

**Minutes of the 87th meeting of the
Scottish Records Advisory Council
held in the Lord Clerk Register's
Room in General Register House,
Monday 27th March 2006**

Present: Professor Hector MacQueen, Chairman; Professor Lynn Abrams; Mr Peter Daniels, 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 Stephen Bruce from the Public Records Branch of the Scottish Executive, and Dr Alison Rosie, Secretary.

1. Apologies Apologies had been received from Professor Roger Davidson, Mr Duncan Macniven and Mr Kevin Wilbraham. Mrs Lesley Richmond was welcomed to her first meeting.

2. Minutes There were no additions or amendments to the minutes.

3. Matters Arising

a. Margaret Curran's response of 18th November to the SRAC's Annual Report had been circulated to the Council. The Chairman thought that pressure on the Minister for archives legislation ought to be maintained. The situations at Dumfries and Galloway, Argyll and Bute and Edinburgh City Archives clearly demonstrated the need for legislation.

b. The move of public records policy and sponsorship of the NAS to a new Minister, and possibly also to a different department of the Executive was noted. The Culture Review could bring benefits for archives, but there was a danger that archival legislation would get submerged by other initiatives raised in the Review. The Keeper welcomed the placing of the NAS with the national collections, but said it was important to bear in mind the NAS' record keeping functions.

c. The Chairman had put Professor Davidson in touch with the Edinburgh University records manager regarding the latter's concerns about impediments to academic research consequent on the Freedom of Information Act.

d. The Chairman was in favour of occasionally holding the SRAC meetings outside Edinburgh in order to raise its profile.

4. Freedom of Information Consultation

The Council discussed the issues raised in the consultation paper, *One year on: A consultation on the operation of the Act after one year in force.*

a. Coverage of the Act

The Council was happy, in general, with the current provisions of the Act and felt that sufficient flexibility was already built into it. It was noted that some of the

information in Part 4 on NHS Agencies was out of date. Mr Bruce thought that these changes were probably already in hand. Regarding the threshold for an organisation coming under the Act, and the time allowed to prepare for compliance, the Council thought that this should be judged on a case by case basis rather than by size or level of funding. Mrs Richmond pointed out that it was more difficult for organisations that weren't part of central government. Universities, for example, were non typical organisations.

b. Discharge of duties

The Council discussed the Code of Practice on Records Management and whether record keeping had improved as a result. Mrs Richmond queried whether the Code of Practice should be made a requirement. Professional archivists had found that the Code was not of a high enough standard and needed to be reviewed in the light of experience. The Keeper commented that there had been an increase in the number of public bodies recruiting records managers since the Act but that it was too early to say whether their appointment had changed records management practice in their organisations. The question was whether record keeping had improved or whether the money had been spent on compliance instead.

Mr Bruce noted that the Information Commissioner was mainly concerned that the enquirer should get his information. The Code had never been made statutory as it would have been unreasonable to expect all bodies to comply, regardless of their size or resources. The Code was more of a framework and the Model Action Plan (MAP) had been designed so that each sector could tailor its own detailed guidance, though it was unclear whether these had been produced.

The Council considered that more research was required into how records management practice had progressed and suggested that an academic body might undertake such a study: a comparison with the situation in England and Wales, perhaps.

c. Fees charging

The Information Commissioner had made clear in his Annual Report that he was against charging and felt that the Act had been fairly successful in this respect. He thought that more stringent charging would have a deleterious effect on the openness and spirit of FoI. Mrs Richmond added that the statutory charge of £15 an hour was used to calculate the cost of providing the information – it was useful as a bottom line to encourage enquirers to be more specific. The Council felt that there was no case for a change of the present regime.

d. Timescales

The 20 day response time had caused the NAS some difficulties where compliance had required the co-operation of more than one authority. However, the Keeper thought that changing this would not have much effect. The 20 day deadline had been overrun in 16 out of the 43 cases dealt with by the NAS. There had been no complaint from the enquirers as, where departments did not review the files swiftly enough, the NAS had contacted the applicant within the 30 day limit to explain that there would be a delay.

e. Prohibitions

The Keeper noted that the only occasion where statutory provisions in other legislation had prevented the release of information had been in regard to the Agricultural Statistics Act (1979), legislation designed to protect the individual farmer who provided detailed information.

f. Guidance note on the handling of classified information

The SRAC was unable to comment as the NAS only received de-classified material.

5. Local Authority Archives

The Keeper updated the meeting on developments in the three archives concerned. Argyll and Bute and Dumfries and Galloway local authorities claimed that severe financial restrictions had left them no option but to reduce services. The NAS had been in touch with both Councils, although the Keeper had no sanction if the local authority made no proper provision for its archives, apart from the withdrawal of NAS archives placed there on Charge and Superintendence. The legislative position was not adequate in this area.

The Keeper awaited the official account from Dumfries and Galloway. The post had been advertised but an archivist had not been appointed and it now looked as if the post would be frozen. The archive came under the library service and this had caused some tension in the past. The weakness of the Keeper's position was that he could not take a stance until he received an official statement from the Council.

He had received a letter from Argyll and Bute explaining that they intended to replace the retiring archivist with a part time one. Argyll and Bute had been the first to appoint an archivist after the local government reform of 1974, which made this development particularly disappointing. He had written to the Council requesting an urgent meeting. He hoped to argue that their policy would cause long term damage to the Council and would not actually save much money. It also might affect their ability to attract lottery funding.

Mr Mackenzie was, however, reasonably optimistic about the situation at Edinburgh City Archives. Edinburgh City Council had met to consider the report prepared by the NAS and had agreed to follow its recommendations.

Mrs Richmond queried whether, as a result of FoI, Councils were more interested in records management than in archives, but Mr Mackenzie thought this was not the case, though it was true that some authorities were appointing archivists as records managers. Mrs Richmond also felt that although there was some public awareness of what archives were, there was little understanding of what archivists actually did. The reduction in the level of service in Dumfries and Galloway was the more worrying development as the specific skills of the archivist could not be performed by a librarian.

The Council discussed which approach the SRAC should take. Would, for example, the Councils welcome a friendly audit of their archives, such had been done for Edinburgh. Mr Mackenzie agreed with Council that the NAS should undertake more audits of local authority archives. The 'proper arrangements' for the deposit of records needed to be defined, but the NAS preferred to explore the idea of self

assessment, rather than a top down audit. The National Archives (TNA) and NAS had discussed the possibility of piloting this in future. ASLAWG would also be involved.

The Council also considered whether it would be appropriate to involve the Minister. Mr Bruce noted that though it was fitting for the SRAC to keep the Minister informed, it would probably not be appropriate for her to intervene in what are essentially matters for the local authorities themselves. The Keeper added that the Minister had already received letters from MSPs about the situations at Argyll and Bute and Edinburgh City Archives. The Chairman felt the SRAC's duty was to keep the Minister properly informed and proposed writing to her and this was supported by the Council.

6. News from the NAS

Accommodation

Delays in the building work in General Register House for the new Scotlands People centre stood at about 8 weeks. The new search rooms, the Reid Room (after Robert Reid architect of the completed Register House) and the Matheson Dome (after the architect of the rear dome), had been completed. In New Register House, the Dundas Room (after William Pitt Dundas, the first Registrar General), was aimed at professional searchers and there would also be a small café in this building.

In May the Legal Search Room would move from the main Adam Dome to the Robertson Wing. Terminals for viewing the electronic catalogue and digital images, would be moved to the Historical Search Room. The upgrading of the seating and other facilities in West Register House would start in April and take approximately 3 weeks.

Planning for the extension to Thomas Thomson House was continuing. NAS would present a new business case to the Minister in June. Building Design Partnership, architects of the original TTH, were advising on the extension.

In March 2006, NAS had become involved in discussions with the Royal Commission on Ancient and Historical Monuments (RCAHMS) and the National Library of Scotland on a possible new cultural centre in Leith. NAS has indicated interest in a presence in any visitor centre and also in acquiring storage space for little used records. Ministerial approval would be needed for the project to go ahead.

Scotlands People (Scottish Family History Service)

Downloads of wills on the website were nearly 30% higher than when available on the Scottish documents website, underlining the value for the customer of putting record sources together. The service would be entirely on-line and 200 new terminals were being purchased. Publicity materials had been tested on a series of focus groups and these had indicated little or no public recognition of the NAS.

NAS staff continued to provide answers in the Genealogy Clinic run by *The Scotsman* in its weekend supplement. Public reaction had been positive and the Editor wanted to continue the feature.

Registers Archive Conversion (Digitisation of Sasines)

The new electronic finding aid, which combined the Persons and Places indexes and the abridgements, had been completed and was being tested ahead of the move of the legal search room. The microfiche sasines from the 1980s were being converted to digital image by an outside contractor, while the earlier sasine volumes were being imaged in-house.

NAS website

The NAS websites were continuing to attract a large number of visitors with a sharp increase in January and February 2006: partly due to the normal trend of the winter months, but also to the effect of the BBC series *Who do you think you are?* In the coming year the SCAN and Scottish Documents websites would be made more accessible, the latter would be redesigned to accommodate on-line access to the digitised Kirk Session records. The education section of the NAS website would be given its own URL or web 'address': Scottish Archives for Schools.

NRAS

The Register was due to go live on the NRAS microsite. Surveys of papers held in private hands, deposited in libraries (with the exclusion of the NLS) and museums have been targeted first, though basic information on private papers deposited in local authority and university archives would also be available. In NRAS' 60th anniversary year, the on-line Register was a major step forward in making information about the sources of Scottish history available to researchers.

Exhibitions

The exhibition *Leaving it all behind*, based on the wills of soldiers and airmen from the First and Second World Wars, had been opened by Margaret Curran MSP on 10 November. Search room staff had noticed a marked increase in interest in war records as a result.

Freedom of Information

NAS had received a modest 64 enquiries in the first year of FoI. Enquiries had picked up slightly in 2006. The majority related to Scottish Office and Executive files.

Cultural Review

Ministerial responsibility for the NAS and for public records policy had passed from Margaret Curran to the culture portfolio held by Patricia Ferguson. Departmental responsibility for these matters currently remained with Legal and Parliamentary Services, although discussions were ongoing about a possible transfer to Cultural Policy Division (CPD) in the Education Department. Discussions had begun with officials in the CPD regarding greater co-operation between the national collections bodies and also to look at some radical options regarding the governance of these bodies.

Marketing

Following requests from NAS sponsors that NAS identify new sources of revenue, an examination of marketing opportunities had been undertaken. Three strands had emerged: the development of an image library, provision of records management training to public sector organisations and the hire of NAS facilities for meetings and events. NAS also needed to consider its own marketing and brand alongside that of ScotlandsPeople.

Staffing

A new post, responsible for developing the image library, had been created. Responsibility for managing the archive attendants was to be transferred to Reader Services for GRH and WRH and to Conservation Services for TTH. The aim was to bring the staff involved in the search room chain closer to the branches which provided these services.

7. Scottish Council on Archives

The Chairman had attended the latest meeting on 3 March. Discussion had covered many of the same issues as concerned the SRAC. One rumour which had been discussed was the possibility of further local government reorganisation. The next meeting would take place at Aberdeen on 1 June.

8. Registrar General.

In the Registrar's absence, a written report had been submitted to the Council. In addition to information about the Scottish Family History Service discussed elsewhere, this included the following.

Good progress had been made in adding to the content of the genealogical website (www.scotlandspeople.gov.uk). The most important augmentation had been the addition of the 1851 census. 1841 would follow completing the set of Census data. Images of the Old Parish Registers would follow later in the year. At that point, the majority of GROS's data will be available through the website, except for the modern material which is presently excluded for reasons of privacy.

The third component of the Scottish Family History Service was the heraldry records of the Court of the Lord Lyon. The images had been digitised and the index was complete. The system was being enhanced and tested internally. The search system would be available for testing in the Centre later in 2006 and records up until 1901 would be made available on the ScotlandsPeople website in the course of 2006.

9. ASLAWG

In his absence, Kevin Wilbraham had tabled a written report. ASLAWG had last met on 20 January 2006 in Stirling, and had discussed a variety of topics, including Building Control records, access to electoral registers, problems of preserving information from electronic school registers, possible future joint work on electronic records, and retention schedules. The Scottish Executive's response to the Cultural Review was noted, with the Group reflecting on what implications the changed emphasis of archives being "cultural" rather than "corporate" assets would mean within their own authorities. The Group had agreed to respond to the Scottish Executive's consultation on the first year of operation of FOI, concentrating on questions relating to records. Most of the meeting had discussed the imminent threats to several local authority archive services. [ASLAWG's comments regarding these have been incorporated above in section 5].

10. Society of Archivists, Scotland

Mrs Richmond said that there was little to report. The main issue would continue to be how to encourage young people to become archivists. In the second year of the archive course at the University of Glasgow, the numbers of students had doubled. Dr

Anderson added that the Accreditation Panel of the Society of Archivists, of which he was a member, had been very impressed with the archive course at the University of Dundee. Mrs Richmond raised the issue of funding for these students. At the moment, a Scottish born student could receive funding for the archive course at Liverpool but not for the one at Glasgow. The Chairman agreed to write to the Scottish Academic Awards Service (SAAS) to draw attention to this problem.

11. AOB

It was agreed that the SRAC should hold an extra meeting on 26th June to discuss the future of the Council. Mr Bruce updated the Council on progress on the 5 yearly performance review. Following the designation of the NAS as one of the National Collections and the decision to review the governance arrangements for the Collections, one of the ideas being floated was to transform the SRAC into a Board of Trustees for the NAS. The review of the SRAC had been put on hold until this idea had been fully discussed.

15. Dates of next meetings

The next Council meetings would be held on 26th June and 30th October 2006.