

Operation Selection Policy 36

Publications/Grey Literature

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1 Authority

1.1 The National Archives' Records Collection Policy was published in November 2012 and replaces the 2007 Acquisition and Disposal Policy. The Records Collection Policy sets out the records that The National Archives will and will not seek to collect for permanent preservation, when it will collect them and where they will be held.

1.2 Operational Selection Policies apply the criteria set out in the Records Collection Policy to the records of individual departments and agencies or to records relating to a cross-departmental theme.

This Operational Selection Policy provides generic archival appraisal guidance for publications/grey literature.

1.3 Operational Selection Policies are intended to be working tools for those involved in the selection of public records. This policy may, therefore, be reviewed and revised in the light of comments received from the users of the records or from archive professionals, the department's experience of using the policy, or as a result of newly discovered information. There is no formal cycle of review but we would welcome comments at any time. The extent of any review and revision exercise will be determined according to the nature of the comments received.

1.4 If you have any comments upon this policy, please email

informationmanagement@nationalarchives.gsi.gov.uk

Or write to:

Information Management Department
The National Archives
Kew
Richmond
Surrey
TW9 4DU

2 Scope

2.1 This policy covers publications produced across government that are, in general, not formally published. Material that is not commercially published, have low print runs, or where identifying information (author, publication date, publishing body) is difficult to trace is often referred to as grey literature.¹

¹ <http://www.greylit.org/about>; <http://www.healthknowledge.org.uk/public-health-textbook/research-methods/1a-epidemiology/grey-literature>

2.2 As this is a generic Operational Selection Policy it will cover the most common types of publications produced across government rather than specific publications, except where they are preserved in the [UK Government Web Archive](#):

- Annual Reports
- Guidance and standards
- Research reports
- Journals
- Bulletins and newsletters
- Circulars
- Training manuals and curricula
- Codes of practice
- Consultation papers

2.3 This Operational Selection Policy does not include government websites as publications as Operational Selection Policy 27: *The selection of government websites* already covers this.

2.4 This policy does not cover commercial publications (copies of these should be deposited at the British Library and other Legal Deposit libraries), although some of the types of publications covered may be commercially published in some cases. Nor does it cover scientific and technical or inspection reports which will be the subject of two individual Operational Selection Policies.

2.5 It covers publications/grey literature in both paper and electronic formats.

2.6 This policy does not cover records concerned with the drafting of publications, which would not normally be selected for permanent preservation at The National Archives.

2.7 This Operational Selection Policy provides guidance on the identification of publications/grey literature for permanent preservation. It does not provide guidance on the application of freedom of information legislation to selected publications/grey literature.

2.8 Publications/grey literature will be referred to solely as 'publications' throughout the rest of this document. Government departments/agencies/Non Departmental Public Bodies will be referred to solely as 'government departments'.

3 Principles for the selection and permanent preservation of publications created in government departments

3.1 Selection of publications is based on five principles:

- To focus The National Archives' collection on unpublished material by assuming that publications are not worthy of permanent preservation at The National Archives (or another suitable repository) unless they fall within the criteria for selection detailed in section 6 of this Operational Selection Policy
- To ensure that publications worthy of permanent preservation are preserved EITHER at The British Library OR The National Archives OR in departmental libraries with an assured future by arrangement OR at other specialist libraries (see section 4 below)

- Publications such as Annual Reports are not selected due to the fact that they are preserved at the British Library. The National Archives does not select material that is already permanently preserved elsewhere, unless it is more problematic not to
 - Publications, such as those listed in 2.2 above, should be published on the web. These publications will be preserved in The National Archives' UK Government Web Archive and will remain publically accessible (for further information please see OSP 27). Departments must check with The National Archives' web archiving team that content has been captured before removing it from the web.
- While ensuring that duplication is avoided and information of long-term value is secured, this Operational Selection Policy allows for substantial areas of discretion depending on the nature of the material (see section 6 below) and the nature of the organisation (see section 3.3 below) For the preservation of records not published and considered to be grey-literature (as defined in 2.1), please refer to the decision chart in Figure 1.

3.2 Special attention may need to be paid to the publications of agencies/Non Departmental Public Bodies. Much of the operational work of agencies/Non Departmental Public Bodies is captured through publications. The National Archives may decide to limit its intake of additional policy material on the predication that there are preservation strategies in place for publications, catering for both operational and historical need (i.e. preserved at the British Library or in a departmental library with an assured future). If there are not suitable preservation strategies in place then selection for preservation at The National Archives (or within another repository) may need to be considered.

4 Preservation of publications by other repositories and availability on the web

4.1 The British Library

4.1.1 Publishers and distributors in the United Kingdom and the Republic of Ireland are required by law under the Legal Deposit Libraries Act 2003 to send one copy of every work published in print to the Legal Deposit Office of the British Library within one month of publication. Publication is defined in s14 of the Legal Deposit Libraries Act (2003) as 'issue of copies of a work to the public.' The British Library is therefore entitled to receive, by law, commercially and non-commercially published works (grey literature). There are also five other Legal Deposit libraries, The Bodleian Library University of Oxford, Cambridge University Library, The National Library of Scotland, The Library of Trinity College, Dublin and The National Library of Wales, who have the right to claim publications under the Act.

<http://www.bl.uk/aboutus/legaldeposit/>
<http://www.legislation.gov.uk/ukpga/2003/28/contents>

4.1.2 Under the Legal Deposit Libraries (Non-Print Works) Regulations 2013 s13 non-print work relates to 'work published in a medium other than print' including work that is published both off line and on line

4.1.3 Section 1(1) of the Legal Deposits Libraries Act (2003) requires publishers to deposit with the British Library a print version of any works that exist in both print and non-print format. However, should the publisher and the legal deposit library reach an agreement, submission of a non-print copy is allowed

4.1.4 Under Regulation 14(2), of the Legal Deposit Libraries (Non-Print Works) Regulations 2013, should the same work be published in two or more non-print media (and is not published in print), the publisher and the deposit library may agree one of those non-print media are the medium in relation to the duty under Section 1(1) of the Legal Deposits Libraries Act (2003)

4.1.5 In view of the Legal Deposit Act (2003) and the Legal Deposits Libraries (Non-Print Works) Regulations 2013, the British Library is entitled to receive all externally available publications produced by government departments in paper or electronic format, for example:

- Annual and Departmental Reports
- Externally available guidance and standards
- Research Reports
- Consultation papers
- Journals
- External circulars
- Codes of Practice
- External training manuals

4.1.6 Regulation 13(2), of the Legal Deposit Libraries (Non-Print Works) Regulations 2013, highlights that certain types of content are excluded from the regulations. Content included is anything which is completely or predominantly:

- Film or music
- Personal data on social networking sites
- Content published before the regulations were made

4.1.7 Further guidance on the Legal Deposit Libraries (Non-Print Works) Regulations 2013 is available at:
<https://www.gov.uk/government/publications/guidance-on-the-legal-deposit-libraries-non-print-works-regulations-2013>

4.1.8 The British Library does not preserve government publications aimed at an internal market, for example:

- Internal circulars (office notices)
- Internal guidance and standards
- Internal training materials

4.1.9 Whilst commercially published material (including material published by TSO/HMSO) is automatically sent to the British Library, there have been difficulties in obtaining publications produced by government departments themselves. Publications are produced by a wide range of people across a department, who may not be aware that what they are producing should, by law, be deposited with the British Library.

4.1.10 If, in the process of their work, departments/Information Management Consultants find externally available publications, an attempt should be made to ascertain whether this material has already been deposited with the British Library. This could be done either by searching the Integrated Catalogue or by asking those responsible for producing the publications whether they have already sent them to the Library for preservation (the latter would only work with more recent publications). It is reasonable to assume that publications produced by The

Stationery Office (formerly Her Majesty's Stationery Office) will have already been sent to the British Library. If, after these checks have been made, it appears that the publications are not already preserved at the British Library then copies should be sent to them at the following address:

The Legal Deposit Office
The British Library
Boston Spa
Wetherby
West Yorkshire
LS23 7BY

- 4.1.11 Business units or individuals within government departments who deal with publications (particularly those published on a department's website) should be made aware of this Operational Selection Policy in order to remind them of their responsibilities under the Legal Deposit Libraries Act 2003.

4.2 Departmental Libraries

- 4.2.1 Some government departments have their own libraries or information centres. Quite often runs of publications are kept in these libraries, as they are useful to the organisation for reference purposes.
- 4.2.2 Many departmental libraries have suffered in recent years due to a lack of resources and some have closed completely. Publications are not always kept permanently in these libraries but are disposed of when they are no longer of any use to the organisation.
- 4.2.3 It may be possible for publications that are not required by the British Library and that fall within The National Archives' selection criteria to be kept in departmental libraries instead of at The National Archives, providing they are to be kept permanently. If the Information Management Consultant has doubts about the long-term preservation of material in a departmental library, then another repository should be found. Preservation at The National Archives will be considered as a final alternative.

4.3 Departmental web sites

- 4.3.1 Many government departments now publish material on the web (possibly as part of a publication scheme) rather than in hard copy. Documents are unlikely to remain on a website permanently and will usually be removed after a certain period of time. Some may continue to be available on the website via a searchable archive of documents.
- 4.3.2 A department's website may have been selected for permanent preservation in the UK Government Web Archive as part of Operations Selection Policy 27: *UK Central Government Web Estate*. <http://www.nationalarchives.gov.uk/documents/information-management/osp27.pdf>. The aim of this Operational Selection Policy is to provide a regular snapshot (typically 6 monthly) of a government body's web presence. Although the majority of publications on these website snapshots are preserved by default, it is essential that departments verify capture by checking

with The National Archives' web archiving team. Departments can also verify a capture themselves by browsing to a recent snapshot of their website(s) from <http://www.nationalarchives.gov.uk/webarchive/atoz.htm>

4.3.3 Material published on a department's website should be treated in the same way as paper publications. Publications required by the British Library should be sent there for preservation. Publications not required by the British Library but that fall within The National Archives' selection criteria, should be sent either to The National Archives or another suitable repository or, if possible, kept within a departmental library with an assured future.

5 Publication schemes

5.1 Public authorities are required under section 19 of the Freedom of Information Act 2000 to adopt and maintain a publication scheme approved by the Information Commissioner's Office. Publication schemes are usually included on a department's website. There may be value in preserving the structure of the scheme (in the way that we preserve the structure of selected government websites).

5.2 Where an authority uses a model publication scheme (see web link below) or the model scheme with variations approved by the Information Commissioner's Office, there is no need to preserve their version of the scheme as the model will be preserved among the Information Commissioner's Office records.

<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/publication-scheme/>

5.3 Where an authority does not use a model scheme, then a copy of the scheme as approved by the Information Commissioner's Office should be preserved at The National Archives. There is no need to preserve revisions of the scheme required under s19 (1)(c) of the Legal Deposit Libraries Act (2003) unless these reviews result in a substantial alteration of the scheme, in which case a copy of the scheme as revised and approved by the Information Commissioner's Office should be preserved at The National Archives.

5.4 The actual content of publication schemes (documents published as part of these schemes) and whether to select for permanent preservation is covered by section 6 of this Operational Selection Policy.

6 Types of publications

The types of publications covered below can be divided into two groups:

- Publications aimed at an external market that are/should be deposited with the British Library under the Legal Deposit Libraries Act
- Publications aimed at an internal market that are not required by the British Library and should not be selected for permanent preservation at the National archives unless they fall within the criteria for selection detailed below

Where it is published on a website, and where that website is in scope for the UK Government Web Archive, it will probably have been captured. You can check whether a website has been captured by looking at the list <http://www.nationalarchives.gov.uk/webarchive/atoz.htm>

6.1 Annual and Departmental Reports

- 6.1.1 Every government department produces an Annual or Departmental Report each financial year. The report will usually outline a department's (and in the case of Departmental Reports, its sponsored bodies) objectives, achievements, progress against targets for the year and future plans. The report will contain a financial statement and may contain information on the department's organisation structure.
- 6.1.2 They can be useful as a quick reference guide to the aims, objectives, functions and activities of a department. The quality of information contained within these Reports can differ, some just report to targets, while others contain much more detailed information about a department's activities as described in 6.1.1 above.
- 6.1.3 Some, but not all, Annual Reports are published as House of Commons or Command papers and are therefore Parliamentary papers. These can be identified by either an HC or a Cm number. Annual and Departmental Reports are not always kept by the Parliamentary Archives, even if they are Command or House of Commons papers, as they are widely available elsewhere.
- 6.1.4 All Annual and Departmental Reports are required to be deposited with the British Library under Legal Deposit rules.

6.2 Guidance and standards (internal) and departmental information

- 6.2.1 Most departments produce internal guidance and standards for staff. These could be instructions on how to carry out a particular aspect of their work or on how to use a particular system within the department, departmental procedures or standards that should be adhered to such as cataloguing standards or naming conventions. A department will usually also produce information on the organisation for internal consumption such as functional directories or organisation charts.
- 6.2.2 This type of publication is generally low level and operational in nature and should not be selected for preservation at The National Archives. The British Library does not require internal guidance and standards.
- 6.2.3 Certain types of internal guidance and standards may, on rare occasions, be of special interest, for example, military instruction manuals might be considered of greater interest than employee handbooks issued by civilian departments, guidance for certain types of jobs may be of particular interest. If felt to be of specialist interest this type of material could be passed to another suitable repository or kept within the departmental library/information centre. If another repository cannot be found then it may be appropriate to consider selecting certain items for preservation at The National Archives.
- 6.2.4 This type of publication will be of business value to the department for a certain period of time (they will usually be kept until they are superseded) and possibly of historical interest to the department itself. Departmental information may be particularly useful either for writing departmental histories or as background information for appraisal staff. If a department thinks guidance and standards and departmental information would be worth keeping for longer (or

perhaps even permanently) then copies could be kept within the departmental library. The National Archives should not take in this type of material where it is only of business use.

6.2.6 As they are generally aimed at staff, internal guidance and standards and organisational information are more likely to be available on a department's intranet rather than their external website. However, recent material may occasionally be featured on a departmental website via a publication scheme. Information on the organisation of a department is often available in the Civil Service Yearbook.

6.3 Guidance and standards (external)

6.3.1 External guidance can be described as that produced for those outside the main department, for example, other government departments, industry and the general public. The aim of these publications is to inform these groups on how to operate or behave in line with policy/legislation. Examples of this type of guidance are Health and Safety guidance for industry, The National Archives guidance and standards for records managers, and Department for Constitutional Affairs FOI guidance for the rest of government and for the general public. Some departments will produce a larger amount of guidance and standards than others, for example, one of the Health and Safety Executive's main functions is to produce and disseminate guidance on Health and Safety policy and how to comply with legislation to its stakeholders.

6.3.2 Externally available guidance and standards are required to be deposited with the British Library under Legal Deposit rules.

6.4 Research reports

6.4.1 Research reports can cover a wide range of subjects from social and economic conditions in the UK to science and engineering. They are usually quite detailed and will cover all aspects of the research as well as conclusions and recommendations.

6.4.2 Research reports by their very nature will usually be of archival value especially those that fed into the policy making process or those that concern certain topical issues. However, they are often quite specialist (especially defence or engineering research reports) and may have a limited readership at The National Archives. They can also be heavily technical and difficult to understand when read out of context.

6.4.3 Published research reports are required to be deposited with the British Library under Legal Deposit rules. The British Library does not require unpublished research reports produced for internal use only. Unpublished research reports not wanted by the British Library may need to be considered for permanent preservation at another suitable repository or at The National Archives.

6.4.4 Where a dataset selected for permanent preservation has led to a published report or similar publication, these publications should usually be selected and preserved along with the original. Since December 2013, datasets have been published on data.gov.uk. As a result, the UK Government Web Archive, established in 2010 to replace the National Digital Archive of Datasets (NDAD), captures all dataset listed on data.gov.uk, twice per year. The fact that they

may have been preserved elsewhere (if externally available, these reports should have already been sent to the British Library under Legal Deposit rules) should not be taken into consideration.

6.5 Journals

6.5.1 Government departments may produce journals either for an internal or external market. They generally cover specific work areas or groups, organisations or people and may contain news items, feature articles, research and development, technical articles, news about policy/legislation and its potential impact.

6.5.2 The British Library collects most journals published by government under Legal Deposit rules. For journals that have not been preserved by the British Library (this can be checked on the British Library's Integrated Catalogue), those that contain information on the core activities of a department may be of value, as might those that communicate issues and information on policy/legislation, providing this information is not covered by records already at The National Archives or records likely to be transferred in the future. These may therefore be worthy of permanent preservation at The National Archives, a departmental library or another suitable repository.

6.5.3 Journals that mainly contain general news items, low level or recreational material or that are of minority interest only should not be selected for permanent preservation at The National Archives.

6.6 Bulletins and newsletters

6.6.1 Government departments produce bulletins or newsletters to disseminate information across government or to external stakeholders. They may be used to communicate information on policy/legislation or significant issues affecting that particular area of government /work area/organisation.

6.6.2 The British Library does not require bulletins and newsletters.

6.6.3 Bulletins and newsletters that communicate information on policy or legislation or significant issues may be of archival value providing this information is not covered by records already at The National Archives or records likely to be transferred in the future. These could be considered for preservation at The National Archives, a departmental library or another suitable repository.

6.6.4 Those that contain mainly low level/recreational information should not be selected for permanent preservation at The National Archives.

6.7 Circulars

6.7.1 Government departments issue circulars to local authorities advising them on the interpretation of policy and law and more often lesser procedural requirements. They also issue internal circulars to staff. Paper circulars became increasingly redundant from the mid1990s with the advent of web based communications networks.

6.7.2 Circulars aimed at an external market are required to be deposited at the British Library under Legal Deposit rules.

6.7.3 Internal circulars (office notices, operational staff matters and staff services) are unlikely to be of archival value and should not be selected for permanent preservation at The National Archives. They are also not required by the British Library.

6.8 Training manuals and curricula

6.8.1 There is some overlap here with sections 6.2 and 6.3 above on internal and external guidance. Government departments may produce course curricula and training manuals to train staff either within the organisation or for public sector professions, for example, teachers, inspectors, police, civil servants.

6.8.2 Publications concerned with general internal staff training are unlikely to be of archival value and should not be selected for permanent preservation at The National Archives. They are also not required by the British Library. Those that cover certain public sector professions might be of some value but again are unlikely to warrant preservation at The National Archives. They might be more appropriately kept within a departmental library (the department may already keep copies of these) or at another repository.

6.8.3 Those produced for an external market are required to be deposited at the British Library under Legal Deposit rules.

6.9 Codes of practice

6.9.1 Government bodies produce codes of practice to illustrate to professions or particular work areas how they should be conducting themselves or their business, for example The Lord Chancellor's Code of Practice on the Management of Records Under s46 of the Freedom of Information Act 2000.

6.9.2 They are of value because they show how a particular area of government or profession was expected to behave.

6.9.3 Codes of practice are required to be deposited at the British Library under Legal Deposit rules.

6.10 Consultation papers

6.10.1 Consultation papers contain proposals for change and new policies. They are produced by government departments to give the opportunity to comment and to seek views on proposals. There has been a marked increase in consultation activity since the launch of the Code of Practice on Written Consultation in 2000 (now revised as the Code of Practice on Consultation 2005). Consultation papers are now almost exclusively published on departmental websites rather than in hard copy.

6.10.2 Consultation papers are required to be deposited with the British Library under Legal Deposit rules.

6.10.3 Records generated as a result of consultation exercises (responses to consultation papers etc.) are not required by the British Library and may need to be considered for permanent preservation at The National Archives. Records of high level or significant consultations, or consultations where many responses have been received may be of archival value.

Figure 1 Decision chart for publications/grey literature

