

## **NRS Policy for the Selection of Government Records**

1. This policy has been approved by the Keeper of the Records of Scotland. It supports that part of the National Records of Scotland's mission statement which says that "We collect, preserve and produce information about Scotland's people and history and make it available to inform present and future generations."
2. 'Record' means anything in which information is recorded in any form and so covers electronic records, records in microform and other types of specialised media, as well as paper and parchment records.
3. Records about government activities are important as they record the origins of individual rights and obligations and provide accountability and transparency to the citizen. Collection of these records is expected to reflect changes in Scottish economic, political and cultural life, wider Scottish society, and the changing nature and structure of the Scottish Government itself. The increase in the quantity of government records produced from the 1960s onwards requires the National Records of Scotland (NRS) to introduce a stringent selection policy. The stringency of this policy and its rigorous application will ensure the selection of a representative archive about the records of central government and related bodies, but it will also mean that NRS can operate within reasonable resource limits for storage and preservation.
4. The NRS currently receives records from the Scottish Government (formerly the Scottish Executive), including pre-devolution records of the former Scottish Office departments; the Scottish Parliament; Scottish national devolved public bodies, including agencies, non-ministerial departments, non-departmental public bodies, tribunals, public corporations, special health boards and other significant national public bodies; and records of the United Kingdom government (UKG) where those records relate exclusively or mainly to Scotland.
5. Records are received under the provisions of the Public Records (Scotland) Act 1937, (PRSA 1937), with those of UKG under s.5(1) of the PRSA 1937 and by administrative application of the Public Records Act, 1958 s.3(8) (PRA 1958). Future collecting will be in accordance with the PRSA 1937, as amended, PRA 1958, PRSA 2011, and any supplementary legislation affecting public records either within primary or secondary legislation.
6. NRS also receives records of Scottish Public Inquiries held under the Inquiries Act 2005, which are transferred to the Keeper under The provisions of the Inquiries (Scotland) Rules 2007.
7. The selection policy will apply to records created by public authorities in any of the following categories:
  - falling under the authority of Scottish Ministers;

- named as public authorities under the Schedule to the PRSA 2011 and whose main archive is NRS;
  - listed in Parts 1-2, 4 and 6-7 of Schedule 1 to the Freedom of Information (Scotland) Act 2002 (FOISA 2002), with the exception of local health boards, local health councils and individuals providing medical or dental services (etc) as described in Part 4 sections 33, 34 and 35.
  - UK departments whose work relates exclusively or mainly to Scotland and which are selected by NRS with the agreement of The National Archives (TNA) under the terms of the PRA 1958, section 3(8) and the PRSA 1937, section 5(1). Operation of the policy with regard to records from UK departments will require discussion and close co-operation between NRS and TNA.
8. The scope for selection of government records as outlined in paragraph 7 does not constitute a commitment on the part of NRS to accept records from every body so listed. Similarly, NRS may extend the scope to cover any bodies added to the Schedule to the PRSA 2011 or Schedule 1 of FOISA 2002, where the body concerned also falls within the scope of the PRSA 1937.
9. In broad terms the collection themes for Government Records are:
- The Scottish Parliament's deliberations, processes, functions and structures
  - The constitutional position of Scotland, including the establishment of devolved government and the representation of Scottish interests in the making of UK policy
  - Scotland's position within the European Community (EC) and overseas
  - The formulation and implementation of policy on domestic issues including:
    - civil and criminal law, legal rights, the administration of justice and penal policies
    - social issues (education, child care, health, housing, policing and social policy)
    - the Scottish economy (industry, business, transport, agriculture and fisheries, forestry, energy and overseas trade)
    - the environment and green issues
    - cultural policy in the broadest sense, community development
  - The interaction of these policies with individuals, communities, the Scottish nation and the physical and natural environment.

Due to the nature of their business the records of the various government departments, agencies and other bodies can differ quite significantly. Further details of the types of records which contain information which should be considered of permanent value and suitable for selection can be found at Annex 1.

10. The staff of the public bodies which create records eligible for selection will be expected to make initial recommendations on the transfer of particular records to the NRS. This should take into account any legal obligations for permanent preservation, or administrative, business or historical importance of records, with particular reference to the criteria in this selection policy. The initial recommendation will be used as a basis for consideration for selection by NRS Government Records Branch client managers. Furthermore, public bodies falling under the PRSA, 2011 must apply formal scheduling arrangements, approved by the Keeper under an agreed records management plan, which include decisions on disposal of records. It is understood that NRS client managers will provide advice and guidance on selection, most importantly at the stage when a records management plan is formulated and agreed under the PRSA 2011.
11. NRS may adopt elements of functional or macro appraisal as part of selection. As the initial stage of the appraisal of an organisation's records NRS will use an analysis of the functions of the organisation and its constituent parts to identify the functions which have the most significant impact on individuals, groups and the wider Scottish community. NRS will however retain an element of content-based appraisal of records as experience has shown that until records management practices in all government bodies can be shown to comply with the Keeper's Model Plan and Guidance under the PRSA 2011, and the Code of Practice on Records Management issued under section 61 of FOISA 2002, it is not possible to rely exclusively on file plans or functional models of an organisation alone as the basis for appraisal decisions.
12. Sampling techniques will be used when a record series meets one or more of the collection themes and criteria set out above, but is too bulky to be preserved in its entirety (e.g. certain case files). Any sampling techniques used will follow similar rules as applied by TNA, the Public Record Office of Northern Ireland and other national archives within the EC.
13. NRS should only consider the acceptance of duplicates if the material being offered is in effect a primary set of records and similar duplicates of equal value are being preserved in other archives. An example of this is the records of the Nolan Committee on Standards in Public Life, or UKG Cabinet Papers. In exceptional circumstances NRS will consider the acceptance of secondary copies, for example if the primary copy was destroyed in a fire, or the medium is considered to be volatile (e.g. silver nitrate images), is compromised or redacted and is the only copy available. Where ease of access is an issue, NRS should promote alternatives to accepting duplicate sets of material wherever possible, for instance by digitisation and the creation of surrogate replacements
14. There are no separately defined NRS Collection Development Policies governing future acquisition of records from Scottish Government Departments, NDPBs, agencies and other bodies. As Scotland's economy,

society and the lives of its citizens change and evolve, so it is expected that these changes will be naturally reflected in the records of government itself. In general, where a new record stream is identified in the government system that involves significant quantities of records, where there is debate about historical importance, or where changing social attitudes or developments in archival theory suggest a review is needed of current selection practice, advice can be sought from the NRS client managers responsible and from the NRS Records and Archives Board. It will also be open to NRS, with appropriate safeguards in the case of confidential records, to take advice from third parties (e.g. academics, experienced researchers) as to the significance of particular types of records.

15. This policy will be reviewed 2 years after its first coming into operation. Thereafter it will be reviewed every 5 years.

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Deputy Keeper of the Records of Scotland  
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## **Annex 1: Government Records for permanent preservation in NRS**

- Records relating to the political, social, economic and cultural life of Scotland;
- Records relating to the origins and history of an authority, its organisation and procedures, functions and dissolution (office notices, organisation charts and a standard set of all HQ guides and instructions to out-stations and regional offices, or bodies with which an authority is in regular contact, may be as important as files relating to these matters);
- Annual and major reports;
- Principal policy documents, including any relating to preparation of legislation and submissions to Ministers and senior officials;
- Records relating to the implementation and interpretation of an authority's policy, and to changes in policy;
- Record sets of minutes and papers of major internal bodies such as committees, advisory bodies and working parties;
- Records relating to an authority's accomplishments, or to obsolete activities or investigations or aborted schemes initiated by an authority;
- Documents cited in or noted as having been consulted in the preparation of official histories;
- Evidence of statutory rights or obligations, title to property, claims for compensation not subject to a time limit, and formal instruments such as awards, schemes, orders and sanctions;
- Records which must be permanently preserved by statute;
- Documents relating to well-known public or international events, persons or causes celebre, or major events which give rise to interest or controversy at a national level, particularly where those records add significantly to what is already known;
- Records relating to trends or developments in political, social, economic or other fields, particularly where they contain unpublished statistical or financial data covering a long period of time or a wide area;
- Records relating to the more important aspects of scientific, technological or medical research and development, particularly where these had a wider application and affected the political, cultural, social, economic or other aspects of Scottish life;
- Records of significant regional or local interest on which it is unreasonable to expect that evidence or information will be available locally, or those comprising synopses of such information and covering the whole of Scotland or a wide area of the country;
- Statistical and quantitative research either sponsored by an authority or undertaken by outside bodies, where its findings affect an authority's decision-making and the research reflects on demographic, medical, social, cultural and economic history or historical geography;
- Sampling of specific case records within series identified as having significant historical importance, research benefit or reflect important historical trends;
- Records relating to public inquiries established by Scottish Ministers