

THE		
NATIONAL		
ARCHIVES		

# Records collection policy

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## 1. Why we collect records

We collect records to fulfil our responsibilities as outlined in the Public Records Act. This requires bodies responsible for public records (public records bodies for short) to select records for permanent preservation at The National Archives or places of deposit (see [section 4](#)), under the guidance of the Keeper of the Public Records, who is responsible for co-ordinating and supervising selection.<sup>1</sup>

Collecting records enables us to:

- Support openness and transparency and help to ensure the government is accountable for its actions
- Act as official archive of UK government and for England and Wales, maintaining a record of past actions and decisions and acting as a long-term memory for government
- Support research, meeting the needs of academic and research communities, as well as the general public.

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<sup>1</sup> Section 3(2) of the Public Records Act (PRA) 1958. See [www.legislation.gov.uk/ukpga/Eliz2/6-7/51/contents](http://www.legislation.gov.uk/ukpga/Eliz2/6-7/51/contents) for further details of our responsibilities under the PRA.

## 2. Whose records we collect

The National Archives collects records from all government departments and bodies whose records are public records under the Public Records Act.<sup>2</sup>

As well as government departments and their executive agencies, this includes the courts, the NHS, the armed services and many non-departmental public bodies.<sup>3</sup> It excludes bodies falling under separate legislation for Scotland and Northern Ireland.<sup>3</sup> Further in-depth guidance is available about public records bodies,<sup>4</sup> and the processes for selection and transfer of public records.<sup>5</sup>

Each public records body should have a named official who, as part of their duties, is responsible for the selection of those public records which ought to be permanently preserved; and for the safe-keeping and eventual transfer of these records to an appropriate repository. This nominated official is usually known as the Departmental Records Officer and acts as the primary point of contact with The National Archives.

We may also acquire other collections from outside the UK government which complement our current holdings.

Section 2(4) of the Public Records Act 1958 gives the Keeper of Public Records (as the Keeper and Chief Executive of The National Archives) permissive statutory powers to:

- accept responsibility for the safe keeping of records other than public records,
- acquire records; and
- accept gifts and loans.

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<sup>2</sup> This can include records that may be held or created on behalf of a government department by another body, for example a body carrying out work for the department under contract, depending on the terms of the contract.<sup>2</sup> <sup>3</sup> Schedule 1, para 2 the Public Records Act 1958. See [www.legislation.gov.uk/ukpga/Eliz2/6-7/51/schedule/FIRST](http://www.legislation.gov.uk/ukpga/Eliz2/6-7/51/schedule/FIRST)

<sup>3</sup> Find out more about the legislation for Northern Ireland at [www.proni.gov.uk/](http://www.proni.gov.uk/) and [www.legislation.gov.uk/apni/1923/20](http://www.legislation.gov.uk/apni/1923/20)

<sup>4</sup> See *How to identify a public records body* [nationalarchives.gov.uk/documents/information-management/how-to-identify-a-public-records-body.pdf](http://nationalarchives.gov.uk/documents/information-management/how-to-identify-a-public-records-body.pdf)

<sup>5</sup> See guidance on the Records selection and transfer process at [nationalarchives.gov.uk/informationmanagement/our-services/selection-and-transfer.htm](http://nationalarchives.gov.uk/informationmanagement/our-services/selection-and-transfer.htm)

A decision to accept gifted or deposited private collections in accordance with s.2(4) may be taken by the Keeper and Chief Executive **if one or more of the following 7 criteria are met:**

- The proposed collection advances/complements the understanding of the public record
- The proposed collection advances/complements the understanding of an existing collection at The National Archives
- The proposed collection relates to an important figure of State
- The proposed collection relates to information of national significance
- The proposed collection advances/complements The National Archives' strategic aims
- The National Archives is the body best placed to preserve and/or make available the proposed collection
- The National Archives' custody of the proposed collection does not result in the fragmentation of a collection elsewhere.

### **3. Which records should be selected for permanent preservation**

Public records bodies select records of historical value and enduring public interest under the supervision and guidance of the Keeper of Public Records at The National Archives. These records will be held either at The National Archives or an alternative place of deposit (see more in [section 4](#)).

Public records can exist in any format, including paper, digital, audio, film or model format (see more in [section 3.3.2](#)). They may be in any medium, including social media channels and they may have originated in private email accounts, not only in the government's own systems.

The fact that it may not be possible to allow public access to some records for many years does not prevent their selection for permanent preservation (see more in [section 5.2](#)).

### 3.1 Criteria

The National Archives seeks to collect and preserve public records which document:

#### **The principal policies and actions of the UK central government and English and Welsh Governments<sup>6</sup>**

Including:

- Records illustrative of the process of developing government policy and legislation
- Research and other key evidence upon which policy formulation was based, and Records relating to the review and evaluation of policy
- Records of the interpretation and implementation of policy and the law. This includes records which illustrate changes of direction or provide clarity on the main functions of government
- Records which detail changes in the strategic functions and obligations of the UK and English and Welsh Governments, including treaties and international agreements
- Records that illustrate the government's role in the management of the UK economy
- Significant records concerning international relations and defence.

#### **The structures and decision-making processes in government**

Including:

- minutes and papers of Cabinet committees, management boards and other project or working groups across the public sector which have had a discernible impact on policy or events, or where there is likely to be public interest because of the costs involved, risks taken, or impact created
- records detailing the reform of the state's organisational structure, including changes in the machinery of government (the creation, merger or dissolution of departments or agencies) and constitutional arrangements
- records which are illustrative of constitutional relationships between the UK government and the devolved administrations, parliament, or the monarch
- records of commissions, tribunals and inquiries investigating decision-making by ministers and officials or making recommendations for changes in public policy.

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<sup>6</sup> We are at present the national archives for Wales, as well as England and the wider UK government. Welsh ministers have the power to request the Lord Chancellor to make an Order under section 147 of the Government of Wales Act 2006 transferring responsibility to themselves or their nominee. A concordat between the Welsh Government and The National Archives exists in order to formalise this arrangement: [nationalarchives.gov.uk/documents/information-management/concordat-wag-tna-english-2011.pdf](https://nationalarchives.gov.uk/documents/information-management/concordat-wag-tna-english-2011.pdf)

## **The state's interaction with the lives of its citizens**

Including:

- Case files, datasets and other records which contain extensive information about the lives of individuals or groups, organisations and places, which contribute substantially to public knowledge and understanding of the people and communities of the UK
- Records relating to individuals or national and international events of significant contemporary interest or controversy
- The websites of all UK central government bodies and their agencies and of some non-departmental public bodies.

## **The state's interaction with the physical environment**

Including:

- Records detailing the impact of government proposals or policies relating to the natural environment
- Records illustrative of the property, rights and duties of the Crown and the UK and English and Welsh Governments as a landowner or tenant.

## **3.2 Datasets**

Collections of information are often loosely referred to as a dataset. For the purposes of this policy we mean digital data that has been organised, usually in tabular form, that can be analysed in a number of ways by the user - for example by sorting, filtering, or combining with data in other tables - and that can be displayed in a variety of ways such as charts, graphs, and maps.

Although this collection policy is format-neutral, there are particular criteria that apply to the collection of government datasets (though datasets may also be collected under all criteria listed in [section 3.1](#) above).

Many datasets are the results of government endeavours to collect information about the state of the country, in its social, physical and political environments. This information is collected by measuring, mapping, conducting surveys and censuses, and combining the raw data obtained from these processes into structured digital formats such as relational datasets, or geographical information systems. The government also creates datasets as part of its own administrative processes, most often in the form of digital case files.

As datasets can be subjected to repeated statistical or scientific analysis, they are particularly capable of enriching the collection outcomes we set out in [section 1](#) of this policy.

Where possible we will collect the data in a machine readable format as close to its raw state as possible, after the data has been validated. So that we can continue to interpret and use datasets in the future, we will collect contextual information about why and how the data was created and how it could be used alongside the raw data.

### **3.3 Constraints**

The quantity and nature of public records created across government is so vast that The National Archives is physically, and in some cases technically, unable to hold and preserve them all. When we make decisions regarding the collection of public records, we will therefore consider the challenges involved in storage, retrieval and preservation. We may need to consider the affordability of collections of marginal historical or research value.

Exceptionally, The National Archives may be required to make collection decisions on a case-by-case basis depending on the following factors:

#### **The size of a collection**

The cost of permanently preserving paper records limits The National Archives' storage capacity. Therefore we will consider the value of large collections, such as case files, on an individual basis, dependent on their potential historical and research value. The National Archives may consult transferring bodies to discuss the value of collecting digital copies of paper records.

#### **The format in which records are stored**

Increasingly, the records we collect will be digital – whether they originate in a digital form, for instance in the case of websites or newly created computer files, or whether they are digitised, as some case papers are.

While we are well equipped to handle digital records, the range of digital formats available to government today is vast and continually evolving. Therefore, in a rare few cases, The National Archives may be unable to preserve some of these formats or to present them for public viewing in their original form. It is economically unsustainable for us to commit to managing and maintaining access to all formats indefinitely.

We do not, however, stipulate which digital formats government should use for the creation of public records. Each individual public records body must make that decision based on their own business requirements.



We have identified a list of digital file formats<sup>7</sup> that are currently within The National Archives' technical and budgetary capacity to receive, maintain and make available. This list will be continually reviewed based on the technology and budget available, as well as the historical value of records in such formats.

### **The physical condition of the records**

Though we work to preserve our collections, we reserve the right to refuse records which are in an extremely poor state of repair. Records which are badly damaged present costly challenges for ongoing preservation and presentation. This includes paper records whose value is compromised by being, for example, badly torn, smudged, water-damaged or burnt. Usability may also be a factor influencing selection of digital records which are corrupt or cannot be read. We also may be unable to accept transfers of some other material including microfiche (unless digitised) or artefacts. These issues will be assessed on a case-by-case basis.

We can provide advice on the conservation or repair of damaged records before transfer, or where feasible, their digitisation.

### **3.4 Records which will not be collected**

Records that do not have enduring historical value (such as internal administration, routine case files or temporary papers) will not be collected by The National Archives. If records do not meet the selection criteria as described above, and would not be useful to research or other local collections, they should be disposed of under a disposal schedule (see more in [section 4.2](#)).<sup>8</sup>

Some records may have been collected or duplicated elsewhere such as in parliamentary papers, or may have already been captured by The National Archives in the UK Government Web Archive. Therefore we will not seek to acquire duplicated collections.

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<sup>7</sup> See our guidance *Suitable file formats for transfer of digital records to The National Archives* [nationalarchives.gov.uk/documents/information-management/file-formats-for-transfer.pdf](https://nationalarchives.gov.uk/documents/information-management/file-formats-for-transfer.pdf)

<sup>8</sup> See our guidance on disposal scheduling [nationalarchives.gov.uk/information-management/projects-andwork/retention-disposal-schedules.htm](https://nationalarchives.gov.uk/information-management/projects-andwork/retention-disposal-schedules.htm)

## 4. Where the records are deposited

### 4.1 Records selected for permanent preservation

Of those records selected for permanent preservation, around three quarters are transferred to The National Archives at Kew and added to our permanent collections.<sup>9</sup> The exceptions to this position are set out below.

#### Specialist facilities

Certain records requiring specialist facilities for their preservation and storage, or for the provision of access, may be stored by other archival institutions.<sup>10</sup> Such records are held on behalf of the Keeper of Public Records and are treated as on loan to the institutions concerned. They are preserved and made available at their premises on agreed terms and conditions. For example, The British Film Institute currently holds analogue film and video on behalf of The National Archives in this way. The National Archives also uses the services of a contractor to deliver the UK Government Web Archive.

#### Places of deposit

Under section 4(1) of the Public Records Act, the Lord Chancellor can appoint any suitable archives service as a place of deposit for public records and direct the transfer of specific classes of records to that place. This power is delegated to the Keeper of Public Records at The National Archives and exercised on his behalf by the Head of Archives Sector Development. It is normally used in the following circumstances:

- Local authority archives services are frequently appointed as places of deposit to hold records of local relevance, including those of the lower courts, regional and local NHS records, records of local prisons, and the records of local agencies, boards and committees. This provides ease of access for the communities which generated them and have a continuing interest in them (although this may not apply to digital records).
- A small number of specialist collecting institutions are appointed as places of deposit for classes of records relating to their subject area; for example, the

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<sup>9</sup> Please note infrequently accessed records may be stored off-site but continue to be produced in the reading rooms at Kew.

<sup>10</sup> Under section 2(4)(f) of the Public Records Act

Imperial War Museum is appointed to hold certain classes of Ministry of Defence records. This may be appropriate where there is a close fit with records from other sources, which makes it convenient for users to be able to access them side by side.

- Some organisations, such as the British Geological Survey or British Museum, are appointed as places of deposit for their own historic archives, so that they can retain them and provide public access to them on their own premises. The National Archives will only appoint such organisations if they are able to demonstrate a frequent need to access the records for internal purposes and/or if the interpretation or management of the records requires access to specialised skills, knowledge, or other resources which are not available at The National Archives.

Potential places of deposit are subject to a stringent evaluation of the standards of preservation and access they can provide. Appointment follows an initial inspection, and is renewed periodically after further inspections. Permanent or temporary changes to the access or storage arrangements must be notified to and approved by The National Archives.

Public records held by a place of deposit are in the custody of the officer appointed under section 4(1) of the Public Records Act and are treated as on loan to the institution concerned. They are preserved and made available by them at their premises in accordance with access legislation and local arrangements.<sup>11</sup> At the instigation or with the consent of The National Archives records may be transferred between places of deposit, or between places of deposit and The National Archives, under section 4(3) of the Public Records Act. Should that happen, the records may be subject to re-appraisal to ensure that material selected for preservation is pertinent to the collecting policy of the receiving institution.

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<sup>11</sup> Terms and conditions must broadly comply with section 5(5) of the Public Records Act. See

[www.legislation.gov.uk/ukpga/Eliz2/6-7/51/section/5/enacted](http://www.legislation.gov.uk/ukpga/Eliz2/6-7/51/section/5/enacted). The National Archives has provided guidance on the transfer of public records to places of deposit - [nationalarchives.gov.uk/documents/informationmanagement/foi\\_guide.pdf](http://nationalarchives.gov.uk/documents/informationmanagement/foi_guide.pdf)

## **Transmission to Scotland and Northern Ireland**

From time to time, departments may come across UK government record series which meet the criteria for selection but which are wholly or mainly relevant to Scotland or Northern Ireland. In such cases it may be appropriate for departments to transmit these records to the relevant national archival institution (the National Records of Scotland or the Public Record Office of Northern Ireland) after consultation with The National Archives and the institution concerned.

Such transfers may be made under sections 3(8) and 12(1) of the Public Records Act.

Record series with strong relevance to Scotland or Northern Ireland, but which also contain material relating to other parts of the UK, should always be transferred to The National Archives.

## **4.2 Records not selected for permanent preservation**

Most records not selected for permanent preservation at The National Archives or a place of deposit will be destroyed in accordance with the relevant disposal schedule and in any case in accordance with section 3(6) of the Public Records Act. However, from time to time departments may become aware, or be advised by The National Archives, that particular classes of unselected records would be of interest to other archives services or institutions with a specialist interest in a particular subject area, such as a regimental museum.

Under section 3(6), such records may be presented to the institution concerned with the approval of the Lord Chancellor. This power is delegated to the Keeper of Public Records at The National Archives and exercised on his behalf by the Head of Archives Sector Development. Presented records cease to be public records and become the property of the institution to which they are transferred. The expectation is that receiving institutions should have adequate sustainability to maintain the records for the long term. They may, however, choose to destroy some or all of the material or dispose of it to another institution.

Where presentation is a disposal option being considered by departments, The National Archives will provide advice on suitable recipients. In conjunction with The National Archives, departments should satisfy themselves that recipients have the capability to manage presented records in accordance with relevant legislation. Particular care should be taken when considering presentation of records that are not yet suitable for general public access, such as those

containing sensitive personal data, and it may be necessary to delay presentation or put in place particular safeguards to protect such information.

## **5. When the records are collected**

Public records bodies must transfer records selected for permanent preservation to The National Archives, or a place of deposit, within the timeframe outlined in the Public Records Act, which is currently by the time the records are 30 years old. This deadline applies unless the records are too sensitive to be transferred; for example, if they could compromise national security or defence. The National Archives cannot adequately protect such records and public records bodies must, with the approval of the Lord Chancellor, retain them until their sensitivity has diminished sufficiently for transfer to be possible.

Note that public records bodies may, with the agreement of The National Archives, transfer records at any point before the statutory deadline provided they are no longer required for business purposes and the constraints in [section 3.3](#) do not apply.

### **5.1 Transition to a 20-year rule**

In 2010 the Constitutional Reform and Governance Act amended the deadline by which public records must be transferred, from 30 to 20 years. The full extent of the reduction will not be implemented immediately, and instead the change is intended to be phased in over ten years from 2013 to 2023. Over this ten-year period, The National Archives will receive two years' worth of records each year, thereby gradually reducing the timeframe from a 30 year to a '20-year rule' by 2023. The table below illustrates the transition period for most public records:<sup>12</sup>

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<sup>12</sup> Initially, this will apply to the majority of public records transferred to The National Archives and 70 institutions that act as place of deposit for their own records. The intention is to begin a second transition from 2015 for 116 local authority places of deposit, where the impact of commencing transition now could outweigh any benefit. A full impact and cost assessment must be completed before this secondary transition can commence. Find out more about the 20-year-rule [nationalarchives.gov.uk/about/20-year-rule.htm](http://nationalarchives.gov.uk/about/20-year-rule.htm)

<b>Year during which records transfer</b>	<b>Date of records transferring under 30-year rule</b>	<b>Date of records transferring under 20-year rule</b>
<b>2012</b>	1982	1982
<b>2013</b>	1983	1983 and 1984 – transition begins
<b>2014</b>	1984	1985 and 1986
<b>2015</b>	1985	1987 and 1988
<b>2016</b>	1986	1989 and 1990
<b>2017</b>	1987	1991 and 1992
<b>2018</b>	1988	1993 and 1994
<b>2019</b>	1989	1995 and 1996
<b>2020</b>	1990	1997 and 1998
<b>2021</b>	1991	1999 and 2000
<b>2022</b>	1992	2001 and 2002
<b>2023</b>	1993	- 2003

## 5.2 Preparing records for transfer

Transferring bodies should ensure that records selected for permanent preservation are appropriately prepared for transfer.<sup>13</sup> This includes cataloguing and physical preparation. It also includes reviewing the contents for continuing sensitivity.

The National Archives is committed to making the public record as open and accessible as possible, but some records may be too sensitive to be made available at the time of transfer. If the records are to be withheld from public access for longer than the 30 years (reducing to 20) since their creation, then the records will be considered by the Lord Chancellor’s Advisory Council on National

<sup>13</sup> In accordance with FOIA section 46 code, part 2  
[www.legislation.gov.uk/ukpga/2000/36/section/46](http://www.legislation.gov.uk/ukpga/2000/36/section/46)

Records and Archives.<sup>14</sup> If the Advisory Council accepts that information should be withheld, the records will be transferred as closed and the relevant closure period applied.

## **6. How we will administer this policy**

The National Archives will provide public records bodies with advice, guidance and training to facilitate the selection of records for permanent preservation, and to help ensure that records are kept safe. The Keeper of Public Records is responsible for co-ordinating and supervising this process under the Public Records Act 1958. The National Archives is committed to supporting public records bodies in the following areas:

### **6.1 Management of information for business and legal purposes**

- Advising public records bodies as they create, manage and store current records in all formats
- Publishing guidance on information management to raise awareness of issues, particularly the risks surrounding digital records.<sup>15</sup>

### **6.2 The selection of records for permanent preservation**

- Training and advising public records bodies on the appraisal of their record holdings against the selection criteria in this policy<sup>17</sup>

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<sup>14</sup> Find out more about the Lord Chancellor's Advisory Council on National Records and Archives [nationalarchives.gov.uk/advisorycouncil/default.htm](http://nationalarchives.gov.uk/advisorycouncil/default.htm)

<sup>15</sup> See the Information management section of our website [nationalarchives.gov.uk/information-management/](http://nationalarchives.gov.uk/information-management/) <sup>17</sup> Our website shows a step-by-step process for records selection and transfer. See more on step 1, appraising our records at [nationalarchives.gov.uk/information-management/our-services/appraising-your-records.htm](http://nationalarchives.gov.uk/information-management/our-services/appraising-your-records.htm)

- Producing and advising on Operational Selection Policies which apply to individual record types or transferring organisations<sup>16</sup>
- Engaging with stakeholders such as academic communities, interest groups and the wider archival sector on the value of record holdings.
- Agreeing with public records bodies the records selected for permanent preservation on behalf of the Keeper of Public Records.
- Managing exceptions to the normal selection and transfer process, including an escalation process to The National Archives' Records Decision Panel and Executive Team.
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### **6.3 Sensitivity reviews of selected records**

- Advising on the application of exemptions under the Freedom of Information Act (FOIA) or the Environmental Information Regulations (EIR) to records being transferred
- Co-ordinating the process of applying for approval to retain 333 records, and for agreement that records should be transferred as closed
- Liaising and engaging with the Lord Chancellor's Advisory Council on National Records and Archives.

### **6.4 The preparation and cataloguing of records for transfer**

Providing guidance on how to catalogue, prepare and transfer records to The National Archives and places of deposit.<sup>17</sup>

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<sup>16</sup> See our Operational Selection Policies [nationalarchives.gov.uk/information-management/projects-and-work/ospsubject.htm](https://nationalarchives.gov.uk/information-management/projects-and-work/ospsubject.htm)

<sup>17</sup> See more guidance on cataloguing and preparation for transfer [nationalarchives.gov.uk/informationmanagement/our-services/cataloguing-and-preparation-of-records.htm](https://nationalarchives.gov.uk/informationmanagement/our-services/cataloguing-and-preparation-of-records.htm)



## **6.5 Compliance with legal obligations**

- Reviewing government readiness to meet obligations under section 3(4) Public Records Act
- Reporting on government compliance with the Public Records Act
- Training public records bodies to ensure awareness of their legislative responsibilities, and improve their knowledge of records appraisal and management.
- Ensuring appropriate application of exemptions under FOIA or EIR to records at the time of transfer
- Approving places of deposit and presentations under 3(6) Public Records Act.

