



Public Records (Scotland) Act 2011

2011 asp 12

PART 1

RECORDS MANAGEMENT PLANS

1 Records management plans

- (1) Every authority to which this Part applies must—
 - (a) prepare a plan (a “records management plan”) setting out proper arrangements for the management of the authority's public records,
 - (b) submit the plan to the Keeper for agreement, and
 - (c) ensure that its public records are managed in accordance with the plan as agreed with the Keeper.
- (2) An authority's records management plan must—
 - (a) identify—
 - (i) the individual who is responsible for management of the authority's public records, and
 - (ii) (if different) the individual who is responsible for ensuring compliance with the plan, and
 - (b) include, in particular, provision about—
 - (i) the procedures to be followed in managing the authority's public records,
 - (ii) maintaining the security of information contained in the authority's public records, and
 - (iii) the archiving and destruction or other disposal of the authority's public records.
- (3) An authority's records management plan may make different provision for the management of different kinds of public records (taking account, for example, of the different levels of risk associated with the management of different kinds of records).
- (4) The Keeper must issue guidance to authorities about the form and content of records management plans.

Changes to legislation: There are currently no known outstanding effects for the Public Records (Scotland) Act 2011, Section 1. (See end of Document for details)

- (5) The Keeper may issue different guidance under subsection (4) in relation to different authorities.
- (6) Before issuing guidance under subsection (4), the Keeper must—
- (a) consult the following on a draft of the guidance, namely—
 - (i) such authorities as the Keeper considers will be affected by the guidance, and
 - (ii) such other persons (if any) as the Keeper considers appropriate, and
 - (b) have regard to any views expressed in response to the consultation.
- (7) Authorities must have regard to the guidance issued by the Keeper in preparing their records management plans for agreement with the Keeper.
- (8) An authority—
- (a) must, if the Keeper so requires, or
 - (b) may, with the Keeper's agreement,
- have separate records management plans for public records relating to separate functions of the authority.
- (9) A group of two or more authorities—
- (a) must, if the Keeper so requires, or
 - (b) may, with the Keeper's agreement,
- have a common records management plan for both or, as the case may be, all of the authorities in the group.

Modifications etc. (not altering text)

- C1** S. 1 modified by 2003 asp 13, s. 4ZD(2) (as inserted (1.7.2014) by [Victims and Witnesses \(Scotland\) Act 2014 \(asp 1\)](#), ss. 30, 34; S.S.I. 2014/117, art. 3)
- C2** S. 1 modified (28.6.2021) by [Redress for Survivors \(Historical Child Abuse in Care\) \(Scotland\) Act 2021 \(asp 15\)](#), s. 109(2), sch. 2 para. 2; S.S.I. 2021/234, reg. 2, sch.
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Commencement Information

- I1** S. 1(1)-(3)(7)-(9) in force at 1.1.2013 by S.S.I. 2012/247, art. 2
- I2** S. 1(4)-(6) in force at 24.2.2012 by S.S.I. 2012/21, art. 2

Changes to legislation:

There are currently no known outstanding effects for the Public Records (Scotland) Act 2011, Section 1.