

**Minutes of the 82nd meeting of the
Scottish Records Advisory Council
held in New Register House,
Monday 20th October 2003**

Present: Professor Hector MacQueen, Chairman; Professor Lynn Abrams; Dr Mike Barfoot; Professor Roger Davidson; Mr Hamish Hamill; Mr Frank Rankin; Sheriff David Smith; Ms Marion Stewart.

In attendance: Mr G P Mackenzie, Keeper of the Records of Scotland; Mr Duncan Macniven, Registrar General; Stephen Bruce from the Public Records Branch of the Scottish Executive and Dr Alison Rosie, Secretary.

1. Membership: Sheriff Smith's term on the Council had been renewed for a further 5 years. Professor Davidson and Mr Hamill's first terms were due to end in January 2004. Both expressed their willingness to continue on the Council. Mr Bruce noted that under the new scheme, members could remain on the Council for up to 10 years. This would allow Mr Daniels, whose second term of duty would also end in January 2004, to continue for a further four years.

Attempts to find a private owner to sit on the Council had thus far proven unsuccessful. Mr Bruce felt that in the light of the Public Records review it would not be worth going through the complex paperwork required to appoint a member. He would look into whether it would be possible to co-opt instead.

The Chairman welcomed Mr Duncan Macniven, who had recently replaced Mr John Randall as Registrar General, to his first meeting of the Council.

2. Apologies: Apologies were received from Dr Peter Anderson, Mr Peter Daniels, Lord Kingarth and Ms Vicki Wilkinson.

3. Minutes: The minutes of the 81st meeting were approved with some minor amendments.

4. Matters Arising:

National Lottery Funding Discussion Document

The Chairman agreed to write a letter to the Lottery Fund responding to their proposals in general terms. Mr Mackenzie reported that the former Keeper of the Records, Mr Patrick Cadell, was now on the Scottish Committee of the HLF

Sheriff Court records

The revised schedule was now with the Scottish Court Service. The main point of discussion was how the NAS advised courts on the historical material they held.

5. Freedom of Information

Mr Bruce responded to the points raised in the Chairman's response to the consultation on the draft Code of Practice on Records Management. It was not clear whether records management training would be included in the training strategy prepared by the Scottish Freedom of Information Implementation Group (SFOIIG), but there would be some guidance on records management training in the generic Model Action Plan (MAP) which will support the Code. Guidance on publication schemes would be outwith the scope of the Code, but the Information Commissioner (SIC) would soon publish such guidance on his website. The Council had expressed concern about the prescriptive nature of the code. Mr Bruce noted that the code was enforceable and therefore could not be too permissive. He also explained that the MAP provided an opportunity for sectors to produce guidance on records management specifically tailored to their particular needs and circumstances. In effect, the Code specifies what authorities should do and the MAPs will advise on how they should do it. He acknowledged the need for guidance on copyright, but suggested this would be more appropriately dealt with in discussion relating to the Section 60 Code on the exercise of functions.

The remaining comments in the response related to the disposal and destruction of records. Mr Bruce thought these could be more effectively pursued as part of the work on the Scottish public records strategy. It was the proper function of the Council to comment on these issues. The Chairman agreed to submit the response although, to his and the Council's surprise, the deadline had passed. Mr Bruce said that although it was too late to pick up these comments in the Code, they would all be followed up elsewhere.

Mr Bruce reported on developments regarding FoI. Section 61 Code on records management would be published, initially electronically, around the end of October, after being laid before Parliament. The generic Model Action Plan would be published under the Keeper's name. The Information Commissioner had declined to publish it because he had had no involvement in the drafting and did not have the resources to take on this job. The timetable announced in May would include the full implementation of the Scottish FoI Act by the end of January 2005, in line with the timetable for the UK FoI Act. The section 60 Code of Practice was currently out to consultation until the end of October. Mr Bruce was sure that comments submitted shortly after that date would be accepted but any comments should still be submitted as soon as possible. Work on secondary legislation supporting the Act was under way. By the end of the year the FoI Unit hoped to consult on fees regulations though there were some complex areas to resolve.

The Scottish Information Commissioner's office had opened in St Andrews and a visit by the SRAC was proposed. Training materials were being developed by Masons the solicitors. These would include a package of workbooks and leaflets. Draft modules would be piloted and tested, ready for distribution by the end of the year.

Mr Rankin suggested it would be helpful for the Scottish Executive to take the lead in developing practitioners' networks as there was no obvious home in most public authorities for FoI. Mr Bruce agreed to find out what was being done about this and keep the Council informed.

6. Scottish Public Records Strategy

Mr Bruce reported that the formal announcement of the strategy would take place after the parliamentary recess. The remit of the project was wider than that being undertaken by The National Archives – it would examine all aspects of the legislation, guidance and practices as well as the roles and functions of all stakeholders. The aim was to bring in appropriate measures to manage records in the 21st century, encompassing new and future technologies, FoI and data protection. It would include not only a public records and archives bill, but also things like new guidance and standards to improve records management and archives and their accessibility. There was no guarantee of a Bill but he was hopeful that there would be a slot for one at the end of the Parliamentary Session, in 2006-7.

The Scottish Executive was eager to approach the matter with an open mind and was holding a series of informal workshops to stimulate discussion and gather ideas. The first of these would be in Edinburgh (7th, 14th and 17th November) and Glasgow (21st November). More were planned for the beginning of the year outwith the central belt. The workshops would involve a maximum of 20 participants from a wide range of interests, including archivists and records managers as well as users and senior managers of public authorities, plus a guest speaker. The SRAC would also be invited to attend and it was mooted whether, because of the range of their expertise, the SRAC could make up a workshop or other similar event. Formal consultation would take place in 2004 with those parts of the strategy not requiring primary legislation being implemented in 2005 and any bill following in 2006-7.

The Council felt that the SRAC had been instrumental in planning legislation pre devolution and had produced good raw material for this exercise. Dr Barfoot pointed out that the SNAP document remained relevant and could inform the consultation and not be lost in the debate.

The consultation process also raised the issue of the role and composition of the SRAC and the question of user input to the formulation of legislation. The Chairman noted that the Council should be very different now from when it was set up in 1937. The majority of users of archives were leisure rather than professional/academic, yet the SRAC represented the latter and not the former.

7. Proposed National Records and Archives Legislation

The SRAC had been asked for their views on the paper. Mr Rankin agreed to draft a response which could be circulated to members for comment.

8. News from the NAS

a. Selection Policy for Government records

Mr Mackenzie reported that this was the first time the NAS had held a consultation on this issue and welcomed the SRAC's views. Professor Davidson welcomed the approach but thought it was important for users to have input into a broad strategy. He was also

unhappy at the differentiation made between some administrative records and others: the process of government growth was documented in a lot of routine administrative files which may be discarded too easily. Professor Abrams added that administrative files revealed not just the impact of government policy on the citizen but vice versa. Professor Davidson suggested the creation of a user group linked in with preservation policy. He also asked if there was or could be made available a database or listing of all Scottish material in The National Archives in Kew.

Mr Mackenzie welcomed these ideas and wondered whether a sub-group of the SRAC formed from the academic members of the Council could evolve into this. The NAS would take these suggestions forward. He also agreed with Mr Rankin that the results of appraisal deliberations could be published on the NAS website.

b. Family History Service

It was proposed to house the new search facility on the ground floor of General Register House. A physical connection with New Register House was subject to discussions with Historic Scotland.

c. Late Opening

The six month trial late opening of the Historical Search Room was nearing an end and has been reasonably successful, if expensive. The trial would be reviewed shortly.

d. Accommodation

General Register House (GRH): The refurbishment of GRH was moving from the east to the west side of the building. The new reference area in the Robertson Wing would be open to researchers in early November and new furniture in the Historical Search Room would also be installed that month. The Search Room would close for one week (3-7 November) to allow for staff and library moves but there would be no closure for stocktaking.

Thomas Thomson House (TTH): A further private-public option for TTH2 was being investigated before the NAS reported back to Ministers.

West Register House (WRH): Options for upgrading the furniture in the Search Room had been costed. Any work would fall in the next financial year.

e. Exhibitions

The exhibition celebrating the Union of the Crowns, 'The Universal King' was opened at Edinburgh Castle on 1 October by the First Minister. It would run until the end of November. Visitor numbers were running at between 2000 to 3000 a day, making this the most popular NAS exhibition ever.

f. Publications

A new edition of the guide to ancestry research, 'Tracing your Scottish Ancestors', would be published in mid-November.

g. Education materials

The first two modules in the Scottish Archives for Schools series, on 16th century Scotland and the Jacobites were nearing publication. These would be published in CD and paper editions as well as on the web.

h. e-Cat

The NAS electronic catalogue was now available on the NAS website, though it had not been widely publicised. Further development of the user interface was likely once comments from users had been analysed. Extensive databases of 19th century criminal cases were currently being added to the system. Members of the SRAC welcomed this development and those who had used the catalogue expressed their satisfaction.

i. SCAN

Magnus Magnusson would preside over a celebration event on 23 October at The Hub. The HLF had approved the continuation of work on an additional four educational modules to be prepared by a consortium of teachers and archivists. Most of the SCAN staff had been reabsorbed into NAS, and the remainder would return next financial year.

j. Digitisation

Following agreement with the Church of Scotland, NAS and SCAN had embarked on a project to digitise the main Kirk Session records. Good progress had been made and a suitable finding aid was being investigated. This would probably be a supercontents list which would provide a framework for later indexing by either archive staff or volunteers.

9. UK Archive Issues

a. The Archives Task Force

The Archives Task Force would complete its work in December, with publication of the report in January 2004 in London. The major recommendations would include the promotion of the idea of a national archives network building on existing work but aiming to be responsive to users and offering opportunities for local groups to participate. Further partnerships in education projects, increased use of volunteers and a new framework for archive education and training were also likely to figure.

b. Linking Arms

The National Archives was taking the lead in this project which aimed to join together the major strands in the UK network of archive catalogues. Major funding would be sought from the HLF.

c. Mac2A

A Scottish initiative coordinated by the SCA, this project was currently seeking funding from the HLF for project development. NAS and SCAN were supporting the project, including keying 20,000 pages of catalogues.

d. Archives Awareness Month

The SCA had held an event to publicise this in General Register House on 24 September. It was attended by a number of MSPs including the NAS minister, Tavish Scott. Tom Devine had made an eloquent plea on behalf of Scotland's archives.

e. Goodison Review

Mr Mackenzie noted that the NAS had benefited from the Acceptance in Lieu conditions on a number of occasions. Some of the document was only relevant to England and Wales but other points were more generic. Mr Rankin queried whether accessibility was more important than retention in this country and whether the focus on geographical location was misguided. If collections went to North American universities with their greater resources, the option of internet access was greater. Mr Mackenzie pointed out that many American universities were keen to preserve such collections for their own students or academics, and would often charge to allow others access.

10. Scottish Council on Archives

The Chairman circulated the draft minutes of the Council's September 2003 meeting. The next meeting would be on 4 December.

11. General Register Office for Scotland (GROS)

The Registrar General reported that publication of the 2001 Census was virtually complete. Information on travel to work and migration patterns would be published in December and February. By the end of the year the DIGROS project would be complete. This made a huge resource of nearly 30 million records available on the web. More recent records (including births less than 100 years ago, marriages less than 75 years ago and deaths less than 50 years ago) were only available in the search room at New Register House and to Local Registrars. The GROS were about to add an improved index to the Old Parochial Registers and indexes to the pre 1881 census records.

12. ASLA

Ms Stewart submitted a written report of the latest meeting of the newly named Archivists of Scottish Local Authorities. The Council looked forward to the finalisation of the Retention Schedules, which would be very useful in the run up to FoI legislation. Mr Mackenzie reported the encouraging news regarding Borders Archive Services – a lottery grant of £86,000 had been granted to prepare a bid for a new centre which would incorporate the Registrar, the archives and the library.

Concerns had been expressed by ASLA over security in the search room at Glasgow City Archives. The NAS would be inspecting the archive shortly. At the moment records transmitted from the NAS on charge and superintendence could only be produced in the search room when there could be one to one supervision.

13. Society of Archivists, Scotland

Ms Stewart submitted a written report of the latest meeting. Society members were concerned that organisations had already made money available for the planning stages of FoI but no finance available for its implementation. It had been estimated that the cost of implementation for Local Authorities would be between four to eight million.

14. AOB

a. Scottish National Health Service records

Dr Barfoot presented his concerns about NHS records to the Council. He noted that the SRAC had reported its concerns on a number of occasions in its Annual Reports, as had the Keeper of the Records but the problems had not gone away. There was a lack of consistency of provision. At the time of the founding of Local Authority archives, a parallel movement had been taking place for NHS records but despite the collaboration between the NAS and the Health Boards, only four of the fifteen Boards had appointed archivists. The Scottish NHS archivists group was trying to develop effective schedules for retention and disposal, particularly important in the run up to FoI. The chief problem, however, was the lack of clear guidelines regarding NHS administrative records. It was important to keep these issues on the agenda and any pressure the SRAC could bring to bear on SEHD would be helpful.

The Council endorsed the general thrust of Dr Barfoot's comments. Mr Mackenzie added that he was optimistic that recent developments would push the discussion forward. A paper produced by the Health Board archivists had gone forward to SEHD. The Council should await developments and the issue should be put on the agenda for the next meeting.

b. Postgraduate training

Mr Mackenzie reported that Dundee University was planning a distance learning course based in the History School while Glasgow University were planning a course on records management and digital preservation. Neither institution ruled out co-operation with the other. The Council commented on the slow progress made in setting up the courses and Mr Mackenzie agreed to write to the University Principals to encourage progress.

c. Wick Burgh Records

The Council gave their consent to the proposal that these records should be sent to North Highland Archives on Charge and Superintendence.

d. Visit of the NAAC

The Chairman reported that the Chairman, Secretary and another member of the Irish records advisory council had visited Edinburgh on the 2nd October. They were particularly interested in the new building at TTH, archive legislation and in the marketing of archives to genealogists. The NAAC will visit the NAS on 14th November for a full day of discussion and the Chairman invited all members wishing to attend the meeting to contact the Secretary.

13. Date of next meetings

The next meetings of the SRAC would take place on 26 April and 25 October 2004.