

# **Policy on the Transfer of Records of Local Interest to Local Custody**

**November 2021**

**Document Control**

Title	Policy on the Transfer of Records of Local interest to local Custody
Prepared By	Gillian Mapstone, Head of Records and Archives Engagement
Approved By	Laura Mitchell, Director of Information and Records Services
Date of Approval	1/11/2021
Version Number	1.6
Review Frequency	Every three years
Next Review Date	1/11/2024

**Document Owner**

This document is owned

Name	Role	Team / Branch	Directorate
Laura Mitchell	Director of Information and Records Services	Information and Records Services	Information and Records Services

**Status Control**

Version	Issue Date	Status	Prepared By	Role	Reason for Amendment
1.0	02/08/2021	Draft	Gillian Mapstone	Head of Records and Archives Engagement	Review of November 2013 Policy statement
1.1	02/08/2021	Draft	Laura Mitchell	Director of Information and Records Services	Queries over some clauses
1.2	02/08/2021	Draft	Gillian Mapstone	Head of Records and Archives Engagement	Suggested amendments for LM review
1.3	09/08/2021	Draft	Gillian Mapstone	Head of Records and Archives Engagement	Reviewed by David Brown
1.4	29/09/2021	Draft	Laura Mitchell	Director of Information and Records Services	Queries over text
1.5	19/10/2021	Draft	Gillian Mapstone	Head of Records and Archives Engagement	Suggested amendments by LM
1.6	01/11/2021	Final	Gillian Mapstone	Head of Records and Archives Engagement	Approved by L Mitchell Deputy keeper

**Document Reviewers**

The document is required to be reviewed by:

Role	Sign-off Required(Y/N)
Director of Information and Records Services	Y

---

Head of Records and Archives Engagement	Y
---	---

**Distribution List**

This document has been distributed to:

Role
All Staff

**Amendment Suggestion**

If you have suggested amendments please make them to NRS Archive Strategy and Liaison team.

## 1. Purpose

1.1 This policy has been approved by the Keeper of the Records of Scotland (the Keeper). It supports that part of the National Records of Scotland's (NRS) mission statement that, "We collect, preserve and produce information about Scotland's people and history, and make it available to inform present and future generations."

## 2. Scope

2.1 This policy articulates the circumstances under which NRS can arrange for the transfer of public records or records owned by NRS to the custody of local archives.

2.2 Such transfers of custody will most commonly be made under Charge and Superintendence Agreements, although some public records may be transferred under the Disposal of Records (Scotland) Regulations 1992, no. 3247, as amended 2003, no. 522.

## 3. Transfer arrangements and criteria

### Application

3.1 The decision to transfer public records, or records owned by NRS, rests entirely with the Keeper of the Records of Scotland.

3.2 Any transfers will be carried out on a time-scale which will not disrupt the normal operations of NRS.

3.3 The Keeper must be satisfied that it is likely that the records will be consulted more frequently in their new home than when they were held in NRS.

3.4 The Keeper reserves the right to retain local records that have been in regular use in NRS and which the research and user community consequently know and expect to be in NRS.

### Roles and Responsibilities

3.5 The Keeper will retain rights in, and obligations to, the collection in accordance with the agreement made with the receiving archive. The practical arrangements and responsibilities will be determined on a case by case basis and articulated in individual agreements.

### Standards

3.6 Any transfer of records in custody of the Keeper will be made only to archives that meet the access and storage standards set out in the Public Records (Scotland)

Act 2011, Supplementary Guidance on Proper Arrangements for Archiving Public Records. It will normally be expected that the receiving archive will be accredited under the UK Archive Accreditation Scheme, or be actively seeking archive accreditation.

3.7 Where the Keeper agrees to transfer a partially or wholly uncatalogued collection, this will be done on the basis that the receiving archive undertakes to produce a catalogue of these records to agreed standards within an agreed time period, and for inclusion in the NRS collections catalogue.

3.8 Where records requiring conservation treatment are transferred, it will be on condition that they will not be available for public or other consultation until such treatment is completed. Where records are considered unfit for production, as defined in NRS Fragile Records Policy, they will not normally be transferred unless there is a firm agreement to conserve them to agreed standards and within an agreed timescale, and on condition that they will not be available for public or other consultations and must not be copied until conservation treatment is completed. The specific responsibility for conservation work will be addressed in the individual transfer agreement. The Keeper reserves the right not to transfer records if it is assessed the relocation would potentially cause a risk to the physical condition of the record.

#### Eligible record types

3.9 The records must be local, that is they will relate to one geographical or administrative area. Many of the private collections in NRS relate to several geographical or administrative areas, and good archival practice demands that they be kept whole and entire. NRS will not consider any part transfer or other division of a private collection.

3.10 For a private collection to be eligible for transfer, it must be one which, if offered to NRS today, would not be accepted under the NRS Collection Development Policy, or would be accepted only in accordance with point 7 of the selection of private records criteria set out in that policy.

3.11 In the case of public records, the creating department or body will be party to any transfer or Charge and Superintendence agreement.

3.12 In the case of the records of the Church of Scotland, the Church will be party to any transfer or Charge and Superintendence agreement.

3.13 In the case of gifted private collections, any transfer should take account of the stated wishes of the donors or any undertakings NRS may have given to them.

## **4. Review**

4.1 This policy will be reviewed every three years.