SUBMISSION FROM SCOTTISH NATURAL HERITAGE

1. We provided a positive response to the Consultation on the proposals for a new Public Records Bill. We are supportive of the aims and objective of better record keeping and we remain supportive of an update to the legislation governing Scottish public records.

2. We have noted our specific comments below.

Records Management Plans

3. We welcome the Keeper’s role in issuing guidance on the form and content of plans and the preparation of a model plan. We believe that the flexibility provided for review of plans is beneficial. Plans may require update for a number of reasons, for example a change to statutory duties or organisational mergers.

Compliance Reviews

4. The proposed process for compliance reviews does not seem unduly onerous.

Policy Memorandum and Financial Memorandum

5. The Policy Memorandum provides a useful summary of the policy objectives of the Bill and explanation of why an update to the Public Records (Scotland) Act 1937 is now required. The Financial Memorandum is helpful in setting out anticipated costs of compliance with the proposed Bill. We note that it will be for the bodies themselves to ensure compliance and make the necessary adjustments to implement records management action plans and prioritise their administrative functions to ensure that resources are available. At present, we anticipate that these costs will be tolerable to SNH, however any further budget reductions are likely to make this additional requirement challenging.

Consultation on the Proposed Legislation

6. We were content with the consultation carried out by Scottish Government on the proposed Bill.

John Thomson
Director of Strategy and Communication
26 November 2010