

UPDATE FOR ADVISORY COUNCIL MEETING OF 21 NOVEMBER 2008

Revision of the code of practice on records management issued under section 46 of the Freedom of Information Act 2000

The purpose of this note is to update the Advisory Council on progress in revising the code of practice on records management issued under section 46 of the FOI Act (<http://www.justice.gov.uk/docs/foi-code-46.pdf>)

A public consultation paper containing the text of the revised code of practice was published on 10 June 2008, with responses due by 2 September 2008. Copies of the consultation paper were sent to members of the Council. The consultation paper is on our website at <http://www.nationalarchives.gov.uk/recordsmanagement/code/review.htm>

Thirty-seven responses were received (including from two members of the Advisory Council) and have now been collated and analysed. Respondents provided answers to 14 specific questions and (sometimes) included suggestions for further amendment of the code. In general most people agreed with the overall approach of the revised code and commented on matters of detail or aspects of particular interest to them. The code is now undergoing further revision as a consequence of the responses.

The main changes being made are:

- Insertion of a glossary at new Annex A (a substantial minority of respondents favoured inclusion of a glossary)
- Removal of the text about the importance of records management and related risks from section 5 of the Code to the Foreword where it will fit better as part of the background information to the Code
- Insertion of a new section 5 listing the key elements of good records management. This contains the summary statements that appear in bold type at the start of each section and, when brought together in this way, provide a statement of core recommendations
- Removal of the text about a records management programme in section 7 (although a reference to a programme remains in section 6, Organisational arrangements to support records management). Section 7 has been removed because its contents largely duplicate the consolidated key elements in new section 5

Once these and other amendments have been completed the revised code will be circulated to members of the working groups for review. (These working groups contain representatives of central and local government, the NHS, the police and higher education and have worked with us on re-developing the code.) This will be followed by cross-government consultation of officials and ministers then formal consultation of the Information

Commissioner and the relevant Ministers in Northern Ireland and Wales as required by the Act.

As part of follow-up work The National Archives will review the implementation guides published in 2006 to see whether, and if so how, they should be amended in the light of changes to the code. (These guides are at <http://www.nationalarchives.gov.uk/recordsmanagement/code/implementation.htm>.) We will also need to see whether changes are needed to the methodologies and tools for assessment of records and information management in government departments and other public bodies, for which the code is a reference document. (For details of the assessment methodologies and tools see <http://www.nationalarchives.gov.uk/recordsmanagement/code/assessing.htm> and <http://www.nationalarchives.gov.uk/services>.)