

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

## **Water Industry Commission for Scotland**

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

**8<sup>th</sup> July 2024**

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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 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:

<b>G</b>	The Assessment Team agrees this element of an authority's plan.	<b>A</b>	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.	<b>R</b>	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.
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**Progress Update Review (PUR) Template: Water Industry Commission for Scotland**

Element	Status under agreed Plan 13DEC16	Progress review status 25SEP23	Progress review status 08JUL24	Keeper's Report Comments on Authority's Plan 13DEC16	Self-assessment Update 29MAR23	Progress Review Comment 25SEP23	Self-assessment Update as submitted by the Authority since 25SEP23	Progress Review Comment 08JUL24
1. Senior Officer	G	G	G	Update required on any change.	No changes to record.	Update required on any change.	WICS is currently in a state of uncertainty following the recent resignation of the CEO. However, the Director of Corporate and International Affairs remains the named senior person with overall responsibility for records management.	Thank you. The Keeper's PRSA Assessment Team can confirm that Mr Sutherland's contact details have been removed. For the time being if the Keeper needed to contact the WICS Chief executive's office she will use the enquiries e-mail address you have provided separately.  However, for the purposes of the WICS Records Management Plan (RMP) the named senior officer is the Director of Corporate and International Affairs (Donna Very) and, as that has not changed, this element retains its Green RAG status.
2. Records Manager	G	G	G	Update required on any change.	No changes to record.	Update required on any change.	The Assistant Manager of the Central Office Team continues to hold day to day responsibility of records management.	Thank you for confirming this is unchanged.  The Keeper has previously agreed that the identification of this individual as being responsible for the day-to-day records management in the authority is appropriate.
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.	The Team has concluded the policy review with revised documentation available to staff.  We have been working towards developing staff guidance on records management. The aim is to remind staff of our duties under the PRSA and show how records management can benefit the organisation.  Discussions on how best to engage staff have commenced at the weekly corporate team meeting which consists of the	The Assessment Team thanks you for notifying us that WICS' Records Management Policy has been reviewed. It is positive that the Policy is being kept up to date.  For comments on staff training, see Element 12.	Earlier in 2023 WICS entered a new DPO contract. This contract is also responsible for looking at records management practices at WICS.  A full data protection and records management audit has been carried out by the DPO. Findings have demonstrated that a full review of WICS information management policies are required.  Recommendations from the audit will be actioned throughout 2024-2025 based on priority weighting. An information governance workplan is being developed and our intention is that the information management policy will be a priority task.	At the time of the Keeper's original agreement of the Water Industry Commission for Scotland's RMP it was noted that supporting policy and guidance documents should be routinely reviewed and updated. It is welcome to acknowledge that this is being done in the Commission.  There is no requirement, under PRSA, for WICS to provide the Keeper with a new version of its Information Management Policy, but should they wish to do so the Assessment Team will add it to the authority's file to keep the submission up-to-date.

					<p>Heads of functions (Finance, IT and Governance teams). These meetings provide a forum for related matters to be raised and discussed.</p>			
4. Business Classification	A	A	A	<p>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.</p> <p>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.</p>	<p>We have added further detail to our IT asset register recently, to include back up arrangements for example.</p> <p>Now that we have adapted to a fully remote working model, we plan to review our BCRS including our IAOs, this year.</p> <p>We have begun to discuss how staff use Microsoft Teams versus SharePoint and how they interact with each other. This will allow us to clarify and advise our staff of the best locations to save records.</p>	<p>The Assessment Team thanks you for this update. Element 4 of PRSA stipulates that records should be known and identified within a structure, ideally founded on function. This structure could be a business classification scheme, an information asset register, or similar.</p> <p>It is good to know that the IT Asset Register has recently been added to, and that there are plans to get the WICS Business Classification and Retention Schedule (BCRS) reviewed, including keeping Information Asset Owner details up to date. It is also good to hear that discussions on records save locations are taking place, especially as staff is now fully working remotely. It would be reassuring to hear that formal guidance is in place to ensure records are saved in the right place, which has implications on records retention, destruction, archiving, and discoverability, as well as reliable audit trail information.</p> <p>This element will remain at Amber while this project is ongoing. We look forward to being updated on progress in subsequent PURs.</p>	<p>Another recommendation of the DPO's audit is to carry out a full review and update of our asset register. We aim to clearly structure and simplify our classification scheme and implement some of the roles assigned to the wider organisation, for example, IAOs. This should allow us to better manage our assets in line with PRSA duties.</p>	<p>It seems that the roll-out of a single corporate Information Asset Register (IAR) is not yet complete where it appeared a 2018 date was targeted. The PRSA Assessment Team look forward to an update on this at the time of the next PUR.</p> <p>At that point, if the IAR is not fully rolled-out, the Keeper may ask WICS to provide her with a clear timescale for completing the work.</p> <p>The IAR document is likely to combine records type with retention decision and information asset owner and as such will represent a useful business tool for the organisation.</p> <p>It is important that the IAR notes all record types and the systems in which they are managed – Digital shared drives, digital SharePoint, M365 in the cloud, Teams/Exchange, Line of business systems, paper etc. (whichever are applicable in WICS).</p> <p>The Information Asset Register should be set up as a 'living document' liable to adjustment as business needs dictate.</p> <p><i>On the subject of Line-Of-Business systems: The Commission should be aware that, in the case of a formal resubmission, the Keeper will be investigating the use of legacy line-of-business systems in more detail than in the initial agreement. These are systems that will sit outside the main records management structure and may not be compliant with the authority's own Records Management Policy. For the purposes of this PUR it is <u>not</u> required that the Commission provides a statement on whether this issue affects them or not.</i></p>



<p>5. Retention Schedule</p>	<p>A</p>	<p>A</p>	<p>A</p>	<p>As the retention schedule will form part of the Business Classification Scheme, the Keeper requests updates regarding the development of this combined document.</p> <p>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.</p> <p>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.</p>	<p>We plan to review our BCRS in the coming months.</p> <p>We have recently reviewed physical documentation in storage and have identified records which have reached the end of their useful life. We have taken steps to arrange the secure destruction of those records. This will be an ongoing task moving forward.</p> <p>A full review has also been carried out of recruitment records. We have taken steps to ensure they are all saved securely in one specific location, retaining them in line with requirements.</p>	<p>Thank you for this update. It is good to hear that the review of the Business Classification and Retention Schedule is planned. This will hopefully assist WICS in streamlining the records destruction processes, ensuring a consistent approach is applied to records of any format.</p> <p>The identification of physical (paper) records due to be destroyed, currently in storage, is also good news. We also note the update given on recruitment records, and improvements made in their scheduled retention and destruction processes.</p> <p>This element remains at Amber while this work is ongoing. The Assessment Team look forward to being updated on progress in subsequent PURs.</p>	<p>As mentioned above, one of the recommendations of the DPO's audit is to carry out a full review and update of our asset register. This will include how we manage document retention and destruction.</p>	<p>See element 4 above.</p> <p>It is important that all record types, from Board Minutes to Teams chat have retention applied. The development of a full IAR should alert the records management team to where gaps in retention exist. It should also alert staff to the retention imposed on record in their own business areas.</p> <p>At the time of the next PUR the PRSA Assessment Team look forward to an update on the development of the IAR, and a confirmation that WICS is content that all record types, in whatever format they are managed, have retention appropriately applied.</p>
<p>6. Destruction Arrangements</p>	<p>A</p>	<p>A</p>	<p>A</p>	<p>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.</p> <p>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.</p>	<p>Since moving to a remote working environment, we have been taking steps to reduce the volume of paper records. The majority of WICS records are electronic. The small volume of financial paper records held in storage will gradually reduce as they reach the end of their useful life. As noted above, we review on an ongoing basis.</p> <p>For now, we have chosen not to introduce automated retention schedules for our SharePoint records. Current arrangements are that the records manager will work with IAOs on an ongoing basis to review records which have reached the end of their useful life. Proactive examples of these during this period include a review of recruitment information, and of financial paper records.</p>	<p>Many thanks for updating the Assessment Team on WICS' records destruction arrangements. The overall reduction of the volume of paper records is noted with thanks; this is in line with trends in other public authorities. It is also good to hear that action is being taken regarding electronic recruitment records and financial paper records in storage as per retention decisions (which will hopefully be formalised as the BCRS is re-launched). The Team note that the regular review of these records might include, in addition to possible destruction scheduling, an assessment with view to archiving, where appropriate.</p> <p>This element remains at Amber while this work is ongoing. The Assessment</p>	<p>See above comment at element 5.</p>	<p>Once the IAR is in place records requiring destruction should be highlighted and WICS can then impose the relevant destruction mechanisms dependant on format.</p> <p>The Keeper noted some concern, in his original agreement (2016), around the controlled destruction of digital records.</p> <p>In order for the RAG status against this element to be upgraded from Amber to Green, WICS will have to provide a statement confirming all the destruction process (is digital destruction automated or do information Asset owners get prompted by the system to operate a deletion policy themselves?).</p>

				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.		Team look forward to being updated on progress in subsequent PURs.		
7. Archiving and Transfer	G	G	G	Update required on any change.	No changes to record.	Update required on any change.	No changes to record.	No immediate action required. Update required on any future change.  <i>The Assessment Team would like to alert the Commission that the situation regarding archive provision for born-digital records is one that is currently being focused on by the Keeper. It is likely that a formal proposal for providing access to a permanent digital repository will be part of the Keeper's future expectations of the Scottish public sector's RMP.</i>  <i>To this end the Keeper has recently engaged with all public sector Chief Executives around potential future digital archiving requirements. Once responses to this engagement (which took the form of a survey) have been considered further information should be forthcoming from NRS.</i>
8. Information Security	G	G	G	Update required on any change.	No changes to record.	Update required on any change.	No changes to record.	No immediate action required. Update required on any future change.
9. Data Protection	G	G	G	Update required on any change.	We are continuing to work with our external DPO to ensure all DPIA's are carried out as and when required.  We have also taken steps to consider TIAs which may become required following our increased work overseas.	The Team acknowledges that WICS continues to work with and external Data Protection Officer in order to ensure compliance.  For comments on Transfer Impact Assessments, see Element 14.	As mentioned above, we are now working with a new DPO who is looking more widely at information governance matters.  We have already developed a new improved process for managing and documenting DPIAs which is working well.	The Water Industry Commission for Scotland is registered with the Information Commissioner as a data controller: Z2094773  They publish a privacy policy online: <a href="https://wics.scot/who-we-are/transparency/how-wics-protects-your-data">https://wics.scot/who-we-are/transparency/how-wics-protects-your-data</a> This includes details of service user's rights as a data subject.  WICS have a Data Protection Officer. This is contracted in as a service.

								This element retains its Green RAG status.
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.	WICS launched its BCP and associated appendices in August 2022. The plan has undergone some extensive reviews both internally by the Operational Board Team and the Board, but also externally by the SBRC and Audit and Risk Committee. Testing is now underway with the SBRC's 'Exercise in a box' facility being utilised.	That a Business Continuity Plan is operational since the last PUR was finalised is great news. Regular updates to this document are also noted with thanks.	As mentioned above, the work due to be carried out on the asset register will improve and strengthen WICS recognition of vital and critical records.	Thank you for this update. It is particularly important that business continuity process are reviewed on a regular basis and that this review includes the authority's ability to recover records in an emergency.  The Keeper's PRSA Assessment Team concurs that the IAR (see element 4) will assist in establishing the systems in which corporate records are held and this will assist in ensuring recovery.
11. Audit Trail	A	A	A	<p>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.</p> <p>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.</p> <p>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.</p>	<p>We now have some draft high level naming convention guidance which we're hoping to be able to finalise and share with staff soon. We recognise the importance of this and believe we can make steady improvements by working together and helping one another to understand the benefits of naming records in a standard, simple way.</p> <p>We understand that implementing this will, in some cases, change the way our staff work now. As such, we are discussing ways that we can gradually roll out naming conventions targeting specific priority areas in the first instance. It will be important for us to demonstrate to staff how naming conventions will work in practice.</p>	<p>It is great to hear that Naming Convention Guidance is in development and will soon be available to staff. Effective electronic records management relies on appropriate and consistent naming of documents as well as the appropriate save location. This will also have longer-term business benefits with regard to, for example, freedom of information legislation or environmental information regulations requests, as the right record becomes easily and quickly discoverable, and has the right metadata attached to bolster its evidential value.</p> <p>It is reassuring that WICS is aware that these important changes need to be actioned at grassroots-level in addition to providing appropriate guidance. It will be good to hear how WICS intends to effectively action and monitor consistent staff compliance in subsequent PURs. Whilst it is clear progress is being made, the Assessment Team would like to encourage WICS to push forward with this key improvement as soon as practicable.</p>	<p>File naming standards are continuing to develop in targeted areas of our work. We have now implemented guidance in areas such as our website repository, mailing, consultations and corporate meeting documentation etc.</p> <p>In addition, we are working together to develop suitable guidance for one of the core functions of the organisation - the strategic review of charges documentation for the period 2027-33. We will continue to build on this steady progress as our workplan to tackle some of those audit recommendations commences.</p>	<p>See element 4 above.</p> <p>The authority must be confident that all public records, in all the systems they are managed, remain trackable.</p> <p>Once the IAR (see element 4) is in place WICS will be in a good place to ensure that all corporate records can be tracked in whatever format and in whatever system they are held.</p> <p>For most of these systems in order to efficiently locate the record and ensure the correct version is identified there should be consistency around naming conventions and version control. Some systems apply this automatically (for example SharePoint automates version control and some line-of-business systems impose 'naming conventions').</p> <p>As with other 'Amber' elements above, the finalisation and roll-out of the IAR is a very important step and as noted above the Keeper's PRSA Assessment Team looks forward to an update on this project at the next PUR.</p>

						This Element will remain at Amber as the naming conventions are finalised, formalised and implemented.		
12. Competency Framework	A	G	G	<p>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.</p> <p>The Keeper can agree this element on an 'improvement model' basis. 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.</p>	<p>During 2022 all staff were invited to participate in the online GDPR training which was rolled at the beginning of the year.</p> <p>In addition to this, we have been using the Mimecast service to issue monthly video training clips to all staff around data security. Those videos contain a short quiz at the end and is followed by additional training should anyone require it.</p> <p>Induction training on data protection and GDPR continues with our DPO, and regular monthly catch ups are held to ensure we remain abreast of the changing landscapes where those legislations are concerned.</p>	<p>The Assessment Team thanks you for this update on staff competency framework. It is positive that specific GDPR training has been rolled out, and that monthly Data Security training now also takes place. It is also good to hear that induction training continues as normal, and that the Data Protection Officer continues to monitor the legal and technological landscape for any actionable changes.</p> <p>As reported under Element 3, it is also fantastic to hear that additional PRSA-specific staff guidance is under development, and that staff engagement with this and existing materials remains a priority for WICS.</p>	No changes to record.	No immediate action required. Update required on any future change.
13. Assessment and Review	G	G	G	<p>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.</p> <p>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.</p> <p>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.</p>	No changes to record.	Update required on any change.	As mentioned above, part of the DPO's recent audit has involved an assessment of all information governance practices at WICS. The output of our assessment is being developed into a forward workplan which will allow us to strengthen the good practice already in place and develop and implement where necessary.	<p>Section 1(5)(i)(a) of the Act says that an authority must keep its RMP under review.</p> <p>Statements in the PUR, and the completion of the PUR itself (and full engagement with the PUR process since it began), are clear indications that the Water Industry for Scotland are complying with this requirement.</p> <p>The assessment Team looks forward to any updates resulting from the forward workplan in the next PUR.</p>

				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.				
14. Shared Information	G	G	G	Update required on any change.	<p>As mentioned above, DPIAs continue to be undertaken when we embark on a new activity which involves personal data sharing or any potential risk to an individual's personal data.</p> <p>We have also reviewed several of our earlier DPIAs to ensure they remain accurate and up to date.</p> <p>Again, as mentioned above, discussions have also taken place around the requirement to document a transfer impact assessment (TIA) to ensure continued international working is in line with requirements.</p>	<p>The Assessment Team thanks you for this confirmation that Data Protection Impact Assessments continue to be undertaken where relevant. The review of existing DPIAs is also noted with many thanks.</p> <p>Under Element 5, WICS also reported work with Transfer Impact Assessments, noted with thanks.</p>	<p>Work is underway with our DPO to review the governance arrangements in place for SharePoint and Teams. In addition to this, the data processing agreements in place which will help us to identify whether any further work is required regarding the sharing of data.</p>	<p><b>Element 14: Shared Information</b></p> <p>A sample data sharing agreement was provided to the Keeper at the time of the original agreement (2016) and clearly agreements like this are subject to review. The routine review of arrangements for sharing information is best-practice.</p> <p>It is important that staff members are made aware of the risks of sharing information. Confirmation that this is provided for relevant staff would be welcome.</p> <p>The Keeper agrees that the Water Industry Commission consider the records management implications of information sharing as is appropriate.</p> <p>Update required on any change to this element.</p> <p><b>Element 15: Public records created or held by third parties</b></p> <p>As this Element was not assessed separately in 2016, no RMP baseline RAG-status exists. However, the Keeper's Assessment Team can agree that the Water Industry Commission for Scotland, while being aware of their responsibilities under this element, are probably not affected by the third-party clause. If you would like more information around this please contact <a href="mailto:public_records@nrscotland.gov.uk">public_records@nrscotland.gov.uk</a></p>

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

### Version

The progress update submission which has been assessed is the one received by the Assessment Team on 28<sup>th</sup> February 2024.

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

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 various 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.

### General Comments

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.

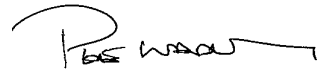
The Keeper cannot change the status of elements formally agreed under a voluntary submission, but he can use such submissions to indicate how he might now regard this status should the authority choose to resubmit its plan under section (5)(6) of the Act.

**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



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Pete Wadley  
Public Records Support Officer