



Department
for Culture,
Media & Sport

THE	
NATIONAL	
ARCHIVES	

Framework Document

2023-26

Department for Culture, Media & Sport
and The National Archives

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Introduction and background

1. Purpose of document

- 1.1. This framework document (the “framework document”) has been agreed between the Department for Culture, Media and Sport (DCMS) and The National Archives in accordance with HM Treasury's handbook Managing Public Money¹ (“MPM”) (as updated from time to time) and has been approved by HM Treasury.
- 1.2. The framework document sets out the broad governance framework within which The National Archives and DCMS operate. It sets out The National Archives’ core responsibilities; describes the governance and accountability framework that applies between the roles of DCMS and The National Archives, and sets out how the day-to-day relationship works in practice, including in relation to governance and financial matters.
- 1.3. The document does not convey any legal powers or responsibilities but both parties agree to operate within its terms.
- 1.4. References to The National Archives include all its subsidiaries and joint ventures that are classified to the public sector and central Government for national accounts purposes. If The National Archives establishes a subsidiary or joint venture, there shall be a document setting out the arrangements between it and The National Archives agreed with DCMS.
- 1.5. Copies of the document and any subsequent amendments have been placed in the libraries of both Houses of Parliament and made available to members of the public on The National Archives’ website:
<https://www.nationalarchives.gov.uk/>.
- 1.6. This framework document should be reviewed and updated at least every 3 years unless there are exceptional reasons that render this inappropriate that have been agreed with HM Treasury and the Principal Accounting Officer of DCMS. The latest date for review and updating of this document is August 2026.

2. Objectives

- 2.1. DCMS and The National Archives share the common objective of:

¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1000670/MPM_Spring_21_with_annexes_080721.pdf

- Strengthening the public's connection to our shared history through access to Public Records
 - Advocating for and promoting growth and development in the Archives sector
 - Supporting the Secretary of State in their capacity as Minister for the Public Record.
- 2.2. To achieve this The National Archives and DCMS will work together in recognition of each other's roles and areas of expertise, providing an effective environment for The National Archives to achieve its objectives through the promotion of partnership and trust and ensuring that The National Archives also supports the strategic aims and objectives of DCMS and wider Government as a whole.

3. Classification

- 3.1. The National Archives has been administratively classified by the Cabinet Office as a non-ministerial Government department.

Purposes, aims and duties

4. Purposes

- 4.1. The National Archives' powers and duties stem from the Public Records Act 1958 and associated legislation and it fulfils the remit of the Public Record Office, the Historical Manuscripts Commission, His Majesty's Stationery Office, King's Printer of Acts of Parliament, Government Printer for Northern Ireland, and King's Printer for Scotland.
- 4.2. The National Archives' statutory duties and other core functions are to:
- Be a custodian of the public record and the Government's trusted expert in managing, preserving and using information
 - Provide access to and make available more than 1,000 years of the nation's histories and connect people and communities with the millions of stories contained in its collection
 - Lead and support the archives sector, helping archives to build and develop the skills and capacity needed to sustain the nation's archival heritage

- Work with the academic community and others engaged in scholarly research across a broad range of disciplines, to provide solutions to the major challenges facing archives and to open up greater access to archival collections
- Play a leading role in addressing the cross-government challenge of preserving and making accessible the digital record of Government.

5. Powers and duties

5.1. The powers and other duties of The National Archives derive from:

- The Public Records Act 1958 and associated legislation, including the Freedom of Information Act 2000
- The Historical Manuscripts Commission Royal Warrant, which appoints the Keeper of Public Records as the sole Historical Manuscripts Commissioner
- Letters Patent, appointing the King's Printer of Acts of Parliament to publish UK primary and secondary legislation, including retained EU legislation, and manage the Crown's copyright and database rights
- The Keeper's appointment (by DCMS) as Controller of His Majesty's Stationery Office and the residuary duties that fall to the Controller under primary and secondary legislation
- The Scotland Act 1998, creating the role of King's Printer for Scotland and departmental memorandum of The Executive Office for Northern Ireland appointing the King's Printer as Government Printer for Northern Ireland. The King's Printer for Scotland (KPS) is an Office Holder in the Scottish Government accountable to the Scottish Parliament through Scottish Ministers, by virtue of The Scotland Act 1998 and the Scottish Administration (Offices) Order 1999 (S.I. 1999 No. 1127). The KPS is responsible for publishing and printing Acts of the Scottish Parliament and subordinate legislation, including online publication on legislation.gov.uk. The KPS exercises rights and privileges regarding Crown copyright of Acts of the Scottish Parliament, subordinate legislation and other copyright in works made by any office holder or staff of the Scottish Government. The National Archives supports the KPS to discharge their responsibilities. These arrangements operate outside the scope of this framework agreement
- The National Archives has the leadership role for the archives sector in England, acting as the policy lead into Government, as well as providing general advice and guidance to Government on archives.
- In addition, The National Archives also supports the Advisory Council on National Records and Archives (the 'Council'), an advisory non-departmental public body sponsored by DCMS and referenced in the

Public Records Act 1958. This support includes secretariat services for the Council and its sub-committee the Forum on Historical Manuscripts and Academic Research (the 'Forum'), webhosting and logistical arrangements for meetings. The National Archives also receives specific funds from DCMS on an annual basis to remunerate Council members for their time. The three parties will consider developing a Memorandum of Understanding to outline these relationships in full.

6. Aims

- 1.1. The National Archives' strategic priorities are agreed with Ministers, usually for a four-year period. The current strategic priorities were agreed in May 2023 and support The National Archives' long term strategic vision, *Archives for Everyone*.
- 1.2. The Secretary of State agreed that The National Archives' strategic aims for 2023-2027 are:
 - *Building the value of the Collection:* The National Archives will grow its collection, including its accessibility and utility. Over the next four years The National Archives will begin a new era in the history of its collection, and will be accessioning near-contemporary digital records at scale, bringing the Parliamentary Archives together with the archive of Government and completing the single biggest transfer in its history – the historical records of c10 million service personnel.
 - *Creating value through Connection:* The National Archives will open up bigger and better opportunities to connect with its collection for everyone, everywhere. Over the next four years, The National Archives will develop further its ability to connect people with its collection in person, online and crucially, through education at all levels, research and scholarship. In each of these settings The National Archives will grow the number of people who encounter and benefit from the experience of archives.
 - *Sustaining value through Custodianship:* Mindful of its historic role, The National Archives will invest in the skills, capability and infrastructure needed to support its mission over the long-term. Over the next four years The National Archives will continue to invest time, thought and resource into the long-term sustainability of its work and that of the archives sector.

Governance and accountability

2. Governance and accountability

- 2.1. As a non-ministerial department, The National Archives has operational freedom in line with its statutory framework. The National Archives is accountable to Parliament for the performance of its functions and duties.
- 2.2. Corporate governance and accountability arrangements should draw on best practice in the public sector so far as is appropriate given non-ministerial department status.
- 2.3. In particular (but without limitation), The National Archives should:
 - Comply with the principles and provisions of the Corporate Governance in Central Government Departments Code of Good Practice² (as amended and updated from time to time) to the extent appropriate and in line with their statutory duties, or specify and explain any non-compliance in its annual report
 - Comply with MPM
 - In line with MPM have regard to the relevant Functional Standards³ as appropriate and in particular those concerning Finance, Commercial and Counter Fraud
 - Take into account the codes of good practice and guidance set out in Annex A of this framework document, as they apply to The National Archives.
- 2.4. In line with MPM Annex 3.1 The National Archives shall provide an account of corporate governance in its annual governance statement including the Board's assessment of its compliance with the Code with explanations of any material departures. To the extent that The National Archives does intend to materially depart from the Code, the sponsor should be notified in advance.

Role of the department

3. The responsible Minister

- 3.1. The Secretary of State and other members of the DCMS ministerial team keep Parliament informed about The National Archives' performance in accordance

² <https://www.gov.uk/government/publications/corporate-governance-code-for-central-government-departments-2017>

³ <https://www.gov.uk/government/collections/functional-standards>

with paragraph 7.9 of MPM, excluding the Chief Executive and Keeper's Principal Accounting Officer's responsibilities, which are direct to Parliament.

3.2. The Secretary of State's statutory powers in respect of The National Archives are set out in the Public Records Act 1958.

3.3. These are:

- The execution of the Public Records Act and the supervision of the care and preservation of public records. As such, the Secretary of State is responsible for The National Archives and for public records, wherever located, and is accountable to Parliament concerning them. As set out under section 1(3) of the Public Records Act 1958, the Secretary of State is obliged to lay every year before both Houses of Parliament an annual report including any report made to them by the Advisory Council on National Records and Archives
- The appointment (and any subsequent reappointment and/or extension) and approval of the conditions of service of the Chief Executive and Keeper
- The consideration and approval of The National Archives' strategic priorities
- The setting of fees for services provided by The National Archives under section 2(5) of the Public Records Act and approval of any significant revisions of the framework document
- The Secretary of State and other DCMS Ministers will not normally become involved in the day-to-day management of The National Archives.

Other Ministerial powers and responsibilities

3.4. The Secretary of State is also responsible for:

- The policy framework within which The National Archives operates

3.5. The Secretary of State may delegate certain powers conferred upon them by the Public Records Act to the Chief Executive and Keeper, who is a statutory office holder with specific powers and duties of their own. Those powers which they have so delegated are listed in Annex B.

Appointments to the Board

3.6. The Chief Executive and Keeper is the statutory Keeper of Public Records and is appointed by the Secretary of State under section 2(1) of the Public Records Act 1958, for a period of four years with the possibility of reappointment or extension. The Chief Executive and Keeper is appointed in an OCPA-mirrored

process by the Secretary of State. As the senior non-executive voice on The National Archives' Board, the Chair will provide a leading role in this process, including through being part of the recruitment panel.

3.7. The Secretary of State shall have the following appointment and approval rights in relation to The National Archives' Board:

- The Chair is appointed by the Secretary of State. This appointment is subject to the Public Appointments Order in Council and as such must comply with the Governance Code on Public Appointments.
- At least four Non-executive members are appointed by the Secretary of State. These appointments are subject to the Public Appointments Order in Council and as such must comply with the Governance Code on Public Appointments.
- The Chair and Non-executive Members are usually appointed for an initial period of five years with the possibility of reappointment and/or extension, subject to performance and in consultation with Ministers, for up to a further five year period.
- All such appointments should have regard to the principle that appointments should reflect the diversity of the society in which we live, and appointments should be made taking account of the need to appoint boards which include a balance of skills and backgrounds.

3.8. All Executive members of the Board are appointed by the Chief Executive and Keeper in agreement with the Chair, and are permanent appointments. The Minister does not have a role in their appointment.

3.9. An Independent Member of the Audit and Risk Committee is appointed by the Chief Executive and Keeper in consultation and agreement with the Chair of the Board and Chair of the Audit and Risk Committee. They are usually appointed for an initial period of three years with the possibility of reappointment / extension for up to a further three year period. The Minister does not have a role in their appointment.

4. The Principal Accounting Officer

4.1. The Principal Accounting Officer (PAO) is the Chief Executive and Keeper of The National Archives.

PAO's specific accountabilities and responsibilities

- 4.2. HM Treasury designates the Chief Executive as The National Archives' PAO and ensures that they are fully aware of their responsibilities. The PAO at HM Treasury issues a letter appointing the PAO at The National Archives, setting out their responsibilities.
- 4.3. The National Archives receives its financial delegation directly from HM Treasury, and the PAO is accountable to Parliament for the issue of any grant-in-aid to The National Archives.

5. The role of the sponsorship team

- 5.1. The Libraries Team is the primary contact within DCMS for The National Archives. The responsible senior civil servant for this relationship is the Deputy Director, Arts and Libraries. They are the main source of advice to the responsible Minister on the discharge of their responsibilities in respect of The National Archives.

6. Resolution of disputes between The National Archives and DCMS

- 6.1. Any disputes between DCMS and The National Archives will be resolved in as timely a manner as possible. The department and The National Archives will seek to resolve any disputes through an informal process in the first instance. If this is not possible, then a formal process, overseen by the relevant DG will be used to resolve the issues. If resolution is not found, the Permanent Secretary will be asked to nominate a non-executive member of the DCMS Board to review the dispute, mediate with both sides and reach an outcome, in consultation with the Secretary of State.
- 6.2. The process set out at point 11.1 above would not apply in any dispute relating to the exercise of The National Archives' core functions, which are not subject to direction or control of any Minister of the Crown or any other government department. More detail on these functions is included at point 5.1.

7. Freedom of Information requests

- 7.1. Where a request for information is received by either party under the Freedom of Information Act 2000, the Environmental Information Regulations 2004, the UK-GDPR or the Data Protection Act 2018, the party receiving the request will consult with the other party prior to any disclosure of information that may affect the other party's responsibilities.

8. Reporting on legal risk and litigation

- 8.1. The National Archives shall provide a quarterly update to DCMS on the existence of any active litigation and any threatened or reasonably anticipated litigation. The parties acknowledge the importance of ensuring that legal risks are communicated appropriately to the sponsor in a timely manner.
- 8.2. In respect of each substantial piece of litigation involving The National Archives, the parties will agree a litigation protocol which will include specific provisions to ensure appropriate and timely reporting on the status of the litigation and the protection of legally privileged information transmitted to DCMS to facilitate this. Until such time as a protocol is agreed, the parties will ensure that:
 - Material developments in the litigation are communicated to DCMS in an appropriate and timely manner
 - Legally privileged documents and information are clearly marked as such
 - Individual employees handling the legally privileged documents are familiar with principles to which they must adhere to protect legal privilege
 - Circulation of privileged information within Government occurs only as necessary.

The National Archives' governance structure

9. The Chief Executive and Keeper

Responsibilities of The National Archives' Chief Executive and Keeper as Principal Accounting Officer

- 9.1. The Chief Executive and Keeper as PAO is personally responsible for safeguarding the public funds for which they have charge; for ensuring propriety, regularity, value for money and feasibility in the handling of those public funds; and for the day-to-day operations and management of The National Archives. In addition, they should ensure that The National Archives as a whole is run on the basis of the standards, in terms of governance, decision-making and financial management, that are set out in Box 3.1 of MPM. These responsibilities include the below and those that are set in the PAO appointment letter issued by the PAO of the HM Treasury.

Responsibilities for accounting to Parliament and the public

9.2. Responsibilities to Parliament and the public include:

- Signing the accounts and ensuring that proper records are kept relating to the accounts and that the accounts are properly prepared and presented in accordance with any directions issued by the Secretary of State
- Preparing and signing a Governance Statement covering corporate governance, risk management and oversight of any local responsibilities, for inclusion in the annual report and accounts
- Ensuring that effective procedures for handling complaints about the non-ministerial Government department in accordance with Parliamentary and Health Service Ombudsman's Principles of Good Complaint Handling are established and made widely known within The National Archives and published on <https://www.nationalarchives.gov.uk/>
- Acting in accordance with the terms of MPM and other instructions and guidance issued from time to time by DCMS, the Treasury and the Cabinet Office
- Ensuring that as part of the above compliance they are familiar with and act in accordance with:
 - Any governing legislation
 - This framework document
 - Any delegation letter as set out in paragraph 18.1
 - Any elements of any settlement letter issued to DCMS that is relevant to the operation of The National Archives.
- Ensuring they have appropriate internal mechanisms for monitoring, governance and external reporting regarding non-compliance with any conditions arising from the above documents
- Giving evidence when summoned before the Public Accounts Committee on The National Archives' stewardship of public funds.

Responsibilities to DCMS

9.3. Responsibilities to DCMS include:

- Establishing, in agreement with the Secretary of State, The National Archives' strategic priorities
- Informing the Secretary of State of progress in helping to achieve Government policy
- Ensuring that the responsible Minister is kept informed of any changes which are likely to impact on the strategic direction of The National

Archives or on the attainability of its priorities, and determining the steps needed to deal with such changes

- Ensuring that any significant problems whether financial or otherwise, and whether detected by internal audit or by other means, are notified to DCMS in a timely fashion
- Working collectively with DCMS and other members of the DCMS group of Public Bodies in support of each other and the group as a whole.

Responsibilities to the Board

9.4. The Chief Executive and Keeper is responsible for:

- Advising the Board on the discharge of their responsibilities as set out in this document, in the founding legislation and in any other relevant instructions and guidance that may be issued from time to time
- Advising the Board on The National Archives' performance compared with its aims and objectives
- Facilitating open debate on Board matters
- Ensuring the right information and evidence is available to measure performance and provide assurance
- Upholding the values of the organisation as well as those expressed in the Seven Principles of Public Life
- Ensuring that financial considerations are taken fully into account by the Board at all stages and that financial appraisal techniques are followed.

Managing conflicts

9.5. The Chief Executive and Keeper should follow the advice of the Board, except in very exceptional circumstances with a clear-cut and transparent rationale for not doing so.

9.6. As The National Archives' PAO, the Chief Executive and Keeper must take care that their personal PAO responsibilities do not conflict with their duties as a Board member. In particular, the PAO should formally register their disagreement with any advice from the Board which, if followed, would cause such a conflict.

9.7. The Chief Executive and Keeper should also ensure that the Board, in providing its advice, is made aware of any risk of conflict with the duties placed on the Chief Executive and Keeper by the Public Records Act, Letters Patent and Royal Warrant.

Managing conflicts – policy matters

- 9.8. If the Board, or its Chair, advises or recommends a course of action involving a transaction which the Chief Executive and Keeper considers would infringe the requirements of propriety or regularity or does not represent prudent or economical administration, efficiency or effectiveness, is of questionable feasibility, or is unethical, the Chief Executive, in their role as PAO, should reject that course of action and ensure that the Board have a full opportunity to discuss the rationale for that rejection.
- 9.9. Such conflicts, if not resolved through discussion, should be brought to the attention of the responsible Minister as soon as possible.
- 9.10. Furthermore, and if agreed with the responsible Minister, the PAO must write a letter of justification to the Chair setting out the rationale for not following the advice and recommendation of the board and copy that letter to the Treasury Officer of Accounts.
- 9.11. If the responsible Minister agrees with the proposed course of action recommended by the Board, it may be appropriate for the Minister to direct the PAO in the manner as set out in MPM paragraph 3.6.1 onwards.

10. The Board

- 10.1. The National Archives' Board (the Board) is the key strategic advisory body of The National Archives.

Composition of the Board

- 10.2. The National Archives will have a Board in line with good standards of corporate governance and in guidance as set out in Annex A. The role of the Board shall be to scrutinise, advise, challenge and support the leadership of The National Archives to deliver the organisation's objectives (in accordance with the purposes as set out above), their statutory, regulatory, common law duties, and their responsibilities under this framework document. Detailed responsibilities of the Board shall be set out in the Board terms of reference.⁴ Remuneration of the Board will be disclosed in line with the guidance in the Government Financial Reporting manual (FReM).⁵

⁴ [Terms of reference of The National Archives' Board - The National Archives](#)

⁵ <https://www.gov.uk/government/collections/government-financial-reporting-manual-frem>

- 10.3. The Board will consist of the Chief Executive and Keeper, Executive Directors, the Chair and at least four other Non-executive Board Members that have a balance of skills and experience appropriate to advising on The National Archives' business. For The National Archives there should be members who have experience of its business, operational delivery, corporate services such as HR, technology, property asset management, estate management, communications and performance management. This will include as an Executive and Board member an appropriately qualified finance director as described in Annex 4.1 of MPM.

Board committees

- 10.4. The Board may set up such committees as necessary for it to fulfil its functions. As is detailed below at a minimum this should include an Audit and Risk Committee chaired by an independent and appropriately qualified Non-executive Member of the Board.
- 10.5. While the Board may make use of committees to assist its consideration of appointments, succession, audit, risk and remuneration, it retains responsibility for scrutinising, advising, challenging and supporting final decisions of the leadership in all of these areas.
- 10.6. The Chair in consultation with the Chief Executive and Keeper should ensure Board committees are properly structured with appropriate terms of reference. The terms of each committee should set out its responsibilities and the authority delegated to it by the Board. The Chair should ensure that committee membership is periodically refreshed and that individual independent Non-executive Board Members are not overburdened when deciding the Chairs and membership of committees.

Duties of the Board

- 10.7. The Board is specifically responsible for:
- Agreeing and taking forward the strategic aims and objectives of The National Archives, as agreed with Ministers and within the resources framework agreed with HM Treasury
 - Ensuring that it is kept informed of any changes which are likely to impact on the strategic direction of The National Archives or on the attainability of its targets, and advising on the steps needed to deal with such changes and where appropriate bringing such matters to the attention of the responsible Minister via the Executive Team, DCMS sponsorship team or directly

- Providing scrutiny, advice, support and challenge to the organisation, including supporting The National Archives and the Chief Executive and Keeper in fulfilling their statutory responsibilities and other duties
- Demonstrating high standards of corporate governance at all times, including by using the Audit and Risk Committee to help the Board address key financial and other risks; ensuring that adequate governance, audit and control systems are in place to meet statutory and administrative requirements, including that The National Archives operates within its statutory authority and delegated authority given by HM Treasury, in accordance with any other conditions relating to the use of public funds; and that, in its deliberations, the Board takes into account guidance issued by DCMS
- Ensuring that the Board receives and reviews regular financial information concerning the management of The National Archives; is informed in a timely manner about any concerns about the activities of The National Archives; and provides positive assurance, via the Chair, to DCMS that appropriate action has been taken on such concerns
- Through the Chair, ensuring that senior officials (the relevant Directors General or the Permanent Secretary) at DCMS are informed of any concerns about the management and direction of The National Archives
- Ensuring that as part of the above compliance they are familiar with:
 - This framework document
 - Any delegation letter issued as set out in paragraph 18.1
 - Any elements of any settlement letter issued to DCMS that is relevant to the operation of The National Archives
 - That they have appropriate internal mechanisms for the monitoring, governance and external reporting regarding any conditions arising from the above documents and ensure that the Chief Executive and Keeper and The National Archives as a whole act in accordance with their obligations under the above documents.

10.8. The Board should ensure that effective arrangements are in place to provide assurance on risk management, governance and internal control.

10.9. The Board should make a strategic choice about the style, shape and quality of risk management and should lead the assessment and management of opportunity and risk. The Board should ensure that effective arrangements are in place to provide assurance over the design and operation of risk management, governance and internal control in line with the Management of

Risk – Principles and Concepts (The Orange Book).⁶ The Board must set up an Audit and Risk Assurance Committee chaired by an independent and appropriately qualified Non-executive Member to provide independent advice and ensure that the department's Audit and Risk Assurance Committee are provided with routine assurances with escalation of any significant limitations or concerns. The Board is expected to assure itself of the adequacy and effectiveness of the risk management framework and the operation of internal control.

11. The Chair's role and responsibilities

11.1. The Chair is responsible for:

- Leading the Board in the delivery of its responsibilities. Such responsibility should be exercised in the light of their duties and responsibilities as set out in their contract of employment, the Board's terms of reference, this document and the documents and guidance referred to within this document
- Working with the Chief Executive and Keeper to agree the agenda for meetings of the Board and chairing meetings of the Board
- Leading the annual assessment of Board performance and effectiveness and carrying out annual performance appraisals, alongside the ongoing performance management of each Non-executive Board Member
- Meeting on an annual basis, or as required, with senior officials at DCMS, to present the views of the Non-executive Board Members and set out any areas of concern
- Providing, as required by HM Treasury guidance, a Chair's report in The National Archives' annual report
- Playing a leading role in the recruitment of the Chief Executive and Keeper and Non-executive Board Members, and assisting on other senior appointments as required
- Fostering proactive engagement amongst the Non-executive Board Members, meeting with them regularly and ensuring they appropriately meet with the Chief Executive and Keeper and other members of the Executive Team.

11.2. The Chair also has an obligation to ensure that:

- The work of the Board and its members are reviewed and are working effectively

⁶ <https://www.gov.uk/government/publications/orange-book>

- The Board considers the effectiveness of the organisation’s governance in light of the [Corporate Governance Code for Central Government Departments](#)
 - The Board has a balance of skills appropriate to advising on The National Archives’ business, as set out in the [Government Code of Good Practice for Corporate Governance](#)
 - Board members are fully briefed on terms of appointment, duties, rights and responsibilities and new members are effectively inducted
 - They, together with the other Board members, receive appropriate training on financial management and reporting requirements and on any differences that may exist between private and public sector practice
 - There are terms of reference in place setting out the role and responsibilities of the Board are consistent with the [Corporate Governance Code for Central Government Departments](#).
 - There is a code of practice for Board members in place, consistent with the [Code of Conduct for Board Members of Public Bodies](#)
- 11.3. In line with best practice, the Chair’s performance should be reviewed annually by the DCMS Director General feeding in the views of The National Archives’ Chief Executive and Keeper, Board members and the Chair’s self-review. The process should be suitably tailored to reflect the nature of the Board.
- 11.4. The Chair may attend the Audit and Risk Committee, and may chair the Nominations and Governance Committee, which are both sub-committees to the Board.
- 11.5. Communications between The National Archives’ Board and the responsible Minister should normally be through the Chair.
- 11.6. The Chair is bound by the Code of Conduct for Board Members of Public Bodies,⁷ which covers conduct in the role and includes the Nolan Principles of Public Life.⁸
- 11.7. In addition, the Chair is responsible for:
- Ensuring, including by monitoring and engaging with appropriate governance arrangements, that The National Archives’ affairs are conducted with probity

⁷ <https://www.gov.uk/government/publications/code-of-conduct-for-board-members-of-public-bodies>

⁸ <https://www.gov.uk/government/publications/the-7-principles-of-public-life>

- Ensuring that policies and actions support the responsible Minister's wider strategic policies and where appropriate, these policies and actions should be clearly communicated and disseminated throughout The National Archives.

11.8. The Chair has the following leadership responsibilities:

- Ensuring that the Board, in its deliberations, takes proper account of guidance provided by the responsible Minister or DCMS
- Promoting the efficient and effective use of staff and other resources
- Delivering high standards of regularity and propriety
- A commitment to diversity, inclusion, and equality
- Advising on the Board's strategy
- Representing the views of the board to the general public.

12. Individual Board members' responsibilities

12.1. Individual Board members should:

- Ensure The National Archives is setting a clear strategic direction across Government, in all policy areas in which it is the lead department
- Strive to improve how The National Archives delivers its strategic aims and objectives and how effectively it meets new strategic challenges as they emerge
- Provide consistently strong and effective oversight of and support to the Chief Executive and Keeper and the Executive Directors in delivering The National Archives' strategic aims and objectives
- Promote effective and transparent challenge through open debate on Board matters, wherever necessary, to achieve the best decisions and outcomes
- Actively encourage new and innovative ways of thinking at Board level, and across the organisation, including on the best use of new technology
- Ensure that the right strategies and policies are in place to encourage and inspire the entire workforce to contribute to the organisation's overall aims, reflecting the Civil Service's core values
- Comply at all times with the [Code of Conduct for Board Members of Public Bodies](#), and with the rules relating to the use of public funds and conflicts of interest
- Demonstrate adherence to the 12 Principles of Governance for all Public Body Non-Executive Directors as appropriate
- Not misuse information gained in the course of their public service for personal gain or for political profit, nor seek to use the opportunity of

public service to promote their private interests or those of connected persons or organisations

- Comply with The National Archives' rules on handling conflicts of interest and on the acceptance of gifts and hospitality, and of business appointments
- Act in good faith and in the best interests of The National Archives. Uphold the values of the organisation as well as those expressed in the Seven Principles of Public Life
- Ensure they are familiar with any applicable guidance on the role of public sector non-executive directors and Boards that may be issued from time to time by the Cabinet Office, HM Treasury or wider Government
- Ensure the right information and evidence is available to make decisions, measure performance and provide assurance.

12.2. The additional role of all Non-executive Board Members is to:

- Provide scrutiny, advice, challenge and support to the Chief Executive and Keeper and Executive Directors to support The National Archives' senior leadership team
- Ensure responsible governance and give assurance of sound financial reporting and disclosure as members of Audit and Risk Committee (if applicable), and as members of the Nominations and Governance Committee, determine the pay and bonus for Senior Civil Service (SCS) staff (other than the Chief Executive and Keeper)
- The Audit and Risk Committee and the Nominations and Governance Committee must be chaired by Non-executive Board Members.

Management and financial responsibilities and controls

13. Delegated authorities

13.1. The National Archives' delegated authorities are set out in the delegation letter. This delegation letter may be updated and superseded by later versions which may be issued by HM Treasury.

13.2. In line with MPM Annex 2.2 these delegations will be reviewed on an annual basis.

13.3. The National Archives shall obtain HM Treasury's prior written approval before:

- Entering into any undertaking to incur any expenditure that falls outside the delegations or which is not provided for in The National Archives' annual budget
- Incurring expenditure for any purpose that is or might be considered novel or contentious, or which has or could have significant future cost implications
- Making any significant change in the scale of operation or funding of any initiative or particular scheme previously approved by HM Treasury
- Making any change of policy or practice which has wider financial implications that might prove repercussive or which might significantly affect the future level of resources required
- Carrying out policies that go against the principles, rules, guidance and advice in MPM.

14. Banking and managing cash

- 14.1. The National Archives must maximise the use of publicly procured banking services (accounts with central Government commercial banks managed centrally by Government Banking).
- 14.2. The National Archives should only hold money outside Government Banking Service accounts where a good business case can be made for doing so and HM Treasury consent is required for each account to be established. Only commercial banks which are members of relevant UK clearing bodies may be considered for this purpose.
- 14.3. Commercial accounts where approved should be operated in line with the principles as set out in MPM.
- 14.4. The PAO is responsible for ensuring that The National Archives has a banking policy as set out in MPM and ensuring that policy is complied with.

15. Procurement

- 15.1. The National Archives shall ensure that its procurement policies are aligned with and comply with any relevant UK or other international procurement rules and in particular the Public Contracts Regulations 2015.
- 15.2. The National Archives shall establish its procurement policies and document these appropriately.

- 15.3. In procurement cases where The National Archives is likely to exceed its delegated authority limit, procurement strategy approval for the specific planned purchase must be sought from HM Treasury.
- 15.4. Goods, services, and works should be acquired by competition. Proposals to let single-tender or restricted contracts shall be limited and exceptional.
- 15.5. Procurement by The National Archives of works, equipment, goods, and services shall be based on a full option appraisal and value for money (VfM), i.e. the optimum combination and whole life costs and quality (fitness for purpose).
- 15.6. The National Archives shall:
- Engage fully with Government wide procurement initiatives that seek to achieve VfM from collaborative projects
 - Comply with all relevant Procurement Policy Notes issued by Cabinet Office
 - Co-operate fully with initiatives to improve the availability of procurement data to facilitate the achievement of VfM.
- 15.7. The National Archives shall comply with the commercial⁹ and grants¹⁰ standards. These standards apply to the planning, delivery, and management of Government commercial activity, including management of grants in all departments and non-ministerial departments, regardless of commercial approach used and form part of a suite of functional standards that set expectations for management within Government.

16. Risk management

- 16.1. The National Archives shall ensure that the risks that it faces are dealt with in an appropriate manner, in accordance with relevant aspects of best practice in corporate governance, and develop a risk management strategy, in accordance with the Treasury guidance Management of Risk: Principles and Concepts.¹¹

⁹ <https://www.gov.uk/government/publications/commercial-operating-standards-for-government>

¹⁰ <https://www.gov.uk/government/publications/grants-standards>

¹¹ http://www.hm-treasury.gov.uk/orange_book.htm

17. Counter fraud and theft

- 17.1. The National Archives should adopt and implement policies and practices to safeguard itself against fraud and theft.
- 17.2. The National Archives should act in line with guidance as issued by the Counter Fraud Function and in compliance with the procedures and considerations as set in in Managing Public Money Annex 4.9 and the Counter Fraud Functional Standard.¹² It should also take all reasonable steps to appraise the financial standing of any firm or other body with which it intends to enter a contract or to provide grant or grant-in-aid.
- 17.3. The National Archives should report detected loss from fraud, bribery, corruption and error, alongside associated recoveries and prevented losses, to the counter fraud centre of expertise in line with the agreed Government definitions as set out in Counter Fraud Functional Standard.

18. Staff

Broad responsibilities for staff

- 18.1. As a non-ministerial department, The National Archives' staff are civil servants and employees of The National Archives. The Chief Executive and Keeper is a senior civil servant appointed by the Secretary of State (as set out in the Public Records Act) and employed by DCMS.
- 18.2. Within the arrangements approved by HM Treasury, The National Archives will have responsibility for the recruitment, retention and motivation of its staff. The broad responsibilities toward its staff are to ensure that:
 - The rules for recruitment and management of staff create an inclusive culture in which diversity is fully valued; appointment and advancement is based on merit; there is no discrimination against employees with protected characteristics under the Equality Act 2010
 - The level and structure of its staffing, including grading and staff numbers, are appropriate to its functions and the requirements of economy, efficiency and effectiveness
 - The performance of its staff at all levels is satisfactorily appraised and performance measurement systems are reviewed from time to time
 - Its staff are encouraged to acquire the appropriate professional, management and other expertise necessary to achieve The National Archives' objectives

¹² <https://www.gov.uk/government/publications/government-functional-standard-govs-013-counter-fraud>

- Proper consultation with staff takes place on key issues affecting them
- Adequate grievance and disciplinary procedures are in place
- Whistle-blowing procedures consistent with the Public Interest Disclosure Act are in place
- A code of conduct for staff is in place based on the Cabinet Office's Model Code for Staff of Executive Non-departmental Public Bodies.¹³

Staff costs

18.3. Subject to its delegated authorities, The National Archives shall ensure that the creation of any additional posts does not incur forward commitments that will exceed its ability to pay for them.

Pay and conditions of service

18.4. The National Archives' staff are subject to levels of remuneration and terms and conditions of service (including pensions) within the general pay structure approved by the Treasury. The National Archives has no delegated power to amend these terms and conditions.

18.5. If civil service terms and conditions of service apply to the rates of pay and non-pay allowances paid to the staff and to any other party entitled to payment in respect of travel expenses or other allowances, payment shall be made in accordance with the Civil Service Management Code¹⁴ and the annual Civil Service Pay Remit Guidance, except where prior approval has been given by DCMS to vary such rates.

18.6. Staff terms and conditions should be set out in an Employee Handbook, which should be provided to DCMS together with subsequent amendments.

18.7. The National Archives shall abide by public sector pay controls, including the relevant approvals process as detailed in the Senior Pay Guidance¹⁵ and the Public Sector Pay and Terms Guidance.¹⁶

18.8. The National Archives may operate a performance-related pay scheme, where relevant with due regard to the Public Sector Pay and Terms Guidance.

18.9. The travel expenses of Board members shall be tied to the rates allowed to senior staff of The National Archives. Reasonable actual costs shall be reimbursed.

¹³ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/80082/PublicBodiesGuide2006_5_public_body_staffv2_0.pdf

¹⁴ <https://www.gov.uk/government/publications/civil-servants-terms-and-conditions>

¹⁵ <https://www.gov.uk/government/publications/senior-civil-service-pay-and-reward>

¹⁶ <https://www.gov.uk/government/publications/public-sector-pay-and-terms-guidance-note>

Pensions, redundancy and compensation

- 18.10. Compensation scheme rules and pension scheme rules should reflect legislative and HM Treasury guidance requirements regarding exit payments.
- 18.11. The National Archives' staff shall normally be eligible for a pension provided by the Principal Civil Service Pension Scheme (PCSPS). Staff may opt out of the occupational pension scheme provided by The National Archives, but that employers' contribution to any personal pension arrangement, including stakeholder pension, shall normally be limited to the national insurance rebate level.
- 18.12. Any proposal by The National Archives to move from the existing pension arrangements, or to pay any redundancy or compensation for loss of office, requires prior approval of the Cabinet Office. Proposals on severance must comply with the rules in chapter 4 of MPM.

Financial reporting and audit

19. Annual report and accounts

- 19.1. The National Archives must publish an annual report of its activities together with its audited accounts after the end of each financial year. The accounts should be prepared in accordance with the relevant statutes and specific accounts direction issued by the department as well as HM Treasury's Financial Reporting Manual (FReM).
- 19.2. The annual report must:
- Cover any corporate, subsidiary or joint ventures under its control
 - Comply with the Financial Reporting Manual (FReM)
 - Outline main activities and performance during the previous financial year and set out in summary form forward plans.
- 19.3. Information on performance against key financial targets is included within the annual report and subject to the auditor's consistency opinion. The report and accounts shall be laid in Parliament and made available on The National Archives' website, in accordance with the guidance in the FReM.

20. Internal audit

20.1. The National Archives shall:

- Establish and maintain arrangements for internal audit
- Ensure that any arrangements for internal audit are in accordance with the Public Sector Internal Audit Standards (PSIAS) as adopted by HM Treasury.¹⁷
- Set up an audit committee of its Board in accordance with the Code of Good Practice for Corporate Governance and the Audit and Risk Assurance Committee Handbook.

21. External audit

21.1. The Comptroller & Auditor General (C&AG) audits The National Archives' annual accounts and lays them before Parliament, together with their report.

21.2. In the event that The National Archives has set up and controls subsidiary companies, The National Archives will (in the light of the provisions in the Companies Act 2006) ensure that the C&AG has the option to be appointed auditor of those company subsidiaries that it controls and/or whose accounts are consolidated within its own accounts.

21.3. The C&AG:

- Will consult The National Archives on whom – the NAO or a commercial auditor – shall undertake the audit(s) on their behalf, though the final decision rests with the C&AG
- Has a statutory right of access to relevant documents, including by virtue of section 25(8) of the Government Resources and Accounts Act 2000, held by another party in receipt of payments or grants from The National Archives
- Will consider requests from departments and other relevant bodies to provide regulatory compliance reports and other similar reports at the commencement of the audit. Consistent with the C&AG's independent status, the provision of such reports is entirely at the C&AG's discretion.

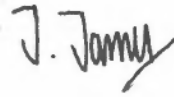
21.4. The C&AG may carry out examinations into the economy, efficiency and effectiveness with which The National Archives has used its resources in discharging its functions. For the purpose of these examinations the C&AG has statutory access to documents as provided for under section 8 of the National

¹⁷ <https://www.gov.uk/government/publications/public-sector-internal-audit-standards>

Audit Act 1983. In addition, The National Archives shall provide, in conditions to grants and contracts, for the C&AG to exercise such access to documents held by grant recipients and contractors and sub-contractors as may be required for these examinations; and shall use its best endeavours to secure access for the C&AG to any other documents required by the C&AG which are held by other bodies.

A handwritten signature in black ink that reads "Polly Payne". The signature is written in a cursive style with a horizontal line underneath the name.

Signed by Polly Payne
14/08/2023
on behalf of DCMS

A handwritten signature in black ink that reads "J. James". The signature is written in a cursive style.

Signed by Jeff James
04/08/2023
on behalf of The National Archives

Annex A: Guidance

The National Archives shall comply with the following guidance, documents and instructions:

Corporate governance

- This framework document
- Corporate Governance Code for Central Government Departments (relevant to Arm's Length Bodies) and supporting guidance: <https://www.gov.uk/government/publications/corporate-governance-code-for-central-government-departments-2017>
- Code of conduct for Board members of Public Bodies: <https://www.gov.uk/government/publications/code-of-conduct-for-board-members-of-public-bodies>
- Code of practice for partnerships between Departments and Arm's Length Bodies: <https://www.gov.uk/government/publications/partnerships-with-arms-length-bodies-code-of-good-practice#:~:text=This%20code%20of%20good%20practice,partnership%20approach%20to%20shaping%20relationships.>

Financial management and reporting

- Managing Public Money (MPM): <https://www.gov.uk/government/publications/managing-public-money>
- Government Financial Reporting Manual (FRoM): www.gov.uk/government/collections/government-financial-reporting-manual-frem
- Relevant Dear Accounting Officer (DAO) letters: www.gov.uk/government/collections/dao-letters
- Relevant guidance and instructions issued by the Treasury in respect of Whole of Government Accounts: <https://www.gov.uk/government/collections/whole-of-government-accounts>
- The most recent letter setting out the delegated authorities, issued by HM Treasury.

Management of risk

- Management of Risk: www.gov.uk/government/publications/orange-book and <https://www.gov.uk/government/publications/management-of-risk-in-government-framework>
- Public Sector Internal Audit Standards: www.gov.uk/government/publications/public-sector-internal-audit-standards
- HM Treasury approval processes for Major Projects above delegated limits: <https://www.gov.uk/government/publications/treasury-approvals-process-for-programmes-and-projects>
- The Government cyber-security strategy and cyber security guidance: <https://www.gov.uk/government/publications/national-cyber-strategy-2022/national-cyber-security-strategy-2022> and <https://www.gov.uk/government/collections/cyber-security-guidance-for-business>

Commercial management

- Procurement Policy Notes: <https://www.gov.uk/government/collections/procurement-policy-notes>
- Cabinet Office spending controls: <https://www.gov.uk/government/collections/cabinet-office-controls>
- Transparency in supply chains - a practical guide: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1040283/Transparency_in_Supply_Chains_A_Practical_Guide_2017_final.pdf

Public appointments

The following are relevant where The National Archives participates in public appointments processes.

- Guidance from the Commissioner for Public Appointments: <https://publicappointmentscommissioner.independent.gov.uk/>
- Governance Code on Public Appointments: www.gov.uk/government/publications/governance-code-for-public-appointments

- Procurement Policy Note 08/15 – Tax Arrangements of Public Appointees: <https://www.gov.uk/government/publications/procurement-policy-note-0815-tax-arrangements-of-appointees>

Staff and remuneration

- HM Treasury guidance on senior pay and reward: www.gov.uk/government/publications/senior-civil-service-pay-and-reward
- Civil Service pay guidance (updated annually): www.gov.uk/government/collections/civil-service-pay-guidance
- Public sector pay and terms: <https://www.gov.uk/government/publications/public-sector-pay-and-terms-guidance-note>
- Whistleblowing Guidance and Code of Practice: <https://www.gov.uk/government/publications/whistleblowing-guidance-and-code-of-practice-for-employers>
- The Equalities Act 2010: www.gov.uk/guidance/equality-act-2010-guidance

General

- Freedom of Information Act guidance and instructions: www.legislation.gov.uk/ukpga/2000/36/contents and <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/>
- The Parliamentary and Health Service Ombudsman’s Principles of Good Administration: <https://www.ombudsman.org.uk/about-us/our-principles>
- Other relevant instructions and guidance issued by the central Departments (Cabinet Office and HM Treasury)
- Recommendations made by the Public Accounts Committee, or by other Parliamentary authority, that have been accepted by the Government and are relevant to The National Archives.
- Guidance from the Public Bodies team in Cabinet Office: www.gov.uk/government/publications/public-bodies-information-and-guidance

- The Civil Service diversity and inclusion strategy (outlines the ambition, to which Arm's Length Bodies can contribute):
<https://www.gov.uk/government/publications/civil-service-diversity-and-inclusion-strategy-2022-to-2025>
- Guidance produced by the Infrastructure and Projects Authority (IPA) on management of major projects:
www.gov.uk/government/organisations/infrastructure-and-projects-authority
- The Government Digital Service:
www.gov.uk/government/organisations/government-digital-service
- The Government Fraud, Error, Debt and Grant Efficiency function;
www.gov.uk/government/collections/fraud-error-debt-and-grants-function and
www.gov.uk/government/publications/grants-standards
- Code of Practice for Official Statistics:
<https://code.statisticsauthority.gov.uk/#:~:text=The%20Code%20of%20Practice%20for%20Statistics%20sets%20the,produced%20by%20people%20and%20organisations%20that%20are%20trustworthy.>
- Accounting Officer System Statements (AOSS are produced by departments with input from ALBs): www.gov.uk/government/publications/accounting-officer-system-statements

Annex B: Exercise of delegated powers

The Secretary of State has delegated the following powers, conferred on them by the Public Records Act 1958, to the Chief Executive and Keeper of The National Archives and their staff:

1. Approving the loan of a public record for display at commemorative exhibition or for other special purposes under s.2(4)(g).
2. Approving the presentation of public records, which have not been selected for permanent preservation at The National Archives to other appropriate bodies under s.3(6).
3. Appointing places of deposit under s.4(1).
4. Approving the transfer of public records, in either direction, between The National Archives and places of deposit, as well as transfers between places of deposit, made under s.4(3).

The delegated powers under point 3 and 4 in this Annex do not remove from the Secretary of State their responsibility for carrying out this part of the Public Records Act 1958, which is mainly exercised to deposit records of local interest to local authority archives services. Notwithstanding the delegation, Secretary of State intervention will be required to safeguard records at risk, should this prove beyond resource capabilities available to The National Archives. If this is required, The National Archives will provide advice to the Secretary of State.

The Secretary of State has delegated the following power, conferred on them by the Public Records Act 1958, to central departmental legal advisers on submissions from the Keeper:

1. Determining public record status if in doubt, under the First Schedule, para 7(2).

NB. The Secretary of State has not delegated their responsibility under s.6 of the Act to authorise the destruction of public records transferred to archives, as prescribed in legislation.