

**Minutes of the 90th meeting of the  
Scottish Records Advisory Council  
held in the Mitchell Library, Glasgow  
Monday 29<sup>th</sup> October 2007**

**Present:** Professor Hector MacQueen, Chairman; Mr Peter Daniels; Professor Roger Davidson; Mr Hamish Hamill; Ms Lesley Richmond and Sheriff David Smith.

**In attendance:** Mr George Mackenzie, Keeper of the Records of Scotland; Dr Peter Anderson, Deputy Keeper and Dr Alison Rosie, Secretary. Also attending were Dr Irene O'Brien, Dr Nancy Bell and Mr Bruno Longmore of Government Records Branch, NAS.

**4 Historical Abuse Systemic Review** An introduction to Glasgow City Archives by Irene O'Brien was followed, before the formal meeting, with a presentation by Nancy Bell on the Historical Abuse Systemic Review. The review had been set up by the Scottish Executive Education Department to look at the framework and the effectiveness of provision of service during a 45-year period. Due to the nature of their findings, the team (Dr Bell and Dr Tom Shaw) had decided to produce a stand alone report on issues relating to records. Their findings regarding the records would also be summarised in the main report.

The major issues which the team had identified were that:

- there were no centralised databases revealing the names of all the children's homes;
- there was no regulatory framework which went back 45 years;
- there were problems of definition – the terms used to describe residential placements;
- little had been written about children's homes in Scotland;
- there were issues regarding public records and their accessibility. So many voluntary and religious agencies were providing public services but a lot of legislation did not apply to them and the team had no legal entitlement to see their records.

At the beginning of the study questionnaires had been sent out to all local authorities and major service providers to try and get a sense of the management policies in place since the 1950s and of what records they held. Their responses revealed that the records were in such a chaotic state that it had been difficult to respond to the questionnaire. The findings highlighted the challenges faced by local authorities in dealing with records. Every local authority had a different process e.g. the destruction of management records pre-2005 in one local authority and of all children's files pre-1970 in another – an instance where the archivist had been overruled by the Director of Social Work. There were often no schedules identifying which records had been destroyed.

The review team had identified the difficulties arising from poor record keeping in the past and the implications of this:

- Local authorities and other organisations could not tell them about past practices: this was often part of corporate memory

- Former residents were unable to access personal information despite their legal entitlement: people wanted a physical representation of their experience in these residences
- Lack of accountability
- Denial of justice
- Inability to develop historical account of the regulation of children's homes
- Examination of historical records would reveal patterns
- Lack of surviving records was a hindrance to research
- Could lead to risks to children today

There was a need to elaborate why records were important and why they were particularly important to former residents. There were also misconceptions about why people were searching for records – not all were looking for records of abuse which might lead to litigation. Names might appear in any number of records, not just in personal files. There was also a 'myth' that the records did not exist – but in many cases the review team had found that they did but had not been gathered together. Some organisations were not aware of what records they held and what information these contained. The report, to be published at the end of November, would recommend the formation of a national working group to look at these issues.

The Chairman thought that the review project reinforced much of the SRAC's thinking on records management and archive policy. He hoped that the report would force ministers to look at record keeping and why archives mattered. Dr O'Brien felt strongly that it was important to pull together people of different viewpoints in a working group. The problem in the past had been that there were no guidelines or schedules about what should be kept.

The Keeper thought the report would underline that the importance of records was rarely appreciated until something went wrong. There was an assumption on the part of officials that records would be used for the purposes of litigation. Ministers would want to know how this could be prevented from happening in the future. He added that it was important to remember that the records that had been found as a result of the review had not been created for the purposes for which they were currently being used

Dr O'Brien added that voluntary groups had to be given responsibility for proper record keeping or should hand this over to another body, such as the local authorities, to ensure that records were kept in appropriate conditions. It was the responsibility of the state to ensure the survival of these records, not that of the voluntary organisations.

Professor Davidson had worked on this area of policy. He advised caution in how the records were interpreted, pointing out that there had been changes in how 'abuse' had been viewed over time. He cited the example of records he had been researching in Glasgow City Archives from a rescue organisation dealing with young girls and placing them in service. At the time the organisation viewed their task as protecting women but its activities now appeared to us as abusive.

Dr Bell replied that child protection legislation in the 1930s had been explicit as to what 'child abuse' was and one had to conclude thereby that there were abusive

practices going on. However, there was no overview of this regulatory framework when her team had begun the review. She added that there had been good practices as well as bad.

Professor Davidson thought that the review was important in terms of accountability but he was concerned that the Scottish Government might not be interested in historical evidence, so he was not optimistic about how this would influence future policy. Mr Daniels felt, however, that the report would be so important that the government would be extremely unwise to ignore its recommendations. The Keeper added that they should make clear in the Report that good record keeping was not expensive and that good practice strengthened accountability and was the sensible course to take.

The chairman thanked Dr Bell for her presentation to the Council, after which the formal proceedings of Council were resumed.

**1. Apologies** Apologies had been received from Professor Lynn Abrams, Mr Gavin Barrie, Mr Duncan Macniven and Mr Kevin Wilbraham.

**2. Minutes** The minutes of the previous meeting were approved with one small amendment.

**3. Matters Arising** Sheriff Smith queried the slowness of the NAS on-line catalogue. The Keeper responded that the NAS was working on another system to resolve the issue. It was hoped to have the solution in place by April 2008. Dr O'Brien queried whether this system could be made available to local authorities that had also signed up to CALM and the Keeper replied that the system would be shared without charge.

#### **5. Transfer of Records to West Highland archives**

The Council discussed the proposed transfer of Kirk Session records to the new archive at Lochaber. The Chairman pointed out that while such moves were good for locals they were less good for those working centrally and that accordingly the Council had in the past preferred a central location subject to clearly appropriate exceptions. For example, the SRAC had agreed to the move of Lerwick Fishery Board records to Shetland partly because of the recently opened new archive building there. The Keeper pointed out that in this case the records were not government records and that the NAS had a long standing policy of transferring church records to local archives. Highland Council had made positive and laudable steps in creating the archive's hubs and spokes. While the local authority archives would now receive digital images of Kirk session records, it was appropriate that they should also have custody of the originals as this strengthened the case for archive provision locally. As regarded consultation centrally, the digital images of these records were being made available on Virtual Volumes in the search rooms of the NAS. The Council approved the transfer.

#### **6. NAS Selection Policy on electronic records from the Scottish Government eDRM (electronic document record management) system**

Mr Longmore highlighted some of the issues raised in the policy document. The Scottish Government had transferred the vast majority of their records onto the eDRM

system. Under the old Grigg system traditional paper files had been reviewed five years after closure (1<sup>st</sup> Review) or 25 years after opening (2<sup>nd</sup> Review). This produced approximately 1% of records into the NAS, c. 1000 files a year. Under the proposed new review system for eDRM records, which SG Directorates had adopted in 2005, early intervention was crucial. The paper explained how the eDRM Fileplan was arranged. Unlike the old paper system whereby each department had its own files and for preservation purposes NAS had to work out which department was taking the lead, everybody in the Scottish Government could place information into a unified Fileplan and electronic file store. This made identification of the lead area much more difficult. NAS had therefore taken the decision to identify and flag for preservation particular file types (e.g. policy files) which meant that entire areas of the Fileplan from every Branch or Divisional structure within Directorates would be retained. However, not everything could be kept as the new system produced over 5000 gigabytes of information annually. By taking all documents produced within specific file types therefore, the NAS could assure itself of retaining the important Government information, though it was highly likely that we would be preserving more information than in the past, possibly as much as 5-10%. The information would then be stored in the NAS' digital data archive and made accessible through CALM.

Professor Davidson asked what level of risk had been built in to the system. Early intervention downplayed the value of hindsight – topics moved in and out of fashion. If a stream of documents was discarded early on as not relevant to current functions it would be lost for ever. He also wondered whether the move to the new system would provide an opportunity to amplify subject specification, which in the past had been very generic. Would there be more detail in the new system in terms of individual file content? Mr Longmore responded that post-adoption, the new review system would be reviewed at certain stages to avoid this as much as possible and that in fact there would be a higher possibility of capturing this type of material owing to the higher percentages retained. NAS also intended to test the new review process by comparing a set of eDRM records with paper files, to ensure that the new review system would maintain the continuity of the historical record. NAS wouldn't be able to capture casework material, merely sample it, but then NAS had always been selective about such evidence as it tended to be bulky. Under the current system NAS received lists of files for destruction and specific items could be identified for inspection. Under the new system NAS would simply accept the electronic files as identified by the new review process without the need for inspection of individual files. The metadata information would be migrated in to the NAS catalogue using the descriptors as created by the eDRM system.

Dr O'Brien asked who had been involved in the consultation process about the new system. Mr Longmore replied that so far only staff within the NAS and the Scottish Government IMU had been consulted, though comment had been received from the SRAC Working Group. Once the document had been agreed with the Scottish Government it would be made available on the NAS' website. Ms Richmond pointed out that The National Archives at Kew conducted a peer review, bringing in researchers, academics, government record officers and others with expertise to view the actual records. She also queried why the case work files could not be sampled. Mr Longmore replied that this had been done in the past and had been retained as an option within the new review policy, but added that the case file series could not be retained in its entirety. The next steps would be to test the paper against an area that

had been operating the system for some time and compare it with the paper record. The first tranche of information would not be available for review before 2009 and formal transfer to NAS perhaps as late as 2014. The Scottish Government were not keen to release information until it had gone through the necessary FoI and Data Protection review.

Mr Hamill commented that there were divisional areas which appeared not to be reflected on the Fileplan. Mr Longmore indicated that he believed that everything had been included, but that he would check the details and confirm the situation with SRAC members.

Ms Richmond queried whether all file titles would be recorded. Mr Longmore replied that they would be recorded by the eDRM system but NAS would not receive them. Dr Anderson noted that in the past there had been a reluctance to release lists of those files destroyed as the titles could be very misleading. The NAS agreed to look into whether there would be an obligation under FoI to do this.

Mr Longmore was thanked for attending the Council and explaining the new system.

## **7. SRAC membership**

The Council discussed the position of the SRAC following the announcement in the press that week that there was to be a further 'bonfire of the quangos'. The Keeper said that the SRAC was very vulnerable to being axed as it was an easy target. The SCA's new role and the NAS' appointment of non-executive directors would raise the issue of the role of the SRAC. The Council needed to work out what were the different functions of the SCA and the SRAC. Mr Hamill felt that the contribution of the SRAC was limited but constructive. It was, however, not the only body that could provide this service and the Keeper needed to make clear what support he would find most useful. The Keeper agreed that the Council was enormously important but that it needed to take the initiative and go back to the Scottish Government with proposals. The Council agreed that the Chairman and the Keeper should meet to discuss this crucial issue and report back to Council before the next meeting in April 2008.

## **8. Scottish Council on Archives**

Dr O'Brien said that the money promised by the previous administration had been held up by the election. This meant that the SCA could still not appoint staff. In the meantime the SCA had held a strategy meeting and formed a business plan. A budget announcement was due in November. The Keeper would approach Lesley Evans to find out what was happening within the Scottish Government.

## **9. News from the NAS**

### **NAS Governance**

NAS had taken the first step to modernising its governance with the appointment of two non-executive directors to its Management Board. Following an open competition, Frank Manson, an independent business consultant with extensive experience in the public sector, including at Registers of Scotland, and Professor Michael Moss of Glasgow University, had been selected. They would take up their posts at the beginning of 2008. Their role would include advising on the strategic directions for NAS, bringing an external perspective to the Board, and acting as members of the NAS Audit Committee, which Mr Manson would chair. Although the

non-executive directors were not in any sense a rival to the SRAC, Council should be aware that the expansion of the NAS Management Board might be seen in some quarters as an alternative model, particularly in view of the new government's manifesto commitment to simplify the public sector landscape.

### **Accommodation**

The NAS preferred option for long term accommodation was to abandon West Register House (WRH) and build an extension to Thomas Thomson House. This had been shown to be the most cost effective choice in an earlier options appraisal. The indicative cost of an extension by capital funding, £30m, was put forward in the Comprehensive Spending Review submission, but ministers had indicated they were not prepared to support this. NAS was consequently working on a series of alternative options, based on remaining in WRH for at least a further five years. WRH was owned by Edinburgh City Council but the proposal for it to be taken over by Edinburgh Council Archives was no longer feasible. Consultants working on revising the business case for a TTH extension were now working on the alternatives, which included a smaller, more intensively shelved extension, remote storage, and different funding options such as sale and lease back. The new business case was due to be gateway reviewed in November and would then be submitted to ministers. The proposed joint National Collections store at Granton did not fit in with the NAS' overall strategy of reducing the number of its sites. Professor Davidson queried whether the proposed Granton project might not involve Edinburgh City Archives (ECA) given their lack of modern storage facilities. The Keeper noted that the Local Authority did own the property at Granton but as far as he knew there was no proposal that ECA should be involved.

### **ScotlandsPeople (Scottish Family History Service)**

Building work on General Register House (GRH) had progressed substantially since May. Internal and external scaffolding had been erected to facilitate work on the Adam Dome and Historic Scotland had investigated the paintwork inside. The Reid Room was completed and awaited installation of terminals and testing of the software, due to start at the end of November. The Matheson Dome was nearing completion, and plans were in hand to move sasines back into the shelving above the ground floor. In September NAS had opened the 'garden entrance' to the rear of GRH to visitors. The garden area had already been landscaped and Royal Botanic Gardens Edinburgh (RBGE) were designing the planting, themed around the concepts of birth, marriage and death. The new centre was due to open in April 2008, though a firm date had not yet been established.

The ScotlandsPeople project also covered the joint Internet service, and the encouragement of local family history centres. The Registrar General was keen to offer access to images of the records he held to local registrars, and the Keeper had indicated that he was in favour of providing access to images of records held by NAS to local authorities, provided they had an approved archives service (for example, which holds records on charge and superintendence) and provided the archives and registration services were working together to provide family history services. The RG and Keeper were jointly writing to all local authorities about this.

## **ScotlandsPeople2**

This project, involving a number of other organisations including the National Museums, the Royal Commission on Ancient and Historical Monuments and Registers of Scotland, had prepared a business case for additional funding from the Scottish Government to undertake additional digitising of records for documenting particular localities. This was about to be submitted.

## **Digitisation**

Over 9 million images had now been captured. The 8 millionth had been captured on 2<sup>nd</sup> July and the 9 millionth on 11<sup>th</sup> October (RS108/4456 page 83). As the sasine volume digitisation neared completion, 5000 negative photostat volumes, 1934-1973, awaited imaging. These presented their own challenges in respect of fading text, but systems were in place to ensure optimum image quality capture. Plans for the digitisation of Catholic Registers using the NAS second shift at TTH were in progress. NAS was about to let a contract for digitisation of Valuation Rolls beginning with the inter census years from 1855 to 1901.

## **Exhibitions**

The exhibition *Making the Act of Union*, organised in partnership with the Parliamentary Archives (Westminster) and the Scottish Parliament, had been opened in Holyrood on 20 September. The Minister for Europe, External Affairs and Culture, Linda Fabiani, spoke on behalf of NAS, along with the Lord Speaker, Baroness Hayman and Presiding Officer Alex Fergusson. The exhibition, which attracted significant media interest, had been previously shown in the Palace of Westminster. The Scottish end was more accessible to the public, and involved some additional touch screen displays. It would remain open until 18 November. The new edition of the Acts of the Scottish Parliament would be launched at a later date.

The New Shetland archives and museum had opened on 31 May and NAS had lent the Shetland Court Book 1602-1604 for display for a month. Photographs and other material from the Upper Clyde Shipbuilders collection were used in an online exhibition to mark the 40<sup>th</sup> anniversary of the launching of the QE2 on 16 September.

The important series of negatives of the construction of the Forth rail bridge by Evelyn Carey were used in a display at the National Portrait Gallery, in conjunction with the Dieter Appelt exhibition, which opened on 9 October.

## **ScotlandsImages**

The National Library, Museums, RCAHMS and the National Trust for Scotland had agreed to work in partnership with NAS to create an online image library, aimed primarily at the professional picture buyer. Tenders for the website software were currently being evaluated and work on building the website with a chosen supplier would begin in November. The ScotlandImages.com brand had been designed and the marketing strategy revised. All project partners were preparing images and metadata for the image library. Terms and conditions, licensing agreement, price book and other website content were being drafted. NAS aimed to launch the website in March 2008.

### **Freedom of Information**

NAS had received only four FOI requests for NAS corporate information since June 2007. As with all public authorities they had to be responded to within 20 working days and this target had been achieved. More requests for information contained within historical files were received, typically closed Scottish Government files, and these had been dealt with by Government Records Branch. The target for these was 30 days as they must be referred to the departments for a decision. There had been 16 FOI (30 day) requests received so far this reporting year and an additional 12 had been carried over from the previous year. Six of these requests had not been answered within the statutory reply date due to delays in decision making by the Scottish Government and one of these, which had been referred to the Ministry of Defence, remained outstanding.

### **Tartan Register**

The Scottish Government was working on plans for a register of tartans, as part of an undertaking given by the then minister during the parliamentary debate in February 2007 on the bill brought forward by Jamie McGrigor MSP. The legislative route was likely to be an amended member's bill, supported by ministers, which would be introduced in spring 2008 and might complete its passage by the autumn. In the meantime, there was growing consensus in the industry on the shape of the new register, and NAS was working with colleagues on the industry side and the Lord Lyon to plan a prototype register. NAS would provide the ICT expertise to set this up, and would also preserve the documentation underlying the new register. A project board, led by NAS, had been set up. The keeper of the register was likely to be appointed and operate within the Lyon Office.

Professor Davidson raised issues concerning the electronic ordering system in the West Search Room. Further documents could not be ordered until the previous three items had been signed off the system and this held up research. He added that as the NAS didn't have a licence, he was no longer being allowed to have copies of newscuttings from policy files. The Keeper agreed to investigate.

### **10. Registrar General.**

In Mr Macniven's absence there was no report.

### **11. Archivists in Scottish Local Authorities Working Group (ASLAWG)**

A written report was tabled in Mr Wilbraham's absence.

Since the last meeting of the SRAC, there had been two further meetings of ASLAWG: 6 June at Glasgow City Archives and 19 October at Dundee City Archives. The second meeting was preceded by a presentation on Geographical Information Systems which illustrated GIS developments within the City of Dundee Council and the issues surrounding its value and long term accessibility as a historical resource.

During both business meetings, ASLAWG had noted on-going issues concerning archival provision in a number of local authorities, including Argyll & Bute, Edinburgh and Dumfries and Galloway. Of particular concern, however, had been the decision by Glasgow City Council to establish trust status for its Culture & Leisure department, including the archives service. ASLAWG noted the professional concerns

and issues and agreed to maintain a watching brief and support when appropriate. The Group also agreed to maintain a watching brief in relation to events at South Lanarkshire Council where a service re-structure may lead to a staff reduction and possible diminution in the level of service offered by the Archives and Records Management Service.

Building on previous work, the Group decided to review its recommended closure periods for records to ensure best practice and continued compliance with the Data Protection Act 1998. After some debate, revised closure periods were finally agreed which will hopefully ensure a consistency of approach across the local authority sector. In addition, information was also shared about the value and use of legal disclaimer forms where data protection may be an issue.

A consistent approach was also discussed in relation to the appraisal, selection and retention of planning and building control records. While the Group agreed that this was an important issue, there were a number of different approaches in evidence, particularly with regard to the retention of minor warrants. The Group resolved to revisit the issue at a future meeting and work on producing guidelines, including a strategic approach for dealing with planning records which are increasingly produced in electronic formats.

The issue of electronic records continues to feature prominently on ASLAWG agendas and is discussed in relation to a number of issues, including school records. The Group debated the best way to take some of these issues forward and decided that, while the ASLAWG sub-group on electronic records had been very constructive as a forum for debate, it might be more useful, given time and work constraints, to organise ASLAWG meetings that were subject specific. The Group decided to try this new approach with regard to electronic records and other issues.

The Group welcomed developments at the Scottish Council on Archives and looked forward to supporting the SCA Business Strategy and new members of staff once in post. The Group also agreed to collate statistics for use by the SRAC.

Dr O'Brien added that ASLAWG had put together unified closure periods, shorter than was strictly required by data protection, viz., 75 years for adults and 100 years for children, the defence being that the files were not particularly sensitive.

The Council also discussed the difficulties still pertaining in a number of local authority archives. The Keeper noted that there had been concern in East Lothian following the change of Council leadership regarding the proposed new heritage centre in Haddington. NAS would continue to support the development.

## **12. Society of Archivists, Scotland**

There was nothing to add to the ASLAWG report.

## **13. AOB**

There was none.

## **14. Dates of next meetings**

The next Council meeting would be held on 16<sup>th</sup> April 2008.