



**ADVISORY COUNCIL ON
NATIONAL RECORDS AND ARCHIVES**

Date: 24 September 2018
Time: 11:00 -16:00
Venue: The National Archives, Kew

Chair: Sir Terence Etherton, Master of the Rolls

Minutes: Ms Anne Hardy

Members: Mr Trevor Woolley, Deputy Chair
Dr Helen Forde
Dr Elizabeth Lomas (from 12.00)
Mr Michael Smyth
Ms Lesley Ferguson
Lady Moira Andrews
Ms Liz Copper
Mr John Wood
Dr Peter Gooderham

Apologies: Ms Hillary Bauer
Ms Jeannette Strickland
Mr Peter Farr, Office of the Master of the Rolls

Non-members: Ms Lucy Fletcher, Associate Director, Government Audience, The National Archives
Ms Louisa Green, FOI Manager, The National Archives
Mr Sam Whaley, Head of the Chief Executive's Office, The National Archives
Ms Alexandra Morton, Office of the Master of the Rolls
Ms Anne Hardy, Secretary to the Advisory Council
Mr Martin Tucker, Foreign and Commonwealth Office
Mr Simon Marsh, Foreign and Commonwealth Office
Mr Andrew George, Foreign and Commonwealth Office

1. Welcome, apologies, introductions and matters arising

Welcome

- 1.1 The Chair welcomed those present and noted that the meeting was an unusual one, in that it was set up specifically as a training session for members – hopefully the first in an annual series. As a result, the business of the day was rather different to that of other meetings, as it consisted largely of presentations. Copies of the latter would be circulated separately.

ACTION: the Secretary to circulate copies of all the presentations following the meeting.

Apologies and introductions

- 1.2 The Chair noted that, since the last meeting, Ms Angela Kelly had resigned as a member.
- 1.3 There were apologies from Ms Hillary Bauer, Ms Jeannette Strickland and Mr Peter Farr.
- 1.4 The Chair noted that Mr Farr was moving on in October, to take up a new role. The Deputy Chair asked the Chair to thank Mr Farr for his support to the Council over many years and to pass on the thanks and best wishes of all present. The Chair agreed to do this.
- 1.5 The Chair introduced Ms Morton, who would be taking on Mr Farr's role in the short term, while a new recruitment process was undertaken.

Matters Arising

- 1.6 No minutes of the previous meeting were considered as these are to be included with the papers for the November meeting.
- 1.7 An updated Action Log had been circulated before the session, for information. The Secretary went through the key updates and the following points were noted:
- 1.7.1 The Chair expressed disappointment that he had not yet had an opportunity to meet with the Secretary of State. He asked that an appointment now be set up. The Secretary apologised for the delay and noted that a meeting had been scheduled for September but, unfortunately, it was postponed due to the change of Secretary of State.
- 1.7.2 It was agreed that the Code of Practice update should be a standing agenda item at future meetings.
- 1.8 The Secretary noted that the Forum recruitment process had been completed and that two new members have been appointed. The date of the next Forum meeting is to be confirmed, but it has provisionally been scheduled for 6 November.
- 1.9 The Secretary noted that the Council recruitment process (which is to be run by DCMS) appears to have stalled. The Chair expressed disappointment at this and requested that the Secretary and Mr Farr's replacement liaise to draft a letter to the Minister, to go

out in the Chair's name, expressing his disappointment at the delay and requesting that the process be expedited.

- 1.10 It was noted that a new action should be added to the log to cover the Internal Review process.

ACTION: The Secretary to draft a letter to the Minister regarding the delay in recruiting new members, asking that the process be expedited and to share it with the Chair's office and the Deputy Chair.

ACTION: The Secretary to set up a meeting between the Chair, the Chief Executive of TNA and the Secretary of State.

ACTION: The Secretary to add new items to the action log to cover the Code of Practice updates and the Internal Review process.

2. FCO Presentation – Selection of Records and Application of Exemptions

- 2.1 Members of the Foreign and Commonwealth Office Knowledge and Information Management team gave a presentation on work in their area and some of the particular challenges associated with it.
- 2.2 The Chair thanked FCO colleagues for coming and for making their presentation.

3. Working Group Recommendations and Implementations; Code of Practice Review

- 3.1 The Deputy Chair gave an update on the findings of the Working Group, which has produced two interim and one final report. Of the 22 recommendations made, 16 have been implemented, 4 have been rejected or not implemented and 2 are pending.
- 3.2 It was agreed that the Deputy Chair should submit a note on the delegation points for members' information for the November meeting.

ACTION: The Deputy Chair to produce a paper on delegations issues for members' information for the November session of the Council.

It was noted that the Council has two standing sub-committees – the Working Group and the Media Group.

- 3.3 The Deputy Chair also gave an update on the Working Group's contribution to the updating of the Section 46 Code of Practice. Its initial comments have now been passed to the TNA lead and these will be circulated to members.

4. Quiz

- 4.1 The Secretary circulated a short quiz on matters relating to TNA and to the workings of the Council, for completion over the lunch break.

LUNCH

5. Reviews

- 5.1 This item was moved forward on the agenda as the meeting was running slightly ahead of time

Tailored Review

- 5.2 Mr Whaley presented a session on the Tailored Review process, for which no date has yet been set.

Audit/Assurance process

- 5.3 Mr Whaley presented the options paper on the proposed audit/ assurance process for the Council's scrutiny of departmental schedules.
- 5.4 It was agreed that the paper should be finalised and circulated to the November meeting. It was agreed that it would also be helpful to alert departments to the new process, once it is agreed

6. Section 36, the Public Interest Test and Internal Reviews

- 6.1 Ms Green gave a presentation on the workings of Section 36. The Secretary also gave an outline of the Internal Review process. Background papers had been circulated prior to the meeting.
- 6.2 It was agreed that:
- (a) Internal Reviews should be conducted by a group of three members.
 - (b) The process documents should be updated and brought back to the November meeting.

7. TNA Internal Processes. Guidance and Statutory Obligations

- 7.1 Ms Fletcher gave a presentation on TNA processes.
- 7.2 A member recommended that other members look at TNA's guidance to Archiving Personal Data. This contains some helpful information on issues relating to archives and GDPR.
- 7.3 Ms Fletcher noted that TNA is consulting on some of its processes at the moment and that members' views would be welcome.
- 7.4 She also gave a verbal update on plans to improve communications with departments. This is a work in progress, but the Secretary and the Government Audience team are working closely on the issue.

8. Any Other Business

- 8.1 There being no other business, the Chair thanked everyone for their attendance and declared the meeting closed.