



**ADVISORY COUNCIL ON
NATIONAL RECORDS AND ARCHIVES**

Date: 27 September 2021
Time: 13:00-16:00
Venue: Meeting by Video Link

Chair: Sir Geoffrey Vos, Master of the Rolls

Members: Mr Trevor Woolley, Deputy Chair
Lady Moira Andrews
Ms Liz Copper
Dr Helen Forde
Mr Peter Gooderham
Mr Stephen Hawker
Mr Martin Howard
Professor Phillip Johnson
Professor Leon Litvack
Ms Helene Pantelli
Mr David Rossington
Dr Jeannette Strickland
Mr Martin Uden
Mr John Wood

Minutes: Isabel Saunders, Senior Governance Coordinator and Advisory Council Secretariat (TNA)

Non-members:

TNA: Service Owner, Digital Selection and Transfer
Ms Asha Bagayat, Head of Governance
Ms Susan Browne, Head of the Freedom of Information Centre
Ms Victoria Davis, Senior Access Manager
Strategic Compliance Lead
Mr Alex Forbes, Head of Government Services, Strategy and Engagement
Mr Jeff James, Chief Executive and Keeper
Ms Elana Kudelka, Governance Coordinator
Ms Gemma Maclagan Ram, Commercial Director
Mr Sam Whaley, Head of Strategy and CEO's Office

MR's Office: Mr Terry McGuinness, Office of the Master of the Rolls

Departmental

Attendees: Cabinet Office (Item 7)

1. Welcome, introductions, apologies and declarations of interest

- 1.1. The Chair welcomed everyone to the meeting.
- 1.2. There were no apologies for absence.
- 1.3. There were no declarations of interest in relation to the business of the meeting.

2. Minutes and matters arising

Minutes of the meeting held on 26 July 2021

- 2.1. Subject to amendments proposed by members, the minutes of the meeting held on 26 July 2021 were approved as a correct record.

ACTION: The Senior Governance Coordinator to update the minutes with the suggested amendments and upload the public set of minutes to the website.

Actions Log

- 2.2. The Action Log was noted, with the Deputy Chair reviewing the action log and noting a proposed amendment for item 64. Members noted it may be possible to progress item 62 now a new minister was in place at DCMS. JJ confirmed he had raised the issue with the appropriate Deputy Director. The following actions were closed:

Items 9, 13, 14, 20, 21, 23, 24, and 25.

ACTION: the Senior Governance Coordinator to update the Actions Log with the items reported at the meeting.

3. Chief Executive Officer's Report

- 3.1. The Chief Executive and Keeper introduced his update paper on current issues and ongoing matters.

- 3.2. Members asked for further details on the court judgements service and how this would affect the relationship between judges and their clerks. JJ noted the plan was to use the Transfer Digital Records service to transfer records, which would facilitate more efficient transfer but would retain the relationship and dialogue between judges and clerks.
- 3.3. Members asked about the reopening of record offices across the country. JJ noted that half of all record offices had returned to their pre-pandemic opening levels. The other half were still operating with a reduced service. The National Archives was taking a supportive and pragmatic approach to these offices, particularly throughout the autumn and winter. JJ also noted he had resumed in-person visits to archive services.

ACTION: JJ to supply details of the archives and public record offices opening levels to interested members.

- 3.4. Members asked for further details on the Ministry of Defence (MoD) Service Personnel Records, which was provided.
- 3.5. Members asked about the spending review. JJ noted The National Archives was cautiously optimistic for the results of the spending review. The National Archives was working from a higher baseline than previously expected, due to the results of the 2020 spending review.

4. 1921 Census

- 4.1. Members of the Council received a briefing on the 1921 census from GMR.

5. Transfer Digital Records

- 5.1. Members of the Council received a briefing on the Transfer Digital Records Programme from the Service Owner for Digital Selection and Transfer.

6. Departmental Update Assessment

- 6.1. Members of the Council received a briefing by IS on the current level of updates the Advisory Council receives, and requests, from departments.

DECISION: To agree the recommendations included in the report to review the Council's guidelines for requesting updates.

ACTION: The Secretariat to convene a meeting of the Governance Working Group.

7. S37

- 7.1. VD gave a briefing on the status of S37(1)(b) guidance.
- 7.2. Members discussed the briefing and guidance. Members agreed that where honours policy was raised as a reason for closure the justification needed to provide further detail on the sensitivity of this.
- 7.3. VD gave a briefing on the current guidance for justifications for S37(1)(ac-ad).
- 7.4. Members discussed the briefing and guidance. Members agreed they needed further background information on constitutional conventions, following the Constitutional Reform and Governance Act 2010. They also agreed that where an item on the schedules employed S37(1)(ac)(ad) there needed to be more detail in the justification to demonstrate the sensitivities and how this should be considered as part of the public interest test.
- 7.5. Representatives from the Cabinet Office attended to hear the views of the Council on S37. The Master of the Rolls summarised the Council's thoughts on S37 and Cabinet Office representatives were able to respond to this discussion. Cabinet Office emphasised their willingness to work with the Advisory Council to find practical solutions and processes.
- 7.6. The Council thanked representatives of the Cabinet Office for attending.

ACTION: The National Archives (VD) to liaise with Cabinet Office on providing further information on constitutional convention and more detailed justifications to qualified S37 entries.

8. Any Other Business

- 8.1. The Deputy Chair asked for Council members' thoughts on future meeting patterns and the balance between online and in-person meetings. Members agreed they would like a balance between in-person and online meetings, and that it would be ideal to have one meeting per year in a central London venue.
- 8.2. Members also discussed the upcoming November meeting and potential hybrid meetings. The National Archives noted that it was working to find a solution to run hybrid meetings; the November meeting might be too soon. The Secretariat noted the Governance team was liaising with other committees and groups on the levels of success for hybrid meetings.

- 8.3. The Chair announced the appointment of Leon Litvack as the Deputy Chair for the Forum on Historical Manuscripts and Academic Research and the Council congratulated him on this.
- 8.4. The Chair noted there was a vacancy for one Advisory Council member on the Forum and that expressions of interest should be sent to the Secretariat. The Secretariat confirmed that following the retirement of two members the Forum would be recruiting for one independent member and one Advisory Council member.
- 8.5. The Chair thanked everyone and closed the meeting by wishing everyone well.

There being no further business, the meeting was closed at 16.03pm.