

Minutes of The National Archives' Board		THE	
		NATIONAL	
Held on 27 June 2023 at 10:00 at The National Archives, Kew and via Video Conference (VC)		ARCHIVES	

Present:

Andrew Wathey (AW - Chair) Chair of The National Archives' Board
Sonia Cargan (SC) Non-executive Board Member
Rommel Pereira (RP) Non-executive Board Member (Item 5 and then from Item 7 onwards via VC)
Mark Richards (MR) Non-executive Board Member
Ros Scott (RS) Non-executive Board Member
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)
Jeff James (JJ) Chief Executive and Keeper
Valerie Johnson (JV) Director of Research and Collections
Gemma Maclagan Ram (GMR) Commercial Director
Andrea Metcalf (AM) Director of People, Inclusion and Change
John Sheridan (JS) Digital Director

Also present:

Asha Bagayat (AB) Head of Governance (Minutes)
Matthew Bell (MB) Head of Legislation Services (Item 5 via VC)
Jack Butterworth (JB) Head of Grants and Funding Office (Item 2)
Marie Twomey-McLeod, Head of Finance (Item 7 via VC)
Malcolm Todd (MT) Head of Policy (Items 3-5)

1.0 Apologies and Declarations of Interest

- 1.1 Apologies for lateness were received from RP owing to a diary clash. He had pre-submitted comments, which were shared by AW during the discussion of the relevant items. There were no further apologies for absence.
- 1.2 RS declared an interest in Item 4 - Parliamentary Archives project, as a former member of the Parliamentary Restorations and Renewal Committee. AW declared a new interest, noting that from 20 June 2023 he had been appointed as a Member of the Finance and Investment Committee of Newcastle Cathedral. There were no further declarations of interest.

2.0 Digitisation at The National Archives

- 2.1 The Board received a discussion paper introducing the history of digitisation at The National Archives, our current approach, and opportunities, risks, and issues for the future, including rapid changes in the technological and funding landscape in this area. The paper sought to act as background, touching upon issues, to inform future strategic conversations in this area.

- 2.2 Lines of questioning related to our strategic approach to digitisation and demand. In response, the Board noted that The National Archives itself does not, on the whole, have a budget for large scale digitisation projects. As such digitisation is largely demand led and paid for by third parties.
- 2.3 There was a discussion around the diversity and representativeness of the collections, which have been digitised. It was noted that records relating to British colonial history were popular and that there was also an increasing trend to tell the stories of people from different communities.
- 2.4 Opportunities of working with The National Archives Trust to raise funding and use our knowledge of the records to steer perspective researchers and funders to digitise collections and develop new funding relationships were noted. Opportunities in digitising records linked to ministerial priorities, were also noted.
- 2.5 There was a discussion on the role of The National Archives' Discovery Board, a key governance body, which agrees projects for publication online, and the frequent challenges it comes across, including the mitigation of information rights risks.
- 2.6 In terms of taking a more strategic approach, assurances were provided that digitisation and related activity was covered in our Commercial and Licensing plans and will also feature in the Grants and Funding Office plan.
- 2.7 The Board:
- (i) Welcomed the introductory paper;
 - (ii) Agreed that management would draft an outline framework of digitisation principles for discussion at a future meeting to inform the development of digitalisation strategy; and
 - (iii) Noted that the Discovery Board was an important governance body, taking digitisation decisions and (i) agreed it should be captured in The National Archives' Governance Assurance Map and (ii) agreed that the Audit and Risk Committee should review the Governance Assurance Map annually.

Action by: GMR/AB

3.0 Data Protection and Digital Information Bill (DP&DI Bill)

- 3.1 The Board received a briefing paper on work conducted by The National Archives pertaining to its role as archive sector lead in England, and as part of the CEO & Keeper's position as Historical Manuscripts Commissioner (HMC), concerning the draft Data Protection and Digital Information (no. 2) Bill and its potential impact on non-statutory archives to acquire material that might be of substantial public interest. The paper also set out examples of potential scenarios, which could emerge if the Bill were to pass as it is currently worded and the interactions of the CEO & Keeper with officials and ministers in this regard to protect the sector from unintended consequences.
- 3.2 Lines of questioning related to the work The National Archives, as sector lead, has undertaken to engage with officials and external stakeholders on the issue. The Board received assurance on our engagement activity and noted that delays to the Bill timetable have provided further

opportunities to engage with officials and ministers.

3.3 The Board:

- (i) Received and welcomed the detailed briefing and the surfacing of the risks and issues and asked to be kept updated on developments.

Action by: JJ/MT

4.0 Parliamentary Archives Project

4.1 The Board received an assurance paper providing an update on the Parliamentary Archives Project, which has gone through a number of phases since the last Board update in February 2023. The project has now moved into a more intensive transition planning phase to prepare for actual record movements beginning later this year. The partners have begun knowledge sharing and familiarisation of each other's records collections and are delving into the next level of detail of processes and operating model. The Board also received a copy of the latest project RAG report that is produced for the Parliamentary Archives Steering Committee.

4.2 Assurances were provided that the project was making steady progress and that the risks and issues, including those around storage and the movement of records, were being well managed. A paper will be presented to the September Board Strategy Day on medium term storage solutions, which will include the needs of the Parliamentary Archives' collection. The complexity of the project was noted.

4.3 Clarification was provided regarding the funding arrangements of the project, as well as the management of information rights issues related to the collection.

4.4 The Board:

- (i) Welcomed the update and noted the importance and scale of this partnership in enabling The National Archives to become the 'Archive of the State';
- (ii) Welcomed sight of the Project RAG report and the surfacing of risks and issues and received assurance that these were being managed;
- (iii) Suggested preparing a communications plan and having a plan in place for addressing potential information rights issues;
- (iv) Looked forward to receiving regular project updates via the Executive Team Update report; and
- (v) Looked forward to discussing the medium-term storage strategy at the September Strategy Day.

Action by: MT/AB/LF

5.0 Retained European Union (EU) Law (Revocation and Reform) Bill

5.1 The Board received a paper providing an update on The National Archives' work, particularly legislation services, resulting from the Retained EU Law (Revocation and Reform) Bill and our

analysis for the government of what might constitute retained EU law. The paper also set out the issues and risks relating to this work and possible mitigations.

5.2 Lines of questioning related to gaining a greater understanding of the scale and volume of the work, the operational implications of amending Legislation.gov, and funding and flexibility to deliver the project over multi-years.

5.3 The Board:

- (i) Welcomed and received the update and the sighting of the risks and issues; and
- (ii) Asked to be kept updated on developments via the Executive Team update report.

Action by: JS/AB

6.0 Enterprise Resource Planning (ERP) project

6.1 With the go live date of 17 July 2023 coming soon, the Board received a paper providing an update on the project for assurance, including potential risks and issues and their mitigations.

6.2 The Board:

- (i) Welcomed and received the project update;
- (ii) Received assurance that the project was on track and risks were being well managed by management; and
- (iii) Congratulated the team and agreed that it should be corporately acknowledged.

Action by: NC

7.0 May Management Accounts

7.1 The Board received the May management accounts, which included the additional pay award but not the one-off flat-rate payment announced for Civil Servants that will need to be funded from existing budgets. These will be reflected in the 3+9 Financial Forecast report.

7.2 The Board:

- (i) Received the report and noted the additional pressures on the budget and options for mitigation;
- (ii) Suggested management implement a consolidated schedule of budget pressures and their mitigations, which could be shared with HM Treasury;
- (iii) Endorsed the May Management accounts; and
- (iv) Looked forward to receiving the 3+9 Forecast, which will present the budget adjustments.

Action by: NC/AB

8.0 Executive Team updates

8.1 The Board received a report on Executive Team activities, including a detailed update on The National Archives' activities to commemorate 75 years of Windrush.

8.2 LF provided a verbal update on our latest performance against compliance with the Freedom of Information Act (FOIA) and noted that a detailed update will be provided to the Board at its next meeting.

8.3 The Board noted the updates.

9.0 Non-executive Board Member verbal updates

9.1 Non-executive Board Members (NEBMs) each provided a verbal update on their recent activity, including insights from other organisations.

9.2 RS noted meeting with Lord Peter Hendy regarding the bi-centenary celebration of the Stockton to Darlington Railway and liaising with EJA on the potential of involving The National Archives and working with new partners.

9.3 MR noted holding fireside chats with candidates for the Independent Audit and Risk Committee role.

9.4 RP noted attending an event hosted by the Comptroller and Auditor General, The National Audit Office, for Audit and Risk Committee chairs and shared insights and trends.

9.5 AW noted participating in the first-round recruitment panel for the Independent Audit and Risk Committee Member; meetings with VJ about digitisation; and meetings with various external senior officials for potential relationship building with The National Archives.

9.6 The Board noted the updates.

10.0 Minutes, Matters Arising and Action Log

10.1 Subject to minor amendments, the minutes of the meeting held on 30 May 2023 were approved as a correct record.

10.2 The Board reviewed the Actions Log.

11.0 Any Other Business

Forward Work Programme

11.1 The Board reviewed the Forward Work Programme for Board meetings.

Update on the Annual Report and Accounts

11.2 NC provided a brief verbal update on progress by the National Audit Office (NAO) on the final auditing of our Annual Reports and Accounts, including receipt of the independent Valuation Report from BNP Paribas (which had been circulated to Board out-of-committee). The Board noted that the timetable to laying was tight, but the project team were making steady progress with the production.

Items for information

- 11.3 The Board received and noted one item for information: Draft Minutes of the 17 May Audit and Risk Committee Meeting.

There being no further business, the meeting was closed at 12.50.