

**Minutes of the 85th meeting of the
Scottish Records Advisory Council
held in the Lord Clerk Register's
Room in General Register House,
Monday 18th April 2005**

Present: Professor Hector MacQueen, Chairman; Dr Mike Barfoot; Mr Hamish Hamill; Mr Frank Rankin; Miss Marion Stewart.

In attendance: Mr George Mackenzie, Keeper of the Records of Scotland; Dr Peter Anderson, Deputy Keeper, NAS; Mr Stephen Bruce from the Public Records Branch of the Scottish Executive and Dr Alison Rosie, Secretary.

1. Membership: Lord Kingarth, whose term on the Council would shortly expire, had intimated his resignation due to pressure of business. This was also Marion Stewart's last meeting as one of the Society of Archivists' two co-opted members. The Chairman recorded his thanks for Lord Kingarth's and Miss Stewart's contributions to the Council. Miss Stewart would be replaced by Kevin Wilbraham of Ayrshire Archives.

2. Apologies Apologies had been received from Professor Lynn Abrams, Professor Roger Davidson, James McGonigle, Duncan Macniven, and Sheriff David Smith. Lesley Richmond, who replaces Vicki Wilkinson as one of the two co-opted members from SOAS, was also unable to attend.

3. Minutes A number of minor corrections were noted.

4. Matters Arising

i. Scottish Family History Service Referring to 6.i paragraph 2, the Keeper said that he wanted to encourage the level of co-operation between the Registrar and Local Authorities. Miss Stewart added that there was certainly good will towards the project but too much business had intervened to take this forward.

ii. Electronic Catalogue Referring to 6.vii, the Keeper noted that the system needed to be fully tested but that he was optimistic that the formal launch of the system would be in 2005.

iii. Scottish National Health Service Records Dr Barfoot asked for this issue to remain on the agenda for future meetings.

iv. SRAC website Mr Hamill wondered whether there had been any response to the new microsite and the Secretary was able to tell him that no comments had been received to date.

5. Freedom of Information and the Public Records Strategy

Stephen Bruce summarised progress on FoI and the Public Records Strategy since the previous meeting.

i. Freedom of Information The FoI Unit had been notified of 950 requests to the Scottish Executive – these should be all of the requests which were not very routine and straightforward. This figure excluded 740 from one applicant on one topic which were being treated as a single request for statistical purposes. Approximately 40% of the 950 requests had been made by one journalist. Between January and the end of March 85% had been responded to within 20 days: 52% of applicants had received the information they wanted while 26% had requested exempt information (including exemptions under s. 25). 4 out of the 27 appeals currently before the Scottish Information Commissioner related to the Scottish Executive. The Scottish FoI Implementation Group would continue through this year – Council members were welcome to attend the next meeting on 14th June in Stirling.

The Chairman asked about the different cultures of response and the use of FoI as a journalistic or political tool between interest groups. He referred to a recent story in the media about Glasgow Council which was said to be planning to delete e-mails as a matter of policy in order to get round FoI. Mr Bruce replied that this was not an acceptable practice. Any relevant e-mails should be put on a paper file.

Public Records Strategy Mr Bruce noted that there had been no decision on the future direction of the strategy – he hoped that a paper would be put to Cabinet shortly for decision. He added that there was no sign of any developments with the English proposed archive bill. The Chairman and Council expressed their disappointment at the delay and added that the archive community would also be extremely disappointed. The Keeper agreed that the delay was disappointing but felt that the work which had been done to develop the draft consultation paper had been positive and useful.

Dr Barfoot said that it should be a central concern of the SRAC to address the fact that neither Data Protection nor FoI catered for the permanent preservation of archives in a way that a new public records act would. Miss Stewart added that under the two acts many councils were not creating archives that were worth keeping. In council minutes, only the decisions were being recorded, not the discussion leading to them. The catalyst for change might be when people discovered the poor quality of the surviving records. Mr Rankin agreed that the pressures of Freedom of Information could, paradoxically, create a situation where there was less information about which to be open. Archivists have been diverted to deal with FoI work to the detriment of archive provision. Fewer records would be available due to restrictions on acquisition and cataloguing. It was a perfectly defensible records management decision for Local Authorities to keep minutes and give everything else a destruction schedule as a way of managing risk. Mr Bruce suggested that if it emerged that local authorities were using the s.61 code of practice in this way, it might be necessary to review the Code.

In the interim a number of questions relating to the position of the SRAC may need to be considered. Mr Bruce said that the SRAC was overdue for a performance and financial management review (PFMR). This would provide an opportunity to think about what the Council did within current statutory confines. The review process was not quite so onerous for an advisory NDPB like the Council. An independent person would carry out the review including taking a look at the Council's remit and how it carried this out. A steering group made up of the Chairman, someone from the

sponsor division and at least one independent person may be needed to guide the reviewer. Mr Bruce said he would investigate how and when the PFMR should be done and report back to the Chairman.

There was also the question of membership of the Council. Mr Bruce reported that the Public Bodies Unit had agreed that member appraisals should be done every 2 years rather than every 18 months. Regarding the replacement for Lord Kingarth, there would be no point advertising as the type of person needed for the Council had to have particular expertise, ie court records. The Lord President could advertise the vacancy among High Court Judges and the interview panel would not be required. As regards filling the other vacancies, and coordinating this with the PFMR, Mr Bruce would speak to the Public Bodies Unit for guidance and report back to the Chairman.

Council agreed that if there were no developments with the strategy by the summer, the Chairman would raise the issue again in his covering letter sent to the minister with the SRAC's Annual Report, desiring that momentum should not be lost and urging the need for archival legislation.

6. Ethical Standards in Public Life, etc. (Scotland) Act 2000

The Chairman was in favour of signing up to the document to set it as a model for any body in the future. The process did not seem a troublesome one. The only requirement was for the Council to declare that members received no income from membership and that the Council did not administer finance or staff and therefore the amount of declarations of interest would be minimal. The Council agreed.

7. Dublin visit

The Chairman, the Secretary, the Keeper and Frank Rankin would be visiting Dublin at the beginning of May at the invitation of the NAAC.

8. News from the NAS

The Keeper updated the Council on recent developments in the NAS.

i. Accommodation

Preparatory work for phase 5 (the rear dome and the Scottish Family History Centre) was underway and both records and staff had been moved out to allow construction to start by the beginning of June.

Following comments by members of Council and other customers, a budget had been allocated to upgrade the seating and other facilities in the West Search Room. This work would be completed during the current financial year.

A revised specification and business case for an extension to Thomas Thomson House, known as TTH2, would be submitted for Ministerial approval around February 2006. In the meantime, shelving on the second floor of TTH would be extended in order to provide additional space for record storage.

ii. Scottish Family History Services

The new Scottish Family History Centre on the ground floor of GRH was due to open around the middle of 2006. The launch of the joint Internet service, ScotlandsPeople, had been delayed as a result of problems experienced by the contractor, Scotland

Online, but should be achieved by the end of April. The cost of downloading wills images would remain unchanged. Several of the reference facilities on the ScottishDocuments.com website would be transferred to ScotlandsPeople where they would be available free of charge. The ScottishDocuments.com site would be retained for development of further resources, with the aim of eventually adding them to ScotlandsPeople. The handwriting microsite, Scottishhandwriting.com would retain its separate identity, with links from ScotlandsPeople and the main NAS websites.

iii. Digitisation of Sasines

The project, now known as Registers Archive Conversion (RAC), was moving forward and construction of an electronic finding aid from the existing persons and places indexes and the sasine abridgements, was scheduled for the end of 2005. Digitisation would be carried out by a contractor off the premises, but every effort would be made to ensure continuous access for the public to relevant finding aids and registers.

The Register of Sasines starred in a ceremony at Edinburgh Castle on 24 November 2004, when Jim Wallace and Hugh Henry marked the abolition of the feudal system in Scotland. The first volume, dated 1617, was displayed to guests.

iv. Education Services

The second series of Archives for Schools packs, on *Victorian Scotland*, *Scotland 1901-1938* and *The Second World War: The Scottish Home Front* were launched on paper and CD on 3 February 2005 by James Boyle, head of the Culture Commission. The first two packs, launched last year, came second with a “highly commended” rating in the prestigious educational publishing award given annually by the Saltire Society and the *Times Education Supplement Scotland*. All the other entries were by professional publishers.

v. Exhibitions

Small exhibitions in the front hall of GRH had featured photographs of St Kilda, the Archives for Schools resource packs and related original documents, and a further one was planned on soldiers’ and airmen’s wills from the first and second world wars to mark the anniversary of the end of the Second World War.

Our major exhibition in 2005 would be “For Freedom Alone” marking the anniversary of the death of William Wallace. This would open in the new Scottish Parliament Building at Holyrood in mid-August and run for 4 weeks. An academic advisory group including current and past members of the Council, had been formed to advise the project.

vi. Freedom of Information

The level of enquiries had not been as high as expected. Most had been handled by Government Records Branch, including some contributions to questions asked of the Scottish Executive. An online tracking system for enquiries had been introduced as of 31 March; a total of 13 FoI enquiries had been logged.

vii. Church Records

The records of the Church of Scotland were being digitised in conjunction with the Genealogical Society of Utah. Digitised images were now available to customers in

the NAS search rooms almost immediately, and would in time be put on the Internet through ScotlandsPeople. The project included records held on charge and superintendence. The Principal Clerk and Deputy Principal Clerk had visited TTH in November 2004 to see the project and NAS had agreed to contribute an article to *Life and Work*, which had appeared in the March 2005 edition. About the same time, a joint letter was sent by the Keeper and the Principal Clerk to each Presbytery, asking them to notify NAS about any non-current records still in the hands of session and presbytery clerks.

viii. Cultural Review

NAS had hosted a meeting of the archives sector with James Boyle, head of the Culture Commission on 2 December. This was the first time he had met with the sector and was an opportunity to stress the importance of archives, despite their limited presence in cultural policy up till now. When launching the second series of Archives for Schools packs, Mr Boyle had given an inspiring talk, underlining the importance of records in establishing personal identity.

ix. Ministerial Visit

Margaret Curran MSP, Minister for Parliamentary Business, visited General Register House on 24 January 2005, her first visit as Minister with responsibility for NAS.

x. Postgraduate Archive Courses

The new courses had begun at the Universities of Dundee and Glasgow both with encouraging levels of students. Students from the Glasgow course visited NAS on 30 November and were given a series of talks on our work.

9. Scottish Council on Archives

The Chairman reported that of most relevance at the last meeting was the report on the meeting with the Culture Commissioner. The Chairman had met Mr Boyle in a university capacity and he had outlined some of his ideas. The SRAC had not submitted a response to the Culture Commission but the SCA had. There was still time to do this before the Commissioner submitted his report at the end of May. The Council agreed this would be worth doing.

10. Registrar General's report

In the absence of the Registrar General, there was nothing to report.

11. ASLAWG

Miss Stewart reported on the business discussed at the last meeting of ASLAWG on 19th January 2005.

i. SRAC Thanks had been expressed to the SRAC for raising the issue of FOI and local archives with the Scottish Information Commissioner.

ii. Freedom of Information Some local authorities had already received 20 to 30 requests but, whilst some authorities were monitoring all FOI requests, others were counting only refusals so it was difficult to obtain a consistent picture. Charging policy was seen to be still evolving and requests had already been refused on grounds of cost. A survey was under way into the effect of FOI on Scottish archive services.

iii. Environmental Information Regulations It was noted that some authorities were handling all requests for planning information under this legislation. Records held on deposit were open to such requests (unlike FOI) and the distinction between the two kinds of information request had other practical implications eg in relation to fees. Enquiries had been coming in from firms who had worked out how to exploit records for their own business purposes, eg relating to waste sites and polluted grounds.

iv. Registration and Inspection Records The Care Commission had contacted most local authorities with a view to returning to them records transferred from the local social work departments to the Care Commission when it was set up in 2002. Most such records were beyond their retention period anyway but local authorities would need to decide individually how to respond. Some local authorities were charging the Care Commission for looking after their records.

v. Retention Schedules A sub-group had been set up to look at developing retention schedules for local authority records based on a functional classification scheme.

vi. ASLAWG Statistics The SCA were intending to develop consistent statistics across the different Scottish archive sectors.

vii. Angus Archives There was a project to relocate the Archive to Restenneth Library as part of a partnership with the Graham Hunter Foundation and it was agreed that ASLAWG should seek more information about this Foundation.

viii. Edinburgh Archives Concern was expressed about various issues and that members of the archive staff who had left were not being replaced. ASLAWG would seek further information from Edinburgh City Council. The Keeper noted that he would be meeting with officials from the City Council to discuss these concerns. There was a will in the Council to do something but it was not seen as a political priority.

ix. Visitscotland Archives : There had been concern for the records of the 14 area tourist boards on their merging into Visitscotland but this new body had agreed that, once reorganisation had been settled down, the archives of the former local offices might go into local record offices. Funding might be forthcoming from Visitscotland as such local authority records offices would, thereby, help Visitscotland meet its FOI obligations.

Mr Rankin added that Inverclyde Council had recently advertised for the post of records manager. The Keeper said that two archivists posts had also been created at Borders Archive. The assistant's post there was to be funded by lottery money. The picture in the archive scene was a lot more positive though salaries were not good.

12. Society of Archivists (Scotland)

As Mrs Richmond had been unable to attend there was no report.

13. AOB

None

14 Dates of next meetings

The next Council meetings would be on the 24th October 2005 and 24th April 2006.