

20 year rule, records of local interest (ROLI): Frequently Asked Questions

What is the second phase of the 20-year rule, records of local interest (ROLI)?

In 2013 the government began its move towards releasing records when they are 20 years old, instead of 30. During 2013 The National Archives received records from 1983 and 1984, and in 2014 records from 1985 and 1986. Two further years' worth of government records are being transferred to us each year until 2022 when we will receive the records from 2001 and 2002.

On 1 January 2015 the second phase of the 20-year rule came into effect. This means that the creating bodies specified in the Second Schedule (magistrates' courts, prisons, coroners' courts, NHS bodies and some arms-length bodies including the Environment Agency) are now obliged to transfer records selected for permanent preservation to a place of deposit at 20 years, rather than the previous 30 years. This change is being phased in over a 10 year transition period, so for 2015, the period within which records must transfer is 29 years (records up to 1986). It will reduce by a further year during each year of the transitional period until 2024.

How long will the transition last for?

The second phase of the 20-year rule requires the transfer of two-years' of public records every year from creating bodies to Places of Deposit. This transition will take place between 2015 and 2025, by which time both the first phase (which applies to central government transfer to The National Archives) and second phase of the 20-year rule will be aligned.

What will it mean for Places of Deposit?

Places of Deposit will be expected to accession two years' of public records from their local creating bodies every year between 2015 and 2025. The policy is also likely to encourage the deposit of records which were due for transfer under the previous 30 years' rule (i.e. historic material). Places of Deposit should therefore expect a rise in the volume of deposits of public records under the 20-years' rule and historic material over 30-years old as a part of the policy.

What records are covered by the second phase of the 20-year rule, records of local interest (ROLI)?

In many cases, Places of Deposit will already receive records from creating bodies (those bodies liable to transfer records to a place of deposit under the second phase of the 20-year rule). Records from the following organisations, specified in [secondary](#)

legislation under the Constitutional Reform and Governance Act (2010), are required to transfer records to approved Places of Deposit:

- of prisons, remand centres, secure training centres or young offenders institutions
- of coroner's courts
- of the Environment Agency, except board minutes or records which relate to the formulation or development of policy governing the work of the Environment Agency, which transfer directly to The National Archives
- of Family Practitioner Committees for localities in England and Wales
- of the Forestry Commission, except board minutes or records which relate to the formulation or development of policy governing the work of the Forestry Commission, which transfer directly to The National Archives
- of health service hospitals within the meaning of the National Health Service Act 1977 in England
- of health service hospitals within the meaning of the National Health Service Act 2006 in Wales
- of the Homes & Communities Agency that were formerly records of the Commission for New Towns or the Urban Regeneration Agency, except board minutes or records which relate to the formulation or development of policy governing the work of the Commission for New Towns or the Urban Regeneration Agency, which transfer directly to The National Archives
- of Magistrates' courts
- of the Maritime and Coastguard Agency, where they are of local interest;
- of National Health Authorities including Clinical Commissioning Groups, National Health Service trusts and NHS Foundations in England
- of National Health Authorities for district or localities in Wales, or for areas in or consisting of Wales, including National Health Service trusts all of whose hospitals, establishments and facilities are situated in Wales
- of Natural England, except board minutes or records which relate to the formulation or development of policy governing the work of Natural England, which transfer directly to The National Archives
- of Rent Tribunals or Local Valuation Courts

What support is available for creating bodies?

A series of training events and workshops is being offered by The National Archives for creating bodies throughout 2015 in preparation for the transfer of public records under the new policy. Online training will also be available for those unable to attend

the on-site training. New guidance is also available for creating bodies outlining the necessary procedures for the transfer of records to Places of Deposit. This includes guidance regarding selection, appraisal, sensitivity review and preparation of records for transfer.

Creating bodies will be made aware that Places of Deposit are able to refuse records for transfer if they do not comply with the guidance or locally-agreed procedures.

Will the transfer of public records from creating bodies to Places of Deposit be monitored?

Yes, the volume of public records being transferred from creating bodies to Places of Deposit will be monitored. This will happen in two ways; the volume of records leaving creating bodies will be recorded in a new Record Transfer Report (RTR) issued by The National Archives and the volume of public records being accessioned into Places of Deposit will be recorded in The National Archives' annual accessions return. Additional fields will be added to the 2015 accessions survey to allow for the quantitative recording of public record accessions.

Will Places of Deposit receive payment for the records they receive under ROLI?

Local authority, Places of Deposit will receive retrospective payment in proportion to the volume of public records they accession under the second phase of the 20 year rule. This money has been secured from the Ministry of Justice (the central government department responsible for the policy) and is known as a 'new burdens' payment.

It is available to Places of Deposit run by or on behalf of local authorities, or joint services where a local authority is a major partner.

How much is the total new burdens payment?

£7.1 million has been secured in new burdens payments from the Ministry of Justice over the ten year transitional period of the second phase of the 20 year rule (2015-2025). £6.6 million of this amount is payable to Places of Deposit, whereas £0.5 million will be paid to coroners courts. For each year of the policy, Places of Deposit will receive a proportion of the total £660,000 allocated for 'new burdens'. The money will be divided between Places of Deposit based on the volume of records they accession.

How was this total 'new burdens' payment calculated?

The National Archives undertook two surveys of the records held by creating bodies over the course of 2013 to establish what records they currently held and what proportion were liable for transfer (both under the 20-year rule and the former 30-year rule). The information received then formed the basis of calculations to establish the likely 'burden' Places of Deposit would experience in receiving these records.

How will this new burdens payment be calculated for an individual place of deposit?

Under the second phase of the 20-year rule, new burdens payments will be paid to Places of Deposit annually. These payments will vary between years and will be based on the volume of public records accessioned in a calendar year by an individual Place of Deposit as a proportion of the total accessioned by all Places of Deposit. The volume of public records accessioned by a Place of Deposit will be recorded in the accessions information they submit to The National Archives (beginning from the 2015 accessions survey).

For consistency with current reporting of 20-year rule transfers by government departments, the reporting unit will be linear metres. Repositories reporting accessions volumes in cubic metres should collect this volume data in the usual way, then multiply the number of cubic metres by 12 to give a linear metre equivalent, as with CIPFA returns, rather than calculate directly on the basis of their own local shelving arrangements.

Which records are eligible?

Only records transferred under section 4(1) of the Public Records Act 1958 will be counted towards payments under the new burdens formula. Records transferred under article 3(6) will not count for payments. Payments are currently limited to paper and other hard copy records.

Overdue records (ie those received in the current year which should already have transferred under the previous 30-year rule) will be eligible for this funding. Records will not be eligible if transferred earlier than required under the new rule. Thus in the calendar year 2015, only records dating up to 1986 can be counted towards the annual total, and in 2016, only records up to 1988

Services should still note the volume of any accessions, or portions of accessions, which transfer early, provided their end dates fall within the period affected by 20-year rule transition (ie up to and including 2004). The relevant volumes may then be reported via accessions in the year in which they first become eligible for funding.

How will Places of Deposit receive their 'new burdens' payment?

Although paid by the Ministry of Justice, new burdens payments will be made from The National Archives (an executive agency of the Ministry of Justice) directly to Places of Deposit. Individual new burdens payments will be calculated on the volume of public records accessioned by a place of deposit in a calendar year as a proportion of the total volume of public records accessioned by all Places of Deposit in that same calendar year.

How can a new burdens' payment be spent by a place of deposit?

We strongly encourage Places of Deposit to spend any new burdens payment they receive under the 20-year rule on costs associated with implementing the policy. This may include additional staff time in the processing and accessioning of additional material received from creating bodies or to help provide additional suitable storage. However, the circumstances of each individual place of deposit affected by this policy will be different, therefore there is a degree of flexibility in how new burdens payments can be spent. The money should not be spent on existing activities and commitments (i.e. those that would sit separately or would not be in support of this policy).

As a Place of Deposit, what should I do now?

We are encouraging creating bodies affected by ROLI to speak to their relevant place of deposit at the earliest opportunity to discuss what this change will mean and the likely volume of deposits to be transferred under ROLI.

We would also advise Places of Deposit to contact their local creating body at an early stage. Doing so will allow discussions around specific local factors that might affect the process and timescale of transfers. Such factors could be a new building project or looking at the best time of year for transfers. . It will also enable Places of Deposit to discuss particular preparation requirements they might have. The generic guidance on transfer for creating bodies requires them to follow local guidance issued by Places of Deposit on their specific requirements for listing, packing, transportation and sensitivity review of records in advance of transfer.

In addition to making contact, it will be important to accurately record and report the volume of records transferred from creating bodies affected by this change in 2015's annual accessions survey. Further guidance will be issued ahead of the survey. At this stage, it's important for Places of Deposit to monitor transfers and be aware that they will be asked for quantitative information regarding the volume of records transferred.