



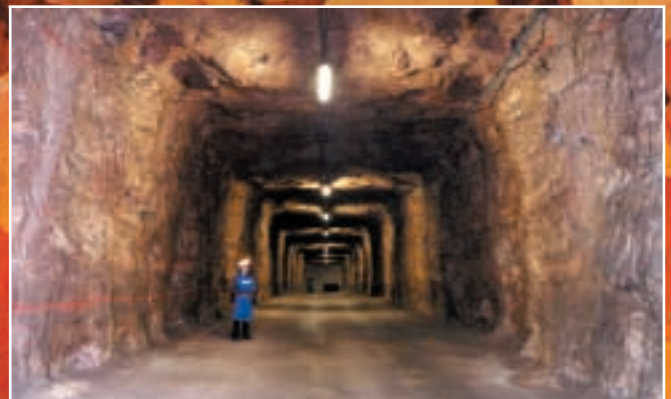
the national archives

Places of deposit

# Bulletin

NOVEMBER 2003

**Consultation on Archives Legislation**  
**The National Archives goes underground**



This winter The National Archives will begin moving records from its store at Hayes to a salt mine in Winsford, Cheshire – see page 4

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## Foreword

Welcome to the latest issue of *Places of Deposit Bulletin*. Time seems to have flown by since the last issue in July, and there has certainly been plenty to keep us busy in the intervening period. This issue of the *Bulletin* brings you news on some of the things we have been involved in over the past few months, and also news from the wider archive, records management and government communities which we feel will be of interest to you.

Firstly though, those of you with the sharpest eyes will notice that Rod Ward-Horner's name no longer appears as the foreword's author. Rod has left Archive Inspection Services since the publication of July's issue of the *Bulletin*, to take a promotion elsewhere in The National Archives. Congratulations and best wishes go to Rod in his new role – of which you can read more later in this *Bulletin*.

If there is a common thread to the articles in this issue of the *Bulletin* it is probably "change". Changes to the physical make-up of The National Archives are now in progress, with the relocation of the Historical Manuscripts Commission from central London to Kew now under way, and exciting news of how some of our archival holdings are being sent to a new home deep under the Cheshire countryside. There is news here of proposed changes to the ways in which archive services are inspected and advised by The National Archives. Our ways of using information are changing, and we hear from guest author Dr Matt Houlbrook about how our archives have been re-explored to reveal rich sources of gay and lesbian history. We also propose a move away from the use of paper correspondence between places of deposit and The National Archives in our quest for the (mythical?) paperless office. There are updates on changes to archival access arrangements, whether those affected by the ongoing preparations for the implementation of the Freedom of Information Act, or those brought about by a recent decision about access to NHS patient registers. Finally, there is news of imminent change to The National Archives' on-line presence, to our parent government department and even to the publication of this *Bulletin*.

Yet even in the midst of all this change, it is certain that The National Archives will continue to be a source of useful advice and guidance for *Places of Deposit*. As ever, we welcome your comments and feedback on the *Bulletin* or any other aspect of our service.

**Steven Jones,**  
Head of Archive Inspection Services

# Public consultation paper on proposals to change the current legislative provision for records management and archives

**D**o you recognise this cover? I hope so, as we sent all places of deposit a copy of the consultation paper it fronts just a few weeks ago. The paper sets out proposals for changes to the Public Records Act and similar legislation affecting local government. The main proposals are as follows:

- a duty on bodies covered by the legislation to create records in accordance with agreed standards. The bodies affected would be those currently covered by the Public Records Act and, perhaps, local and regional government bodies too
- a power to issue standards, probably vested in the Minister responsible for the public records system, acting on the advice of the National Archivist and following a consultation process
- a power to issue supporting guidance, probably vested in the National Archivist
- a power to monitor and regulate compliance, probably vested in an external or independent authority and perhaps with different authorities for different levels of government
- provision to ensure that the products of current and future technology can be managed as records within the legislation
- a duty on local authorities to provide archives services
- powers to set standards for archives services and to monitor compliance
- formalising of the coming together of the Public Record Office and the Historical Manuscripts Commission to form The National Archives.

Why have we produced this paper? Well, it is almost half a century since the 1958 Act was enacted and since then we have moved into the "information age". The volumes of information we hold have increased enormously and the ways in which we hold it, use it and make it accessible have been transformed by technology, including the internet. There are new demands and standards for public services, and increased emphasis on accountability, audit and governance. Add to that the demands of new legislation such as the Freedom of Information and Data Protection Acts. For all of these things the information we hold, and our ability to manage it, to retrieve it when we need to, and dispose of it properly when we are finished with it, is critical.



There is growing anxiety about our ability to cope with all of this. It was chiefly the need to deal with the growth in digital records, and systems to manage them that first made us question whether the Public Records Act is still adequate. With the agreement of our Minister, the Lord Chancellor, we worked with colleagues inside central government to review the overall position. As we have done so, more of us have become convinced that there are significant issues we need to consider. These issues, set out in this consultation document, affect government at central, regional and local levels as well as related bodies such as executive agencies and non-departmental public bodies.

We have sent out about 1,000 copies of the document – to all central government records managers, local authorities, places of deposit for public records, others in the records management and archives community such as the Records Management Society and the Society of Archivists, user groups, and individuals who have a known interest or involvement in information management such as the Information Commissioner. We are sending out further copies on request and the document is also available on our website at [www.nationalarchives.gov.uk](http://www.nationalarchives.gov.uk). We hope that everyone who receives it will devote some time to considering the issues it raises and answering some of the questions it poses.

The consultation period lasts until **21 November 2003**. We will then analyse the responses we receive and produce proposals on records management and archives in the public sector for the Working Group on Records Management and Archives Legislation to consider and, we hope, agree should be put to Ministers.

I should emphasise that nothing is yet decided. Of the various suggestions put forward in the consultation paper, all or none may go forward as part of our eventual proposals. There is no commitment at this stage to new primary legislation, and we will aim to make any necessary changes by the simplest effective means available.

We look forward to receiving your responses. Details of how to send them are given in the consultation document – the easiest way is probably to use the email-able comments form on our website. Please make time to comment – the more responses we receive the better founded and more credible our eventual proposals

**Susan Healy,**  
Head of Information Management and Legislation Unit  
[susan.healy@nationalarchives.gov.uk](mailto:susan.healy@nationalarchives.gov.uk)

# The National Archives goes

This winter The National Archives will begin moving records from its store at Hayes to a salt mine in Winsford, Cheshire. This is the story of how we decided to go underground.

Currently we store about 25km of records at the Ministry of Defence site at Hayes, Middlesex, but this is due to be redeveloped. Kew has a total capacity of 161km and about 145km of this is already full. We take in about 2km of records a year so off-site storage is the only way forward for us. We need storage for about 25km of records which meets the environmental standard for the Storage of Archival Documents (BS5454).

After a full tendering process we selected DeepStore, a company that store archives in part of a salt mine at Winsford in Cheshire. The mine is extraordinary – the first shaft was sunk in 1844 and it is the oldest

From our point of view, the mine offers a storage facility which is green and good for the environment – there is no additional building required on the surface of the planet. It is also green because the energy requirements are low. The natural conditions within the mine are at a constant 14° C and 62% relative humidity (RH). A small amount of dehumidification will adjust the RH to BS 5454 standards. The records are stored in a series of rooms which are separated by blockwork walls with four-hour fire resistance. The salt walls have been de-scaled and cleaned with compressed air to remove all loose particles. Any remaining dust in the air will be filtered out. The documents will be stored in perfect darkness. A fire detection system is in place although the risk of fire has been considered extremely low. The mine is very secure and since there are no sources of food down there is totally pest free.



working pit in the UK. It now has over 100 miles of underground roadways – 150 metres below ground. It produces rock salt which is the reddish brown stuff used for de-icing on roads and paths. In 1998 the owners set up a separate company to exploit the storage potential of the vast empty underground spaces left by the extraction process. There is more information and a video tour at [www.deepstore.com](http://www.deepstore.com)

Curiously, we have a historical connection with the facility. In World War II it was investigated by the PRO as a place to re-house records during the V1 raids and was only rejected because the government, which seems to have been using it to store emergency food supplies, had installed a sprinkler system to protect vulnerable supplies against fire. Unfortunately, but inevitably, the system used salt water which was felt to be unacceptable for records. The sprinkler system and the food have long gone and Deepstore was appointed as a place of deposit for public records from Cheshire Record Office in 1998.

Moving a substantial volume of records to a mine was a novel venture for us and we took a lot of care to consider the risks involved. As well as getting assessments from our in-house experts, Mario Aleppo and Anna Buelow, we took external advice from mine safety experts and environmental experts. We also looked overseas. Underground storage is much more common in the USA. A company called Underground Vaults and Storage Inc has operated a facility in a salt mine in Hutchinson, Kansas for many years, while others use abandoned gypsum or limestone mines. Apparently business has been booming since 9/11.


The major disadvantage of the mine is that it is a long distance from Kew. We have reviewed our storage strategy and are only sending little-used records there. These are mainly files which are currently seen on microfilm at Kew. However, if people do need to see them, we will get them back within three working days – the same time as we retrieve files from Hayes. To facilitate this, we have installed a terminal from our document ordering system DORIS in the mine so

# underground

that documents can be ordered and their production controlled in the same way as at Kew. DORIS was specified and built several years ago and we were fortunate that we were able to adapt it for its new subterranean role.

We believe that DeepStore provides a green, safe and affordable option in a way which meets the requirements of BS 5454. We are looking forward to our new venture and we will keep you updated with how it progresses.

**David Thomas,**  
**Director of Government and Archival Services**  
 david.thomas@nationalarchives.gov.uk

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- 1 The storage is 150 metres below ground.
  - 2 Plenty of space for accruals!
  - 3 The mine offers a storage facility which is green and good for the environment.

## The Department for Constitutional Affairs and the implications for The National Archives

On 12 June 2003, the Prime Minister announced that 1,400 years of tradition would come to an end with the abolition of the post of the Lord Chancellor. Thus, Lord Falconer became Secretary of State for Constitutional Affairs and the last Lord Chancellor. The decision was made in light of the prevailing view that such a position, combining senior roles in the judiciary and the executive with a party political function, was an anachronism in a modern democracy and did not permit a sufficiently clear separation of functions.

The abolition of the Lord Chancellor has wide-ranging implications for the judicial structure and the House of Lords, but from an archival and records management point of view, the key question now is what are the implications for The National Archives? Under the Public Records Act 1958, the PRO became a ministerial department under the Lord Chancellor, who assumed responsibility for the public records system and the PRO. The PRO has since joined up with the Historical Manuscripts Commission to form The National Archives. The crucial fact is that the Lord Chancellor's responsibilities for the public records are enshrined in the Public Record Acts of 1958 and 1967, and whilst the office of Lord Chancellor still exists, the incumbent will continue to be responsible for the records.

Although primary legislation will be required to complete the abolition of the office of Lord Chancellor, it is intended that the transfer of his primary ministerial functions will take place over the next year. This will be facilitated by a Transfer of Functions Order, which will reassign the ministerial responsibility for The National Archives and the public records to the Secretary of State for Constitutional Affairs, who will assume all of the Lord Chancellor's duties in this area.

This arrangement means that The National Archives will continue to be represented in government by one of the most influential ministers in the Cabinet, which is a welcome reassurance for the archival community.

**Keira Benefer,**  
 Keeper's Office

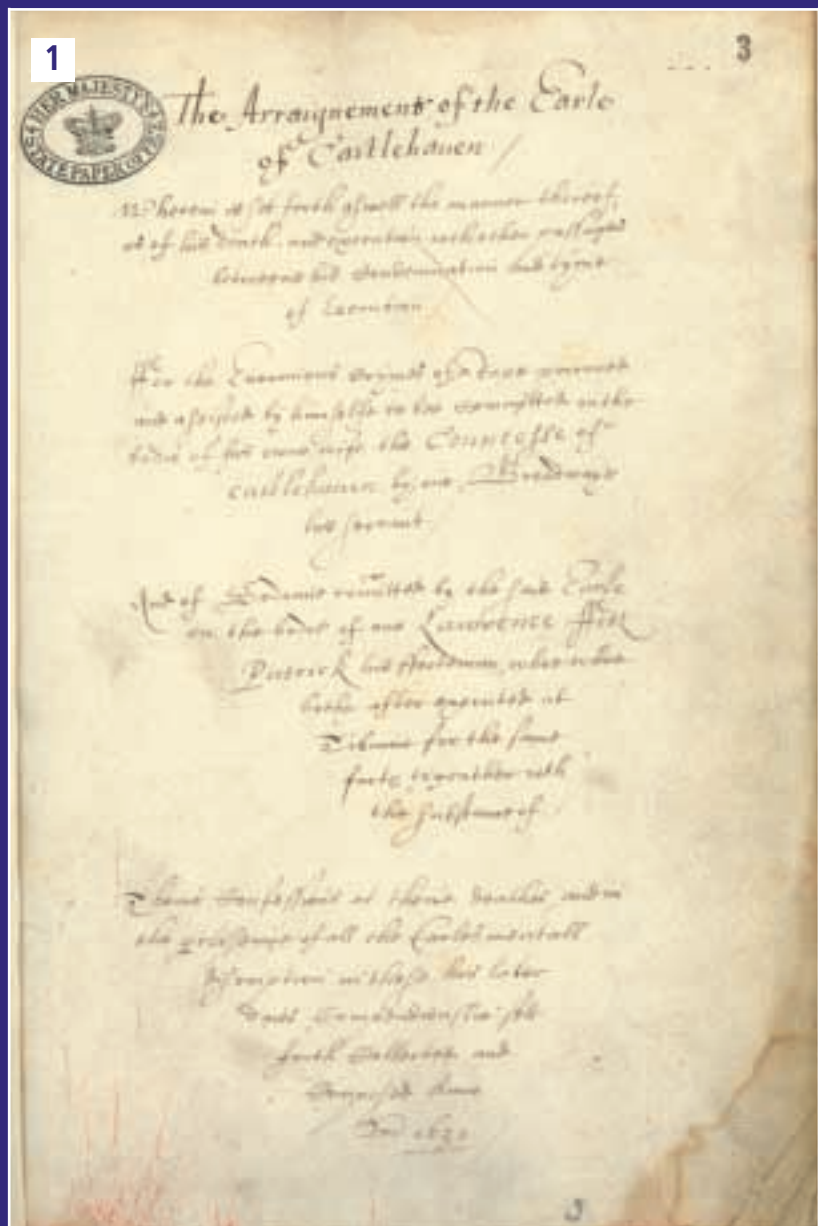
## “Lady Austin’s Camp Boys” and Other Stories: Gay and Lesbian History at The National Archives

In December 1932, 30 Metropolitan Police officers raided a private ballroom in Holland Park Avenue, London. The raid was sensational.

“One Saturday night”, Roy remembered, “the whole of Holland Park reaching up to Shepherd’s Bush...was simply full of black marias and police. People thought the war had started or something”.

Over the previous weeks two plainclothes constables disguised in make-up and women’s clothes had watched a series of drag balls, carefully making notes as men danced together, kissed, chatted and had sex. The men called themselves “Lady Austin’s Camp Boys.” Rather than cower before the police, the “Camp Boys” – most of whom worked in London’s hotels – challenged the laws of which they had fallen foul. As “Lady Austin” himself told the arresting officer, “there is nothing wrong in [who we are]. You may think so but it is what we call real love man for man. You call us Nancies and bum boys but... before long our cult will be allowed in this country.”

Sixty people were arrested that night. Having spent the night in cells, they appeared before the West London magistrate the next morning, many still in drag. After three subsequent hearings, 33 men and one woman were committed to the Central Criminal Court, charged with keeping a disorderly house and conspiring to corrupt public morals. Their lengthy trial, held the following February, was the most notorious “pansy case” of the inter-war period, gripping metropolitan and national newspapers and public opinion. Twenty-seven men were convicted, and sentenced to between three and 20 months imprisonment.



1 “SP 16/207 - first page of the account of the trial (for rape and sodomy) and execution of the Earl of Castlehaven”.



The story of "Lady Austin's Camp Boys" – like other, similarly unknown men and women from the gay and lesbian past – is preserved in the records held at The National Archives. We can read, as if it were yesterday, the testimony of the plainclothes officers as they watched and participated in the Holland Park drag balls. We can hear individual conversations between friends and lovers. We can see how men dressed and moved. The files preserve the advertising flyer used to promote the dances. And, remarkably, they include the glittery carmine pink kimono top and high-waisted culottes worn by one of the men that night. Through the documents held at The National Archives we can literally touch the joys and the tragedies of everyday gay and lesbian lives in the period before "Gay Lib" and Stonewall. Yet finding evidence of these lives presents considerable problems for the researcher. Despite having worked on gay and lesbian history and being a National Archives User for six years I encountered the story of "Lady Austin's Camp Boys" almost by accident. Compared to other historical fields, gay and lesbian history in Britain is still in its infancy. It is only in the past 30 years that historians have begun to see the experiences of gay men and women as a subject for serious historical research. Only within the past decade have they begun to explore the possibilities offered by the documents held by The National Archives. Using Public Record Office holdings to research gay and lesbian history is still a time-consuming and difficult task.

The starting point for any research at The National Archives is the online catalogue, PROCAT. Yet for researchers working on gay and lesbian history, searching PROCAT is of limited use. Using PROCAT, files containing gay and lesbian material are not identified under the existing index to the collection. The second common form of searching PROCAT – for keywords contained within file titles or descriptions – presents further problems. Searching under the term "homosexual" identifies 55 files; "lesbian" only two. Clearly, these results do not represent the full extent of relevant material held at TNA: PRO, and their limitations highlight the major obstacle facing researchers. It is often impossible to know whether or not files contain evidence of gay and lesbian experiences from their catalogue titles and descriptions. Searching for this material within files that give no precise indication of content can be a time-consuming, tortuous and unproductive exercise.

Together with staff at The National Archives, I have spent the past two years trying to address these problems. The result is an online information leaflet – *Gay and Lesbian History at The National Archives: An Introduction*. This leaflet offers new users an introduction to the historical and institutional contexts in which documentary evidence of gay and lesbian experiences, (and official responses and attitudes to those experiences,) have entered specific areas of collections at The National Archives. In offering a guide to the collections' internal logic it draws upon the model of the guidelines already available to users working on family or military history. Rather than giving users a "menu" of sources to look at, it encourages them to think about what series of documents might be productive for their research. Its publication reflects the desire of academic historians and The National Archives to recognise the importance and raise the profile of Britain's gay and lesbian past. It is an attempt to make gay and lesbian history accessible to those to

whom it matters.

The leaflet is accompanied by a series of digitised images of documents that suggest the richness of the material held at The National Archives, allowing users to go behind the scenes at some of the most important events in gay and lesbian history. These documents include court records from the Earl of Castlehaven's trial for sodomy in the 17th century, files relating to the censorship of plays and the notorious banning of Radclyffe Hall's *The Well of Loneliness* and the Wolfenden Report, published in 1957, which recommended the decriminalisation of private homosexual acts between consenting adult men.

Does this project have any lessons to offer us, beyond the particular case of how to research *gay and lesbian history at The National Archives*? I think it does. Finding ways to address the problems facing researchers working in this area goes straight to the question of the archive's place in 21st century British society. Academic and lay users, members of government and those working in Britain's archives all, I hope, share a vision of the socially inclusive archive – the archive open to all citizens, the archive that allows the stories of all our pasts to be told.

But what does this mean in practice? In part it means archives themselves telling those stories, through initiatives like the Moving Here Project. In part, it means expanding public knowledge of what Britain's archives hold – as the Archives Awareness Month has done so successfully. Perhaps more importantly, it means giving users the information they need to find and explore those stories for themselves. One of the main problems facing researchers working on the histories of all "minority" or "hidden" or "marginalized" social groups is unhelpful or opaque catalogue descriptions. In locating useful source material, the introduction to *Gay and Lesbian History at The National Archives* suggests the importance of thinking laterally and imaginatively. It suggests, moreover, the importance of understanding how, why and where evidence of gay lives, black lives, Romany lives, homeless lives might have entered archival collections.

I hope that the ways in which we have tried to address the problems facing those researching gay and lesbian history at The National Archives, offer a model for the social inclusion initiatives adopted by other places of deposit and in encouraging the telling of stories as equally compelling as that of Lady Austin and his Camp Boys.

**Dr Matt Houlbrook,**

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October 2003

The leaflet can be viewed at  
<http://www.pro.gov.uk/leaflets/Riindex.htm>

# "The Honeymoon is Over?" Bring

For those who were not able to attend this year's Society of Archivists Conference in September, here is an edited version of the presentation made by Steven Jones, Head of Archive Inspection Services, to the Special Repositories Group.

## The "marriage"

"After wide public consultation and Sir Geoffrey Chipperfield's recommendation that the HMC and PRO be united to form a new National Archives, 2 April this year saw the launch of that new office. Plenty has been happening since then, about which more in a few moments.

The period immediately prior to the union of the two offices was inevitably a hugely busy time for those directly involved in the business of bringing the two together. A co-ordinator was appointed to manage this process, and staff at all levels were involved at various times to provide input as required. The key point was to work out exactly how we could bring together on the one hand the HMC – a non-departmental public body outside the civil service with a central London presence, UK-wide remit, advisory functions and roots as much in the private sector of archives as the public side; with the PRO – a Government Department within the civil service, more firmly connected with Kew than London, and with England and Wales than the whole UK, and with key roles including advisory functions but also records management, storage and conservation, all with an almost exclusively public sector focus.

What made things easier was, and is, the many areas of common ground between HMC and PRO elements. Both offices existed to ensure that archives were found and brought into safe accommodation. Both offices ensure that those archives are accessible through catalogues and finding aids. Both offices ran public search rooms and on-line access services so that the public could get at these finding aids and archives. And both offices had well-established roles in supporting the archival community, whether through advice to specific archive services, in developing national policy and strategy, in advising different groups and bodies on any number of archival issues, and in generally being around to provide objective input into archival work across the nation.

A key date in the bringing together of the two organisations will be November 2003. As Sarah Tyacke said to me on Monday: "why are we talking about the honeymoon when the real marriage will happen in November"? November will actually be one of the key dates in this "marriage" as that's the time by which colleagues from the HMC will have offices at Kew right in the heart of the building.

## Early progress

"Now this is the bit where – I assume – I've been called on to talk about not just the good news stories about The National Archives, but also stories of behind-the-scenes bickering - disagreement over the way forward with this or that element of the Government Policy on Archives – fiercely guarded territory, personality clashes and political manoeuvring. Well I'm afraid I'm going to have to disappoint you. Not because I'm bound to secrecy – but rather because this isn't how things are at The National Archives. Given the commonalities between HMC and PRO prior to the coming together, and the fact that both organisations were both working for the goal of making archives better, surely this isn't surprising? What I will talk about are some of the early successes we've had so far in making TNA work.

For a long time now there has been an HMC strand to the Corporate Plan, ensuring that PRO and HMC work programmes can be managed in a co-ordinated fashion to maximise the benefits of each. This also helps to ensure that HMC colleagues, many of whom were part-way through particular projects and activities in April 2003, could continue with them without disruption, just as PRO staff have.

We have been getting to know each other, through working together on specific projects and through familiarisation meetings – Rob Baker speaking at my department's monthly meeting, my unit organising group visits for HMC colleagues, that sort of thing. This has all been highly beneficial to all sides.

We have found being on public view to be hugely successful and satisfying. The TNA brand and role has been accepted very quickly by the wider archival and political communities, and there are good indications that the general public has also reacted positively to the change.

These are just some of the successes we've had so far. There are many more, both obvious and intangible. What we are doing now is where the real successes will come from.

## Communications

"Let's start with some basics. We are now on the verge of having a common contact centre, with all telephone calls, general enquiry emails, letters, faxes and so on passing through a single body of staff, rather than going separately to Kew and Quality Court.

All former HMC staff now have the @nationalarchives.gov.uk email address, in common with former PRO staff. All are in the internal staff directory and have access to our intranet and other internal resources.

# Integrating together the HMC and PRO

We are developing a new website to replace what has been effectively three different sites – the NA one, and the PRO and HMC ones. The new site will encompass all the features of the old sites, only united for simplicity of access and use, not to mention image and appearance, and all the resource benefits of having just one web team instead of two.

We are steadily building common lines on communications, including everything from who writes TNA responses to consultation papers to our correspondence targets and communication policies.

And finally we are almost at the point now where the HMC offices in Quality Court will be left behind, and staff from there will move into a newly established area overlooking the lakes at Kew, from where the integration between HMC and PRO elements can be finalised. This is not to forget the FRC, where all TNA staff will still be able to maintain that central London presence for the convenience of meeting our various stakeholders and customers.

## Public Access

"And what sort of things will we all be doing once we are all together on one site? Let's look at public services, which we've already been doing a lot of work on.

The key words here are "fully integrated public services". Where the current main enquiries room is at Kew we'll have a single enquiries room for all resources, whether HMC or PRO in origin. There'll be one enquiries and advice desk staffed by both HMC and PRO staff. Inevitably at first this will mean that enquirers are finding that certain staff know more about certain parts of our holdings than others – which is why we have a knowledge development programme, under which HMC staff learning about PRO finding aids and holdings, and vice-versa.

And we intend this integration of services to extend to on-line provision: already visitors to the NA web site, or to the PCs in our search rooms at Kew and the FRC can access the National Register of Archives, ARCHON and all the other online pages which the HMC developed. Now staff are working to put all our IT resources onto a common platform of hardware and software, so that all our on-line finding aids, galleries and so on can be managed and made accessible through a single portal or gateway process.

The result will of course be enormous benefit to the public, who will no longer have to visit two offices for one research project; will no longer have to know who to ask for this or that piece of advice; will find greater expertise on all TNA holdings; and will find seamless on-line access services.

## Inspection/advice

"What about the other services which TNA provides? There are many which are more or less unaffected by the changes since April – conservation, repository, security and so on. Others, however, are seeing the opportunity for co-operation, change and improvement of their services, including my own Archive Inspection Services Unit. That particular unit, which inspects archive services against national standards for public records purposes, is clearly mirrored by the HMC inspection and advisory service, which offers a similar function for all record offices.

Well, we're putting the two regimes together into one. Sounds simple! In fact there are procedural, technical and operational reasons why this can't happen overnight. But we have planned out the way forwards, and this will broadly take two paths: the development of what we're calling a "framework of standards" to replace the existing dual standards regime; and the development of new mechanisms for assessing record offices against that framework of standards. Essentially what we're looking at are more relevant, comprehensible standards which can be understood and respected beyond the narrow professional world, and more efficient and less subjective methods of assessing record offices against this.

We might be working on all this in closer partnership with other bodies with assessment remits: the Audit Commission, with its role for Best Value and Comprehensive Performance Assessments, the National Audit Office with its more independent scrutiny function, and maybe with bodies like Resource, with its role in drawing together best practice guidance, professional standards and so on.

The regional liaison role, developed very firmly and successfully by the HMC over the past few years, will be maintained and strengthened. Staff in the regions with whom you are familiar – John Gurney in the North West, Hazel Bagworth-Mann in the West Midlands and so on – will still be your main regional contacts. Their visits and advisory work will be augmented from time to time with assistance from other TNA colleagues – perhaps helping to deliver a regional seminar on FOI for example. And at a more strategic level,



colleagues like Norman James and Chris Kitching will continue to develop good working relationships with the new single regional agencies and their archival panels; indeed they are leading a meeting at the end of this month with the Chief Execs of each of the single regional agencies, which will set out the route map for co-operation and partnership between TNA and the regions.

Finally, we have established a new Records Management Advisory Service (RMAS) within TNA, which is looking at extending our role in advising central government on RM and ERM to the wider public sector. As this new unit houses my own Archive Inspection Services Unit there are obvious links and potentials for collaboration between RMAS, the regional team and the inspection and advisory teams.

## Good times ahead

“So what I hope this is all pointing to is that the formation of The National Archives, now that its honeymoon period is deemed to be over, is in very good shape and can look forward to a long and happy marriage. There are just a few of the events on our horizon which I want to mention briefly:

Right now: There is new consultation out on the subject of whether or not we need new national legislation for archives and records – available on the NA web site ([www.nationalarchives.gov.uk](http://www.nationalarchives.gov.uk)) – please look and respond.

Ongoing and later on: We will continue to develop our public services. This work will never be complete as there is always something new to learn – but expect to see all the physical transformation completed over the next year or two.

A few years down the line: my own view is that people coming to TNA for the first time will not know that they are dealing with what were once the HMC and the PRO. All signs are that we are developing ever more closely together, and taking a single, rather than dual, approach to our business.

Finally, we will be reaching wider audiences – not just public sector, not just central government, not just approved record offices, not just one group of researchers – which will in turn make the benefits which the union of the PRO and HMC has brought even greater.”

**Steven Jones,**  
Head of Archive Inspection Services  
[steven.jones@nationalarchives.gov.uk](mailto:steven.jones@nationalarchives.gov.uk)

## Refurbishment Works at Kew mid-September to mid-November

From mid-September to mid-November refurbishment works will be carried out in the Lobby and Research Enquiries Room on the first floor.

These works are to create a new Enquiries area for The National Archives. It will involve expanding the Research Enquiries Room to accommodate the National Register of Archives and Manorial Documents Register currently held at the Historical Manuscripts Commission in Chancery Lane, as well as environmental improvements.

We will continue to provide a full service throughout, although the layout of the area will be affected. We apologise for any inconvenience caused during this period.

We hope to bring you more news of the changes to the public areas in the next issue, and explain the reasoning behind some of the changes.

**Lee Oliver**  
Head of Public Services Development



1 The research enquiries desk before renovation.

# Relocation of Historical Manuscripts Commission (HMC) from Central London to Kew



**O**n 8th December 2003 the public services of the Historical Manuscripts Commission, currently located in central London, will open at The National Archives building at Kew.

Prior to the move the HMC reading rooms in Quality Court will close on Friday 7th November at 5.00 pm, to allow staff to prepare for and carry out the move. When services reopen on Monday 8th December they will no longer be based in Chancery Lane but at Kew in West London.

During this closure period there will be no access to NRA lists for researchers intending to visit in person. Although we will always try to acknowledge emails and letters during the closure period, we will not be able to provide a detailed response until the move is complete and we are settled in our new location. The online NRA system will remain in operation for the duration of the closure and move period. However researchers are advised to avoid these closure periods if intending to use NRA lists in person.

The National Archives at Kew (including the HMC) will be closed for its annual stock-taking from 1st to 6th December inclusive and will reopen on Monday 8th December.

**1** The National Archives building at Kew. The windows at the left hand side of the picture is where our TNA:HMC colleagues will be situated.

**2** Inside the reception area at The National Archives.

# The National Archives' records research service under Freedom of Information

Unlike Places of Deposit, The National Archives cannot rely on the s.21 exemption to claim that the archives we hold are "reasonably accessible" and therefore exempt from FOI enquiries. Because of this, TNA has had to reassess how it deals with enquiries, to ensure that from 2005 we will be able to meet our statutory obligations under the Act.

## Background

Each month we receive about 2,000 "remote" enquiries about records in TNA, by letter, fax, email or via our website. In response, our current policy is:

- to advise enquirers about the records and the likelihood that they contain relevant information, and about how to research them
- when appropriate, to suggest that enquirers, or someone acting for them visit TNA, to research the records
- if they are unwilling or unable to do this, to suggest that they employ an independent researcher to do the research for them, enclosing a list of those recognised by TNA.

From 1 January 2005 we shall acquire a new statutory responsibility. Under the Freedom of Information Act 2000 any person making a request for information to a public authority will be entitled:

- i. to be informed in writing by the public authority whether it holds information of the description specified in the request and
- ii. if that is the case, to have the information communicated to him/her.

FOI Act 2000 section 1 (1)

We have been considering how we might develop our services to meet this new responsibility. We believe there will be an increased demand for chargeable record searches in TNA. As this could have a significant impact on the independent researchers, community we invited them to a series of meetings in April, May and June held at our sites at Kew and the Family Records Centre.

A summary of key points, our decision, and some FAQs about the service are given below.

## Consultation meetings: Key points

At these meetings we explained how we currently deal with enquiries and how the system was likely to change in 2005. The key changes for TNA are that we will have to provide information from the records as well as guidance and advice about the records (and do so within 20 working days.) We will, however, be permitted to charge for providing the information, using our own Fees Order, and we intend to set up a paid records research service which would be provided by TNA direct or by a contractor operating on TNA's behalf.

From January 2005 if somebody makes a written request for information from the public records we must treat it as an FOI request. The request does not have to mention FOI, as long as it is in writing and is specific. The TNA research service will then reply confirming whether or not TNA holds records likely to contain the requested information. It will also enclose an estimate for the cost of researching the records for the information (pointing out that the fee is for research and there is no guarantee that anything will be found). If the request is not specific enough we will write back for clarification or more information.

The issue of fees and charging generated some discussion at the meetings. The current TNA fee for research is £50 an hour (expressed as £12.50 per 15 minutes in our Fees and Charges Statutory Instrument). This is based on the full recovery of costs. Many Independent Researchers felt this would be a high charge for an FOI service.

We discussed options for providing a paid research service:

- Option 1: staff at The National Archives do the research.
- Option 2: individual independent researchers are contracted to do the research.
- Option 3: a contract is let with a number of groups of researchers (as consortia) perhaps on a themed basis (e.g. military consortium).
- Option 4: a contract to a single company

We received valuable feedback from all who attended. The greatest concern was about the lack of detailed information about the likely future business under FOI. All researchers agreed that they would not wish to commit themselves to supplying a service without firm volumes data; some suggesting that they would require guaranteed payments in case the chargeable work available was less than anticipated.

Another concern was that under a contracted out option TNA might cease publishing lists of Independent Researchers. It was felt that this would seriously undermine any future business for individuals and could result in a poor service for enquirers who might not realise that alternatives were available.

There was widespread anxiety about meeting the official 20-day turnaround target especially when it was realised that it could be closer to 12 to 15 days for actual research time. It was recognised that many independent researchers would have to change their work patterns if they wished to bid for FOI business.

Interest among existing records research companies or trade organisations in tendering for FOI business appeared limited. Only eight such organisations sent representatives. Many independent researchers expressed the view that none of the organisations individually had the range and resources needed to deliver the service.

Many also were doubtful if the solution could be found by the consortia option. Although there were some groups already in existence, it was recognised that organising and managing a consortium to meet tight deadlines and quality targets could be a difficult undertaking.

## TNA decision

Following the consultation meetings a review of the options was taken in July.

On 31 July, TNA's FOI Programme Board decided that in view of the difficulties in predicting the nature and volume of FOI enquiries, it would be premature for TNA to let a contract for an FOI research service for the period immediately following the introduction of FOI access rights.

From January 2005, TNA will provide an FOI research service itself, with the help of temporary staff, until such time as the nature and volume of FOI enquiries can be defined more precisely, probably after 6 to 12 months. The charge is likely to be £50 an hour.

During this period TNA would maintain its current system of listing and referring enquirers to Independent Researchers.

After 6 to 12 months TNA will look again at the options with a view to establishing a longer term FOI research service.

## Frequently Asked Questions (FAQs)

### How are other record offices affected by FOI?

County Record Offices can claim an exemption under Section 21 of the FOI Act (if the information is reasonably accessible to the applicant by other means) and so are not obliged to provide the information from records that are available for research use.

### Does FOI apply to PRONI and The National Archives of Ireland?

The FOI Act 2000 applies to PRONI but not to the NAI.

### Does Scotland have its own FOIA?

Yes it does. For more information see:  
<http://www.scotland.gov.uk/legislation/scotland/acts2002/20020013.htm>

### Will records still be subject to the 30 year closure rule?

The standard 30 year closure period will disappear. Instead, records will be open on transfer unless they contain information covered by an exemption.

### What will happen if someone requests information in a closed document?

If someone asks to see a record that has not yet been released, we and the government department which transferred it to us will have to review it to see whether it need be withheld. It will then be withheld only if an FOI exemption applies.

### Why a 20 day deadline for answering FOI requests?

The 20 day deadline is defined in the legislation but it is 'working' days and excludes Saturdays, Sundays, Christmas Day, Good Friday and bank holidays.

### Does FOI cover requests from overseas?

Yes it does. Anyone, anywhere in the world can make an FOI request.

### How will TNA deal with enquiries that concern the records of other archives offices and organisations?

TNA will have no obligation under FOI to respond in respect of information held elsewhere. We will, however, direct enquirers to other archives offices when we think they may hold the information, as recommended in the FOI Discharge of Functions Code of Practice: see <http://www.lcd.gov.uk/foi/codepafunc.htm>



**How will TNA calculate any fee that it levies?**

The FOI Act allows authorities with their own statutory fee-setting arrangements to use those arrangements instead of the FOI Fees Regulations. The Public Records Act makes such provision, and our research fee will be set by Statutory Instrument, based on recovering full costs.

**Is there a limit on the amount of FOI research to be done for an enquirer?**

The FOI Act allows authorities to limit the amount of work they will do for an individual enquirer through a cost limit, to be set in FOI Fees Regulations. We anticipate that the limit will be set at the equivalent of about 12 hours of TNA research time.

**Would copies of documents be provided and are they included in the fee?**

The fee is for research and providing the information; copies will be charged separately.

**Will TNA be obliged to produce a translation of a document, or a detailed interpretation of a document?**

No, that would be a value-added service and beyond FOI requirements.

**If TNA decides to contract out research work how will we go about it?**

Government procurement procedures will be followed with a formal tendering process.

**Will an FOI research service estimate the times required for research?**

This will have to be based on experience and on careful calculations. In some cases, only a speculative or provisional estimate will be feasible and this will have to be made clear to the enquirer. Many independent researchers and TNA itself have wide experience in this area.

**Do we expect the amount of research enquiries to increase?**

We do expect them to increase but we cannot predict by how many.

**How will the research service respond to a general request?**

Further information will be requested before a search is undertaken. Some general requests might be answerable by leaflet.

**If an enquirer approaches an Independent Researcher independently of TNA, will this be outside the FOI regime?**

Yes.

If you have any comments about FOI procedures at TNA please email us at [FOIupdates@nationalarchives.gov.uk](mailto:FOIupdates@nationalarchives.gov.uk) or write to us at:

FOI Enquiries  
PSDU  
The National Archives  
Kew  
Surrey  
TW9 4DU

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## Frequently Asked Questions

### 1. Why is The National Archives creating an archive of UK Government websites?

The Modernising Government White Paper sets a target that all Government services to the citizen and to business should be available online by 2005. The Internet is increasingly becoming the principal means of interaction between Government, citizens and business, and The National Archives has a responsibility to collect and preserve websites as evidence of the changing nature of this interaction.

The National Archives has contracted the Internet Archive to provide a web archiving service for UK Central Government websites. The initial contract is for one year, and will cover the collection of 50 different websites.

The National Archives is pioneering new work in the field of digital preservation, including the recent development of a cutting-edge digital archive system to provide for the long-term preservation of electronic public records. This project is part of the wide-ranging research and development being undertaken by its Digital Preservation Department, to develop new techniques for archiving electronic records.

### 2. Will The National Archives be archiving all Government websites in the future?

This project is being undertaken in order to inform future policy on the archiving of Government websites.

### 3. Is this just a trial, or is it something The National Archives is committed to pursuing?

The National Archives is committed to preserving electronic public records using methods which represent both best practice and value for money. Accordingly, we are investigating a number of approaches to the archiving of websites. We will use this project to evaluate the Internet Archive's method, gain valuable experience in the collection, preservation and delivery of archived websites, and begin to develop a collection for public access. Our current investigations, including this project, will allow us to develop a longer-term policy on the best approach for archiving Government web sites.

### 4. What is the Internet Archive?

The Internet Archive, [www.archive.org](http://www.archive.org), is a non-profit organisation that was founded to build an 'Internet library', with the purpose of offering permanent access for researchers, historians, and scholars to historical collections that exist in digital format. Based in San Francisco, the internet Archive has been harvesting the Internet since 1996, to create one of the largest data collections in the world. The Internet Archive's web archive contains over 100 terabytes of data, and the collection is growing at a rate of 12 terabytes per month.

### 5. Why is The National Archives contracting the Internet Archive for this work?

The Internet Archive is one of the largest and longest-running web archiving services in the world. As such, they bring unique skills and experience to this project. By undertaking this project, we will be able to evaluate how successful the Internet Archive's methodology is in this context, and develop a substantial and unique collection of websites. The National Archives is also investigating other possible approaches to web archiving in parallel to this project.

### 6. Why is the initial contract only for one year?

This is just one of a number of approaches to archiving Government websites currently being evaluated by The National Archives. The initial contract will provide the opportunity to thoroughly evaluate this method and inform our future policies.

### 7. Is it free to use?

Yes, access to the collection will be completely free, both from the Internet Archive's website and from the public search rooms at Kew.

### 8. Which websites will be archived?

The National Archives has selected the websites of 50 Government Departments and Executive Agencies for archiving, as follows:

- Cabinet Office (four sites)
- Competition Commission
- Court Service
- Criminal Case Review Commission
- Debt Management Office
- Department for Culture, Media and Sport
- Department for Education and Skills (three sites)
- Department for Environment, Food and Rural Affairs
- Department of Health (three sites)
- Department for International Development
- Department for Trade and Industry (four sites)
- Department for Work and Pensions (three sites)
- English Heritage
- Environment Agency
- Foreign & Commonwealth Office
- Her Majesty's Treasury
- Inland Revenue
- Home Office (three sites)
- Ministry of Defence (five sites)

- National Assembly of Wales
- National Audit Office
- National Lottery Commission
- Northern Ireland Office
- Office of the Deputy Prime Minister
- Office for National Statistics
- Prime Minister's Office
- Privy Council
- Resource
- Security Services (MI5)
- Strategic Rail Authority
- The National Archives
- Visit Britain

### 9. Why only 50 websites?

A recent study suggested that there are currently approximately 2,500 separate UK Government websites. This project is being undertaken to help develop a policy on the archiving of these sites. The 50 websites have been carefully chosen as a representative sample of the entire UK Government web domain.

### 10. How were these websites selected?

The websites were selected by The National Archives, in accordance with criteria designed to reflect the overall functions of government. A number of departments and agencies were then chosen which are representative of each of these functions. This provides a broad cross-section across UK Central Government.

### 11. How will the websites be archived?

The websites will be collected using specially-designed crawler software, which will retrieve and store each page of the site. This process is called harvesting. The sites will then be catalogued and stored in a format developed by the Internet Archive, which can be accessed using their Wayback Machine software. This provides access to the Internet Archive's collections: users enter the URL of the website they wish to view, and then select by date from the archived versions available.

The websites can be harvested at varying intervals, to provide the flexibility to respond to changing circumstances. Initially, nine of the websites will be harvested every week, and the remaining 41 will be harvested every six months.

The Internet Archive will be supplying copies of the websites collected to The National Archives, for long-term preservation by our Digital Preservation Department.

### 12. How will these websites be made available?

The websites will be publicly available on the internet, at [www.pro.gov.uk/webarchive](http://www.pro.gov.uk/webarchive), and also via the Internet Archive ([www.archive.org](http://www.archive.org)). Access will also be available from the public search rooms at Kew.

### 13. Will any special software be required to view the websites?

No, the only requirements to view the websites will be an internet connection and a web browser.

### 14. How will I be able to use the websites?

The archived websites will be available to use and browse as they would have originally appeared when "live" on the internet. Some features may not be available due to the limitations of the current crawler technology. For example, some search functions and features using Javascript may no longer work. One purpose of this project will be to determine precisely how effective this archiving technique is, and what its limitations are.

### 15. Is this the first UK web archive of its kind?

This will be the first UK archive of Government websites to be created, and one of the first archives of websites to be created in this country.

### 16. Is the website permanent?

The National Archives is committed to providing public access to this collection. As an independent organisation, it is not possible to guarantee the long-term future of the Internet Archive or its website. For this reason, we will be acquiring a copy of all the data collected and preserving it in The National Archives. This will allow us to provide future access to the collection without any dependency on the Internet Archive.

**Digital Preservation Department**  
[digitalarchive@nationalarchives.gov.uk](mailto:digitalarchive@nationalarchives.gov.uk)

## Bringing together the HMC & PRO websites

One of the key tasks in bringing together the Public Record Office (PRO) and the Historical Manuscripts Commission (HMC) is the development of a new National Archives website [www.nationalarchives.gov.uk](http://www.nationalarchives.gov.uk), which will be launched next year. The new website will encompass and expand on the current information, applications and exhibitions of the existing websites of the PRO and the HMC to make it an excellent resource for its wide constituency of users.

A key feature of the new National Archives website is the creation of an internal section dedicated to Advisory Services. Drawing on content from the existing websites, this new section will provide a single entry point into a wide range of information on all aspects of caring for records from creation to long-term preservation. Enhancements on existing material will include a suite of pages on Policy and Legislation that affects the sector, comprehensive details on funding resources and the continued development of the ARCHON portal as a central database of related projects and initiatives. Plans to include information on records management in the private domain are also in place.

To make the merger convenient for our current users any pages bookmarked will be directed to the corresponding page in the new site.

**Katie Woolf,**  
Curatorial Officer, TNA: Historical Manuscripts Commission  
[Katie.woolf@nationalarchives.gov.uk](mailto:Katie.woolf@nationalarchives.gov.uk)



1 [www.pro.gov.uk](http://www.pro.gov.uk)

2 [www.hmc.gov.uk](http://www.hmc.gov.uk)

## The National Archives archive inspection and advisory services – an update on progress

The need to achieve greater co-ordination between the formerly separate archive inspection regimes of the Historical Manuscripts Commission (HMC) and the Public Record Office (PRO) has long been understood. While the two organisations were separate bodies, it was only possible to achieve a limited degree of co-ordination and co-operation as regards archive inspection procedures, application of standards and assessment of archival provisions. Some of our stakeholders – both those responsible for managing records and those who own, deposit or use records – found this situation confusing and occasionally unhelpful. The formation of The National Archives in April 2003 gave us the opportunity to resolve this by creating a single inspection and advisory regime.

Since the formation of TNA, staff from HMC and PRO inspection and advisory teams have kept in constant and frequent contact to ensure that the most effective use of both teams' resources can be made. Those of you who attended the Society of Archivists' conference in Southampton this year may have heard Steven Jones talking about the good progress which has been made in this area, and others, over the past few months. The full text of that presentation can be found elsewhere in this issue of the *Bulletin*.

One particular and important area of progress should be highlighted at this stage. We are now in the process of finalising the "Framework of Standards" consultation document which was described in that article (*Places of Deposit Bulletin*, July 2003, p.12). This paper will contribute to the establishment of "... a common standards framework, by March 2004, for the advisory, audit, liaison and inspection functions to be carried out by The National Archives in relation to other repositories and relevant archival bodies" (*TNA Departmental Business Plans 2003-04*). We intend to release this consultation paper to the whole archive profession before Christmas this year, and hope that you will make your views known to us during the 14 week consultation period which will follow.

**Steven Jones,**  
Head of Archive Inspection Services  
[steven.jones@nationalarchives.gov.uk](mailto:steven.jones@nationalarchives.gov.uk)

# Travels with the Freedom of Information Act

**A** Admittedly that may not be the best title for an article in this *Bulletin* but it does very neatly describe one of the ongoing activities with which AISU staff and other TNA colleagues have been involved during the past 12 months.

With full implementation of the Freedom of Information Act due in January 2005, the Society of Archivists and the PRO agreed last year to join forces to run a series of seminars on the likely implications of the Act for archives and records management. The seminars were open to anyone to attend, and were staged at various locations around the United Kingdom in 2002 and 2003. AISU staff were involved at an early stage, being invited to join TNA's Susan Healy and Kelvin Smith in managing and delivering the seminars. We were very pleased to see so many representatives of places of deposit among the 300 or so who attended these seminars, and felt rewarded by your many questions and contributions. I think it is fair to say that nobody who attended one of the seminars left without having increased their understanding of the FOI Act, or without a clearer awareness of the challenges – and benefits – of compliance with it.

In due course the Lord Chancellor's Department (latterly the Department for Constitutional Affairs) also launched a road-show tour of the UK to promote understanding of the FOI Act. Aimed at the public sector in general, the 1,600 delegates who attended this series of 13 seminars left with a clear understanding of some of the steps which their organisations would need to take in order to achieve FOI compliance by January 2005. Whereas our role at the Society of Archivists' seminars was as seminar leaders, for the Lord Chancellor's events we shared the bill with senior representatives from the Lord Chancellor's Department, Department for the Environment, Food and Rural Affairs (DEFRA) and the Office of the Information Commissioner. It was certainly very rewarding to work alongside such senior officials, and (if it is not immodest to say so) an indication of how important a role The National Archives is recognised as having in helping to ensure full compliance with the FOI Act.

A third series of road-shows was established and co-ordinated by Public Partners, an information management advisory and consultancy body for the public sector as a whole, and in this case specifically for the National Health Service. Public Partners'

credentials are endorsed by the fact that two of their members (Chris Gifford and Dilys Jones) are expert advisors to the Lord Chancellor's Advisory Group on Implementation of Freedom of Information. This series of seminars for the NHS, in which we were again representatives on a wider bill of speakers, were aimed at all NHS information managers, records managers and archivists, and were attended by over 700 delegates around the UK.

The three series of seminars overlapped considerably, and were interspersed with other one-off seminars which AISU staff attended or ran during the course of the past year, such as those for the Museums and Galleries Archivists Group, Yorkshire Museums Libraries and Archives Council, and the West Midlands Regimental Museum Archivists. In total TNA staff gave presentations during the year at over 40 seminars, attended by at least 2,500 individuals and organisations, from London to Swansea, Belfast to Dartford and Bristol to Newcastle. We are grateful for your attendance and contributions at these events, and hope that those of you who attended found them as worthwhile as we did.

**Steven Jones,**  
Head of Archive Inspection Services  
[steven.jones@nationalarchives.gov.uk](mailto:steven.jones@nationalarchives.gov.uk)

# Guidance on public records

Guidance on the management of various types of public records has been produced by various Government departments and by TNA (then PRO). The documents highlighted in orange can be accessed online via [www.pro.gov.uk/archives/standards/publicrecords.htm](http://www.pro.gov.uk/archives/standards/publicrecords.htm), or alternatively paper copies can be obtained free of charge from Archive Inspection Services. We hope to make more of these documents available online in due course.

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## General

Public Record Office, [What is a Public Record? Summary Guidance Note for Places of Deposit](#).

Public Record Office, [Beyond the PRO: Public Records in Places of Deposit \(1994\)](#)

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## Quarter Sessions

Home Office Circular H.O.C 38/1968, [Quarter Sessions records \(13/2/1968\)](#)

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## Magistrates' Courts and Petty Sessions

Lord Chancellor's Department, [Magistrates' Courts Record Retention Schedule and supplementary guidance notes by the PRO \(July 1999\)](#).

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## Coroners' records

Public Record Office, [Operational Selection Policy OSP6: Records created by and relating to Coroners, 1970 – 2000](#)  
See section 8.5 – 8.10 : coroners records held locally.

Public Record Office, [circular letter 32/35, Records of Coroners' Courts \(April 1974\)](#)  
Relates to reorganisation of Coroners' Districts.

Home Office Circular H.O. 250/1967, [Coroners' Records \(21/12/1967\)](#)

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## NHS authorities, trusts and hospitals

Department of Health, [Health Service Circular HSC 1999/53 For the Record: Managing records in NHS Trusts and Health Authorities](#).

Health Archives Group, [Hospital Patient Case Records: A Guide to Their Retention and Disposal \(revised 2002\)](#)

Health Archives Group, [Model Records Management Policy for NHS Organisations](#)

Controls Assurance Support Unit, [Controls Assurance Standard: Records Management \(2002\)](#)

Department of Health, [Health Service Circular HSC 1998/217, Preservation, Retention, and Destruction of GP General Medical Services Records Relating to Patients](#)

Ministry of Health E.C.L 2/68, [Disposal of Records which have lost their value \(18/1/1968\)](#)  
Referred to by HSC 1998/217.

Public Record Office, [Access to information within long-running NHS registers \(Letter to Places of Deposit, February 2003\)](#).




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**Prison Records**

HM Prison Service Order No.1251, Issue 67: Transfer of Public Records from Prisons to Local Records Offices (30/12/1999)  
Includes guidance on historical records, destruction of old records, closure periods and transfer to local record offices.

HM Prison Service Order No.9020, Issue 137: Data Protection (11/10/2001).

Includes section on retention and destruction of records containing personal data.

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**Non-public records**


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**General**

Public Record Office, Main categories of non-public records in local record offices (1994)

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**Local Authority records**

Office of the Deputy Prime Minister, [Local Government Act 1972: Section 224 Guidance on '...proper arrangements' for archives](#) (3/3/2000)

Dept of National Heritage, Guidance on the care, preservation and management of records following changes arising from the Local Government Act 1992 (July 1995)

Records Management Society – Local Government Group, [Retention Guidelines for Local Authorities](#)

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**Private hospitals, hospices, independent health care providers etc.**

Department of Health, [Independent Health Care: National Minimum Standards Regulations \(2002\)](#)

See Core Standard 7: Records and Information Management.

Records of private patients admitted to NHS authorities: HSC 1999/53  
"For the Record" states that it would be appropriate for NHS authorities to treat these as if they were public records.

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# The NCA: Public Services Quality Group (PSQG) Standard for Access to Archives

## History and background

The idea of producing a standard for access was born at the Quality Forum (annual meeting) of PSQG in November 1998. A broadly constituted working party – involving practitioners from a wide range of repositories and including representatives from each of the home countries – produced a first draft of the current Standard during the following 12 months. This was formally adopted at the November 1999 Quality Forum and issued, after minor changes, in the following February. A community-based document produced by PSQG but owned by the archive domain, it has been voluntarily adopted by numerous repositories even while still in its current draft form, and is widely quoted as a model of good practice.

Following its issue in February 2000, the Standard was formally endorsed by the Inter-Departmental Archives Committee (IDAC), the National Council on Archives (NCA) and the Society of Archivists (SoA). It was also welcomed by a number of other archival bodies including the Historical Manuscripts Commission (HMC), the Association of Chief Archivists in Local Government (ACALG), the British Genealogical Records Users Group (BGRUC), and more.

## Development of the Standard and further consultation

During the early part of 2003, PSQG consulted widely on the need for the standard, its use and application, and on any changes required to the existing text. Consultation indicates that:

- 1) there is felt to be a need for a domain-specific access standard
- 2) the existing document has been widely used and has proved useful in guiding improvements and raising standards of access
- 3) there is broad support for the Standard more or less (i.e. after minor revision) as it stands
- 4) the document should be formally published by a body with “clout” within and beyond the archive domain

## Steps towards formal publication

From the outset, it was intended that PSQG should eventually hand over the Standard for formal publication by an appropriate agency. The possibility of issuing the document as a formal British Standard has been carefully explored but, despite the obvious benefits in terms of “clout”, at the current time the disadvantages have outweighed the advantages.

Consequently, it has been suggested that the most practical way to produce and publish the standard will be for PSQG to complete the revision of the document and then hand it over to The National Archives for publication, distribution and maintenance. This parallels the solution which has been successfully adopted for the Encoded Archival Description standard, which is also community-based, and has been given to the Library of Congress in the USA to maintain.

For such a document to both reflect the wider ownership of the archive domain and to attract recognition as a proper standard, however, it is hoped that other bodies will again endorse the Standard and allow their names to be associated with it. It is proposed that the names and logos of all bodies endorsing the Standard should appear on the document.

We are planning to seek the ratification of this course of action by the Council of the NCA at its meeting in October, with a view to announcing the formal publication of the revised Standard at the PSQG Quality Forum meeting at The National Archives, Kew, on 6 November. With this timetable in mind, the existing document is currently under revision to take account of issues raised during the recent consultations. Delegates at the PSQG Quality Forum the following week will receive a copy of the latest Standard, and the same document will be made available on the Internet at the address given above.

The final version will be available on the PSQG pages of The National Archives’ website at: [www.pro.gov.uk/archives/psqg/access](http://www.pro.gov.uk/archives/psqg/access)

### Dr Elizabeth Hallam Smith

Vice Chair, National Council on Archives and  
Convener of the PSQG Access Standard Working Group

# Access to information within long-running NHS registers

Earlier this year we wrote to all *Places of Deposit* which hold NHS records to inform them of a recent agreement between the Department of Health and The National Archives, which allows Archivists to provide access to NHS records under certain specified circumstances. The text of the letter is repeated here for the benefit of those who may not have seen the circular letter.

"Date: February 2003

"To: all places of deposit holding NHS records

"Dear Archivist,

"Access to information within long-running NHS registers

"Under the Public Records Act 1958 the closure period for records is calculated from the last date in the file. As you know, this can mean that discrete information about an individual which is well over 100 years old is kept closed to enquirers simply because it is filed within a record which also contains much later information. This often happens in chronological NHS registers that contain information about many different patients.

"The Public Record Office and the Department of Health realise that confusion over this issue has led to inconsistencies over interpretation of the "100 year rule" (i.e. a Lord Chancellor's Instrument, LCI 92, 1991, under which NHS records which contain information about the physical or mental health of individual patients can be closed for 100 years). It can also lead to delays in allowing access to the information whilst the place of deposit refers the decision back to the relevant creating organisation. Indeed, we regularly receive enquiries asking us to clarify this point.

"The Public Record Office and Department of Health feel it is appropriate that access is available to information in NHS records which is over 100 years old, whilst still protecting the information in the record which remains closed. Therefore, we are now taking the opportunity to clarify that where the following circumstances apply, the place of deposit can provide access:

**Under s.5(4) of the Public Records Act 1958, The Department of Health hereby permits access to be granted to information (including personal medical information) in NHS records that are closed under LCI 92 where the following circumstances apply:**

- the information is over 100 years old
- the record containing the information is closed only because it also contains information of a later date (such as in a long-running register), and about a different person or people and
- the place of deposit is able to provide access to the information whilst protecting that of a later date which remains closed.

"This means in practice that:

- Places of deposit can give access to the information which is over 100 years without having to gain permission from an individual Health Authority or Trust, since the Department of Health has given general authority for them to do so.
- **N.B. Information which is under 100 years will still remain closed. Enquirers will still have to apply to the relevant NHS authority for access to closed information.**
- When granting access, places of deposit must ensure that the closed information remains protected from view.
- Places of deposit are not obliged to provide access to the information if it is too difficult to do so. For example in some cases it may not be possible to extract the information from the record (as it might be too closely mixed with information of a later date), or there may not be enough resources to supply the service.
- This rule does not apply to long running patient case files (e.g. where the first page of the case file is over 100 years but the rest of the file is not). As the information relates to the same patient all the information in the file is regarded as closed until 100 years after the last date in the file.



- LCI 92 will cease to apply once Freedom of Information comes into operation in January 2005. Access from that time will be determined in accordance with the FOI Act and its exemptions. We shall issue guidance in due course.

Yours sincerely,



**Meg Sweet**  
Head of Records Management Department

We have since encountered some questions from Archivists about how the information can be transmitted whilst ensuring that the closed information remains protected. There are various examples of how this could be done:

- Verbally passing on the information
- Transcribing the relevant sections
- Giving a photocopy of the "open" information to the enquirer, blanking out any "closed" information which may appear on the copy
- Allowing the enquirer to see the original document, but binding/typing up the "closed" pages and supervising very closely.

**Catherine Redfern,**  
Archive Inspection Officer  
catherine.redfern@nationalarchives.gov.uk

## Planned changes to the *Bulletin*

The Place of Deposit Bulletin has been produced since 1994, with the intention of improving our communication with *Places of Deposit*, and disseminate information more effectively. From a simple black & white printed sheet to a glossy publication, the Bulletin has certainly undergone some changes over the past few years!

With the creation of The National Archives, we feel that the time is right to develop the Bulletin further, and consequently this issue will be the last in its current form. We intend to create a new, bigger and better publication which will help to promote TNA news and advice to the wider archival and records management community.

The publication will aim to:

- Forge links between RM and archives by emphasising that they are part of the same continuum, and showing archivists and records managers what is happening at the "other end" of the continuum.
- Promote RM and archives.
- Promote best practice and ensure that all useful TNA guidance and information is disseminated as widely as possible.
- Support the *Places of Deposit* and other custodians of records.
- Help foster an RM community outside of central government.
- Share news from our stakeholders (including places of deposit) with other stakeholders (such as central government).
- Co-ordinate HMC and AISU advice to archivists.
- Promote central government / EU / professional policy, issues and concerns for the benefit of those who may not have exposure to this information.
- Avoid duplication of effort within TNA.

We hope that the first issue of this new publication will be produced in early 2004. Free copies will continue to be available to all *Places of Deposit*.

Please note that the *Place of Deposit Bulletin* can be viewed online or downloaded at <http://www.pro.gov.uk/archives/standards>. If you require extra copies or back issues please email [archive-inspection@nationalarchives.gov.uk](mailto:archive-inspection@nationalarchives.gov.uk).

**Catherine Redfern,**  
Archive Inspection Officer  
catherine.redfern@nationalarchives.gov.uk

# AISU staff changes



Many of you will by now be aware that Rod Ward-Horner left Archive Inspection Services Unit in August to take up a new role elsewhere in The National Archives. Rod joined AISU as Archive Inspection Officer in January 2001 on a temporary basis, secured that post permanently in July that year, and remained with us until this new vacancy – a promotion – arose.

It almost goes without saying that Rod was an extremely valuable member of the AISU team, taking on a wide variety of essential tasks and roles right from the outset. Among Rod's many achievements in AISU were the co-ordination of our inspections plans (which took the three of us to as many as 80 different places of deposit each year), development of a strategic approach to addressing the needs of the Ministry of Defence places of deposit and – the one which you all should have noticed – the transformation of the *places of deposit bulletin* from a plain but functional photocopied newsletter to the full-colour magazine you are now reading. In addition to these and many other achievements, Rod's inspection visits took him to almost 100 different places of deposit, including almost all of the 29 regimental museums and local authority archive services in all corners of England and Wales. Rod even made the latest – and last, now that we are part of The National Archives – Public Record Office inspection visit to a place of deposit outside England and Wales, when he inspected the Scottish Weather Observations Centre in Edinburgh.

Rod's new role is a promotion to the position of Client Manager. A Client Manager's main function is to work with central government bodies to help them in the appraisal and disposal of the public records which they create as part of their current business. The series of public records which you ultimately receive, whether as deposits under s.4(1) of the Public Records Act or as presentations under s.3(6), come to you in part as a result of Client Managers' deliberations. Rod's "family" of departments includes the Department for Constitutional Affairs, the National Assembly for Wales and the Northern Ireland Office.

Rod leaves AISU with our best wishes for success in his new role. A recruitment campaign for his replacement will be launched in the near future.

**Steven Jones,**  
Head of Archive Inspection Services  
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# Contacting Archive Inspection Services Unit – The paperless office?

Since April 2001, the Records Management Department of The National Archives has used Electronic Records Management Software (ERMS) to manage and store our correspondence and other work. The National Archives is currently in the process of extending the use of an ERMS to the whole office.

When we receive paper correspondence, this is scanned, converted into PDF format and then saved into the ERMS. If we receive the correspondence electronically, we can quickly save this into the ERMS. Either method is fine, but scanning the correspondence is more time-consuming.

We are therefore taking this opportunity to encourage *Places of Deposit* to contact us electronically rather than on paper, where possible, and if it makes no real difference to the correspondence. This could be done, for example, by emailing us or by sending a letter as a word-processed attachment in an email.

Of course, it goes without saying that there are some circumstances where paper will still be required, for example when sending copies of large architectural plans, if the office does not have access to email, or simply when it is felt that a signed, paper letter would be more formal. Rest assured that any method of contacting us is still perfectly acceptable.

## Records Management Advisory Service Contacting Us

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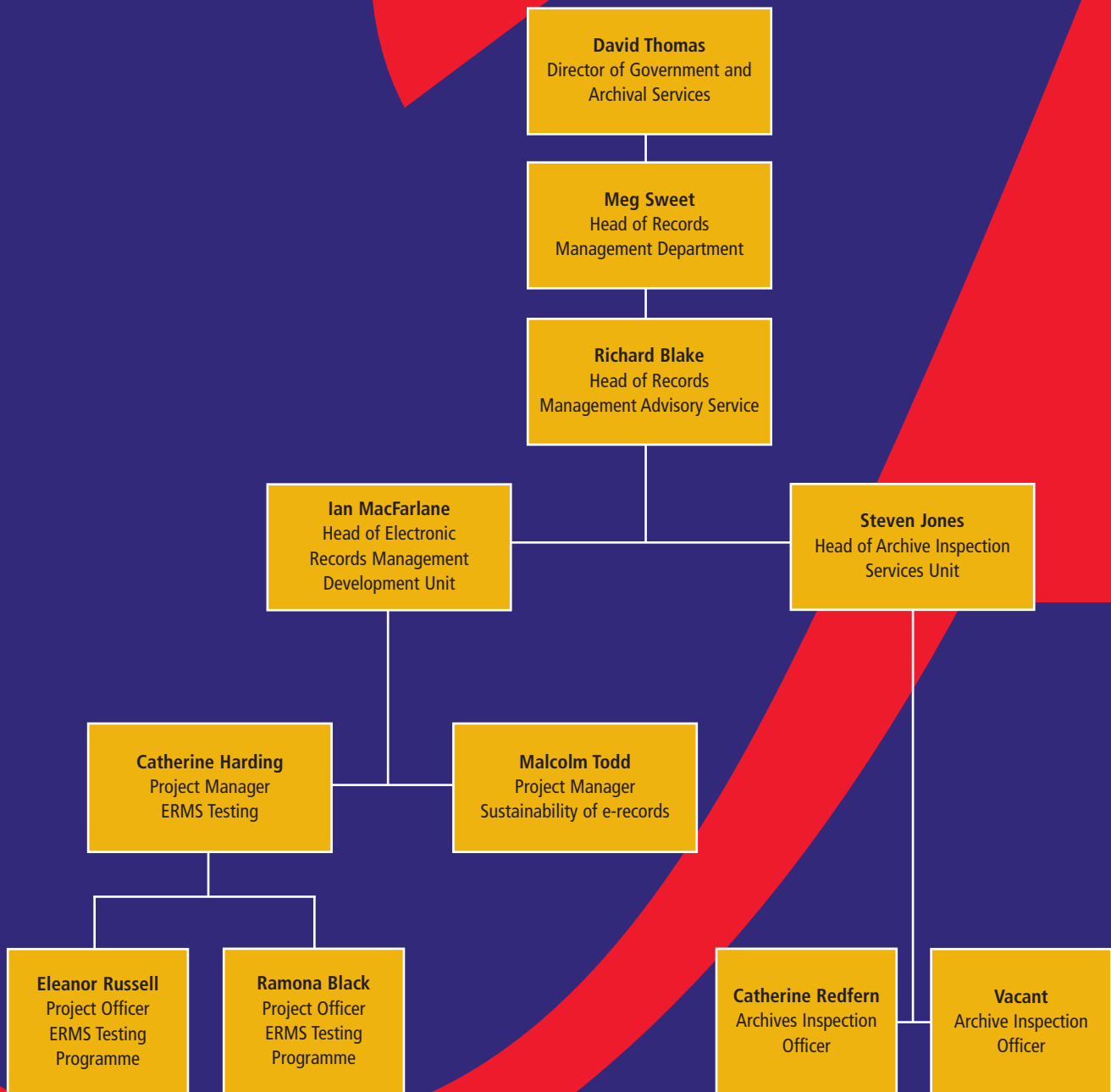
Website: [www.nationalarchives.gov.uk](http://www.nationalarchives.gov.uk)

Or you can contact any specific staff member using the format:

Email: [firstname.lastname@nationalarchives.gov.uk](mailto:firstname.lastname@nationalarchives.gov.uk)



# Records Management Advisory Service Organisation chart





the national archives

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