

## Selection of records for permanent archive procedure

Version:	1
Bodies consulted:	Caldicott Guardian, Clinics Committee
Approved by:	Management Committee
Date Approved:	12.12.13
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Date issued:	Dec 13
Review date:	Nov 2018



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# Selection of records for permanent archive procedure

## 1 Introduction

The Trust is required to select records for permanent preservation at the London Metropolitan Archive, under the guidance of the Keeper of the Public Records. Collection supports:-

- openness and transparency and accountability
- maintaining a record of past actions and decisions and acting as a long-term memory
- research, meeting the needs of academic and research communities, as well as the general public

## 2 Purpose

The Public Records Act 1958 sets out the Trust's obligations to national heritage:

*(1) It shall be the duty of every person responsible for public records of any description which are not in the Public Record Office or a place of deposit appointed by the Lord Chancellor under this Act to make arrangements for the selection of those records which ought to be permanently preserved and for their safe-keeping*

*(2) Every person shall perform his duties under this section under the guidance of the Keeper*

The various archives, therefore, are important information resources in their own right.

## 3 Scope

All records are included, though the Data Protection Act applies to the processing of material. Confidentiality is important but is no bar to preservation. The fact that it may not be possible to allow public access to some records for many years does not prevent selection for permanent preservation.

Records that do not have enduring historical value (such as internal administration, routine case files or temporary papers) will not be collected by the National Archives. Neither will records that have been collected or duplicated elsewhere, or may have already been captured by the National Archives in the UK Government Web Archive.

## 4 Definitions

**Public records** - Public records can exist in any format, including paper, digital, audio, film or model format). They may be in any medium, including social media channels and they may have originated in private email accounts.

**Datasets** -digital data that has been organised, usually in tabular form, that can be analysed in a number of ways by the user - for example by sorting, filtering, or combining with data in other tables - and that can be displayed in a variety of ways such as charts, graphs, and maps.

## 5 Duties and responsibilities

Directors –will ensure records are kept according to either the Health Records Procedure or the Corporate Records Procedure; ensure that records are identified for potential permanent archive

Eminent Clinician Selection Panel –will select patient records for permanent archive

Historical Records Selection Panel –will select non-clinical records for permanent archive

Governance Manager - acts as the primary point of contact with The National Archives.

## 6 Procedures

### a) Initial identification at directorate level

The Governance Manager will invite directors to identify records for permanent archive.

Directors should base selection on the criteria listed in (b) below, though this is only a guide; if there is any doubt directors should refer

the matter to a panel for decision. In any case, no one person in a directorate should be responsible for this stage of the process.

The following note should be made on the Archive Request Form: *'consider permanent archive'*. The record with the form attached should be sent to the general office.

The proposals will be put to one of the panels.

Note the transitional arrangements in appendix 2; previously this exercise was undertaken at 30 years, the annual exercise will include two years of records until the new standard is reached in 2023.

## **b) Trust selection**

The panels will use their judgement to decide whether to select records of historical value and enduring public interest according to the following criteria:-

- i) The principal policies and actions of the Trust in discharging its responsibilities to Parliament as set out in the terms of authorisation<sup>1</sup>, including:-**
  - records illustrative of the process of governance
  - research and other key evidence upon which policy formulation was based, and records relating to the review and evaluation of policy
  - records of the interpretation and implementation of policy and the law. This includes records which illustrate changes of direction or provide clarity on the main functions of health policy
  - records that illustrate the Trust's effect on the local economy and environment
  
- ii) The structures and decision-making processes in senior management, including:-**
  - minutes and papers of high-level committees, Trust board, Council of Governors, and other project or working groups which have had a discernible impact on policy or events, or where there is likely to be public interest because of the costs involved, risks taken, or effect

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<sup>1</sup> Or similar authority established prior to the award of foundation trust status.

- records of commissions, tribunals and inquiries investigating decision-making by regulators and commissioners
- case files, datasets and other records which contain extensive information about the lives of individuals or groups, organisations and places, which contribute substantially to public knowledge and understanding of the people and communities of the UK. The Eminent Clinician Selection Panel will assess each set of records on its merits; however, only substantial case files are likely to be of use
- records relating to individuals or national and international events of significant contemporary interest or controversy

### iii) Datasets

Collections of information are often loosely referred to as a dataset. As datasets can be subjected to repeated statistical or scientific analysis, they are particularly suitable for enriching the national collection.

Where possible, collect the data in a machine readable format as close to its raw state as possible, after the data have been validated. So that researchers can continue to interpret and use datasets in the future, also collect contextual information about why and how the data was created and how it could be used alongside raw data.

## c) Decision of the Keeper

The quantity and nature of public records created across government is so vast that The National Archives is physically, and in some cases technically, unable to hold and preserve them all. The Keeper will consider:-

### i) The size of a collection

The Keeper will consider the value of large collections, such as case files, on an individual basis, dependent on their potential historical and research value. The Keeper's local nominee may consult transferring bodies to discuss the value of collecting digital copies of paper records.

## **ii) The format in which records are stored**

Increasingly, the records collected will be digital – whether they originate in a digital form, for instance in the case of websites or newly created computer files, or whether they are digitised, as some case papers are.

The range of digital formats available to government today is vast and continually evolving. Therefore, in a rare few cases, The National Archives may be unable to preserve some of these formats or to present them for public viewing in their original form. It is economically unsustainable maintain all formats indefinitely.

The National Archives' identified a list of digital file formats that are currently within their technical and budgetary capacity to receive, maintain and make available. This list will be continually reviewed based on the technology and budget available, as well as the historical value of records in such formats.

## **iii) The physical condition of the records**

Records which are badly damaged present costly challenges for ongoing preservation and presentation. This includes paper records whose value is compromised by being, for example, badly torn, smudged, water-damaged or burnt. Usability may also be a factor influencing selection of digital records which are corrupt or cannot be read.

## **d) Remaining records**

The Chief Executive will decide what to do with records selected by the Trust for preservation, but not accepted by the Keeper.

## **e) Transfer of records to the London Metropolitan Archive**

The Trust may, with the agreement of The National Archives, transfer records at any point before the statutory deadline provided they are no longer required for business purposes. The Trust must transfer records selected for permanent preservation to The National Archives, or a place of deposit, within the timeframe outlined in the Public Records Act, which is by the time the records are 30 years old (but see appendix 2). This deadline applies unless the records are too sensitive

to be transferred; for example, if they could compromise national security or defence.

The Governance Manager will ensure that records selected for permanent preservation are appropriately prepared for transfer. This includes cataloguing and physical preparation.

#### **f) Exceptionally sensitive records**

The National Archives is committed to making the public record as open and accessible as possible, but some records may be too sensitive to be made available at the time of transfer. If the records are to be withheld from public access for longer than the 30 years (reducing to 20) since their creation, then the records will be considered by the Lord Chancellor's Advisory Council on National Records and Archives. If the Advisory Council accepts that information should be withheld, the records will be transferred as closed and the relevant closure period applied.

Directors concerned about sensitivity should make a note on the Archive Request Form.

### **7 Training Requirements**

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### **8 Process for monitoring compliance with this Procedure**

The Governance Manager will summarise the outcome of the annual exercise in section 6 (b) and report findings to the Management Committee.

### **9 References**

Public Records Act, (1958)

### **10 Associated documents<sup>2</sup>**

Corporate Records Procedure

Health Records Procedure

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<sup>2</sup> For the current version of Trust procedures, please refer to the intranet.



## Appendix A : Equality Impact Assessment

1. Does this Procedure, function or service development affect patients, staff and/or the public?

**YES**

2. Is there reason to believe that the Procedure, function or service development could have an adverse impact on a particular group or groups?

**NO**

3. If you answered **YES in section 2**, how have you reached that conclusion? (Please refer to the information you collected e.g., relevant research and reports, local monitoring data, results of consultations exercises, demographic data, professional knowledge and experience)

4. Based on the initial screening process, now rate the level of impact on equality groups of the Procedure, function or service development:

**Negative / Adverse impact:**

**Low.....**

**Positive impact:**

**Low.....**

(i.e. not likely to promote, or does not promote, equality of opportunity)

Date completed 29.11.13

Name Jonathan McKee

Job Title Governance Manager

## Appendix B : Transitional arrangements

Year during which records transfer	Date of records transferring under 30-year rule	Date of records transferring under 20-year rule
2012	1982	1982
2013	1983	1983 and 1984 – transition begins
2014	1984	1985 and 1986
2015	1985	1987 and 1988
2016	1986	1989 and 1990
2017	1987	1991 and 1992
2018	1988	1993 and 1994
2019	1989	1995 and 1996
2020	1990	1997 and 1998
2021	1991	1999 and 2000
2022	1992	2001 and 2002
2023	1993	- 2003