



THE LORD CHANCELLOR'S
FORUM ON HISTORICAL MANUSCRIPTS AND
ACADEMIC RESEARCH

Date: 7th March 2013
Time: 13:00 – 16:30 pm
Venue: The National Archives
Chair: Dr Clive Field
Minutes: Trish Humphries

Members:

Dr Bendor Grosvenor
Dr Clive Field
Mr Clive Cheesman
Dr Ian Mortimer
Professor Michael Moss
Ms Elizabeth Lomas
Dr Christopher Ridgway

Non-members:

Dr Norman James, Senior Manager (Private Archives),
The National Archives
Mr Nick Kingsley, Head of Archives Sector Development,
The National Archives
Dr Valerie Johnson, Research and Policy Manager,
The National Archives
Mr Oliver Morley, Chief Executive, The National Archives

Principal Records Specialist Manager, The National Archives
Reader Advisor, The National Archives
Information Policy Consultant, The National Archives

1. Welcome, introductions and Minutes of the Previous Meeting

Apologies for absence were received from the Master of the Rolls.

Dr Field advised that, in the absence of the Master of the Rolls, he had been asked to take the Chair for this meeting and welcomed members to the ninth meeting of the Lord Chancellor's Forum on Historical Manuscripts and Academic Research.

The Minutes of the previous meeting on 11 October 2012 were reviewed and agreed as an accurate record of discussions and decisions taken. Members noted that the draft minutes had been circulated to The Advisory Council for information.

1.1 Matters Arising

1.2 4.8 Bangor University Archives

Members noted that Bangor University Archives had agreed to draw up a draft strategy by June

2013, to comply with the request from the Forum.

1.3 5.9 Wedgwood Collection

Dr James advised that there was still no further news to report on this matter and agreed to make further enquiries.

1.4 1.6 Women's Library

Mr Kingsley advised that the agreement to transfer the contents of The Women's Library to the London School of Economics had been signed and work was in progress to convert part of the LSE to house the collection.

1.5 9.3 Support for private archives

Mr Kingsley advised that an expression of interest had been submitted to HLF regarding a potential bid for funding to extend the ability of The National Archives to support the archives sector in building business capability and making investment bids. This would include online training and tools, and physical support as well as initiatives to address fundraising for the sector. The bid (Catalyst) would be for £475,000 over three years.

In an initial response, HLF had suggested possible collaboration with institutes and other organisations, and possible peer learning for the Archive sector.

Dr Johnson advised that her team was involved in the development of a full bid to be submitted by May. If successful, the project would start at the end of the year.

Members felt that it would be very useful to have this included in CPD modules for students and Dr Johnson confirmed that this was being explored.

Members noted that following the departure of Louise Ray, a decision had been made to transfer her post from the Archive Sector Development Department to the Research and Academic Liaison Team and the new postholder would be very much involved in the Catalyst bid.

1.6 5.2 Ruskin College

Mr Kingsley advised that details of all records deaccessioned had now been obtained. Some had been destroyed, but most had been transferred to other organisations.

Ruskin College had agreed to accept TNA guidance and to look at their records management policy with regard to surviving records.

Members briefly discussed the issue, and agreed to revisit the subject when the European directive is published.

1.7 5.7 Meeting with Lord Cormack

Mr Morley confirmed that since the last meeting of the Forum, he had met with Lord Cormack on two occasions. Although it was now agreed that The National Archives was fulfilling the majority of the activities undertaken by the former Historical Manuscripts Commission (HMC), Lord Cormack and Lord Wills felt that there was still some cross checking to be done.

Mr Morley had agreed to provide additional information regarding the level of investment, which will also be circulated to Forum members. He had also agreed to maintain staffing levels, subject to Government budget cuts. It was currently anticipated that there would not be any requirement to make changes to staffing levels during the current CSR.

The views expressed by the Forum at the previous meeting were discussed, including a) the references made to the Forum by Government spokespersons in last summer's House of Lords debate, and b) the request made by the Forum for The National Archives 'to provide a document mapping the functionality of the Historical Manuscripts Commission as it was, and how the functions were being carried forward, together with details of capacity and case load'. Receipt of a detailed briefing note was acknowledged, but members felt that more information was required to give them a complete overview.

In reply, Mr Morley indicated that he did not judge it appropriate for The National Archives to prepare the mapping document requested by the Forum, since the HMC had already been incorporated for ten years. However, he expressed a willingness to answer any specific questions which the Forum felt had not been answered by the briefing note and by the information which would be supplied concerning the level of investment in former HMC functions.

Members were concerned that, as the Forum came to the end of its first three years of existence, they may not be giving full value to the Forum at the strategic level: and that by having a fuller understanding and overview of the role of The National Archives, they may be able to provide help and assistance to the sector in individual areas where they had experience or knowledge.

The Chair suggested that it might be appropriate to have a more substantive discussion at the next meeting, to reflect on the achievements of the Forum over the last three years, and to discuss future strategy and ways that the members can provide added value.

Ms Lomas agreed to prepare a preliminary paper for discussion and asked members to provide input on any areas they wished to raise.

Members further requested that a short paper be prepared for the next meeting, outlining where The National Archives sees itself sitting in archive domain activities in the future, and this was agreed.

Mr Morley advised that Lord Cormack and Lord Wills had expressed an interest in attending a future meeting of the Forum. Whilst this request had to be approved by the Master of the Rolls, members were happy with this request and it was hoped that their Lordships would be able to join the meeting in October.

ACTION: Additional information for Lords Cormack and Wills to be circulated to the Forum

ACTION: Agenda for next meeting to include discussion item.

ACTION: Paper on future TNA activities to be provided for next meeting

ACTION: Lord Cormack and Lord Wills to be invited to future meeting

Forum members agreed to discuss some agenda items out of order, due to timing constraints

2. Agenda Item 4 - Presentation on MH 47 Digitisation Project

- 2.1 [Principal Records Specialist Manager] and [Reader Advisor], from the Advice and Records Knowledge Department at The National Archives joined the meeting to give a presentation on the MH 47 digitisation project.
- 2.2 The records concerned were from the Central Military Service Tribunal and Middlesex Appeal Tribunal, which was the national system of tribunals hearing applications for exemption from service under the Military Service acts.
- 2.3 The collection held at The National Archives is one of only two complete collections of tribunal records retained. The records contain a key source for history of the Great War and its wider social impact, especially in relation to conscientious objectors, whose cases made up a much smaller proportion of overall appeal cases than was usually believed.
- 2.4 The aims of the project include:
 - making 10,000 case papers name searchable online
 - improving specialist knowledge
 - raising the awareness of tribunal records and their research value
 - encouraging further academic research into the tribunals
- 2.5 Much of the preparation work has been carried out by volunteers and the project is jointly funded

by the Friends of The National Archives and the Federation of Family History Societies. It is hoped that the project will be used as a model for collaborative projects of benefit to academic researchers.

- 2.6 Dr Ridgway advised that private estate records may hold individual examples of records relating to conscription and appeals and suggested that the Historic Houses Association may be interested in the project. Ms Jarman confirmed that a survey of surviving tribunal records is being undertaken by FFHS members and they are also being asked to look at other collections.
- 2.7 The Chair thanked [Principal Records Specialist Manager] and [Reader Advisor] for their informative presentation and for bringing the project to the attention of the Forum.

3. Agenda Item 6 - Planned Changes to Copyright Law and subsequent impact on Archives

- 3.1 [Information Policy Consultant] at The National Archives, joined the meeting to discuss the planned changes to copyright law and its implications for Archives. An informative discussion paper had been circulated to members.
- 3.2 The use of audio visual recordings was discussed and members noted that such material, if archived, can be used if out of copyright.
- 3.3 The term Orphan Works was discussed and [Information Policy Consultant] confirmed that an orphan work is one which is, or is believed to be in copyright, but the copyright owner is unknown or cannot be traced.
- 3.4 The work can only be classified as such if a diligent search has been carried out to find the owner.
- 3.5 Most of the documents held at TNA are likely to be orphan works.
- 3.6 However, there is an exception which is equivalent to orphan works, which allows archives to copy for publication a literary, dramatic or musical work, together with any illustrations, that has never been published, that is available to the public, which is at least 100 years old, whose author has been deceased for at least 50 years and whose copyright owner is unknown to the publisher.
- 3.7 [Information Policy Consultant] went on to confirm that in the UK there will be two similar but separate schemes for orphan works – the UK scheme and the European directive scheme, and outlined the differences.
- 3.8 Members discussed a number of issues relating to the new legislation, including contract override and the difficulties facing academic institutions.
- 3.9 Members were advised that the Bill is currently in the report stage in the House of Lords and will come back to the House of Commons in the next few weeks. It is likely to be passed by early summer, with draft regulations out in early autumn.
- 3.10 Forum members asked to be sent draft regulations when they are published, and requested that a briefing paper to be provided in due course. Mr Morley confirmed that there will also be advice for the archive sector.
- 3.11 The Chair thanked [Information Policy Consultant] for his informative paper and for clarifying a number of issues relating to the proposed changes to the law.

4. Agenda Item 2 - Private Archives Consultative Meeting Update

- 4.1 Dr James provided a brief recap on the Consultative meeting on the 11th December, hosted by

The National Archives and the Historic Houses Association, advising that some 70 HHA members had attended and the Duke of Northumberland had attended the morning sessions.

- 4.2 Follow up visits to some estates were being planned and discussions entered with others. A follow up meeting with HHA had taken place and it was agreed that the event had been very well received. It was felt that to re-run the event in the same form would not be practical, but the case for a follow-up event will be reviewed at the end of 2014.
- 4.3 Any further event would be held on the basis of need, with a firm focus on what should be achieved.
- 4.4 Details of the event and speaker notes had been made available on the TNA and HHA websites and links forwarded to all attendees. Information will also be included in both the HHA magazine and regional group newsletters.
- 4.5 Members felt that it would be a very positive move if a private archive could take part in the accreditation pilot scheme, although it was likely that the amount of work involved would prove difficult due to resourcing.
- 4.6 HHAG had also taken part in the HHA event, and received a number of membership applications. Mr Kingsley advised that his team would be utilising their experience on business archives to work with HHAG and the subject would be further discussed at the HHAG spring meeting. Ms Lomas had also been asked to review and update the HHAG handbook.
- 4.7 Members agreed that it was important to maintain the momentum, perhaps looking in more depth at the management of digital records, and the value estate papers could bring. Mr Kingsley was asked if it would be possible to ascertain whether any HHA members had museum accreditation.
- 4.8 Dr James advised that HHA are planning a series of seminars for its members and TNA has agreed to speak at a seminar on disaster planning.

5. Agenda Item 3 - Finding Archives - Demonstration of Work to Date

- 5.1 Mr Kingsley provided an update for members on the Finding Archives project.
- 5.2 The challenges facing the project team were outlined, including the need for a number of back office functions to be retained. Although a new back of system to service all data sets is not part of this project, the two projects will need to run together, to ensure functionality.
- 5.3 The project will have a beta phase which will incorporate both Discovery and the original system. Forum members asked to be kept updated as each stage of the project goes online.
- 5.4 NRA and ARCHON datasets are being looked at, acknowledging the need to include clear tables and names.
- 5.5 Mr Kingsley gave a comprehensive presentation outlining the search criteria and how the system will work. There will be lots of ways to refine, and expand searches. Once the basic functionality is fully operational, more information will be added in a gradual process.
- 5.6 The system will make searching much easier, eventually allowing people to select entries relating to specific records, and upload and edit information directly.
- 5.7 Members were advised that the funding has been agreed for the development over the next financial year, at the same time as the back office functionality is being done. Any further optional development would have to be reconsidered separately. An agile project approach has been taken which means that specific target dates are difficult to predict, but now that the infrastructure has been built, programming will go ahead more quickly.

5.8 Forum members were pleased to note the considerable efforts being undertaken to improve the search facilities.

6. Agenda Item 5 - Update on Research and Academic Liaison at The National Archives

6.1 A comprehensive report on the work of the Research and Academic Liaison Team at The National Archives had been circulated to members, and Dr Johnson advised that much of the additional work undertaken had been made possible by the addition of an additional member of staff in the team. As mentioned earlier in the meeting, a further post was being transferred from the Archive Sector Development team to Research to support engagement with external stakeholders. The postholder will also review and identify options for research and evidence gathering around funding.

6.2 Forum members were advised that the joint application to AHRC for doctoral studentships had been successful under the Collaborative Doctoral Partnership scheme, giving The National Archives a total of six studentships over three years.

6.3 The recent Gerald Aylmer seminar had been very well received.

6.4 The Writer of the Month scheme was progressing and Dr Johnson advised that Mr Ian Mortimer had agreed to be the May Writer of the Month.

6.5 Relationships with major historical communities had improved immensely over the last year and work was ongoing to maintain and build on this.

6.6 Forum members thanked Dr Johnson and noted that the team was developing well balanced capabilities to deliver a wide ranging number of projects in a focused and successful manner.

7. ASD Casework

7.1 Forum members considered a paper circulated by Dr James regarding the allocation of papers.

7.2 Following discussion, members endorsed the proposed recommendation for these papers

7.3 Dr James also gave a brief update on ongoing matters, including:

7.4 *Liverpool Record Office:* An inspection of the Liverpool Record Office will be undertaken during the summer, and Mr Morley will be attending the opening of the new Record Office building.

7.5 It was noted that following consultation with Forum members by email, a recommendation regarding the allocation of material had been made under the cultural gifts scheme.

8. Update on Strategic Advisory and Casework in Archive Sector Development Department

8.1 A comprehensive report on recent activities within the Archive Sector Development Department had been circulated in advance of the meeting.

8.2 Public Records status for police records was briefly discussed.

8.3 Mr Kingsley agreed to circulate information and documents relating to the Archiving the Arts initiative, which had been developed in the context of the Arts Council creative media policy.

ACTION: Mr Kingsley to forward documentation relating to Archiving the Arts when it is available.

8.4 Forum members commended the Archive Sector Development Department on the volume and breadth of work being undertaken.

9. British Records Association - Records at Risk Report

9.1 The Summary and Recommendations of the British Records Association Records at Risk Survey report had been circulated to Forum members for information.

9.2 Mr Morley advised that The National Archives would not be making a formal response although there were some reservations, but asked for the views of the Forum members which would taken on board.

9.3 Professor Moss advised that a response from FARMER has been made, and agreed to circulate this to members for information.

ACTION: Professor Moss to circulate the FARMER response to Forum members

9.4 Mr Kingsley felt that the Archives Accreditation scheme will address many of the points raised in the report, and hoped that it would be possible to use the scheme as guidance in some way for repositories.

9.5 Forum members were concerned that there appeared to be a presumption that public money should be spent encouraging repositories to do things they should be doing anyway, and to support privately held collections.

9.6 It was acknowledged that the Forum had not been asked to formally reply, although members noted that a number of interesting points were raised.

10. Any Other Business

10.1 The next meeting will be held on the 6th June.

There being no further business, the meeting was closed.