



**ADVISORY COUNCIL ON
NATIONAL RECORDS AND ARCHIVES**

Date: 12 September 2022
Time: 13:00-15:15
Venue: Meeting by Video Link

Chair: Mr Trevor Woolley, Deputy Chair

Members: Mr Trevor Woolley, Deputy Chair
Lady Moira Andrews
Ms Liz Copper
Dr Nigel Fletcher
Dr Helen Forde
Mr Peter Gooderham
Mr Stephen Hawker
Mr Martin Howard
Professor Phillip Johnson
Professor Leon Litvack
Sir David Natzler
Ms Helene Pantelli
Mr David Rossington
Mr Jonathan Scherbel-Ball
Dr Jeannette Strickland
Mr Martin Uden
Mr John Wood

Minutes: Isabel Saunders, Senior Governance Coordinator and Advisory Council Secretariat (TNA)

Non-members:

TNA: Senior Access Manager
Ms Asha Bagayat, Head of Governance
Ms Susan Browne, Head of the Freedom of Information Centre
Ms Lucy Fletcher, Director of Public Access and Government Services
Mr Jeff James, Chief Executive and Keeper
Mr Sam Whaley, Head of Strategy and CEO's Office

Other

Attendees: Prof Andrew Wathey, Chair of The National Archives' Board

1. Welcome, introductions, apologies and declarations of interest

- 1.1. The Chair welcomed everyone to the meeting.
- 1.2. The Council recorded its sorrow at the death of Her Late Majesty Queen Elizabeth II and expressed its condolences at this time of mourning.
- 1.3. The Master of the Rolls gave apologies for absence.
- 1.4. There were no declarations of interest in relation to the business of the meeting.

2. Minutes and matters arising

Minutes of the meeting held on 29 July 2022

- 2.1. Subject to amendments proposed by members, the minutes of the meeting held on 29 July 2022 were approved as a correct record.

ACTION: The Senior Governance Coordinator to update the minutes with the suggested amendments and upload the public set of minutes to the website.

Actions Log

- 2.2. The Action Log was noted, with the Deputy Chair reviewing the action log and noting a proposed amendment for item 34. Members noted this should also include reference to S23 and S24 of the FOI Act which the Council had also raised with DCMS. The following actions were closed:

Items 16, 17, and 18.

ACTION: the Senior Governance Coordinator to update the Actions Log with the items reported at the meeting.

3. Introduction by the Chair of The National Archives' Board

- 3.1. Professor Andrew Wathey, the Chair of The National Archives' Board, gave a short introduction to the focus of The National Archives' Board over the next year.

4. Chief Executive Officer's Report

- 4.1. The Chief Executive and Keeper introduced his update paper on current issues and ongoing matters. He noted that the death of Her Late Majesty had occurred after the report and he updated members on the impact of this news on The National Archives.
- 4.2. Members asked if the death of the late Queen would have an impact on records concerning the royal household. LF noted there would be some changes in the application of S37. Members noted there were a number of pending applications and it would be necessary to work out a mechanism for proceeding with these. LF agreed her team would consider any necessary processes.

ACTION: LF and team to consider the implication for departmental schedule applications.

- 4.3. Members noted the ongoing discussion, in America, on archives and public records, following the search for government papers at the home of a former president and asked if The National Archives were following this. JJ noted that The National Archives, as well as colleagues internationally were monitoring the news on this as well as discussing the implications of this.
- 4.4. JJ also noted a further update on FCO 141.
- 4.5. Members asked for an update on the Parliamentary Archives project. JJ noted he had visited the current archives to understand more about the collection and the space it was stored in. He noted there was more still to discuss with the Parliamentary Archives team and regular meetings were taking place with them.
- 4.6. Members asked for an update on non-standard communication methods. JJ noted one of the cases was still progressing through the court appeals system. It was likely The National Archives would be able to update its own guidance once these had been completed.

5. Proportionality in the Public Interest Test

- 5.1. Members of the Council received a presentation on the role of proportionality in the public interest test from the Freedom of Information department.
- 5.2. Members discussed S38 of the Freedom of Information Act.

6. Collective Decision Making on the Schedules

- 6.1. Members of the Council received a presentation on collective decision making and the current presentation of information on the schedules.
- 6.2. Members agreed it would be helpful for schedule items which had been previously considered by FOI panels to appear as a separate section of the panels.

ACTION: The Senior Access Manager to implement reorganising the schedules.

7. FCDO Checklist

- 7.1. Members considered the current FCDO checklist and discussed amendments they wished to propose for the updated 2023 checklist.

ACTION: The Secretariat to communicate the Advisory Council's suggestions to the FCDO.

8. Any Other Business

- 8.1. The Council noted this was Mr Woolley's last meeting as a member of the Council and thanked him for his work on the Council and as its Deputy Chair. Mr Woolley thanked fellow Council members and The National Archives for all their efforts during his time on the Council.
- 8.2. Members were invited to apply for the vacancy on the Governance Working Group.
- 8.3. The Deputy Chair thanked everyone and closed the meeting by wishing everyone well.

There being no further business, the meeting was closed at 15.15pm.