

You are more than welcome to use The National Archives' facilities. We would ask that you help us safeguard the records by observing the following rules. These rules cover all forms of contact with members of The National Archives' staff, including postal mail, email and telephone contact, as well as personal contact when visiting our premises.

RULES OF THE NATIONAL ARCHIVES, KEW

Rules of The National Archives made by the Chief Executive and Keeper under s.2 (4)(c) of the Public Records Act 1958.

- (1) In these Rules, unless the context otherwise requires:
 - (a) 'the Act' means the Public Records Act 1958
 - (b) 'the Chief Executive' means the Chief Executive and Keeper of The National Archives
 - (c) 'The National Archives' may mean, depending on context, the institution or any building for the time being maintained as part of it for the purposes of its functions under the Act
 - (d) 'Research and Enquiries Room' means any part of The National Archives set apart for the consultation of finding aids, library material and surrogate records
 - (e) 'reading rooms' means the Document Reading Room and/or Map and Large Document Reading Room and any part of The National Archives used for the consultation of original records (although they may also contain surrogate material and published works)
 - (f) 'Senior Officer' means the person or persons appointed as such by the Chief Executive or, in his/her absence, any other person authorised by the Chief Executive to act on his/her behalf (see Appendix 1)
 - (g) 'officer' means a Senior Officer or any other person employed by The National Archives or the purposes of its functions under the Act
 - (h) 'record' includes any and every document, manuscript, picture, print, photograph, engraving, etching, deed, map, chart, plan, book, pamphlet, music score, card index, microfilm, microfiche, and any other article of like nature, in hardcopy or electronic format forming part of the holdings of The National Archives
 - (i) 'public record' means a record which is part of the statutory holdings of The National Archives

- (j) 'emergency situation' includes situations where all or part of The National Archives is required to be evacuated for security reasons or because of threat from fire or other hazard and practices and false alarms
- (2) An act performed in connection with the proper execution of his/her duty by an officer shall not be deemed to be a contravention of these Rules.
- (3) You must not give a false name or address for the purpose of entering any part of The National Archives or for the purpose of using any National Archives' facility.
- (4) No-one who in the reasonable opinion of an officer is offensively unclean in person or in clothing or both shall remain in The National Archives after having been asked by an officer to leave.
- (5) You must not:
 - (a) cause or allow any dog (other than an assistance dog accompanying a disabled person) or other animal belonging to them or under their control to enter or remain in The National Archives, or
 - (b) bring into any part of The National Archives a wheeled vehicle or conveyance other than a wheelchair/scooter or child's pram or pushchair, or
 - (c) enter or remain in any part of The National Archives which a reasonable person would or should know is prohibited to the public, or
 - (d) enter or remain in The National Archives outside fixed opening hours (see Appendix 3).
- (6) You must not remain in The National Archives after being requested by an officer to leave in an emergency situation.
- (7) You must allow any bags, containers and other possessions, including working papers, to be searched at any time at the request of an officer.
- (8) You will only be admitted to the reading rooms with a reader's ticket (see Appendix 2) and must produce it on request by an officer.
- (9) All reader's tickets are non-transferable. Only one current reader's ticket may be issued per person. Lost or stolen tickets must be reported immediately. Ticket holders are responsible for any use of a ticket issued to them unless and until they have reported it lost or stolen. All reader's tickets remain at all times the property of The National Archives and must be shown or surrendered to an officer on demand.
- (10) You must not take into the Research and Enquiries Room or reading rooms on the first and second floors any bag, briefcase, document case or other container, except a small transparent bag

or folder for personal valuables and/or medication required for emergency use (see Appendix 5).

- (11) You must not wear or take into the Research and Enquiries Room or reading rooms on the first and second floors any item which in the opinion of an officer might cause damage to, or be used to conceal, a record; or which might cause an obstruction within the Reading Rooms (see Appendix 4a and b). Any item which is causing an obstruction or which compromises the security of the documents shall be removed from the reading rooms on the request of an officer.
- (12) You must not take into the reading rooms more than one notepad (up to A4 size) and up to 20 sheets of loose paper.
- (13) You must not take into the reading rooms any document or other item which in the opinion of an officer might be confused with a record. Any item which might be confused with a record should be declared to an officer before entry to the reading rooms. The officer may then permit its entry. Items which might possibly be confused with a record and taken in without such a declaration are liable to be confiscated on exit, pending resolution to The National Archives' satisfaction of each item's provenance.
- (14) You must not take into the Reading rooms any restricted item (see Appendix 4a and b).
- (15) You must not order or be issued with more records than the prescribed limits (see Appendix 7).
- (16) You must not place records on the floor. Record boxes or other packaging may be placed on the floor provided that they do not constitute a hazard or obstruction, and only at the discretion of an officer.
- (17) You must not remove or attempt to remove any record from the confines of the designated area of The National Archives - i.e. beyond the security barriers on the first and second floors. Reference material other than public records may be taken to another room with the permission of an officer. Anyone found to be in breach of this rule may have their reader's ticket withdrawn (see Appendix 10).
- (18) You must not deliberately, carelessly or negligently mark, soil, tear, cut, deface, damage, injure or destroy any record, or the furniture, fittings or other contents of The National Archives (see Rule 38 and Appendix 10).
- (19) You must not subject a record to inappropriate handling (see Appendix 6).
- (20) Damaged, defective or misplaced records must be reported to an officer and recorded on a Collection Care Condition form available from staff.
- (21) Only graphite pencils (without erasers) may be used for writing or drawing within the Research and Enquiries Room, Document

Reading Room and Map and Large Document Reading Room. Coloured pencils, as supplied by The National Archives, may be used when agreed as necessary by a Senior Officer, at their discretion and in a place designated by them. No-one may sharpen a pencil within The National Archives except in a place which has been designated by an officer.

- (22) Except with the consent of an officer, no-one shall make a tracing of any portion of a record. You may photograph or make a digital copy of a record with your own equipment, provided there is no threat of damage to the records and when copyright requirements are met (see Rule 23).
- (23) Copies provided by The National Archives or made by users are subject to the published conditions (see Appendices 8a and 8b).
- (24) Records shall be returned to the place designated by the time fixed for closing (see Appendix 3).
- (25) No one shall behave in a disorderly manner in The National Archives, use or display violent, abusive or obscene language therein, harass another, or intentionally or recklessly cause or do anything likely to cause injury or insult to any other person or property. Such behaviour and/or actions may result in immediate exclusion or removal from The National Archives for a minimum period of one month pending investigation (see Rules 38 and 39 and Appendices 9, 10 and 12).
- (26) No one shall sleep in The National Archives after having been requested not to do so by an officer.
- (27) No one shall remain in The National Archives after being requested by an officer to leave for failing to make proper use of its facilities.
- (28) Please respect the Quiet Research areas.
- (29) You must not intentionally or recklessly obstruct any officer in the execution of his/her duty, or disturb, obstruct, harass, embarrass, interrupt or abuse any other person using The National Archives. No-one shall harass an officer at any time whether in The National Archives or elsewhere. Such behaviour and/or actions may result in immediate exclusion or removal from The National Archives for a minimum period of one month pending investigation (see Rules 38 and 39 and Appendices 9, 10 and 12).
- (30) You must not use the computer facilities provided in The National Archives in order to access or view obscene or other material that could offend other users (see Appendix 11 for details of restrictions on the use of the computer facilities.) All internet use in The National Archives is monitored.
- (31) You must not intentionally display, distribute, or leave any bill, placard, notice or other document in The National Archives except with the consent of an officer.
- (32) You must not, without the consent of a Senior Officer, offer anything for sale in The National Archives.

- (33) No one shall lie, stand or climb on the furniture or fittings of The National Archives, or sit or lie on the floor, or sit on The National Archives' furniture and fittings other than the chairs provided for public use.
- (34) You must not smoke, light a match or use a cigarette lighter in any part of The National Archives.
- (35) You must not eat or drink in The National Archives except in any part designated by an officer.
- (36) Personal computers, MP3 players, mobile phones (set to 'silent' mode) and audio recorders (for dictation only, not for the recording of interviews or conversations with staff) may be used only in areas designated by and at the discretion of a Senior Officer.
- (37) Please take all possessions with you when you leave The National Archives building.
- (38) Anyone who breaks any of the foregoing rules shall be liable to have the records which they are using removed and to be immediately excluded from The National Archives for a minimum period of one month pending investigation, at the discretion of a Senior Officer. Anyone may be excluded or removed from The National Archives if an officer has reasonable ground for belief that it is necessary for the proper use and regulation of The National Archives. Any incidence of theft from or wilful damage to the records will be treated as a criminal offence (see Appendix 10).
- (39) Anyone who fails to comply with instructions given by an officer (relating, for example, to document handling) may be issued with a written caution by the Duty Security Manager or Senior Officer. Failure to comply with the caution could result in exclusion from The National Archives' premises and services as per Rule 38 above.

OLIVER MORLEY

Chief Executive and Keeper of The National Archives

May 2011

Appendix 1: 'Senior Officer' and Service Manager Roles

In relation to these Rules the following have the status of:

Senior Officer:

Chief Executive and any designated deputy – comprehensive responsibility
Incident Manager – comprehensive responsibility during all emergency situations
Director, Operations and Services (and as delegated by him/her the Head of Advice and Records Knowledge and the Head of Document Services) – whose responsibilities include on site reader information services and document delivery.

Director, Finance and Performance

Director, Human Resources and Organisational Development

Director, Technology and Chief Information Officer

Head of Security

Head of Public Services Development

Service Manager:

Enquiry Service Manager – Responsible for overall supervision of the Research and Enquiries Room, and the Map and Large Document Reading Room. Responsible for exclusion or removal of readers under the Rules if referral to a Senior Officer (normally Head of Advice and Records Knowledge or their designated deputy) or a relevant Director is not practicable, or until a referral can be achieved.

Document Production Co-ordination Manager – Responsible for issuing reader tickets and overall supervision of the Document Reading Room.

Duty Security Manager – Responsible for the implementation of security across The National Archives and the enforcement of these Rules. S/he is empowered to request readers displaying unacceptable or abusive behaviour to leave and may, if appropriate, escort them from the premises.

Appendix 2: Readers' Tickets

No admittance to the Document Reading Room and Map and Large Document Reading Room is possible without:

1. Reader's Ticket

On completion of the 'Reader induction module', readers' tickets are available only to persons aged 16 years or over. **Two** proofs of identity are required – one to prove identity and one to prove address. Documents marked with an asterisk below can only be used **either** as proof of address, **or** as proof of identity; they cannot be used for both. Please note that it is your responsibility to provide official translations for foreign documents, where necessary.

Acceptable proofs are:

Proof of identity (including a valid signature)

- Passport *
- Driving licence*
- Bank card
- Credit card
- National Identity card*
- Sea/Air Masters licence
- Forces Identity card
- Police/Customs/Home Office/Warrant card
- NUJ pass
- Government/local council staff identity card
- Blue Badge (driver's pass)
- Expired reader's ticket from The National Archives when renewing (but only if issued after March 2008)

Proof of address (issued within the last three months; internet printouts or online statements are not accepted)

- Utility bill
- Bank/building society statement
- Credit card statement
- Council tax bill
- Council payment book
- Council rent card or tenancy agreement
- Benefit Agency book or original notification letter
- HM Revenue and Customs Statement

- Passport* (where the address has been officially entered by the issuing authority)
- National Identity card with address*
- Driving licence with address*
- Home Office permit to stay
- University certificate for Hall of Residence (stamped and signed by institution)
- TV licence
- Firearms licence
- Home insurance policy
- International student photocard

A reader's ticket gives access to all original documents, unless a surrogate exists.

A charge is made for the replacement of tickets which have been lost, damaged, forgotten etc. Replacements will only be issued with acceptable proof of identity. Stolen tickets will be replaced free of charge (with acceptable proof of identity) on production of a Police Crime Reference Number.

N.B. All tickets are non-transferable. Only one current reader's ticket may be held per person. Lost or stolen tickets must be reported immediately. Ticket holders are responsible for any use of a ticket issued to them unless and until they have reported it stolen. The ticket is at all times the property of The National Archives and must be surrendered on demand.

2. Access for Children

Children under 16 years of age may be admitted to the reading rooms at the discretion of the Document Production Co-ordination Manager and with the signature of an accompanying adult who accepts responsibility for the child during their visit and on condition that the child remains at all times with the responsible adult. All rules apply equally to children, and they will be asked to leave if the rules are broken, for example through noise or disturbance to other readers.

Appendix 3: Opening hours

Readers may remain in the reading rooms up to the time fixed for closing. Records in use must be returned to the place designated (Document Returns Counter, microfilm cabinet, etc.) within this time. To allow time for the return process officers may, at their discretion, require readers to begin returning records five minutes before the time fixed for closing. The power to electrical equipment such as microfilm viewers and copiers may be switched off at the same time. The area within the turnstiles must be cleared within five minutes after the time fixed for closing and the building cleared within ten minutes after the time fixed for closing.

Appendix 4: Restricted items

4a No person may take into *any* reading room (that is to say, the Research and Enquiries Room, Document Reading Room and Map and Large Document Reading Room) any of the following:

- Food, including sweets and snacks, or drink
- Bags
- Umbrellas
- Outdoor garments or other clothing, which might cause an obstruction or be used to conceal records
- Cigarettes, matches, or cigarette lighters
- Newspapers and magazines
- Pens and coloured pencils
- Staplers, hole punches or sharp or piercing instruments of any kind
- Markers of any kind
- Erasers (also erasers attached to pencils etc.)
- Video equipment (except with the permission of an officer)
- Scanners and camcorders
- Ink
- Paint
- Correcting fluid
- Adhesives
- Adhesive tape
- Any other item or material or fluid which in the opinion of an officer might cause harm to the documents or put their security at risk

4b Additionally, in the Document Reading Room and Map and Large Document Reading Room, further restrictions apply to the following items:

- More than 20 sheets of loose paper and more than one notepad up to A4 size (Ring binders and filofaxes are not permitted)
- Medication other than for emergency use

Appendix 5: Bags for valuables

You may bring one single clear plastic A4 document wallet or one single clear plastic bag (supplied on request) into the reading rooms to carry authorised items, the safekeeping of valuables and/or medication required for emergency use only. Restricted items, even though they may be valuable, may not be taken in.

Appendix 6: Inappropriate handling of records

The following are considered inappropriate in the handling of records:

- Writing on or marking a record
- Folding or creasing a record
- Any unnecessary handling or touching of a record
- Handling photographs and negatives without using the gloves provided
- Allowing a record to hang over the edge of a table
- Licking or moistening fingers while handling a record
- Flicking or fanning through the pages of a record
- Use of an instrument to turn the pages of a record
- Leaning, or placing objects, other than document weights provided by The National Archives, on the records
- Re-arranging the order of loose records or removing any tags, staples or other binding from records, and failure to use equipment such as foam wedges to support bound volumes (if it is practicable to do so)
- Tracing of documents without using the transparent protective sheet supplied for that purpose. (Tracing may only be done with permission)
- Carrying microfilms except in the appropriate box
- Sharpening pencils in the reading rooms

Appendix 7: Rules on ordering and issuing of records

1. Advanced Orders

Advanced orders may be made for up to six documents. The following information will be required when making an advanced order:

- Name
- Valid reader's ticket number.
- Full National Archive document references
- Date of visit
- Contact details

2. Maximum number of orders per day

There is a limit of 21 documents on 'current orders' per reader per day. If documents are returned then other orders may be made, as long as the number of documents in use does not exceed 21. These limits may be raised in exceptional circumstances, at the discretion of the Document Production Co-ordination Manager

3. Number of records issued at any one time

Documents on desks are limited to

- 1 box, or
- 1 loose file, or
- 3 tagged files (the papers within being held together by a Treasury tag)
- 3 bound volumes

4. Limits on issues per day - default, exceptions, peak periods

Exceptions to document ordering rules occur with:

1. Orders made on behalf of readers by Document Services staff that are in addition to normal limits.
2. Bulk orders, made by arrangement with Special Productions team, that permit:
 - Up to 50 single-series consecutive documents
 - Up to 30 single-series non-consecutive documents

Appendix 8a: Conditions relating to supply of copies by The National Archives

Copyright

1. Copies of Public Records in Crown Copyright

Most public records in The National Archives are in Crown copyright. Crown copyright in the contents of public and other records held by The National Archives is waived. Quotations of any length may be published in any way without prior permission, so long as The National Archives is acknowledged as the source and the document references are given.

There are no restrictions on the use of copies for non-commercial research or private study. Copies, and copies of those copies, may be made and used for education purposes. This covers both teaching and preparation for teaching and/or examination by either teacher or student.

Applications for permission to use copies for publication (including website publication), exhibition or broadcast or any commercial purpose must be addressed to The National Archives Image Library, The National Archives, Kew, Surrey, TW9 4DU.

E-mail: image-library@nationalarchives.gsi.gov.uk

2. Copies of Public Records in privately owned (i.e. not Crown) Copyright

There are no restrictions on the use of copies for non-commercial research, private study or education (as defined above) within the limits set in UK copyright law.

Applications for permission to use copies for publication (including web-site publication), exhibition or broadcast or any other purpose must be addressed to the current owner(s) of the copyright in the original document. Anyone wishing to reproduce the material in transcript, translation or facsimile is responsible for identifying the current owner and for obtaining any permission required. An application must also be made to The National Archives Image Library (address as above) for use of the copy

3. Copies of non-public records and of published Copyright works held in The National Archives

These are supplied subject to the customer completing a declaration form and observing the conditions it contains. Any infringement of these conditions may result in legal action. Any use other than for non-commercial research, private study or education, if approved by the copyright owner, may also require the permission of the Image Library. The National Archives' Copyright Officer will provide further information on request.

Appendix 8b: Conditions relating to records copied by users

Copyright

Readers must observe the copyright conditions below. **The Chief Executive does not authorise the making of any copies by readers or the subsequent use of them except as set out below.** Readers are responsible for any copyright infringement.

Self service copying of records

Readers may make their own copies of records in Crown copyright in accordance with appendix 8a (1) above.

Readers may make copies of records in privately-owned (i.e. not Crown) copyright only as permitted by current copyright legislation. Readers should obtain legal advice as necessary on what is permitted. Any approval given for copying by a member of staff of The National Archives relates solely to the physical condition of the document and must not be taken as giving permission for the copying of any copyright work. Any use of copies for a commercial purpose will require permission from the Image Library, as explained in Appendix 8a, in addition to any permission from the copyright owner.

Appendix 9: Harassment

Harassment is any behaviour, which is unwelcome or offensive to the individual receiving it. It can include comments, gestures, actions, jokes and suggestions. Sometimes it is explicit or explicitly offensive and sometimes it works subtly by innuendo. It is often intimidating and threatening. Sometimes it can be persistent and sometimes it can take the form of an isolated incident. It can be directed to one person or a group of people. It may be expressed directly or apparently directed at no one. It can involve physical contact or be verbal, written or silent. It could include the following:

- Threats or other aggressive behaviour
- Swearing or verbal abuse
- Personal comments/insults
- Bullying or intimidation
- Unsolicited telephone calls, letters, notes, emails
- Persistent or vexatious enquiries
- Display or transmission by-e-mail of offensive (e.g. racist or pornographic) material
- Racist/sexist remarks or behaviour
- Unwanted touching/physical contact

[The above is meant as guide and is not exhaustive]

Appendix 10: Exclusion

Exclusions may be for one month or longer and may even be permanent. They may apply to The National Archives as a whole or to parts of it.

The decision to deny entry to a person, or to exclude them from all or any part of The National Archives, may be taken if the situation requires it by the Enquiry Service Manager, the Duty Security Manager, the Duty Document Services Manager, or a more senior officer, and all exclusions should be reported to them when practicable. An excluded person has the right to know why they have been excluded, the name or other identifier of the officer authorising the exclusion and the address to which any comment or complaint may be made.

Exclusions of more than one month must be authorised by a Director, the excluded person having a right of appeal to the Chief Executive (see Appendix 12 - Suspension of Reader Tickets: Appeals Procedure). Any person excluded from use of The National Archives or any part of it has the right of complaint under The National Archives' procedure. The person being excluded must receive a written copy of The National Archives' complaints procedure, "*Putting things right*".

Appendix 11: The National Archives' Internet Acceptable Use Policy

Introduction

The National Archives provides access to a wide range of research resources, including the internet, in our role as a provider of information and promoter of educational, recreational and lifelong learning opportunities to the whole community. The internet enables access to valuable information in many different formats. The National Archives recognise that such a resource may be open to misuse and abuse. This policy details the terms and conditions governing the use of the Internet by members of the public at The National Archives.

Conditions of Access

Access to the internet from The National Archives (excepting the Cyber Café terminals) is only provided free for users to assist them in their research activity. General interest internet browsing should not be carried out on terminals in the Document Reading Room, Research and Enquiries Room or Map and Large Document Reading Room. Users may use their own wireless internet devices in all public areas. Users must abide by the rules and regulations as laid out in this document.

Cyber Café

The National Archives Cyber Café is open to members of the public.

Children and Teenagers in the Cyber Café

Nobody under the age of 16 may use the Cyber Café unless accompanied by a responsible adult. The use of filtering does not guarantee that all harmful or undesirable information will be blocked. The National Archives cannot take responsibility for any material accessed which a parent or guardian may consider unsuitable.

Filtering

Filtering software is in use to block offensive and potentially illegal internet material, and to block sites not connected with research activity likely to be carried out at The National Archives. The National Archives operates an approved list of internet websites. Users will only be allowed access to websites on this approved list. Users should be aware that no filtering mechanism is 100% reliable and may also block material that is perfectly acceptable. The National Archives is willing to consider allowing access to any website that is not currently on the approved list after careful checking of its content. All such requests should be made to a member of staff who will contact our IT department. We will respond to your request as quickly as possible, though this may take up to ten working days and access cannot be guaranteed. If in the

Cyber Café, use the telephone hotline or the contact form found on our website to contact us.

Virus checking software will run on all our computers. For those using their own device, we provide anti-virus protection via the Star scanning service, but we do not guarantee that equipment will not become infected with a virus. The National Archives does not accept any liability for damage to equipment, software, loss or corruption of data, or the actions resulting from a virus infection.

The National Archives will monitor and record all types of network activity including all search engine queries and all sites visited.

Penalties for Misuse of the Internet

The National Archives will refuse and remove internet access to any individuals who break any of the rules and regulations as laid out in this document. The National Archives reserves the right to determine what is considered a breach of the rules. If deemed appropriate, further action, including exclusion from The National Archives, or reporting abuse to the police, may be undertaken.

The internet and your responsibility

The National Archives cannot guarantee the quality of information on any external website, or that all harmful, undesirable, or offensive material will be blocked by our filtering software. The National Archives accepts no responsibility for the quality, accuracy, or availability of information accessed on the internet. As an internet user it is your personal responsibility to check the accuracy of information you find. The National Archives assumes no liability for any loss, damage or injury, direct or indirect, suffered as a result of using the internet on our premises.

Users must comply with UK copyright law at all times.

Users should be aware of the risks attached to some internet usage. Broadcasting personal or private details over the internet may lead to the receipt of unwanted mail and attention. Online financial transactions should be conducted over secure connections. The National Archives cannot be held liable for any losses resulting from sending confidential financial information via the internet. For those using wireless access, there are measures in place to protect against other wireless users accessing your data, however The National Archives makes no guarantee that this will not happen and accepts no liability should this occur.

If you accidentally access indecent or other material that could cause offence to others, or if you witness the accessing of such material by another user, please use the telephone hotline in the Cyber Café or, if you prefer, speak to a member of staff at the Welcome Desk, or in the reading rooms.

Email

Web mail is allowed in the Cyber Café only; email and similar messaging facilities are not permitted on reading room terminals. The National Archives reserves the right to monitor and record all types of network activity including webmail. POP 3 email services cannot be accessed.

Prohibited Uses

Users must not access, store, transmit or publish any material which is obscene, racist, defamatory, sectarian, illegal, or which may cause gross offence to other users and which may be in breach of UK copyright law.

The use of chat rooms on the internet is prohibited. Internet users are not allowed to download instant messaging software on our computers to enable use of chat rooms.

Users of webmail accounts must not send or store any abusive, offensive, obscene or indecent images, data or other material. Use of web-based mail accounts for harassment, including sexual and racial harassment, is specifically prohibited.

Downloading software from the internet is prohibited.

You are not allowed to connect any equipment to, or remove any equipment from, the public access terminals in either the reading rooms or Cyber Café.

The National Archives will monitor access to internet websites and network activity, and anyone who breaches any of the above categories may be the subject of further action.

Data Protection

The National Archives is bound by the regulations of the Data Protection Act 1998. We will not release information on the use of specific internet resources by individuals except when required by law.

This policy will be reviewed to make sure it remains timely and relevant.

Feedback

The National Archives welcomes and encourages feedback. If you have any feedback relating to this policy, or any other aspect of our services, please complete a Your Views Matter To Us form, or see our website for contact details: nationalarchives.gov.uk/contact/ or telephone us on +44 (0)20 8876 3444.

Appendix 12: Suspension of Reader Tickets - Appeals Procedure

Introduction

The suspension of a reader's ticket, as laid out in Appendix 10 of the Rules for Readers, allows for an 'appeal to the Chief Executive' against the suspension. This document sets out the policy and procedure for managing such appeals.

Terms of Reference for Appeal

The appeal is to hear and determine:

- whether the suspension of the reader's ticket was fair and justifiable;
- and, if so, whether the period of suspension was appropriate and proportionate

Unless otherwise agreed, any other appeal conditions are outside the scope of this procedure, and are dealt with according to The National Archives' complaints procedure.

The possible findings are:

- the original decision to suspend is upheld without varying the period of suspension
- the original decision to suspend is upheld but the period of suspension is varied (increased or decreased)
- the original decision to suspend is overturned (i.e. the appeal is successful)

Remedies

In the event that an appeal is successful, there is no authority within the appeals process to award any form of compensation or redress, other than to recommend an apology. Any decision to offer compensation or redress is dealt with outside the appeal process, with due regard to Ombudsman best practice guidelines and also to any restrictions on offering redress that may apply to The National Archives as a government department.

Appointment of Person Other Than the Chief Executive to Hear Appeals

In the event that the Chief Executive is unable to hear the appeal, either due to unavailability, or because of a conflict of interest (such as the Chief Executive being party to the complaint that resulted in suspension), the Chief Executive will appoint one of the non-executive directors to hear the appeal.

Secretary to the Appeal

Once an appeal has been lodged, the Chief Executive will appoint a Secretary to the Appeal. This person should be a senior manager who has not previously been party to, or involved with the handling of, the complaint. The Secretary's role is to act as the single point of contact for all parties to the appeal, and to prepare any papers for the appeal. The Secretary is responsible for handling all communications between the parties to the appeal, including where necessary communicating the appeal decision, in a prompt and timely fashion. All communications relating to the appeal should be communicated via the Secretary.

Appeal Hearings

All appeals are decided 'on the papers', i.e. all submissions must be in writing. There is no provision for oral submissions (i.e. by telephone or in person), except where the appellant would be disadvantaged (such as an appellant with a disability or condition that made written submission difficult). The person hearing the appeal will decide whether to permit oral submissions.

Process and timescales

Once an appellant has notified the Chief Executive that they wish to appeal their suspension, the Chief Executive will appoint a Secretary (and if necessary another person, usually a non-executive director, to hear the appeal), and the appellant will be notified in writing within 5 working days, of the contact details for the Secretary.

The appellant then has 20 working days to submit their appeal along with any supporting papers.

The Secretary will file a copy of the papers and then send them to the Chief Executive.

The Chief Executive then has 20 working days to consider the submission and either come to a decision, or request any further information from the appellant, and also to request any information from The National Archives that is relevant to the appeal.

Where the Chief Executive requests further information, either from the appellant or from The National Archives, a deadline of ten working days to respond is set. The Chief Executive then has a further ten working days to come to a decision.

The Secretary must communicate the decision in writing, to both the Director of Operations and Services, and the appellant, within two working days.

The decision is final and there is no further route of appeal within this procedure. Dissatisfaction with the handling of a complaint is dealt with by The National Archives' complaints procedure (for details, go to nationalarchives.gov.uk/contact/complaints.htm).