

Public Minutes of The National Archives' Board		THE
		NATIONAL
Held on 25 November 2021 at 10:00 at The National Archives, Kew and via Video Conference (VC)		ARCHIVES

**Present:**

Lesley Cowley (LC - Chair) Chair of The National Archives' Board  
Sonia Cargan (SC) Non-executive Board Member  
Mark Richards (MR) Non-executive Board Member (via VC)  
Ros Scott (RS) Non-executive Board Member (via VC)  
Emmajane Avery (EJA) Director of Public Engagement  
Neil Curtis (NC) Chief Operating Officer  
Lucy Fletcher (LF) Director for Public Records Access and Government Services (via VC from item 6 onwards)  
Jeff James (JJ) Chief Executive and Keeper  
Valerie Johnson (VJ) Director of Research and Collections (via VC)  
Gemma Maclagan Ram (GMR) Commercial Director  
Andrea Metcalf (AM) Director of People, Inclusion and Change  
John Sheridan (JS) Digital Director (via VC)  
Aaron Smith (AS) Corporate Services Director (via VC)

**Also present:**

Asha Bagayat (AB) Head of Governance (minutes)  
Adrian Butler (AdB) Interim Head of Finance (via VC for Item 6)  
Elana Kudelka (EK) Governance Coordinator (technical support)  
Emma Markiewicz (EM) Head of Archives Sector Development (Item 7)  
Malcolm Todd (MT) Head of Policy (via VC for Item 3)  
Sam Whaley (SW) Head of Strategy and CEO's Office

**1.0 Welcome, Apologies and Declarations of Interest**

- 1.1 LC welcomed everyone to the first hybrid meeting of The National Archives' Board. She also welcomed AM who had recently joined The National Archives as an Executive Director.
- 1.2 Apologies for absence were received from Rommel Pereira (RP). He had pre-submitted comments, which were shared by JJ during the discussion of the relevant items.
- 1.3 RS declared an interest in the Parliamentary Archives partnership project (Item 3) as a former member of the Parliamentary Restorations and Renewal Committee. She also declared a new interest as she had recently been appointed President of the National Association of Local Councils. There were no further declarations of interest.

**2.0 Minutes, Matters Arising and Action Log**

- 2.1 Subject to minor amendments, the minutes of the meeting held on 22 October 2021 were

approved as a correct record.

2.2 There were no matters arising.

2.3 The Board reviewed the actions log and received an update on latest discussions with DCMS with regards to signing off the Framework Agreement.

### **3.0 Executive Team Update**

3.1 The Board received an update on Executive Team activities.

#### Executive Team Update Report

3.2 VJ provided a verbal update on developments within her Directorate. She noted that sadly the Head of Archives Sector Development was moving on to new opportunities. However, this also presented an opportunity to revisit the role as part of our archives sector leadership review. The new Head of the Grants Office was in post. She also reported on the recent announcement of new directors at the British Film Institute (BFI) and noted our key strategic relationships with the organisation and the importance of furthering these.

3.3 MT provided a verbal update on the latest developments in the two legal cases against the Government relating to the use of auto-deletion messaging services and use of private email accounts.

3.4 MT provided an update on the Parliamentary Archives partnership project.

3.5 RS congratulated management on the tone and language of the Courtesy Charter, which she felt was respectful to anxious individuals.

3.6 LF provided a verbal update on file releases. She reported on the Foreign, Commonwealth and Development Office's file release on 23 November, which included documents relating to Flight BA149 and that The National Archives had provided them with support at the press conference. She also provided the Board with assurance that all was on track for the annual Cabinet Office file release in the New Year and gave a flavour of the content (embargoed) and noted that we were expecting good press coverage.

3.7 RS expressed her thanks for the links to the recent five Parliamentary Questions and offered her support in reviewing any future questions.

3.8 The Board:

- (i) Received and noted the updates;
- (ii) Asked to be kept updated on progress on the Parliamentary Archives partnership project out-of-committee, where necessary; and
- (iii) Suggested implementing a process for sharing responses to Parliamentary Questions with Non-executive Board members.

*Action by: MT/AB*

## 1921 Online Census – RAG Update

- 3.9 The Board was invited to note the update on the 1921 Census programme, including the product launch, and public communications plan, and to discuss RAG ratings, progress and risks identified.
- 3.10 GMR noted that production was on track and thanked colleagues in the Document Services Department for their help.
- 3.11 In relation to the communications plan, the Board noted this was focused on the challenges of delivering the project on time.
- 3.12 EJA outlined the onsite arrangements at Kew for the 1921 Census release, including 1920s theming and banners both inside and outside the building and that readers will be able to access the product from their own devices in the 1920s lounge area.
- 3.13 The Board:
- (i) Welcomed and noted the project update and the latest RAG rating position;
  - (ii) Noted that GMR would consider updating the narrative around ‘reputation’; and
  - (iii) Noted that metrics had been included in communications to reflect the size and scale of the project.

*Action by: GMR*

## **4. Non-Executive Board Members’ Updates**

- 4.1 Non-executive Board Members (NEBMs) each provided a verbal update on their recent activity, including insights from other organisations.
- 4.2 It was noted that the Non-executive Board members, including Robert Milburn (Independent Member of the Audit and Risk Committee) had completed in-house mandatory training on Safeguarding and Information Security on 8 November. RS sent her apologies owing to a diary clash, but had subsequently completed the training and confirmed this in writing to AB.
- 4.3 LC reported the following activities and updates:
- Commissioned NC to review the arrangements for communicating with NEBMs
  - Noted the letter from the DCMS Permanent Secretary relating to conflicts of interests and that she had agreed with JJ that AB would undertake a review of our compliance in this area
  - Noted she will be attending the Public Chairs Forum’s Annual Conference in December and undertook to provide a verbal report to the January meeting
  - Has been engaged in a dialogue with the Cabinet Office on their public bodies strategy
  - Attended a session on risk and noted the steer from NAO to manage stagnant risks.
- 4.4 SC noted her meeting with VJ on The National Archives’ sector leadership role and an initial meeting with EJA on our public engagement activities, with a further follow up meeting to be

arranged. She will also be attending the Corporate Induction for staff in December.

4.5 MR reported on reviewing The National Archives Trust consultants' fundraising strategy report and shared his thoughts on it.

4.6 RS reported on her induction meeting with AM and that she had signed up for a number of What's Online talks.

4.7 JJ reported on RP's activities and noted that he has been having good engagement with NAO and has agreed with them that the Audit and Risk Committee (ARC) will include horizon scanning as part of its agenda. In relation to insights from other organisations, cyber and data security was featuring in discussions.

4.8 The Board noted the updates.

## **5.0 Update on Commercial Activities and Direction**

5.1 GMR provided a verbal update on commercial activities and the priorities of her newly formed directorate and noted:

- Digital Downloads – The Executive Team had recently considered an options paper.
- Commercial Strategy – The Board noted the plans for the Commercial Strategy, including pressures to deliver this and would be updated in due course.

5.2 The Board

- (i) Received and noted the verbal update;
- (ii) Asked GMR to share with it the communications messaging in relation to Digital Downloads; and
- (iii) Suggested that GMR bring an outline plan for the Commercial Strategy to its February meeting, with potentially a first discussion at the March meeting.

## **6.0 Corporate Reports**

### 6+6 Financial Forecast

6.1 LC welcomed AdB as Interim Head of Finance.

6.2 The Board received the 6+6 Financial Forecast, which presented an increased surplus.

6.3 AS introduced the paper and outlined the known risks and opportunities for closing the gap, noting that supply chain issues and supplementary estimates may have an impact on our ability to bring projects and activities, including Enterprise Resource Planning (ERP), forward into Quarter 4 spending. The Finance Team were working closely with budget holders to support this process.

6.4 In relation to the staff cost, LC queried how much of this related to vacancies or was reclassified capital. In response, NC noted that staff underspend relating to recruitment and vacancies was

high. JS highlighted the challenges of recruiting specialist digital skills and a shortage in the market and outlined the interventions to help manage this, noting it was a challenging recruitment environment. SC added that with the wider workforce climate other organisations were seeing the same and suggested thinking about people and culture, where it came to The National Archives' recruitment strategy. Acknowledging the challenges, LC offered to connect The National Archives with the Director of HR at Companies House to hear about their creative recruitment approaches.

- 6.5 The implications of posts not being filled to advance major projects and factoring in procurement planning into financial forecasting was noted. However, AS was confident with a three year Spending Settlement there was greater opportunity to smooth out budgets.

#### October Financials

- 6.6 The Board received the October financials report, noting it had been prepared six weeks after the 6+6 Financial Forecast, and presented a smaller surplus and an increase in Gazette income.
- 6.7 AdB left the meeting at the end of the discussion, with the thanks of the Chair.

#### Corporate Risk Register

- 6.8 The Board received the Corporate Risk Register (CRR) for review and noted that the risk appetite of one item was increasing and five items had been reassigned to the relevant directorate risk registers. There were two new risks being considered, which would be further discussed with the ARC on 3 December.
- 6.9 NC noted a potential new risk being considered by the Executive Team for escalation to the Corporate Risk Register around our compliance with responding to FOI requests.
- 6.10 The Board:
- (i) Noted the 6+6 Financial Forecast;
  - (ii) Noted the challenges around recruitment and suggested thinking about people and culture where it came to our recruitment strategy and talking to other organisations around good practice and successes in this area;
  - (iv) Noted that the three year Spending Settlement would support greater financial and business planning and welcomed this;
  - (v) Noted the October Financial Report;
  - (vi) Received and noted the Corporate Risk Register; and
  - (vii) Welcomed the tightening up of the ARC and Board cycle of reporting on the CRR and agreed that responsibility for scrutinising it lay with the ARC, whilst oversight remained with the Board.

*Action by: NC/AS/AM*

## **7.0 Archives Sector Leadership Model**

- 7.1 The Board received a paper providing an overview of initial findings of a review undertaken by Activist Group on The National Archives' sector leadership role. This review was commissioned as part of The National Archives' strategic intent to 'Reshape our approach to sector leadership to meet the demands of the post-lockdown world, supporting archives services to increase their capability and sustainability and adapt their service models'. The paper also presented some emerging thoughts and possible approaches to our sector leadership role for a strategic discussion.
- 7.2 VJ introduced the item and highlighted this was a broad discussion paper and welcomed the Board's input and thoughts on further scenarios to frame our sector leadership role, which currently was undefined. She invited EM to outline the three scenarios set out in the paper and noted that the ensuing discussion will inform a more defined paper for presentation to the February Board meeting. JJ also provided context on how The National Archives had come to take on the role of sector leadership and noted this has been delivered instinctively rather than by design.
- 7.3 A detailed and lengthy discussion ensued and a number of suggestions and points were noted for further exploration and action.
- 7.4 The Board:
- (i) Welcomed the opportunity for a blue skies discussion;
  - (ii) Noted that we still awaited the final report from Activist Group which will provide further insights; and
  - (iii) Noted that the Head of Archives Sector Development and the Director of Research and Collections will work to develop recommendations and next steps for a further Board presentation at the 22 February 2022 meeting and any further Non-executive Board member engagement will be revisited then.

*Action by: VJ/EM*

## **8.0 Update on Court Judgments and Tribunal Decisions**

- 8.1 The Board received a paper setting out progress, including risks and issues, on developing a new service to preserve and provide public access to important Court Judgments and Tribunal Decisions, from April 2022.
- 8.2 JS introduced the paper and highlighted that he had had a positive interview with a Law Society journalist, which will help to manage expectations of the new service. He noted insights from the current provider on volume and publication timings and confirmed that our approach will be to automate the process for speed, ease and efficiency.
- 8.3 The Board sought assurance around safeguards and controls with regards to publication and was provided with this and also noted the role of existing governance structures i.e. the Takedown and Closure Panels will be widened to support this. A discussion paper will be presented to the Judiciary Group to agree roles and responsibilities and controls to safeguard against the information management risks.
- 8.4 There was a discussion on the commercial opportunities. JS noted the collection had historical as

well as legal value. The National Archives' primary interest was to capture and preserve the records as per our responsibilities set out in the Public Records Act. However, law reporters were also interested in the content for legal analysis and this may have a commercial value.

8.5 The Board:

- (i) Welcomed the update on the project and felt good progress was being made;
- (ii) Agreed the partnership fit with the ambitions of The National Archives and strategic vision;
- (iii) Expressed confidence in the transfer process and scale; and
- (iv) Noted that it would be kept updated on project progress through the regular Executive Team update report and by exception in case the risks materialise.

*Action by: JS*

**9. Any Other Business**

Forward Work Agenda and Strategic Programme

9.1 The Board received the Forward Work Agenda, which included an outline programme for strategic discussions at Board meetings in 2022. SW agreed to provide a detailed programme at the 18 January 2022 meeting for agreement.

9.2 In response to a query, the Board noted that a Storage Strategy is in development that will address the short to medium term pressures on storage. Discussions regarding Kew Plus will then follow.

9.3 In response to a question by NC on governance around the ERP project, it was agreed that the ARC would maintain project oversight and at its discretion could refer the matter back to Board.

9.4 The Board:

- (i) Noted the forward programme;
- (ii) Welcomed a defined programme for strategic discussions in 2022; and
- (ii) Agreed to delegate oversight of the ERP project to the ARC.

*Action by: AB/NC*

Update on Chair Recruitment

9.5 JJ provided a verbal update on the recruitment of a new Chair of The National Archives' Board and noted the delays. As a consequence, he was delighted to announce that LC had agreed to stay on and that her term had been officially extended by DCMS to 31 March 2022.

Items for information

9.6 The Board received and noted three items for information: Talk-November Issue, Courtesy Charter and Letter from DCMS Permanent Secretary to ALB chairs on Conflicts of Interest.

9.7 The Chair thanked everyone for attending the meeting and wished them a good festive break.

**There being no further business, the meeting was closed at 14.04**