



ADVISORY COUNCIL ON NATIONAL RECORDS AND ARCHIVES

Date: 25 July 2025

Time: 11:00 – 14:30

Venue: The National Archives (TNA) and Video Link

Chair: Sir Geoffrey Vos, Master of the Rolls (MR), Chair

Members: Mr David Rossington, Deputy Chair
Dr Jim Bamberg
Ms Liz Copper
Dr Nigel Fletcher
Ms Kate Grimley-Evans
Mr Martin Howard
Ms Lex Jones
Professor Leon Litvack, Deputy Chair of the Forum
Ms Sally McInnes
Sir David Natzler
Ms Helene Pantelli
Professor Sally Sheard
Mr James Strachan
Ms Aruna Verma
Professor Sir Simon Wessely

Minutes: Ms Jenna Birley, Governance Manager and Secretary to the Advisory Council (TNA)

Non-members:

TNA: Senior Access Manager
Head of Government Services (via video link)
Freedom of Information (FOI) Manager
Strategic Compliance Lead (via video link)
Ms Lucy Fletcher, Public Access and Government Services Director
Access Team Officer
Mr Saul Nassé, Chief Executive Officer (CEO) and Keeper of Public Records
Governance Coordinator
Mr Sam Whaley, Head of Strategy and CEO's Office

MR's Office: Ms Crystal Hung, Legal Advisor to the Master of the Rolls
Ms Amy Shaw, Private Secretary to the Master of the Rolls

Guests and Observers: The Baroness Twycross, Parliamentary Under-Secretary of State (Minister for Gambling and Heritage and Lords Minister); Mr Jack Mattless, DCMS Lords Minister's Private Office

1. Welcome, introductions, apologies and declarations of interest

1.1. The Chair welcomed everyone to the meeting, in particular The Baroness Twycross and Mr Jack Mattless, her Private Secretary, who were attending to observe.

1.2. Apologies had been received from Mr Jonathan Scherbel-Ball.

2. Minutes and matters arising

Minutes of the meeting held on 19 May 2025

2.1. Subject to minor amendments proposed by members, the minutes of the May meeting were **agreed** as a true and accurate record.

Actions Log

2.2. Members agreed actions 7 and 8 were complete and could be closed.

2.3. The Action Log was **noted**.

3. The National Archives, CEO and Keeper's Update

3.1. The CEO and Keeper of Public Records, Mr Saul Nassé, introduced his report which was taken as read.

3.2. Mr Saul Nassé and Ms Lucy Fletcher updated members on the proposal to change TNA's fees, in particular the proposed timeline for implementing changes.

3.3. Members noted the press coverage of the 1994 Chinook helicopter crash and discussed TNA's ability to challenge inaccurate or misleading language used by journalists.

3.4. The CEO's report was **noted**.

4. Administrative Items

4.1. Working Group Update

Members **noted** the draft notes of the most recent Working Group meeting on 27 June. Mr David Rossington expanded on the meeting he had had with The Baroness Twycross and Mr Saul Nassé.

4.2. Mr David Rossington provided an update on the Royal Household referrals. Confirmation had now been received from the Minister that she was supportive of the Council's intention to bring the period granted for referrals to the Royal Household into alignment with those given as standard for departmental referrals,

which is one year. Mr David Rossington would discuss next steps with the Secretary outside of the meeting.

ACTION: The Advisory Council Secretary to discuss next steps with the Deputy Chair.

4.3. Forum Report

Professor Leon Litvack provided a report on the Forum meeting of 20 June 2025 which was **noted** by the Advisory Council.

4.4. Professor Leon Litvack informed members that an Instrument of Appointment had been received from the Minister to appoint two new Independent Members of the Forum.

4.5. Advisory Council letter to the Foreign, Commonwealth and Development Office (FCDO)

At the May Advisory Council meeting, it was agreed that the MR would send a letter to the Permanent Secretary at FCDO in his capacity as Chair of the Advisory Council to outline concerns around the department's capacity to meet their statutory obligations under the PRA. Members **noted** the letter which had been sent on 10 July 2025.

5. Ministry of Defence (MoD) Merlin Database Transfer

5.1. Ms Lucy Fletcher introduced this letter which advised the Advisory Council on MoD's plans to transfer over 28,000 records of historic documentation related to the UK's nuclear testing programme.

5.2. Members discussed the letter and were concerned about the proposals to apply section 14 of the Freedom of Information Act (FOIA) when dealing with queries. Members sought more clarity on this, particularly on the scale of the proposed application.

5.3. Members agreed to write a letter to the MoD to ask for further information on these proposals and to seek assurance that the department will proactively engage with veterans groups and the public during the process.

ACTION: The Advisory Council Secretary to draft a letter outlining the Advisory Council's concerns in response to MoD's letter.

6. FOI Panel Update

6.1. The FOI Manager presented this report, highlighting key metrics to members and thanking them for continuing to complete panel work within one working day.

6.2. Members discussed a recent Supreme Court judgement that would need to be considered by Council members when conducting their FOI panel work in the future.

ACTION: The Advisory Council Secretary to circulate the recent Supreme Court judgement.

7. Departmental Retention Requests

7.1. Departmental applications

The Council considered papers from departments relating to the retention of records. Any recommendations for approval were to be advanced to the Secretary of State for ratification.

Applications for retentions of one to five years and updates on retained records were received from the following Departments:

- Cabinet Office
- FCDO
- His Majesty's Treasury (HMT)
- MoD
- Northern Ireland Office (NIO)

7.2. Applications for retentions of two years and updates on retained records were received from the following Arm's Length Bodies (ALBs):

- Health and Safety Executive (HSE)
- His Majesty's Revenue and Customs (HMRC)
- National Institute for Health and Care Excellence (NICE)
- The Water Services Regulation Authority (Ofwat)

7.3. An update was received from the following Place of Deposit (POD):

- Postal Museum

ACTION: The Advisory Council Secretary will write to departments to notify them of the Council's recommendations, including any which will go forward to the Secretary of State with regard to their retention requests.

The Baroness Twycross, Mr Saul Nassé, Mr Sam Whaley and Mr Jack Mattless left the meeting.

8. Access to Records

8.1. The Advisory Council considered outstanding Departmental queries from November 2023 – February 2025 which included clarifications, revised applications and updates; withdrawn applications; applications carried forward; and the record of recusals.

8.2. The Council then considered the same from May 2025.

8.3. The Council then considered the same from July 2025. The Council was content to approve the applications on the basis of the clarification or additional information provided by the departments, subject to certain exceptions, which were either queried, withdrawn or carried over to the next meeting, as the relevant department had yet to respond.

8.3.1. Case 22 was discussed by the Council as representative of a theme where departments had not made correct reference to section 37 FOIA. Council **agreed** their advice to departments was to include reference to section 37 where applicable and to not do so is inconsistent with the principles of transparency under the FOIA.

8.4. The Council noted comments on applications to close records under draft FOI Schedules 177 and 178 and Retention Instrument 162.

8.5. There had been some inconsistency with some of the ways Council had approached these schedules. Mr David Rossington reminded members of the agreed FCDO checklist procedures. He also asked members to be mindful that section 23 FOIA did not require departments to detail particular security bodies.

9. Any Other Business

9.1. The MR invited members and colleagues to the event he will be hosting at TNA on 6 October: Commemorating Coronations Past and Present. Formal invitations would be issued in due course.

9.2. Members were asked to note the Secretary would be asking for volunteers to conduct the Advisory Council records review in September.

9.3. Members were asked to raise anything they might want to discuss at their September training meeting with the Secretary.

The meeting closed at 14:30.