

**Minutes of the Seventy-eighth meeting of the
Scottish Records Advisory Council held in
General Register House, Monday 22nd October
2001.**

Present: Professor Hector MacQueen, Chairman; Mr Peter Daniels; Dr Roger Davidson; Dr David Ditchburn; Mr Hamish Hamill; Mr Frank Rankin; Sheriff David Smith.

In attendance: Mr G P Mackenzie, Keeper of the Records of Scotland; Dr Peter Anderson, Deputy Keeper, National Archives of Scotland; Mr John Randall, Registrar General; Dr Alison Rosie, Secretary.

1. Membership: The Chairman expressed his thanks to Professor Crowther for her two terms in office as Chairman. Since the previous meeting the review of Non Departmental Public Bodies had confirmed that the SRAC would continue in its current form. Under the new regulations however, while the reappointment of members remains comparatively simple, the recruitment of new ones is more complex. Traditionally the emphasis on court and legal records had led to a significant judicial representation on the council. The SRAC would need to consider whether this should continue. As well as representing different interests groups, the council agreed that it should also try and attract to the council, where possible, more women, members from a wider geographical area and a greater age range. The SRAC should also make more information about its work available over the website, such as agendas, minutes and other papers.

2. Apologies: Apologies were received from Dr Lynn Abrams; Dr Mike Barfoot; Alan Cameron; Mr James McGonigle and the Hon. Lord Kingarth.

3. Minutes: The Minutes of the 77th meeting were approved.

4. Matters Arising:

Data Protection

Since the Data Protection Act had come into force there had been lot of uncertainty and debate. There is an obvious conflict of philosophy between it and Freedom of Information (FoI). At a meeting with Mr MacKenzie and members of the Scottish Executive earlier in the day, the Chairman had suggested holding a conference in March or April 2002 on these two interlinked issues. It was hoped to involve the Data Protection registrar and stimulate debate through short presentations by experts in the field. Mr MacKenzie fully supported the suggestion and agreed that the NAS could co-host the event.

The Council discussed the Society of Archivists guidelines for archivists and librarians on Data Protection. Dr Ditchburn pointed out that the guidance lacked the perspective of the user; it was written purely from the perspective of the archivist. Mr MacKenzie recognised the need for clear information for users about their rights under Data Protection and FoI. The main concern among the archive profession is that the literal

adherence to the Data Protection would mean closing archives to users which were currently open, clearly not the intention of those drawing up the legislation.

Destruction of files

Mr Mackenzie reported that the issues raised by Professor Crowther had been resolved and lessons learnt by all sides. He expressed concern, however, over her suggestion that NAS should find new homes for records marked for disposal. To do this routinely would cause enormous problems. The NAS was now making the appraisal criteria tighter as too many records were coming in for the space available even though only 3% of the whole was retained.

Dr Davidson queried the lack of access to the principles of destruction and appraisal. Mr Mackenzie said that a dialogue with the user community was certainly advantageous, but not interaction over what should and should not be kept. For this reason, lists of files destroyed were not generally made public.

5. Freedom of Information (FoI)

The bill had appeared at the beginning of the month and the points on which the SRAC has laid the greatest stress had been met. These were:

S25 (2)b(ii) - material which is publicly obtainable and currently accessible, is now exempt from FoI. This is in contrast to UK FoI legislation and had gone in as a result of the SRAC's representation.

S58 - notes the exemption of health records: 100 years from date of death has been altered to 100 years from date of last item in the record.

S68 (2) slightly widens the role of the SRAC.

Over all, the amendments have made the bill more difficult to understand. There still remained the question of UK records in Scottish hands. It is likely that they would be considered to be held by NAS on behalf of the Keeper of the Public Records.

The Council had received a letter from the Justice 1 Committee seeking views on the main policy objectives of the bill and would send a reply giving the bill its support.

6. Postgraduate Training:

The Scottish Postgraduate Archives Training Project officer, Frank Rankin, explained the background to the project. The research is funded by the NAS, Glasgow University and the Society of Archivists. There is a strong level of interest in developing a postgraduate training course for archivists and records managers in Scotland. In the near future an interim report will be sent out for consultation and the SRAC will be given the opportunity to comment. The Chairman gave the project the council's support.

7. Registrar General

The 2001 Census

The publicity for the census had been, in some respects, too successful. The helpline had been inundated. On the other hand, an impressive 98% of the census forms had been returned. The first statistical information drawn from the forms would become available in August 2002.

Historic Records

The 1901 census records would become available shortly: the microform copies are slightly ahead of the normal timetable with the digital version accessible in New Register House in January 2002.

There have been indications this year of a levelling off in the huge increase in demand for paper extracts.

8. Accommodation

The refurbishment of General Register House continues. The business case for Thomas Thomson 2 has progressed and it is hoped to finalise the submission soon. From the beginning of the design to completion and getting records into the building would take 6 years. This timescale would be extended if the option of a Private Finance Initiative were pursued.

The Chairman raised the question of public transport to TTH if the new extension were to include public search rooms. Dr Anderson hoped that the railway station near TTH would indeed be going ahead. If this does not happen, the NAS would be forced to consider alternatives, such as digital imaging on demand.

Dr Ditchburn queried whether the NAS would consider extending its search room opening hours in line with most other UK and European archives. Mr Mackenzie responded that Saturday morning opening hours had been abandoned some years ago because of the small take up, but he would be open to extending access if there was found to be a genuine demand. Readers Services Branch were planning to conduct a survey of users in the future and were aware of the need to reach out beyond the Monday to Friday user. Mr Randall suggested that the availability of information over the internet would be one way of being flexible.

9. Archivists in Scottish Local Authorities Working Group (ASLAWG)

Frank Rankin reported that the group had met in September. There was further discussion of Data Protection in the absence of the final version of the guidelines from the Society of Archivists. The archivists were principally concerned about the potential of longer closure periods for some record groups and a resulting reduction of access for users.

ASLAWG continued to look into developing disposal and retention schedules. A generic document retention schedule would be presented to the SRAC for its support. There is no formal link between the two bodies, but their mutual support is important.

Seven local authorities have no archivist and are not represented on ASLAWG. The meeting had discussed how they could feed into the work of the group and how the group could encourage the local authorities to employ archivists. Mr Mackenzie suggested that the newly created NAS External Relations Branch could assist and support these local authorities.

Dr Davidson raised the issue of poor law and health records in local authority archives. The stress in Data Protection is on the age and type of record but more emphasis needed to be put on how they might be used by researchers eg. limitations on photocopying, no use of personal identifiers etc. Mr Mackenzie replied that the records did not have to be all open or all closed, there could be grades of access. At the moment, researchers can apply for access to closed files, though Dr Davidson feared that in the future the local authority archivist might go for the safe option of no access. Mr Rankin felt that in the case of Data Protection Act impact on access to records, this would be principally a matter of the interpretation put on the legislation by the Information Commissioner. The main potential difficulties could be faced by family historians seeking information on individuals, rather than academic users seeking contextual or statistical information.

10. Re:source.

Re:source is sponsored by the Department of Culture Media and Sport (covering England and Wales only) and clearly sees itself as having a role in Scotland although it has no money to spend in Scotland. Until a concordat has been drawn up between Re:source and the Scottish Executive, it was difficult to see how Re:source would operate in Scotland.

Mr Mackenzie had had a meeting with Neville Mackay, Chief Executive of Re:source, and with representatives of the museum world. It would appear that archives are happier with the situation than libraries or museums. At the moment there is much common ground where working as part of a UK organisation would be positive. He hoped to hold discussions with the Scottish Executive regarding the position of archives in the cultural strategy and Re:source.

Mr Rankin pointed out that the cross-sectoral approach had strong potential benefits for archives in Scotland. A redistribution of funds favourable to archives has already begun in England.

11. Any Other Business

The Chairman reported on his meeting in September with Liz Forgan, chair of the National Heritage Memorial Fund at a lunch for clients of the Lottery Funds. The Heritage Lottery Fund is underspent in the archive sector and also in their Scottish regional remit. What role could the HLMF play in supporting the development of new initiatives in the area of digitisation? With the funding of the Scottish Archive Network coming to an end next year, a further application for lottery funding could be made. Mr MacKenzie agreed to brief the council on the background and the options for SCAN in

the future. The conservation of archive collections is also an area which would benefit from lottery funding.

The Foundation of Nations

Michael Lynch had been nominated as the Scottish Advisory Editor of this proposed publication.

The next meeting will be on Monday 22nd April.