

Public Records (Scotland) Act 2011

Scottish Sports Council (sportscotland)

The Keeper of the Records of Scotland

23rd June 2025

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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 Scottish Sports Council (sportscotland) by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 15th August 2024.

The assessment considered whether the RMP of sportscotland was developed with proper regard to the 15 elements of the Keeper's statutory Model Records Management Plan (the Model Plan) under section 8(3) of the Act, and whether in this respect it complies with it and the specific requirements of the Act.

The outcome of the assessment and the Keeper's decision on whether the RMP of sportscotland complies with the Act can be found under section 7 of this report with relevant recommendations.

3. Authority Background

sportscotland is the national agency for sport. They are a non-departmental public body, responsible through ministers to the Scottish Parliament. They are also a National Lottery Fund distributor and we are governed by National Lottery distribution rules. sportscotland has three directorates: sports development, high performance and corporate services and have a wide range of partnerships running the length and breadth of the country.

Sportscotland is based across Scotland, including having headquarters in Glasgow, the sportscotland institute of sport in Stirling and regional bases in Aberdeen, Dundee, Edinburgh, Glasgow and Inverness. The sportscotland Trust Company operates two national training centres, which provide residential and sporting facilities for people to develop in sport.

For more information on [sportscotland](https://www.sportscotland.scot)

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 Scottish Sports Council (sportscotland)'s RMP was developed with proper regard to the elements of the Model Plan and is compliant with the Act. The assessment also considered whether there was sufficient supporting evidence of such compliance.

Key:

G	The Keeper agrees this element of an authority's plan.		A	The Keeper agrees this element of an authority's plan as an 'improvement model'. This means that he is convinced of the authority's commitment to closing a gap in provision. He will request that he is updated as work on this element progresses.		R	There is a serious gap in provision for this element with no clear explanation of how this will be addressed. The Keeper may choose to return the RMP on this basis.
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5. Model Plan Elements: Checklist

Scottish Sports Council (sportscotland)

Element	Present	Evidence	Notes
1. Senior Officer	G	G	<p>The Public Records (Scotland) Act 2011 (the Act) requires that an individual senior staff member is identified as holding corporate responsibility for records management in a public authority.</p> <p>Sportscotland have identified Rachel Barrington, Director of Operations and Senior Information Risk Owner (SIRO) as the individual with overall responsibility for records management in the authority.</p> <p>This identification is confirmed by a <i>Covering Letter</i> from Ms Barrington addressed to the Keeper and by her digital signature which appears against this element in the <i>RMP</i>.</p> <p>It is further confirmed by the sportscotland <i>Statement of Responsibility for Records Management</i> which has been provided to the Keeper. This document sets out the records management responsibilities of individuals and groups within sportscotland (see Local Records Management under General Notes below).</p> <p>The Director of Operations is the 'Responsible Director' for the <i>Records Management Policy</i> (see element 3), the <i>Destruction and Disposal Policy</i> (see element 6), the <i>Archive Deposit Policy</i> (see element 7), the <i>Information Security Policy</i> (see element 8).</p> <p>As SIRO, the Director of Operations is responsible for ensuring that the information security</p>

			<p>"objectives and policies are established and aligned to business objectives" (<i>Information Security Policy</i> section 6c).</p> <p>As SIRO, the Director of Operations acts as advocate for information risk. The SIRO will lead the information governance risk assessment and management processes within the organisation. In conjunction with the Data Protection Officer (see element 2) they will advise sportscotland on the effectiveness of information risk management across the organisation. (<i>Data Protection Policy</i> – see element 9 - section 12.3)</p> <p>It is clear from the above that the Director of Operations is closely aware of the records management provision in sportscotland.</p> <p>The Keeper agrees that sportscotland have identified an appropriate individual to this role as required by the Act.</p>
2. Records Manager	G	G	<p>The Act requires that each authority identifies an individual staff member as holding operational responsibility for records management and that this staff member has appropriate corporate responsibility, access to resources and skills.</p> <p>Sportscotland have identified Kerry Lochrie, Information Governance and Data Protection Officer, as the individual with day-to-day responsibility for implementing the RMP.</p> <p>The identification of the Information Governance and Data Protection Officer to this role is supported by a <i>Covering Letter</i> from the sportscotland Director of Operations (see element 1) and by a separate <i>Statement of Responsibility for Records Management</i> which has been provided to the Keeper.</p> <p>It is also supported by the <i>Information Governance and Data Protection Officer Job Profile</i> provided to the Keeper.</p> <p>As Data Protection Officer, Ms Lochrie is the 'Lead Manager' for the <i>Records Management Policy</i> (see element 3), the <i>Document and Folder Naming Guidance</i> (see element 11), the</p>

			<p><i>Destruction and Disposal Policy</i> (see element 6), the <i>Archive Deposit Policy</i> (see element 7) and the <i>Data Protection Policy</i> (see element 9).</p> <p>The Information Governance and Data Protection Officer is responsible for monitoring compliance with the authority's <i>Records Management Policy</i> and reporting non-compliance to the Senior Management Team (<i>Records Management Policy</i> section 6). The Information Governance and Data Protection Officer is also responsible for ensuring the <i>Records Management Policy</i> is reviewed annually (see element 13).</p> <p>The <i>Data Protection Policy</i> explains the responsibilities of the Data Protection Officer in detail (for example at section 12.2). For example she manages any requests regarding data subjects rights (<i>Data Protection Policy</i> section 6) and instigating any investigation into data protection incidents (<i>Personal Data Breach Management & Reporting Procedure</i> - see element 9 - section 2).</p> <p>It is clear from the above that the identified individual has a detailed knowledge of the records management provision in the authority.</p> <p>The Keeper notes that sportscotland have also appointed an Information Asset Manager and have supplied details of their remit and their job description. The Information Asset Manager will support the Information Governance and Data Protection Officer in the implementation of the <i>RMP</i>.</p> <p>The Keeper agrees that sportscotland have identified an appropriate individual to this role as required by the Act.</p>
3. Policy	G	G	<p>The Act requires an authority to have an appropriate policy statement on records management.</p> <p>Sportscotland have a <i>Records Management Policy</i>. The Keeper has been provided with a copy of this policy. This is Version 2.0 Lead Officer: Data Protection Officer (see element 2) approved by the Information Governance Steering Group (see under General notes below)</p>

			<p>in February 2024.</p> <p>All sportscotland staff have access to the Records Management Policy, and all related Records Management guidance via the records management dedicated area within SharePoint. The Keeper has been provided with a screen-shot showing access to this area.</p> <p>The <i>Records Management Policy</i> is specifically endorsed by the Director of Operations (see element 1) in a <i>Covering Letter</i>.</p> <p>The <i>Records Management Policy</i> specifically mentions compliance with the Public Records (Scotland) Act 2011.</p> <p>The Keeper agrees that the <i>RMP</i> supports the objectives of the <i>Records Management Policy</i>.</p> <p>The Keeper agrees that sportscotland have a formal records management policy statement as required by the Act.</p>
4. Business Classification	G	G	<p>The Keeper of the Records of Scotland (the Keeper) expects that the public records of an authority are known and are identified within a structure.</p> <p>Sportscotland recognise this. Their <i>Records Management Policy</i> (see element 3) commits them to ensure that "Records are stored within established, approved, and secure record keeping systems" and that "Records are stored in a consistent manner that reflect the functions of sportscotland" (<i>Records Management Policy</i> section 3).</p> <p><u>Identification of the public records of the authority</u></p> <p>Sportscotland record their public records in an <i>Information Asset Register (IAR)</i>. The Keeper has been supplied with both the authority's <i>Information Asset Register Implementation Plan</i> and with a blank <i>IAR</i> template to be completed by business areas (see</p>

			<p>Local Records Management under General Notes below).</p> <p>The IAR features the following information for each record type (the type of record created by the activities of each business area. Examples of record type might be 'case files', 'invoices' or 'data sharing agreements'. Each individual record will be managed according to the record type allocated to it:</p> <ol style="list-style-type: none"> 1. Information Asset Owner 2. A description of the Information asset 3. Purpose for processing 4. Category of the Individuals the asset relates to 5. Categories of the personal data captured. 6. Asset type e.g., Electronic System, Application, or documents held within an electronic folder. 7. If manual/paper document; the exact location of where they are stored. 8. If the asset is shared out with sportscotland [see element 14] 9. If shared, the details of 3rd party and agreement in place. 10. A description of the technical and organisational measures in place to protect the information asset. 11. Date of the last user access review to the information asset 12. Details of any Data Protection Impact Assessments in relation to the Information asset (If applicable) 13. Details regarding Data Protection training for staff with access to the asset 14. Assurances that the sportscotland retention and destruction schedules are being adhered to in relation to the asset. 15. Date of oldest record within the information asset 16. Annual review date 17. Legal basis for processing the information asset. <p>All registered forms populate onto a Microsoft 365 list, which populates the <i>IAR</i>.</p> <p>The <i>IAR</i> is also used as a record of processing activities (ROPA) for data protection purposes (see element 9).</p>
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			<p>When the then Keeper agreed the previous sportscotland RMP (2017) he did so under improvement model terms on the basis that “not all public records are accounted for in the central management system”. The current Keeper is content that this has now been resolved and that the <i>IAR</i> appears to account for the authority’s public records as the Keeper expects.</p> <p><u>Records-Keeping Structure</u></p> <p>Sportscotland manage records in a hybrid system: Public records are held digitally in a cloud-based document management system and on bespoke line-of-business systems. There are also a limited number of public records managed in hard-copy format.</p> <p><u>Digital</u>: The majority of sportscotland’s records are managed on the M365 cloud platform. The authority states “The use of the Microsoft 365 platform reduces duplication and allows retention periods to be applied to each service area, that reflect the record structure of the sportscotland retention and destruction schedules. The retention period takes effect from the document modification date..” (<i>RMP</i> compliance statement under Element 4). Staff are instructed on how to use the M365 Platform (OneDrive, Teams and SharePoint) through an <i>Electronic Information Storage Guidance</i> document which has been provided to the Keeper.</p> <p>The Keeper agrees that M365, appropriately implemented, is a suitable system for the management of public records in digital format and is, particularly in a larger authority, a measurable improvement on the use of shared-drives.</p> <p><u>Digital Line of Business</u>: Sportscotland operate several stand-alone systems for example iTrent (employee data) or PDMS (athlete data). These line-of-business systems sit outside M365, but the Keeper can agree that they are likely to allow the appropriate management of records within a structure as required. The Keeper agrees that the <i>IAR</i> includes line of business systems (for example at <i>IAR</i> entry item 7 above).</p> <p><u>Physical in house</u>: Although a ‘digital first’ organisation, sportscotland manage a limited</p>
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			<p>amount of paper records. This is confirmed in the <i>Records Management Policy</i> (section 3). The Keeper agrees that the <i>IAR</i> includes hard-copy records (for example at <i>IAR</i> entry item 6 above). The Keeper has been provided with a copy of the <i>Paper Records Register</i> template form (see element 11).</p> <p><u>E-Mail</u>: The Keeper acknowledges that sportscotland have properly recognised the risks around email. For example, at <i>RMP</i> section 11, where they state: “sportscotland utilises the functionality of an email management solution which supports MS Outlook and allows us to apply audit mechanisms to email, therefore allowing sportscotland to run monitoring reports when required.”</p> <p>The Keeper agrees that sportscotland retains all its public records in controlled systems which are structured in a clear manner and which can be used by staff to manage public records where appropriate.</p>
5. Retention schedule	G	G	<p>The Keeper expects an authority to have allocated retention periods to its public records and for those records to be retained and disposed of in accordance with a retention schedule.</p> <p>Sportscotland recognise this. Their <i>Records Management Policy</i> (see element 3) states that a principle of records management is that "Records no longer required are disposed of in accordance with the approved Retention and Destruction Schedule" (<i>Records Management Policy</i> section 3) and that “records management must be a coordinated approach to ensure that information we process whilst carrying out our business is managed responsibly, is accessible, secure, and not kept for longer than necessary” (<i>Records Management Policy</i> section 5).</p> <p>The sportscotland <i>Destruction and Disposal Policy</i> (see element 6) states “Records should be retained for as long as they are required to meet business, legal, and regulatory requirements. When records are no longer required, they should be securely destroyed in a timely manner. Staff should refer to the sportscotland retention schedules for details of approved retention periods.” (<i>Destruction and Disposal Policy</i> section 4)</p>

			<p>With these principles in mind, sportscotland have developed a formal <i>Retention Schedule</i> for all their public records which is a separate document from the IAR (see element 4). This has been provided the Keeper (version 2.0 dated 2023).</p> <p>The <i>Retention Schedule</i> is set out in the following style: Record Type/Trigger/Retention Period/Disposal Action/Notes/'Edit History'. See element 4 for description of 'record type'.</p> <p>The lead officer for the development of the <i>Retention Schedule</i> is the Data Protection Officer (see element 2) the responsible director is the Director of Operations (see element 1) and the approving body is the Information Governance Steering Group (see under General Notes below).</p> <p>Although the <i>Retention Schedule</i> specifically refers to records in all formats, including paper (for example at section 2), the majority of sportscotland's public records are managed on the M365 platform. The <i>RMP</i> states that M365 retention periods are aligned to the sportscotland retention schedule imposing the automatic removal of inactive records that reach their retention date (<i>RMP</i> compliance statement against element 5). The application of retention in M365 is further explained in the <i>RMP</i> as part of the compliance text against element 11.</p> <p>The operation of a retention schedule as part of the records management processes in sportscotland is specifically supported by clauses in other formal corporate policies. For example, <i>Data Protection Policy</i> (see element 9) section 15.</p> <p>The Keeper agrees that sportscotland has a schedule providing retention decisions for the record types created while pursuing its functions.</p>
6. Destruction Arrangements	G	G	<p>The Act requires that public records are destroyed in a timely, controlled and secure manner.</p> <p>Sportscotland recognise this. Their <i>Records Management Policy</i> (see element 3) states that</p>

			<p>a principle of records management is that "Records no longer required are disposed of in accordance with the approved Retention and Destruction Schedule" (<i>Records Management Policy</i> section 3).</p> <p>"Once appraised, the majority of records past their retention period and not required for preservation purposes should be securely disposed of" (From the introductory paragraph of the sportscotland <i>Retention Schedule</i> – see element 5).</p> <p>Sportscotland have a <i>Destruction and Disposal Policy</i> which has been supplied to the Keeper. This is v1.0 approved by the Information Governance Steering Group (see under General Notes below) in May 2024. The <i>Destruction and Disposal Policy</i> provides detailed staff guidance on the processes for destruction/deletion of public records. For example, paper (section 5.1) and hardware (section 5.2). The <i>Destruction and Disposal Policy</i> also provides instructions around logging all records removed from the system. The maintenance of a permanent 'destruction log' is good practice and is commended.</p> <p>The Keeper has been provided with a screenshot showing sportscotland staff can access the Destruction and Disposal Policy.</p> <p><u>Digital Records:</u></p> <p>The majority of records within sportscotland are stored within the M365 Platform, where retention periods are aligned to the sportscotland <i>Retention Schedule</i> (see element 5). This allows automatic deletion of inactive records that reach their retention date.</p> <p>In 2017 the Keeper agreed this element of the sportscotland RMP under 'amber' improvement model terms. The then Keeper understood that ensuring the systematic destruction of records on shared drives presented a problem for the authority. However, it is clear that, since then, sportscotland have moved their digital repository entirely away from the shared drive system (see element 4). The Keeper can therefore agree that there has been a significant improvement in this area and can agree this section of element 4 as now compliant.</p>
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			<p><u>Physical records:</u> “Paper records or other hard copy formats (including copies) which have reached the end of their retention period should be destroyed in a secure manner. This can be undertaken on site or via an approved contractor. It is the responsibility of sportscotland to ensure that the methods used throughout the destruction process provide appropriate safeguards against the accidental loss or disclosure of the records at every stage. Accordingly, contractors should be required to sign confidentiality undertakings and to produce written certification as proof of destruction” (from introduction to <i>Retention Schedule</i>). The Keeper has been provided with appropriate evidence that a destruction process for paper records, by an appointed contractor, is in place and operational.</p> <p><u>Records created and maintained on ‘line-of-business’ systems:</u> These line-of-business systems sit outside M365, but the Keeper can agree that they are likely to allow the destruction of public records within a retention framework as required. For example, for example iTrent (employee data) or PDMS (athlete data).</p> <p><u>Hardware:</u> As with physical records sportscotland use the services of external contractors to securely destroy redundant hardware ensuring that all public records are properly deleted from such hardware. The Keeper has been provided with a <i>Certificate of Secure Data Destruction</i> showing that this process is operational.</p> <p><u>Back-Ups:</u> Sportscotland, quite properly, retain back-up copies of public records for business continuity purposes. The availability of back-up copies of digital records is indicated in the sportscotland <i>Business Continuity Plan</i>. A redacted copy of this has been supplied to the Keeper (see element 10).</p> <p>The Keeper has been provided with details of the period of time backups are retained before being overwritten or otherwise permanently deleted. This provides assurance that all copies of digital records and information are deleted after a certain time.</p>
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			The Keeper agrees that sportscotland has processes in place to irretrievably destroy their records when appropriate.
7. Archiving and Transfer	G	G	<p>The Act requires that all Scottish public authorities identify a suitable repository for the permanent preservation of any records considered suitable for archiving. A formal arrangement for transfer to that repository must be in place.</p> <p>Sportscotland state that “After the in-active period of other records, not available on our website, there is an internal appraisal to determine records of enduring value. Once identified, these records are transferred to The National Records of Scotland as per the sportscotland Archiving Policy and the NRS – sportscotland Archive Deposit Agreement.” (<i>RMP</i> compliance statement against element 7).</p> <p>The Keeper has been provided with a copy of the <i>sportscotland Archiving Policy</i> (v1.0, May 2024). This document lists record types that are identified as having enduring value which are worthy of permanent preservation for their historical, cultural and research value, as determined by the Keeper of the Records of Scotland in agreement with sportscotland.</p> <p>The Keeper is satisfied that sportscotland have adequate input to how preservation decisions are allocated to particular record types (see for example <i>Archiving Policy</i> section 5). Although it is the sportscotland information team who liaises directly with NRS, the 'Head of Service' in each business area must review the contents of a file to determine whether it should be transferred to NRS in the first place (see Local Records Management under General Notes below).</p> <p>As noted above, sportscotland have identified the National Records of Scotland as the proper repository for the small selection of their public records suitable for permanent preservation. Some of the public records of sportscotland will therefore become part of the national collection.</p> <p>NRS is an accredited archive and fully adheres to the Keeper's Supplementary Guidance on Proper Arrangements for Archiving Public Records.</p>

			<p>Archive transfer arrangements operate under the terms of a formal Transfer Agreement. However, when the then Keeper agreed sportscotland's first RMP (2019) the transfer agreements had not been fully agreed on both sides. The Keeper therefore agreed this element of the plan under 'amber' improvement model terms. The Keeper can now confirm that this situation has been rectified and a formal transfer agreement was concluded on behalf of both parties in June 2024.</p> <p>The sportscotland website has been selected for preservation as part of the NRS Web Continuity Service: Archive Website Sportscotland</p> <p>The Keeper agrees that sportscotland have arrangements in place to properly archive records when appropriate.</p>
8. Information Security	G	G	<p>The Act requires that public records are held in accordance with information security compliance requirements.</p> <p>Sportscotland recognise this. Their <i>Records Management Policy</i> (see element 3) states that "records management must be a coordinated approach to ensure that information we process whilst carrying out our business is managed responsibly, is accessible, secure, and not kept for longer than necessary." (<i>Records Management Policy</i> section 5).</p> <p>With this in mind, sportscotland have developed an <i>Information Security Policy</i> which has been shared with the Keeper. This is version v1.0 approved by the Information Governance Steering Group (see under General Notes below) in May 2024.</p> <p>The Information Security Policy states its purpose is follows: "Sportscotland is committed to preserving the confidentiality, integrity, and availability of the organisation's key information assets. The appropriate care of these assets is essential to ensure that sportscotland can continue to offer demonstrable safe and secure services that will be trusted by users while also meeting legal and regulatory compliance requirements. This document and associated</p>

			<p>policies will provide a framework which will set cyber security objectives across Sportscotland.” (<i>Information Security Policy</i> section 3).</p> <p>The Keeper agrees that the <i>Information Security Policy</i> appropriately addresses processes to mitigate security risks to IT systems, hardware, infrastructure, applications and software delivery voice services, email, messaging management of laptops, tablets, mobiles and business continuity (see element 10).</p> <p>The <i>Information Security Policy</i> specifically mentions compliance with the Public Records (Scotland) Act.</p> <p>The <i>Information Security Policy</i> is supported by a framework of other policy and guidance documents which go into more detail about various security issues. These are set out in the <i>RMP</i> (section 8). The Keeper has been provided with samples from this framework. Specifically, the Keeper has received a copy of the sportscotland <i>Access Control</i> (v1.0 May 2024) and <i>Cloud Computing</i> policies (v1.0 November 2023).</p> <p>The Keeper has been provided with evidence that sportscotland staff can access the <i>Information Security Policy</i> in the form of a screenshot from the relevant SharePoint site.</p> <p>See element 12 for information security training.</p> <p>The Keeper agrees that sportscotland have procedures in place to appropriately ensure the security of their records as required by the Act.</p>
9. Data Protection	G	G	<p>The Keeper expects a Scottish public authority to manage records involving personal data in compliance with data protection law.</p> <p>Sportscotland (as the Scottish Sports Council) is registered as a data controller with the Information Commissioner’s Office (ICO): Information Commissioner's Office - Register of data protection fee payers - Entry details</p>

			<p>Sportscotland have a <i>Data Protection Policy</i>. The Keeper has been provided with a copy of this <i>Policy</i>. This is v4.0 approved by the Information Governance Steering Group (see under General Notes below) in February 2020.</p> <p>The <i>Data Protection Policy</i> explains the 6 principles of data protection (section 4).</p> <p>The <i>Data Protection Policy</i> confirms that “sportscotland will ensure that it complies with all these principles both in the processing it currently carries out and as part of the introduction of new methods of processing such as new IT systems.” (<i>Data Protection Policy</i> section 5)</p> <p>Members of the public are made aware of their rights and how they can make a subject access request at: Privacy and data protection - sportscotland the national agency for sport in Scotland</p> <p>As required by data protection legislation, sportscotland have identified a Data Protection Officer. This is their Information Governance and Data Protection Officer (see element 2).</p> <p>Sportscotland have other relevant data protection information published on their website for example from: Privacy and data protection - sportscotland the national agency for sport in Scotland</p> <p>Sportscotland have committed to carrying out data protection impact assessments (DPIAs) before they begin any processing of personal data which is likely to result in a high risk to individuals (<i>Data Protection Policy</i> sections 9 and 17). The Keeper has been provided with a sample DPIA as part of the evidence pack accompanying the <i>RMP</i>.</p> <p>Sportscotland have supporting guidance for staff, such as a <i>Personal Data Breach Procedure</i> (which includes a reporting workflow diagram and template reporting form) and a <i>Subject Access Request Policy</i> (v1.0 November 2019). These have also been shared with the Keeper. The <i>Records Management Policy</i> (see element 3) specifically indicates support for the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679), and the Data Protection Act 2018.</p>
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			<p>The Keeper has been provided with evidence that sportscotland staff can access the <i>Data Protection Policy</i> and the supporting staff guidance in the form of a screenshot from the relevant SharePoint site.</p> <p>See element 12 for training.</p> <p>The Keeper agrees that sportscotland have arrangements in place that should allow them to properly comply with data protection legislation.</p>
10. Business Continuity and Vital Records	G	G	<p>The Keeper expects that record recovery, prioritising vital records, is an integral part of the authority's business continuity planning.</p> <p>Sportscotland has developed and implemented a <i>Business Continuity Plan</i> to ensure the continuity of critical business functions in the event of a disruptive incident. A redacted copy of this plan has been provided to the Keeper (dated February 2024).</p> <p>The Keeper is content that the <i>Business Continuity Plan</i> appropriately considers the recovery of records in an emergency (for example at section 5).</p> <p>Sportscotland have committed to reviewing and updating the <i>Business Continuity Plan</i> annually (<i>RMP</i> section 10).</p> <p>As the Keeper is only interested in the recovery of records, the redaction of other elements of the <i>Business Continuity Plan</i> has no bearing on their decision regarding the appropriateness of the <i>RMP</i>. However, the Keeper would like to acknowledge that the sportscotland Director of Operations (see element 1) has supplied a separate letter explaining the necessity of redacting certain sections of evidential documents.</p> <p>The <i>RMP</i> (section 10) explains general processes in place to protect vital records although the automatic cloud back-up functionality of the M365 platform should mitigate much of this risk.</p>

			<p>The Keeper has been provided with a screenshot as evidence that sportscotland staff can access the <i>Business Continuity Plan</i>.</p> <p>The Keeper agrees that sportscotland have an approved and operational business continuity process and that information management and records recovery properly feature in the authority's plans.</p>
11. Audit trail	G	G	<p>The Keeper expects an authority to have processes in place to track public records in such a way that their location is known and changes recorded.</p> <p>Sportscotland recognise this. Their <i>Records Management Policy</i> (see element 3) states that it is a principle of records management that "Records are easily accessible for as long as they are required" (<i>Records Management Policy</i> section 3) and "that records management must be a coordinated approach to ensure that information we process whilst carrying out our business is managed responsibly, is accessible, secure, and not kept for longer than necessary" (<i>Records Management Policy</i> section 5).</p> <p>Sportscotland staff are given the following instruction: "By giving a document a consistent and logical description, you will make it easier to differentiate between similar documents at a glance and users will find it more straightforward to browse and access information. Document naming conventions have two related functions:</p> <ul style="list-style-type: none"> • Bringing related items together under a common label; and • Distinguishing similar items by naming in a consistent, logical, and predictable way." <p>(Introduction to the sportscotland <i>Retention Schedule</i>)</p> <p>With this in mind, sportscotland have developed a detailed <i>File and Folder Naming Guidance</i> document to ensure consistency of naming throughout the organisation. The majority of sportscotland's administrative records are now managed on the M365 platform and this imposes version control automatically (as noted in the <i>File and Folder Naming Guidance</i> section 15). However, to best take advantage of the powerful search functionality in M365, consistency of document naming should be encouraged.</p>

			<p>The Keeper has been provided with a copy of the <i>File and Folder Naming Guidance</i> document. This is v1.0 approved by the Information Governance Steering Group (see under General Notes below) in 2021.</p> <p>In 2017 the Keeper agreed this element of sportscotland's records management plan under 'improvement model' terms. This meant that an authority had identified a gap in their records management provision (not all records could be tracked using SharePoint), but had implemented processes to close that gap. The Keeper is satisfied that this gap has now been closed by moving record from the shared drive system into the M365 cloud. They are therefore now content to fully agree this element of the <i>RMP</i> as compliant.</p> <p><u>Line-of-Business systems</u>: Sportscotland operate several stand-alone systems, for example for athlete data. These line-of-business systems sit outside M365, but the Keeper can agree that they are likely to allow appropriate record tracking as required.</p> <p><u>Paper records</u>: Although a 'digital first' organisation, sportscotland manage a limited amount of paper records. This is confirmed in the <i>Records Management Policy</i> (section 3). Sportscotland track paper records through a Paper Records Register. They have provided the Keeper with a copy template which might be used to populate this register and the Keeper agrees that this is set out in such a way that the future locating and identification of records is embedded in the process. It is noted that paper records feature in the <i>IAR</i> (see element 4) and this can also be used to track records as it includes format and location.</p> <p>The Keeper agrees sportscotland has procedures in place that will allow them to locate their records and assure themselves that the located record is the correct version.</p>
12. Competency Framework for records management	G	G	<p>The Keeper expects staff creating, or otherwise processing records, to be appropriately trained and supported.</p> <p>The Keeper has been provided with the <i>Job Description</i> of the sportscotland Information Governance and Data Protection Officer who is the individual identified at element 2 as</p>

staff			<p>having day-to-day responsibility for implementing the <i>RMP</i> (see also Local Records Management under General Notes below). This <i>Job Description</i> includes the required qualifications expected of that individual and the Keeper agrees that these are appropriate for the role indicated in the <i>RMP</i>. As noted under element 2, the sportscotland Director of Operations and Senior Information Risk Owner (SIRO) has written to support the role and has named Ms Lochrie specifically.</p> <p>The Keeper acknowledges that the sportscotland Information Governance and Data Protection Officer has attended several PRSA training events (and in fact hosted one in sportscotland offices) and has fully engaged with their Assessment Team.</p> <p>Staff training on information governance is a formal policy commitment: For example, <i>Records Management Policy</i> (see element 3 - section 3) or <i>Information Security Policy</i> (see element 8 – section 7).</p> <p>All staff are provided with a combination of records management training and guidance to provide awareness of the sportscotland <i>RMP</i> and the <i>Records Management, Information Security</i> and <i>Data Protection</i> policies. Staff with particular responsibility for processing information undertake supplementary training (<i>RMP</i> section 12).</p> <p>There is a requirement for sportscotland staff to complete data protection eLearning modules during their induction along with training modules received via email every two weeks (see element 9).</p> <p>Records management training includes the secure destruction and deletion of records (see element 6).</p> <p>The Keeper has been supplied with a copy of the sportscotland records management eLearning module, induction programme and <i>RMP</i> awareness presentation.</p> <p>The Keeper has also been supplied with examples of the sportscotland staff newsletter 'Inside Track' showing corporate updates on social media policy, privacy and cyber security.</p>
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			<p>The <i>RMP</i> notes that the Information Governance and Data Protection Officer is supported by the sportscotland Learning and Development Manager in regard to records management training (<i>RMP</i> section 12).</p> <p>The Keeper agrees that the individual identified at element 2 has the appropriate responsibilities, resources and skills to implement the records management plan. Furthermore, they agree that sportscotland consider information governance training for staff as required.</p>
13. Assessment and Review	G	G	<p>Section 1(5)(i)(a) of the Act says that an authority must keep its <i>RMP</i> under review.</p> <p>The <i>RMP</i> confirms that “sportscotland is committed to ensuring its Records Management Plan, and associated policies and guidance are reviewed regularly and still appropriate to best support the business needs of the organisation and that any opportunities for improvement are identified and actioned.” (<i>RMP</i> section 13)</p> <p>The sportscotland <i>RMP</i> is to be reviewed annually and this is a formal commitment in the <i>Plan</i> (section 5). The review is conducted using a records management annual assessment checklist. The checklist is used to assess the adequacy of records management policies, guidance, systems, and procedures in place throughout sportscotland. The Keeper has been provided with a copy of the checklist.</p> <p>Each element of the <i>RMP</i> has a separate review section identifying the officer responsible for reviewing that particular subject. For example, the Information Asset Manager and Information Governance and Data Protection Officer are responsible for an annual review of element 3 while the Head of ICT and Business Continuity is responsible for reviewing element 8. The Keeper agrees this is a commendable approach.</p> <p>Results of the review are reported to the Information and Governance Steering Group (see under General Notes below) and, through them, to the Senior Management Team of whom they are a sub-group (<i>Information and Governance Steering Group Terms of Reference</i>).</p>

			<p>As noted against element 4 sportscotland have an <i>Information Asset Register (IAR)</i> implemented throughout their business areas. Each area is required to review the record types in the <i>IAR</i> that relate to their business area at least annually to ensure the register has an accurate account of records managed by the business (see Local Records Management under General Notes below). The <i>IAR</i> is also reviewed on a monthly basis by the Information Governance and Data Protection Officer (see element 2).</p> <p>Sportscotland's Records Management Policy (see element 3) is constantly monitored and formally reviewed annually by the Information Governance and Data Protection Officer.</p> <p>Sportscotland's <i>Business Continuity Plan</i> (see element 10) is updated annually.</p> <p>The Keeper has received a separate <i>Covering Letter</i> from the sportscotland SIRO (see element 1) in which she confirms that "Our governance structure enables the Information Governance and Data Protection Officer to report issues and promote strategies for the improvement of record keeping."</p> <p>The Keeper's Assessment Team acknowledges that sportscotland voluntarily reviewed and updated their records management arrangements in 2019 and reported this review using the Keeper's Progress Update Review (PUR) mechanism.</p> <p>The Keeper agrees that sportscotland have made a firm commitment to review their <i>RMP</i> as required by the Act and have explained who will carry out this review and by what methodology. Furthermore, they agree that supporting policy and guidance documents have appropriate review periods allocated.</p>
14. Shared Information	G	G	<p>The Keeper expects a Scottish public authority to ensure that information sharing, both within the authority and with other bodies or individuals, is necessary, lawful and controlled.</p> <p>It appears clear from the compliance statement and the associated evidence that the authority takes information sharing seriously. There are procedures in place, including</p>

			<p>operational DPIAs, to ensure information sharing can take place securely. All data sharing is registered, and the register has been provided to the Keeper in evidence.</p> <p>Data sharing is undertaken through a formal agreement and a copy of the data sharing agreement template has also been supplied. The Keeper is content that this agreement includes robust information clauses as expected.</p> <p>The <i>IAR</i> (see element 4) identifies record types that are routinely shared with other bodies.</p> <p>The Keeper can agree that sportscotland properly considers records governance when undertaking information sharing programmes.</p>
15. Public records created or held by third parties	G	G	<p>The Public Records (Scotland) Act 2011 (PRSA) makes it clear that records created by third parties when carrying out the functions of a scheduled authority should be considered 'public records' - PRSA Part 1 3 (1)(b).</p> <p>On this issue sportscotland state: "sportscotland have limited records created by third parties. Where sportscotland have contracts in place with 3rd parties, and the services include elements of records management, contracts in place include records management clauses ensuring 3rd parties adhere to sportscotland's records management plan and associated policies." (<i>RMP</i> section 15)</p> <p>Sportscotland have provided the Keeper with sample contract templates. The Keeper agrees that these templates include information governance clauses including data protection, ICT access requirements and record keeping obligations.</p> <p>The Keeper is confident that when awarding a contract to a third party to deliver a public function sportscotland satisfied itself that the third party's systems and procedures were robust enough to allow the authority to continue to meet its statutory obligations with regard to these records, even though they are being created by another body and remain in their keeping.</p>

Scottish Sports Council (sportscotland)

General Notes on submission:

Version: This assessment is on the *Records Management Plan (RMP)* submitted by the Scottish Sports Council (sportscotland), for the Keeper of the Records of Scotland's (the Keeper) agreement, on 15th August 2024.

The *RMP* submission was supported by an appropriate evidence package and by a separate letter from the sportscotland Senior Information Risk Owner (see element 1), also dated 15th August 2024, in which she refers to the Public Records Scotland Act and endorses both the *RMP* and the *Records Management Policy* (see element 3).

This is the second *RMP* from sportscotland assessed by the Keeper. Their first *RMP* was agreed by the then Keeper on 15th February 2017: read [sportscotland records management plan report](#)

The *RMP* mentions compliance with the Public Records (Scotland) Act 2011 and is set out in the structure of the Keeper's 15 element Model Plan: [Model Records Management Plan - National Records of Scotland \(NRS\)](#)

The sportscotland *Records Management Policy* states:

“sportscotland recognises that records represent a vital asset, which support the daily functions of sportscotland and protect the rights and interests of staff and members of the public who engage with the organisation. Effective record keeping supports staff and teams in achieving efficiency, consistency and continuity of work and enables the delivery of sportscotland's objectives and services. It seeks to ensure that the correct information is captured, stored, maintained, retrieved, and destroyed or preserved in accordance with business needs and statutory and legislative requirements.”

The Keeper fully agrees this statement.

Sportscotland recognise public records as a business asset that must be appropriately managed (for example at *Records Management Policy* section 1). This is an important recognition and the Keeper welcomes it.

Information Governance Steering Group

Sportscotland have developed an Information Governance Steering Group (IGSG) which is a subgroup of the organisation's Senior Management Team and reports to the Audit and Risk Committee. The Director of Operations (see element 1) and the Data Protection Officer (see element 2) are both members of the IGSG.

The IGSG is responsible for preparing an “action plan covering each of the key elements in the governance of personal information, in particular, provisions of GDPR, DPA 2018, the Public Records (Scotland) Act 2011, Information Security and the physical security of premises where personal information is held.” (*Information Governance Steering Group Terms of Reference*) The IGSG are responsible for ensuring the “adequacy and effectiveness of the systems for managing personal information relating to athletes, service users and staff within sportscotland, in both electronic and paper format, including adherence to:...Requirements and principles of the Data Protection Act and General Data Protection Regulation...The Records Management Plan” (*Information Governance Steering Group Terms of Reference*)

The IGSG monitors the provision of policies, standards, tools, information sharing processes (see element 14), and training (see element 12) to support staff in managing information.

The IGSG is also responsible for the investigation of breaches of information security (see element 8).

The IGSG may, in the case of exceptional business need extend the retention period on documents sets (*Destruction and Disposal Policy* section 6).

“The Information Governance Steering Group are responsible, on behalf of sportscotland, to review the internal arrangements and processes that ensure the use of personal information relating to service users or staff is lawful, ethical and effective.” (*Subject Access Request Policy* - see element 9 - section 3.4).

The IGSG approved the *Records Management Policy* (see element 3), the *Destruction and Disposal Policy* (see element 6), the *Archive Deposit Policy* (see element 7), the *Information Security Policy* and the *Access Control Policy* (see element 8), the *Data Protection Policy* and the *Subject Access Request Policy* (see element 9) and the *Document and Folder Naming Guidance* (see element 11).

The IGSG is clearly of fundamental importance to records management in sportscotland and the Keeper thanks the authority for providing details of their work.

Local Records Management

As noted under elements 1 and 2 the Director of Operations and Senior Information Risk Owner (SIRO) and the Information Governance and Data Protection Officer are responsible for the sportscotland *RMP*. However, for practical purposes the day-to-day monitoring of the implementation of the objectives set out in the plan in local business areas falls to the lead officers in those areas. In sportscotland these are called 'Heads of Service'. The Heads of Service are responsible for ensuring that the staff working in their business areas are supported in adhering to the *RMP*, the *Records Management Policy*, the *Destruction and Disposal Policy*, the *Archive Deposit Policy* and the information security and data protection framework.

"The Heads of Service are responsible for all information processing activities within their remit. They have overall responsibility for ensuring records management principles are implemented and adopted by all staff and associated third parties relating to the business functions and activities within their service. They are also responsible for approving change requests to the retention and destruction schedules, promoting good records management and ensuring staff adhere to the sportscotland Records Management Plan, Data Protection Legislation and any other sportscotland policies in relation to records management (From the introductory paragraph of the sportscotland *Retention Schedule* – see element 5).

Heads of Service have particular responsibilities around reporting data breaches under the sportscotland *Data Protection Policy*. These are described in detail in the *Personal Data Breach Management & Reporting Procedure* document which has been supplied to the Keeper (see element 9).

Heads of Service are responsible for the authorisation of destruction of paper records (*Destruction and Disposal Policy* section 5) – see element 6.

"Heads of Service are responsible for ensuring all staff within their area of responsibility have completed records management training" (*Records Management Policy* section 5) – see element 12.

“Heads of Services should arrange for a review of the record types ... on an annual basis, and engage with the Information Asset Manager to make arrangements for the transfer of relevant records to the National Records of Scotland for archiving” (*Archive Deposit Policy* section 5) – see element 7.

The Information Governance and Data Protection Officer, assisted by the sportscotland Information Asset Manager (see element 2), support the Heads of Service in matters relating to information governance, including records management and data protection.

Local Heads of Service are clearly of fundamental importance to the enactment of the Records Management Plan in sportscotland and the Keeper thanks the authority for providing details of their responsibilities.

6. Keeper's Summary

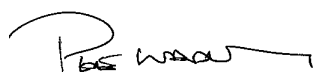
Elements 1 - 15 that the Keeper considers should be in a public authority records management plan have been properly considered by the **Scottish Sports Council (sportscotland)**. Policies and governance structures are in place to implement the actions required by the plan.

7. Keeper's Determination

Based on the assessment process detailed above, the Keeper agrees the RMP of the **Scottish Sports Council (sportscotland)**.

- The Keeper recommends that the Scottish Sports Council (sportscotland) 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



.....
Liz Course
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 Scottish Sports Council (sportscotland). In agreeing this RMP, the Keeper expects sportscotland to fully implement the agreed RMP and meet its obligations under the Act.

A handwritten signature in cursive script, reading "Laura L. Mitchell".

.....
Laura Mitchell
Deputy Keeper of the Records of Scotland