

**Minutes of a special meeting of the Scottish Records Advisory Council
to consider the role of the Council.
General Register House, 26 June 2006**

Present: Professor Hector MacQueen, Chairman; Professor Lynn Abrams; Professor Roger Davidson; Mr Hamish Hamill; Mrs Lesley Richmond and Sheriff David Smith.

In attendance: Mr George Mackenzie, Keeper of the Records of Scotland; Dr Peter Anderson, Deputy Keeper; Mr Gavin Barrie from Tourism, Culture and Sport division of the Scottish Executive, Mr Duncan Macniven, Registrar General, GROS and Dr Alison Rosie, Secretary.

Apologies Apologies were received from Mr Peter Daniels and Mr Kevin Wilbraham.

Mr Barrie was introduced to the Council and, for his benefit, the Chairman sketched out what had been the major concerns of the SRAC in recent years. He added that, following on from the Scottish Executive's draft (but never published) proposals for a Public Records Strategy, the Council had proceeded on the assumption that it would in due course be replaced by another body. This, coupled with the prospect of a quinquennial review of its operations, had meant that the Council had lost momentum. Recent problems with established archives in three local authorities and the changing status of the NAS, had, however, spurred the Council to consider its position.

Mr Barrie outlined the current situation regarding the Culture Bill. There was a need to bring archives fully into consideration. It was aimed to produce a draft bill by end of 2006 with legislation being taken forward in 2007, in the next parliamentary session. The Bill itself would take time to progress and there was no slot for it yet on the parliamentary timetable. There was some debate on the scope of the bill but the team working on it did not want to make this too wide. The team would be looking at a modern set of functions for the national cultural bodies (gallery, library, museum). Entitlements would remain wide and not prescriptive. The legislation also had to take into consideration legislation in England and Wales.

- It was agreed that the Council should monitor the Cultural Review in order to influence what would appear in the Bill relating to archives.

The Executive was committed to reviewing the governance of the national collections every 5 years. The latest thinking was to hold reviews of sectors rather than individual bodies, e.g., one review for the whole of the National Collections. The difficulty was whether the SRAC would fit into such a review.

- Mr Barrie would look into whether the review of the SRAC could be fitted in with that of the national collections

SRAC and SCA

One of the key questions which had emerged in recent years was the relationship between the SRAC and the SCA. The SRAC had a statutory function whereas the SCA had come into being of its own volition, as it had been recognised that there was nothing to represent archives at a local level. The two bodies were complementary.

SCA had fewer resources. Members attended on a voluntary basis. In order to progress as a body, the SCA needed permanent staff. Under the Public Records Strategy document, the SCA would have received funding and would have power to dispense it to archives. Stephen Bruce had thought this could be achieved without primary legislation but this had not happened. It was difficult to see how the two bodies could continue to co-exist in future.

- The Chairman undertook to discuss the position of the SCA with its Chair Irene O'Brien.

Local authority archives

The position of the Keeper with regard to local archives was reactive rather than proactive: under the Local Government Act, councils were obliged to make 'proper arrangements' for archives, though the Act did not specify what these were, and consult the Keeper about these, but in practice few did. The NAS did not have the funding to implement and operate an inspection service. In the past records deposited by the NAS under Charge and Superintendence (on condition that the local authorities met certain standards) had been used as a lever but the effect depended on the local authority being concerned that these records would be withdrawn. Such an action also had a financial impact on the NAS.

The Cultural Review had stated that the national collections should take a closer role in standard setting for their sectors. Mr Barrie drew Council's attention to the Recognition Scheme funded by the Scottish Executive to drive up standards in museums and galleries. Mr Mackenzie also noted that in TNA a self assessment questionnaire for local archive services was the first step towards recognition. Though not resourced to undertake this on wider scale, NAS would like to test this out in Scotland. The Chairman compared this to the Information Fair Trader Scheme which assessed standards for public authorities regarding the re-use of information. There were two levels of accreditation: self assessment on-line for basic compliance or a site visit for a high standard of compliance.

- The Chairman would circulate details of the Scheme to Council

Council also agreed that:

- it needed to be more proactive;
- going public on the problems in local authority archives should be seen as a last resort and that the Council should not get in the way of the NAS. By adding its voice to the users, the Council might be seen as part of the problem – the Council should be seen as an advisory body eager to help them to improve;
- it should hold at least one meeting a year outside Edinburgh, including well targeted visits to local authority archives, in order to raise its profile, make the Council more visible and gather intelligence locally to properly advise ministers;
- Peter Daniels should be asked to liaise with Jim Inch of Edinburgh City Council regarding the holding of the April meeting of the SRAC there.

Membership

In the absence of a decision by the Scottish Executive regarding appointments, the Council felt that it should investigate means of bolstering its expertise. The Council found the following to be particularly desirable:

- to invite the Scottish Information Commissioner or a member of his office to attend meetings. There was provision in the legislation for the SIC to deal with bodies falling below the standard and therefore unable to fulfil FoI legislation but he had no role in providing instruction on proper management of records. He was interested in identifying underlying reasons for non-compliance – looking for patterns. His input would be very useful;
- to invite someone from the UK Information Commissioner's Office – the SRAC fell within a devolved zone but there was interaction between the Scottish and UK legislation;
- to invite someone from Audit Scotland – bodies could not do proper audits without proper record keeping;
- greater use of the expertise of individual Council members by giving each new member a specific portfolio, building up in depth knowledge of a particular area. It was recognised that this had been diluted in recent years because of the Council's inability to reappoint members;
- more user representatives on the Council, particularly from family historians

Conclusion

In general the Council agreed that its priorities in the short term should be:

1. to monitor developments regarding the forthcoming Culture Bill and offer advice to ministers;
2. to try and tackle local issues by targeted local visits;
3. to increase Council membership by inviting observers from appropriate bodies;
4. to create specific portfolios for each Council member.

Finally, the Council recorded its appreciation of the services of Stephen Bruce who, since his first attendance in April 2002, and with clarity and insight, had helped guide the Council through the deliberations regarding FoI and the Public Records Strategy.