint as its document depository and that it intended to revise the structure of the SharePoint libraries to better align with the organisation's functions. The assessment Team acknowledge that this plan stalled recently. Even when restarted, the SharePoint restructure project is bound to be incremental and potentially take several years to bed-in properly. That said, the work done on the IAR will be of immense help in ensuring that the SharePoint	WICS business classification and retention schedule (BCRS) contains an information asset register, and an IT asset register. The IT asset register is regularly reviewed and updated by the records manager and IT Team. There have been several changes to this section of the register since our last PUR following closure of our office and the move to full remote working. We have made improvements to our register by identifying which of our critical assets are most critical, in line with work being done to review and improve our business continuity practices. We are aiming to add further detail to our IT asset register around backup arrangements. Work is required to review the information asset register within our BCRS, and to encourage and engage information asset owners in this work. Given remote working, during the pandemic WICS chose to implement Microsoft Teams as an additional	The Assessment Team thanks you for sharing this update on the continuing review of their Business Classification and Retention Schedule. The work around Information Asset Register and IT Asset Register is also acknowledged with thanks. That remote working has had implications on day-to-day business practices is understandable, and the adoption of Microsoft Teams as a communications tool is not unique to WICS. However, as acknowledged by the authority, the adoption and gradual implementation of SharePoint and other elements of M365 suite will have significant implications on existing business classification structures. It is encouraging that WICS plans to actively address the necessary structuring and governance arrangements. This element remains at Amber while this important work is ongoing. We look forward to being updated on

				functions. It is only after this stage we will be able to automate retention scheduling.	structure is configured to support robust records management. The Assessment Team reminds the Commission of the importance of appropriate polices, governance and staff training in making these SharePoint improvements a success. The Keeper would expect to see evidence that these issues are being addressed while the revised SharePoint solution is rolled out. This element remains at Amber while this work is ongoing.	way to communicate remotely. We now need to return our attention to our document management system and consider the necessary structuring and governance arrangements associated with using SharePoint and Teams.	progress in consecutive PURs.
5. Retention Schedule	A	A	A	As the retention schedule will form part of the Business Classification Scheme, the Keeper requests updates regarding the development of this combined document. The RMP states that once the BCS/retention schedule has been rolled-out there will be designated individuals responsible for ensuring compliance with the requirements of the schedule. The Keeper would be interested to learn whether these individuals have yet been identified. The Keeper can agree this element on an 'improvement model' basis. This means that the authority has identified a gap in provision (the lack of an organisation-wide operational retention schedule) and has evidenced a commitment to closing this gap and the timescales for undertaking this work. As part of this agreement, the Keeper requests that he is kept informed of the progress of this work.	Please see update above.	The Commission has combined its business classification scheme and retention schedule into a single structure now known as the 'asset register'. The combination of BCS and retention in a single document (the basis of an information asset register) is commended as being likely to create a stronger business tool. See element 4 above and element 6 below for comments around the adoption of an improved SharePoint solution.	Our retention policy has been updated in line with the policy work mentioned at element 3 above. The next step for us here is to use our BCRS to help us to appropriately monitor and audit our records, in turn manually (at present) disposing of any records that have reached the end of their useful life. The records manager would like to investigate what auditing capabilities are available to assist with the monitoring of WICS records retention periods. Separately to SharePoint, we have strict retention policies in place to manage our emails, calendar entries and Teams chat messages. Teams chat messages (and posts) are automatically deleted after a period of no more than 30 days. We also ask staff to configure WICS mobile devices to enable the same 30-day retention on text messages. All emails are automatically deleted from an individual's inbox after 6 months (unless they are manually labelled with a 6-year retention policy).	It is good to hear that the WICS Retention Policy has been updated. This has been noted with thanks. An authority's Records Management Plan must demonstrate the principle that retention rules are consistently applied across all of an authority's record systems. The planned monitoring and audit of records with the help of the Business Classification and Retention Schedule is acknowledged with thanks, but WICS is right to consider exploring records retention auditing options, especially when the disposal process remains largely manual. The Team acknowledges that WICS has retention policies in place for email, calendar entry, text and Teams chat message records. This element remains at Amber while this work is ongoing.
6. Destruction Arrangements	A	A	A	The RMP states that at present there is no means of recording paper files which have been destroyed but that this will be built into the retention schedule once finalised. This is welcomed by the Keeper, who would be pleased to receive updates on this initiative.	As highlighted in points 4 and 5 above, the asset register has improved significantly and does allow for a note to be added when a data type is archived or destroyed. Unfortunately, given the absence	The Assessment Team notes that the controlled, secure and irretrievable destruction of electronic records is still a work in progress and accepts that the improvements expected once SharePoint is restructured should assist in making arrangements more robust (and	As mentioned above, following the Covid-19 pandemic, we took the decision to close our office and to work more permanently from home. Long term future working arrangements are still being discussed and considered.	The use of an outside contractor to store and manage the WICS' current and semi-current paper records, and to securely and transparently destroy both paper records and IT assets

				It would also appear that the destruction of electronic records is built in to the plan to develop and roll-out the retention schedules. Individuals within local business areas will also ensure that destruction decisions are applied consistently. The Keeper asks for clarification concerning whether the destruction of electronic files will be an automated process or require the input of these individuals and the records manager. The Keeper requests that he is kept informed of the work being undertaken in this area, and to be updated on the recording of electronic file destruction once the retention schedules become operational. The Keeper can agree this element on an 'improvement model' basis. This means that the authority has identified a gap in provision (the destruction of electronic records) and has evidenced a commitment to closing this gap. As a condition of this agreement, the Keeper will need to be kept updated on the progress of the work to close this gap and further information about the proposed processes for the deletion of electronic records.	of the Records Manager and the cancellation of the SharePoint restructure project, the work of automating this process via SharePoint has been delayed. The Records Manager has recently been involved in the SharePoint surgery run by NRS to gain an understanding of how other organisations are dealing with similar difficulties with SharePoint i.e. ensuring it is properly structured to allow labelling and automated retentions to work properly. For this to succeed, it also requires buy-in from colleagues and senior management when it comes time for reviewing and archiving or destroying data.	possibly automatic). However, this functionality will probably not be universally operational for some time. In the meantime, it will remain important that staff are correctly prompted to destroy records appropriately. This element remains at amber. Digital records aside, the Keeper's original improvement plan agreement was also based on the suggestion that the authority was not confident it was correctly recording the destruction of paper files (although the method of destruction by an outside contractor was appropriate). The Assessment Team is pleased to acknowledge that the new asset register allows for the destruction of paper records to be recorded. As noted above, the authority's asset register marks a significant improvement in their records management arrangements.	This decision has led to a further reduction of what was already a slim paper record set. We have scanned the paper personnel documentation to our HR and SharePoint systems and have securely destroyed any paperwork no longer required. We have been supported in our destruction arrangements by Shred it and L&R Storage who both provide certificates of destruction. Similarly, this decision has led to us securely disposing of IT assets no longer required. Again, we receive destruction certificates from L&R Storage for this. Now that we no longer have an office, any paper records that we do need to retain, that have not been digitised and destroyed, have been sent to storage. The storage facility we are using is L&R Storage. Further information on this organisation, and the services provided, can be found here: L&R – An Extension of Your Business – Archive Storage Document Services in the West Midlands and the North West (lrstorage.co.uk).	identified for destruction, is noted with thanks. It is apparent that WICS has taken proactive steps to manage its paper records securely when staff are continuing to work exclusively from home on a more permanent basis. This makes it even more important that staff continue to categorise and name documents in a consistent manner so that the correct records are appropriately retained for permanent preservation, stored for a period of time, or destroyed. The Assessment Team understands that the controlled, secure and irretrievable destruction of electronic records is still a work in progress. Element 6 will remain at Amber while the work on effective electronic records management and full implementation of SharePoint and M365 is ongoing. The Team look forward to hearing how this work progresses in consecutive PURs.
7. Archiving and Transfer	**G**	**G**	**G**	Update required on any change.	No changes to record.	No immediate action required. Update required on any future change.	We have been actively working with the NRS archiving team over the last year in relation to our website and branding project which concluded in August 2021. During the project, we had to consider the publications on our old site, and our process for migrating some of them to the new site. As part of doing this, we also had to check that anything not being migrated to the new site was captured in the NRS web archive. We now regularly archive our main corporate website, and our secondary website [Scotland on tap] which relates to the retail market in Scotland.	Thank you for this very positive update on WICS' website archiving arrangements. It is good to hear that the website and branding project has been a success, and has resulted in renewed focus on website archiving arrangements.

8. Information Security	G	G	G	Update required on any change.	In 2019, the Commission took part in an internal audit review of its cyber resilience, this included testing against Cyber Essentials Plus (CE+) and NCSC's ten steps to cyber resilience. We have also obtained CE+ accreditation for the second year.	The Assessment Team notes that the authority has been awarded Cyber Essential Plus certification: https://www.qgstandards.co.uk/qgce 1526/. For internal audit see element 13 below.	We continue to be cyber essential plus accredited and liaise closely with key security contacts at the Scottish Government and the National Cyber Security Centre (NCSC), for example. During our website and branding project, we worked closely with organisations that were approved contractors and who were also cyber essentials and ISO accredited. We carried out extensive penetration testing on our site and put in place appropriate access controls for CMS use, including two factor authentication.	The Assessment Team is grateful for this encouraging update on WICS' continued focus on information security. Continuing cyber essential plus accredited status and recently updated access controls are also noted with thanks.
9. Data Protection	G	G	G	Update required on any change.	No changes to record.	As with all other Scottish public authorities the Water Industry Commission have been required to review and update their data protection procedures in light of the 2018 legislation. The Assessment Team acknowledges that the public facing Commission website has been updated appropriately: https://www.watercommission.co.uk/ view_Privacy.aspx.	As mentioned at element 3 above, we have undergone an extensive review of our information management policy and will be aiming to finalise this in due course. When finalised and approved, it will be rolled out to all staff and will replace the older (current) version on our HR system, SharePoint and website. In addition to this, during 2021 we reviewed and updated all of our external facing data protection information. This included a review of all our transparency statements which were updated and posted to our new website. We have also put in place appropriate GDPR compliant cookie settings on our website. Please find relevant information at the following links: Transparency Requesting and using information Data protection Transparency publications Privacy statement Cookie statement Accessibility statement	The Assessment Team thanks you for this update. It is evident from the links provided that WICS has completed a significant amount of work in the past year. This is very encouraging and indicates commitment to best practice in this element.
10. Business Continuity and Vital Records	G	G	G	The Keeper would welcome updates on the work to identify and include the Commission's vital records within the combined BCS/Retention Schedule.	No changes to record.	No immediate action required. Update required on any future change.	The records manager and IT Team have been giving some due attention to WICS business continuity practices. To date, a new BCP has	Thank you for the update on Business Continuity arrangements. The plan to share the draft Business

							been drafted, with all associated appendices. Following some further work, we will be sharing this draft with the Scottish Business Resilience Centre (SBRC) for their review and feedback. We hope to be able to carry out some disaster recover planning exercises through 2022. Relevant extracts from WICS BCRS form appendices to the BCP and our information asset register records which records WICS deem to be vital.	Continuity Plan for review and feedback with the Scottish Business Resilience Centre seems a very reasonable approach. The planned disaster recovery planning exercises are a very welcome activity as well. It appears WICS has a very proactive approach to its business continuity planning which should be commended.
11. Audit Trail	A	A	A	The Commission is working to move its records system from a shared drives network to a cloud based SharePoint system using Office 365. This should allow the authority to more thoroughly audit the records held on this system. This is commended by the Keeper, who would be interested to receive updates on the progress of this work. The Commission also intends to develop file naming conventions as part of its corporate style guidance. The estimated completion date for this work is the end of 2017. The Keeper requests that he is sent this guidance once it has been developed and is operational. The Keeper can agree this element on an 'improvement model' basis. This means that the authority has identified a gap in provision (lack of a consistent method of naming documents) and has evidenced a commitment to closing this gap. As a condition of his agreement, the Keeper requests that he is kept informed of the work as it progresses.	We have built a section on naming conventions into our records management guidance document. Although this hasn't been formally rolled out, we are aiming to do so in the coming months. Hopefully this will provide staff with some pointers on the best way to name their files, which of course helps with various other functions such as 'search'.	The Assessment Team is pleased to acknowledge that the Commission has now added naming conventions into its records management guidance document. This was a commitment in the original submission and in the previous PUR. Being able to locate records by searching is fundamental and this marks a measurable improvement in records management provision in the authority. This element remains at Amber while the SharePoint improvements are underway. It should be noted that, if this were a formal re-submission the adoption of robust naming conventions could be grounds for moving the RAG status of this element to Green.	As mentioned above, the impact of the covid pandemic has slowed progress in some areas. That said, as part of the work to transition historical files from our old website to our new website, we had to develop strict guidance and form some naming convention styles. This was adopted very well by everyone involved in the project which has given us some real encouragement to continue to improve file naming across the wider organisation. This is something that we hope to build on.	It is lamentable but understandable that progress in this element has been slow due to the pandemic. It is, however, great to hear that naming convention styles remain an active consideration. The Assessment Team would like to acknowledge that WICS is taking reasonable steps to close the gap in provision, but as WICS is yet to formalise organisation-wide and consistent file naming policy and accompanying guidance, this Element will remain at Amber. We would like to encourage WICS to continue this work on this key element. The future adoption of robust naming conventions could be grounds for moving the RAG status of this element to Green.
12. Competency Framework	A	G	G	The Records Management Work Plan, which is built into the RMP, has the provision of guidance for staff and the production of staff training programmes as key objectives. The Keeper commends this commitment to training and requests that he is sent a sample of the staff guidance and training when it becomes available. The Keeper can agree this element on an 'improvement model' basis.	As noted above, staff guidance is nearing completion and should be rolled out to staff in the coming months. This will sit alongside our newly published suite of records management policies and procedure documents. Since 2018 there have been 3 training sessions scheduled to cover records management, GDPR/DP and FoI. These	The Assessment Team is happy to acknowledge the steps taken by the Commission in ensuring that staff creating, or otherwise processing records, are appropriately trained and supported. A suite of records management policies has recently been published to staff and it is noted that staff guidance is expected to follow shortly.	Induction training continues for all new employees and interns to WICS. This includes data protection and FOI. In addition to this, in 2021 an online GDPR course was rolled out to a small team of staff who were deemed to be most likely to process higher risk information i.e. those in the finance and HR teams for example.	The Assessment Team is grateful for this detailed update on training provision on all aspects of records management. It is evident that significant organisation-wide progress has been, and continues to be made, in this element. Training on Data Protection,

	🟧	🟩	🟩	This means that the Commission recognises that records management forms a key work area of relevant staff and the appointed records manager has access to relevant training and has identified the training of staff as a key objective and has outlined the timescale for developing a programme of training and guidance in records management for all staff. As part of this agreement, the Keeper requests that he is provided with examples of staff training and guidance documents once this has been created and is operational.	sessions have each been rolled out to all staff to attend. These have been carried out by our DPO. In addition, sessions were scheduled and attended by the Commission Board Members and the Audit and Risk Committee Members. These have been carried out by our DPO. Mid 2018 a SharePoint End User Level 1 session was scheduled with QA Training. All staff were invited to attend this session. In the autumn of 2019, all staff were asked to participate in the GDPR E-Learning training module sourced from Act Now Training. This module included two quizzes which tested their basic knowledge of data protection requirements. In 2019, the Records Manager and Head of IT both successfully participated in and passed the BCS Certificate in Information Security Management Principles. This increases knowledge and awareness in the Commission of information security practices. Also, towards the end of 2019, the Records Manager attended the 'advanced records management' training course (sessions 1 and 2 had been attended in previous years). Consideration is being given as to whether the trainer, who is also a consultant in the field of records management, could possibly provide any guidance and support to the Commission in making further improvements to its records management practices. The Commission is aware of the public sector training programme which has been recently developed by Frank Rankin. The Records Manager is considering this training for 2020-21.	Through 2019 they have been working with their DPO to ensure records management training (including data protection and FoI) is rolled out to every new employee by way of induction. Refresher training is carried out annually. The authority is preparing a 'lighter reading pack' which will focus on assisting staff with the day to day aspects of records management. Furthermore, the Assessment Team is pleased to support the idea of the Commission to develop its own e-learning platform in information governance (see under element 3). The Assessment Team notes this utilisation of external training and commends the allocation of resource to this. There is also ample evidence that key records management staff have access to appropriate training and development. This is to be strongly commended. Finally, the Assessment Team notes the authority is considering training offered by Frank Rankin. The Keeper is, obviously, unable to recommend one particular training provider over another. However, it is a fact that the PRSA Assessment Team has had a long and fruitful relationship with Frank he has discussed the content and objectives of his PRSA course with us. It is likely that, if this were a formal re-submission under section 5 of the Act, this element of the Commission's plan would be upgraded to a Green RAG status.	In 2020 we investigated the possibility of developing a bespoke e-learning platform. However, costs involved in developing such a platform, in addition to the time required, was deemed to be in excess of the benefits WICS would receive from it, being such a small organisation. Instead, we have investigated alternative methods to ensure our staff continue to receive regular training, such as a wider range of online training, the use of the Civil Service Learning Portal and the continued support of our DPO. We have also developed a relationship with the Scottish Business Resilience Centre (SBRC) who have been assisting us in thinking about security when working from home. Our senior executives and Board Members have been working through the 'Executive education training: cyber security' course being run by the SBRC. Further details available on their website. Our HR contractors have also been on board with providing live webinar style sessions which have become a useful method of training for us. The PRSA course provided by Frank Rankin is something that we didn't manage to take up last year but is something we would still consider for future learning. In addition to this, the records manager has received information on the 'Practitioner certificate in Data Protection' course being run by PDP which is of interest too. We have also taken part in several of the training and information sharing events that have been set up and hosted by NRS through the year. These have been invaluable in cascading information throughout the sector but also in promoting collaboration and learning between key partners.	FOI, GDPR, cyber security is noted with thanks. The continuing engagement with NRS training and information sharing events is also evidence of commitment to maintaining and enhancing staff competencies in these areas. This element will remain at Green RAG status for the PURs.

13. Assessment and Review	G	G	G	The Commission has outlined the procedures in place for assessing and reviewing its records management systems and has identified the process by which the records manager will notify the Director of Corporate Affairs and Strategy on any progress or issues. Analysis using a Generally Accepted Records Keeping Principle (GARP) methodology will be employed for identifying the current situation and assessing levels of provision and compliance. This assessment will be conducted on an annual basis. The RMP also states that once the Plan is signed off, internal auditors will carry out a full review of the Plan. Partial reviews will be conducted thereafter. The Keeper commends the authority's commitments under this element and would welcome updates following these reviews/audits, particularly if they lead to changes in records management arrangements.	Although we no longer have the records management working group or project board, the Records Manager and DPO meet on a monthly basis, while the Senior Officer and other colleagues continue to be involved in various discussions. Relations between the Records Manager and IT Team have improved and increased in the last year given the huge drive on GDPR and Cyber resilience. It is likely a new group will be formed in due course which will focus on information governance, and therefore include records management. We continue to complete an annual GARP analysis to measure our progress. In 2019, the Commission requested the Internal Auditors carry out a review on GDPR and information governance arrangements. The results of this review were reassuring.	See element 2 for comments about the restructuring of the records management monitoring group. The Assessment Team notes the potential formation of a new information governance group and looks forward to an update on this proposal in subsequent PURs. Furthermore, they note the use of the organisation's internal audit to review GDPR practices and information governance. The Keeper has previously commended the use by an authority of audit facilities (internal or external) that are independent of the information governance team as liable to produce an objective view of progress. The Assessment Team notes that, in 2019, and now subsequently in 2020, the Commission took part in a review of its cyber resilience, this included testing against Cyber Essentials Plus (CE+) and NCSC's ten steps to cyber resilience.	In 2021 WICS formed a 'senior corporate team' which consists of the heads of each corporate function within the organisation i.e. Finance, Central Office and IT. The Assistant Director responsible for records management attends these discussions. Records management, data protection and business continuity matters all feed into this group which meet on a weekly frequency. We have a completed GARP analysis for the year which is continuing to measure our progress and demonstrate improvements.	Thank you for this update on the assessment and review of authority's records management arrangements. It is positive to hear that records management remains a key agenda item in senior corporate meetings. The completion of a GARP (Generally Accepted Recordkeeping Principles) analysis is also welcome news and shows that WICS remains committed to continuous improvement. WICS' continuing engagement with the PUR process is also commendable.
14. Shared Information	G	G	G	Update required on any change.	No changes to record.	No immediate action required. Update required on any future change.	WICS continues to share data only when necessary to carry out its statutory functions. Any personal data sharing is done on a strictly necessary basis. We continue to work with our DPO to carry out and document data protection impact assessments. To date, we have carried out 16 DPIAs, all of which have returned a 'low' risk assessment categorisation. To play our part on the Scottish Government's hydro nation agenda, we share our regulatory experiences with international bodies, for example, we have worked alongside other regulators in Romania, Greece, New Zealand etc.	Thank you for this update. The Keeper's Assessment Team acknowledges the work undertaken by WICS to assess risk through DPIAs, and remains confident that WICS has considered the implications of information sharing in all its activities, whether it is liaising with international bodies, or sharing individuals' personal data.

7. The Public Records (Scotland) Act Assessment Team's Summary

<u>Version</u>

The progress update submission which has been assessed is the one received by the Assessment Team on 8th February 2022. The progress update was submitted by Kirsty McLean, Records Manager.

The progress update submission makes it clear that it is a submission for **the Water Industry Commission for Scotland**.

PRSA Assessment Team's Summary

The Assessment Team has reviewed the Water Industry Commission for Scotland's Progress Update submission and agrees that the proper record management arrangements outlined by the fourteen elements in the authority's plan continue to be properly considered. The Assessment Team commends this authority's efforts to keep its Records Management Plan under review.

<u>General Comments</u>

The Water Industry Commission for Scotland continues to take its records management obligations seriously and is working to bring all elements into full compliance.

Section 5(2) of the Public Records (Scotland) Act 2011 provides the Keeper of the Records of Scotland (the Keeper) with authority to revisit an agreed plan only after five years has elapsed since the date of agreement. Section 5(6) allows authorities to revise their agreed plan at any time and resubmit this for the Keeper's agreement. The Act does not require authorities to provide regular updates against progress. The Keeper, however, encourages such updates.

The Keeper cannot change the status of elements formally agreed under a voluntary submission, but he can use such submissions to indicate how he might now regard this status should the authority choose to resubmit its plan under section (5)(6) of the Act.

8. The Public Records (Scotland) Act Assessment Team's Evaluation

Based on the progress update assessment the Assessment Team considers that the Water Industry Commission for Scotland continue to take their statutory obligations seriously and are working hard to bring all the elements of their records management arrangements into full compliance with the Act and fulfil the Keeper's expectations.

- The Assessment Team recommends authorities consider publishing PUR assessment reports on their websites as an example of continued good practice both within individual authorities and across the sector.

This report follows the Public Records (Scotland) Act Assessment Team's review carried out by

Iida Saarinen
Public Records Support Officer