

**REPORT TO:** Cabinet

**MEETING DATE:** 12 April 2016

**BY:** Depute Chief Executive (Resources & People Services)

**SUBJECT:** Archive Acquisition Policy

---

## **1 PURPOSE**

- 1.1 To present the Archive Acquisition Policy for approval by the Cabinet so that East Lothian Council has a clear set of parameters for the collection and disposal of archival and local history materials.

## **2 RECOMMENDATIONS**

- 2.1 That the Cabinet approves the Archives Acquisition Policy, attached as Appendix 1 to this report.

## **3 BACKGROUND**

- 3.1 The creation of the Archive Acquisitions Policy is an action point and commitment made within the Council Records Management Plan as required under the Public Records (Scotland) Act 2011. It is aligned with Element 7 the Archival Transfer Arrangements.
- 3.2 The approval of the policy will also allow for the future possibility of East Lothian Council working towards 'Accreditation' from the National Archives which will support recognition of the high quality of work undertaken in the Heritage services within East Lothian

## **4 POLICY IMPLICATIONS**

- 4.1 This Policy is a continuance of the work undertaken within the Records Management Plan approved by the Council in 2015 to demonstrably improve the operations of its Records Management provisions.

## **5 INTEGRATED IMPACT ASSESSMENT**

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

## **6 RESOURCE IMPLICATIONS**

- 6.1 Financial – Any costs arising out of the policy can be managed within existing approved budgets.
- 6.2 Personnel - None
- 6.3 Other - None

## **7 BACKGROUND PAPERS**

- 7.1 Archive Acquisition Policy V2

<b>AUTHOR'S NAME</b>	Alex Fitzgerald
<b>DESIGNATION</b>	Team Leader – Archives and Records
<b>CONTACT INFO</b>	Extension 8223
<b>DATE</b>	24/03/2016

# **Archive Acquisition Policy**

**March 2016**

## Contents

<b>VERSION CONTROL</b> .....	<b>1</b>
<b>1. INTRODUCTION</b> .....	<b>2</b>
<b>2. PURPOSE OF EAST LoTHIAN COUNCIL ARCHIVES</b> .....	<b>3</b>
<b>3. METHODS OF ACQUISITION</b> .....	<b>3</b>
3.1 GIFT.....	3
3.2 PERMANENT DEPOSIT.....	3
3.2 (a) <i>Termination of Permanent Deposit Arrangement</i> .....	3
3.3 CHARGE AND SUPERINTENDENCE .....	3
3.4 TRANSFER.....	3
3.5 PURCHASE .....	4
3.6 LOANS.....	4
<b>4. TERMS OF ACQUISITION.....</b>	<b>4</b>
4.1 CRITERIA.....	4
4.2 FORMATS .....	4
<b>5. ACQUISITION RESTRICTIONS .....</b>	<b>4</b>
<b>6. DE-ACCESSIONS / DISPOSAL OF MATERIALS .....</b>	<b>5</b>
<b>7. APPROVALS &amp; REVIEW.....</b>	<b>5</b>

## Version Control

Version #	Notes	Date	Author
1	Draft concluded after consultation with Archivists & Legal.	22/02/2016	AF
2	Clarification of transfer requirements and simplification of reference to artefacts.	21/03/2016	AF

## 1. Introduction

1.1 In order to effectively regulate and authorize the actions of the Information Governance team to acquire materials on behalf of East Lothian Council the following policy sets out the context for this, and the processes by which it may be enacted by the duly authorized staff.

1.2 For the purposes of this policy the phrases 'record', 'Archive' and 'Archive Material' will also relate to any materials which may also be regarded as 'Local History' and shall include but not be limited to printed materials and ephemera.

1.3 Section 54 of the Local Government etc. (Scotland) Act 1994 sets out that:

(3) A local authority may—

(a) acquire by way of purchase records which, or (in the case of a collection) the majority of which, appear to the authority to be of general or local interest;

(b) accept the gift of records which or, in the case of a collection, the majority of which appear to the authority to be of general or local interest.

(4) A local authority may accept the deposit of records—

(a) authorised to be deposited with it by any enactment; and

(b) which appear to the authority to be of general or local interest

1.4 The Model Records Management Plan created by the Keeper of the Records of Scotland sets out that one of the mandatory elements for a Records Management Plan as required of local authorities under the Public Records (Scotland) Act 2011 is the clear statement of Archive Transfer Arrangements. The subsequent supporting guidance on 'Proper Arrangements' once issued will be taken into consideration.

This policy will form the basis for the internal transfer of materials from active use into the Archive Service, and will outline the process to be followed for any materials identified in the Retention Schedule for Permanent Preservation.

1.5 The Archivists of Scottish Local Authorities Working Group (ASLAWG) of the Archives and Records Association (ARA) produce guidance on best practice in relation to Acquisitions which shall be considered in this policy and in future revisions.

## **2. Purpose of East Lothian Council Archives**

East Lothian Council Information Governance Team seeks to collect, preserve, and promote the documentary heritage of East Lothian for the use and benefit of present and future generations.

To this end the service aims to collect and preserve:

- the records of East Lothian Council and its predecessors
- records received by gift, purchase, temporary or indefinite loan of individuals, families, estates, societies, organisations, institutions, industry and business which are of legal, historical or cultural significance and which are of significance to East Lothian
- records deposited with us by the Keeper under his charge and superintendence scheme

## **3. Methods of acquisition**

All acquisitions must be accompanied by an agreement signed by the archive's owners and East Lothian Council, covering ownership, copyright, access arrangements and provision for materials not selected for permanent retention.

### **3.1 Gift**

The legal ownership of the records is transferred to the East Lothian Council.

### **3.2 Permanent deposit**

The legal ownership of the records remains with the depositor or owner while custody and responsibility for the records is transferred to East Lothian Council and the care of the Archive team.

Temporary withdrawal will be permitted subject to three months notice being given in advance. Records may be withdrawn for no more than one month in any year.

#### **3.2 (a) Termination of Permanent Deposit Arrangement**

Due to the large costs incurred in cataloguing and otherwise administering the collections East Lothian Council reserve the right to charge for administration and conservation costs incurred relating to the collection upon the termination of a permanent deposit arrangement.

### **3.3 Charge and superintendence**

The records are transferred by the Keeper of the Records of Scotland, who retains overall responsibility for them.

### **3.4 Transfer**

The records are transmitted from another department within the authority. This will require the departments to state that the material is no longer active and should now be permanently preserved.

### **3.5 Purchase**

The records are purchased on the open market or by private arrangement with the owner/dealer. The seller must have lawful title to the records.

### **3.6 Loans**

Items can be acquired on a temporary basis for the purposes of exhibition, display, or for specific events / activities. These will remain the property of the lender. No cataloguing or other conservation / preservation work will be undertaken by East Lothian Council on these items unless funded by the originator of the loan and with their agreement.

## **4. Terms of Acquisition**

### **4.1 Criteria**

Before acquiring records for the Archives, East Lothian Council requires that at least one of the following apply:

- If Council records they are non-current and are identified for archival transfer in the Retention schedule
- the depositor is authorized to transfer title to material and signs a deposit or gift agreement
- the material is unique or rare
- its authenticity and integrity is documented
- its historical/archival value can be demonstrated
- it is in a reasonable physical condition
- the records be free of legal encumbrances or excessive access restrictions which will diminish its research potential
- the material relates to an individual, organisation, business, group, geographical site, building or event which is within, or has a connection with, East Lothian, either currently or at the time of its creation.

The assessment of all collections will be undertaken with reference to our Appraisal Protocol.

### **4.2 Formats**

East Lothian Council will acquire collections regardless of format. Digital as well as physical collections will be acquired by the Archives.

In general principle the following are the types of items: images; books; manuscripts; ephemera; maps; plans.

This does not preclude other items from being considered.

## **5. Acquisition restrictions**

- 5.1 Since the Information Governance team do not standardly collect 'artefacts' they will discuss the care arrangements for any items which overlap with the appropriate specialists. The Museums Team currently provide care and

guidance for the professional care of 'artefacts' and any conversations will refer to the appropriate standards and policies. Any items entirely within their remit will be managed in line with their policies.

- 5.2 Collections that span more than the geographical area of East Lothian will be accepted after discussion with the depositor. Other interested archive services and the National Records of Scotland may also be consulted as appropriate.
- 5.3 Collections will not be divided across multiple authorities if doing so will destroy the integrity of the collection. In cases where some records within a collection relate to a different geographical area, appropriate cross-referencing will be made and, if possible, copies of the relevant records made available to other authorities.
- 5.4 Collections will be acquired on the understanding that they will be made available for research, subject to legal restrictions.

## **6. De-accessions / Disposal of materials**

- 6.1 In cases where material offered to East Lothian Council may be better suited somewhere else then the potential depositor will be advised of this.
- 6.2 However in some cases where this has not happened East Lothian Council may subsequently de-accession, or dispose of, material.
- 6.3 Material may be de-accessioned by: transfer to a more suitable repository; recycled as handling material; resources for projects; destroyed; or sold.
- 6.4 In the case of deposited material the original owner will be consulted before any action is taken to de-accession the records.
- 6.5 In the case where ownership has been transferred to East Lothian Council the method of de-accessioning will be at the discretion of the Team Manager, although other stakeholders may be invited to be involved.
- 6.6 If records are to be sold monies made from the sale will be used for the upkeep or care for the collections.

## **7. Approvals & Review**

- 7.1 Policy passed for Approval by Cabinet, April 2016
- 7.2 Policy is to be reviewed no later than April 2019.