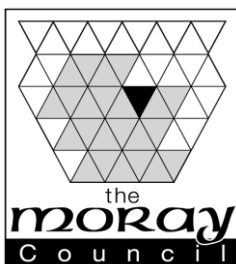


Element 7 – Archiving policy and transfer arrangements

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ARCHIVES COLLECTING AND DISPOSAL POLICY¹

Local Heritage Service

Version 1.1

July 2008
[minor revision March 2009]

¹ The policy was approved by the National Archives of Scotland in July 2008

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The Moray Council

LOCAL HERITAGE SERVICE

Archives Collecting & Disposal Policy

Introduction

The Moray Council recognises that, under sections 53 and 54 of the Local Government etc. (Scotland) Act 1994, it has a statutory obligation to provide 'proper arrangements' for the care, preservation and management of all records created by the Council. It covers all formats, as well as those records inherited from its predecessor authorities and those collections placed in its care for permanent preservation.

The Library & Museum Service is responsible within The Moray Council for Records Management and Archives and within the Service the Local Heritage Centre is responsible for collecting Archives and Local Studies materials.

Collecting Policy

The Moray Council Local Heritage Service will seek to collect archives relating to the history of Moray, whether it be official, social, economic, cultural or otherwise. The area for collection is defined as Moray as at 1 April 1996; this includes a substantial part of the former county of Banffshire. Records relating to areas outwith Moray will not be collected unless they have a close connection with the area.

Official records include not only the records of The Moray Council, but also those of its predecessor authorities of which ownership was vested in the Council by the Local Government (Scotland) Act 1994; namely the records of the Grampian Regional Council and of the Moray District Council as existing prior to 1 April 1996. Also the records of the former County of Moray and the Burgh and Town Councils abolished by the Local Government (Scotland) Act 1973.

Moray District Council includes the records of those burghs, districts and parishes of the County of Moray and parts of the County of Banff and Aberdeenshire which were transferred to Moray District Council under the Local Government (Scotland) Act 1973. The areas of the County of Banff transferred were the burghs of Aberlour, Buckie, Cullen, Dufftown and Keith, the districts of Buckie, Cullen (except Fordyce), Dufftown and Keith and the parishes of Aberlour, Boharm, Botriphnie, Cullen, Deskford, Grange, Inveravon, Keith, Kirkmichael, Mortlach, Rathven and Rothiemay. The remaining burghs of Aberchirder, Banff, Macduff and Portsoy, the parishes of Alvah, Banff, Boyndie, Fordyce, Forglen, Gamrie, Inverkeithney, Marnoch, and Ordiquhill and the districts of Aberchirder and Banff and the electoral division of Fordyce became part of Banff and Buchan District Council. The records of Banff and Buchan District are now part of Aberdeenshire Council. The parish of Cabrach originally in Aberdeenshire was also transferred to Moray District in 1975. The records of the Burgh of Grantown on Spey and the parish of Cromdale,

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including parochial board and school board archives, were transferred under the 1973 Act to Highland Regional Council.

Records are defined in the Local Government etc. (Scotland) Act 1994 as

- records transferred to local authorities by a predecessor authority
- records created or acquired by the local authority in the course of its business
- records otherwise placed in their custody, which in terms of sec 54(3) and (4) may be records acquired by purchase, gift or deposit.

The National Archives of Scotland (NAS) in its Guidance on 'Proper Arrangements' (draft) for Record-keeping by Scottish Local Authorities' stipulates 4 key areas which a local authority must meet to satisfy sections 53 and 54 of the Act. A local authority should:-

- ensure they employ professionally qualified staff to manage their archive and records management services
- provide proper accommodation and shelving which should conform to BS5454 (2000)
- have a clearly defined acquisitions/collecting policy and make the archives available to researchers for consultation in supervised conditions
- have a corporate records management strategy in place

Subject to the above The National Archives of Scotland may transfer certain records to the local authority under a 'Charge and Superintendence' Agreement. The Library and Heritage Service is committed to meeting the guidance issued by the NAS.

Archives are unique records of human activity, whether social, economic or otherwise. They are the primary source of information for researchers interested in the history of Moray. Archives were originally created for administrative or other business purposes without regard for their potential historical value. They are not created artificially e.g. a photograph may be part of an archive collection e.g. a photographer's business, but photographs may also be collected as part of a photographic series of local images held by the heritage service.

Collecting Policy - Statement of Intent

The collecting policy outlines the acquisition policy for the official and deposited archive collections of the Local Heritage Service.

The Local Heritage Service will work closely with the National Archives of Scotland Outreach Services Officer.

An accession register will be kept of the archive holdings of the Local Heritage Centre as required by the 'Guidance on 'Proper Arrangements' for Record-keeping by Scottish Local Authorities'.

The Local Heritage Service will acquire archives by gift, purchase and/or deposit.

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Archives held on deposit are placed in the Local Heritage Centre on the understanding that they will remain there indefinitely but ownership of the collection remains with the depositor. Withdrawal of such collections will result in a charge based on storage and professional care and management of the archive collection over the period of time held by the Local Heritage Service.

The Local Heritage Service will also accept records on a temporary loan for research, listing or exhibition. Documents may also be gifted to the service – ownership transfers to the Heritage Service.

The Local Heritage Service will provide formal agreements or receipts for those who deposit private collections or transfer official collections to the archives using Adlib. Please see Appendix A for an example.

Forms will be issued for documents deposited on a temporary basis e.g. for exhibition.

No documents will be accepted without clear and valid title of ownership.

The Local Heritage Service when acquiring records or offering advice on their disposition will respect the principle of the integrity of the archive and will seek to avoid dividing or dispersing the archive.

The Local Heritage Service will catalogue the collections as soon as possible after receipt.

The Local Heritage Service will liaise with and will endeavour to avoid competition and duplication of effort with neighbouring archive authorities, the National Archives of Scotland and the National Library of Scotland.

All records will be considered for permanent preservation regardless of date.

Records are accepted in every format, whether manuscript, printed or machine readable electronic format wherever possible [i.e. the technology exists or is supplied which can read the information]

All acquisitions by the Local Heritage Service will be made available for unrestricted public research and consultation by any and all interested parties.

Where conditions of use are placed on access to a collection (e.g. closed for a number of years due to the sensitive nature of the records held) and accepted by the Local Heritage Service as part of the deposit agreement then these restrictions will be strictly observed.

Data Protection and other access to information legislation will be observed.

The archives may be exhibited but only under appropriate conditions of security and environmental control as approved by the Local Heritage Service.

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Archives held by the Local Heritage Service may be used by the Service for educational, exhibition and outreach purposes.

They may be copied and distributed widely where copyright allows.

No archival record or archive collection held by the Local Heritage Service is available for loan to members of the public. Archives may be loaned for exhibition if conditions to do so satisfy the LHS collection care standards.

All records received by library staff will be passed to the Local Heritage Centre for accessioning and receipting.

Library staff will complete a Deposit Checklist form to record details of the collection. This will be passed with the records to the Local Heritage Centre. Staff will record any exclusions or restrictions on e.g. usage, access and copyright. Please see Appendix B

Local Heritage Service Staff are prepared to survey records on site and to offer rescue work for vulnerable collections.

Local Heritage Service Staff are prepared to offer advice on vulnerable collections as necessary.

Notice of every new acquisition and of any restrictions on its access or use will be made public at the earliest opportunity.

The Local Heritage Service will systematically supply information on new accessions to the National Register of Archives for Scotland and National Register of Archives, through the National Advisory Service.

Should it be necessary to dispose of archive collections for whatever reason the original donors and depositors, where possible, will be informed of the reasons for the disposal and every effort will be made to relocate the archives appropriately. Archives held on deposit will be returned to the original depositor and legal owner.

Appropriate insurance will be provided for private collections held by the Local Heritage Service.

Collecting Policy – Official and Deposited Archives

The following archives will be sought for deposit in the Local Heritage Centre:-

Official Archives of The Moray Council

The Local Heritage Centre will act as the place of deposit for the official archives of The Moray Council. The Records Manager will liaise with the departments of The Moray Council and the Heritage Service to ensure the organised and systematic transfer of official records where these records have archival and historical interest.

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Official archives include the records of The Moray Council and its predecessor authorities of which ownership was vested in the Council by the Local Government (Scotland) Act 1994.

These are the records of:-

- Burghs and Town Councils of Moray, 13th century - 1975
- Burghs and Town Councils of Banffshire transferred to Moray District Council
- Commissioners of Supply and its predecessors for Moray, 18th century –1929
- Commutation road districts and turnpike roads late 18th century – 1890.
- The administration of the poor law, 1845 – 1929 (including area of Banffshire and parish of Cabrach, Aberdeenshire, now in Moray).
- Education records and school records dating from 1873 to the present day (including area of Banffshire and parish of Cabrach, Aberdeenshire, now in Moray)
- Moray District Committees, 1890 – 1929 and the District Councils, 1929 – 1975
- County Council of Elginshire (to 1920) and the County Council of Moray, 1889 - 1975
- County Council of Banff, 1889 – 1975 (area now in Moray)
- Joint County Council of Moray and Nairn, 1929 – 1975
- Grampian Regional Council, 1974/1975 – 1996
- Moray District Council, 1974/1975 – 1996
- The Moray Council, 1996 – to date

The Moray Council Retention and Disposal Schedule identifies records which should be permanently preserved. These records should be transferred to the heritage service and their transfer recorded and the documents accessioned. The Retention and Disposal Schedule also identifies records which should be offered to the Local Heritage Service for sampling prior to destruction. The Records Manager, Local Heritage Officer and departments will co-operate to ensure that such consultation takes place and records deemed worth of permanent preservation are transferred to the Local Heritage Centre.

Official Local Government Archives currently held by the Local Heritage Service

Official archives include:-

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- The burghs and town councils of Moray, 13th century - 1975 and the burghs and town councils of the former county of Banff.
- the archives of Moray District Committees, 1890 – 1929 and the District Councils, 1929 – 1975
- the archives of the County Council of Elginshire and the County Council of Moray, 1889 - 1975
- the archives of the County Council of Banff, 1889 – 1975 (e.g. printed minutes)
- the archives of the Joint County Council of Moray and Nairn, 1929 – 1975 (Highland Archives hold Moray & Nairn Joint County Council records including minutes, 1930 – 1974/75, education committee minutes, 1930 – 1954)
- minutes of Grampian Regional Council, 1974/75 – 1996
- minutes of the Moray District Council, 1974/75 - 1996
- minutes of The Moray Council, 1996 – to date

Official Archives not currently held by the Local Heritage Service

- records created by and for the Commissioners of Supply for Moray, 18th century – 1929.
- Commutation road districts and turnpike roads late 18th century - 1890
- Archives relating to the administration of the poor law, 1845 – 1929.
- Education records and school records dating from 1872 to the present day.

Deposited Archive Collections (Private Archives)

The Local Heritage Service will also collect the archives of:- businesses, organisations, private individuals, community groups, families, churches (except the Church of Scotland) and charities which document the life of Moray, both past and present, and which are deemed to be of archival and historic significance and worthy of permanent preservation.

All members of the library service will notify the Local Heritage Officer if they learn of the existence of any archival collections which may be of value to researchers. This would include the closure of businesses, the existence of antiquarian collections, closure of private institutions, etc.

The Local Heritage Officer, with advice from the Records Manager, will decide whether the material should be acquired for retention in the Local Heritage Centre. Should payment be required for the acquisition of privately held archives this should be done with the approval of the Principal Librarian (Central Services), subject to value for money constraints.

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Where archives of historical value to Moray are held by another authority, institution or private body steps should be taken to ensure that a copy is obtained for the Local Heritage Centre, where possible, failing which information about these collections will be held at the Local Heritage Centre.

Where archives are offered to the authority but with conditions set by the potential depositor, e.g. type of users, time limit before use, the collection will only be accepted at the discretion of the Local Heritage Officer in consultation with the Records Manager.

The Local Heritage Service will only accept archive collections on the understanding that each collection will be examined and unwanted items will be returned. Potential depositors and donors will be informed and their permission sought.

Where archives are offered to a specific local library, staff should inform the depositor that the records will be stored in the Local Heritage Centre. Wherever possible copies will be placed in the relevant local library.

A programme of copying archives held in the Local Heritage Centre onto an appropriate medium will be initiated by the Local Heritage Officer. These will be used by researchers in order to preserve the originals. Copies will be sent to relevant local libraries. Digital images may be made available via the internet so that as wide an audience as possible can be reached.

Official Private and Public Collections

The Local Heritage Service will accept on deposit from the National Archives of Scotland, under the terms of 'charge and superintendence' official, private and public records relating to Moray. This is subject to gaining approval from the NAS as meeting the 'proper arrangements' for the care of archival collections.

Records held by the National Archives of Scotland relating to Moray include the kirk sessions records of the Church of Scotland, judicial records, the archives relating to customs and excise and other public official archives relating to Moray.

Please see also

Local Heritage Service Collecting Policy – concerning all of the records collected by the service including maps, plans, newspapers, photographs, unpublished works etc.

Local Heritage Service Advice for Depositors – leaflet to be given to those depositing archives with the service. Appendix C

Reference

Highland Council Archive Service Archive Collecting Policy

Dr David Brown, Head of Outreach Services, National Archives of Scotland

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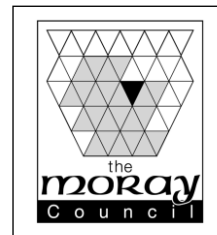
The policy was approved by the National Archives of Scotland in July 2008 and will be reviewed as required.

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Appendix A

Receipt/Deposit Agreement
Moray Heritage Centre GB 229



Old East End School
Institution Road
Elgin
IV30 1RP

Telephone 01343 569011 or Email heritage@moray.gov.uk

Accession Number	29
Title	Architectural plans by Alexander Anonymous, FRIAS, ARIBA, Chartered Architect, Elgin, Moray, Scotland, c. 1990 - 2000
Description	Plans of houses, schools etc in Moray
Date	c. 1990 - 2000
Extent	16 rolls of plans
Transfer method	Gift
Depositor	Alexander Anonymous, Elgin, Moray
Access conditions	None
Copy restrictions	Not to be copied for commercial purposes
Accession status	Private business collection
Accession category	Gift

Signed

Date

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Appendix B



The Moray Council LOCAL HERITAGE SERVICE

COLLECTION POLICY

Deposit/Donation/ Form 2

This form records the provenance of collections offered to The Moray Council for the Local Heritage Service. Please amend as necessary.

Date of Deposit	
Name and Address of Person making deposit/donation	
Terms of deposit e.g. donation (gift), deposit (long term or short term loan where ownership remains with depositor)	
Any conditions attached to the deposit e.g. closed to public access	
Number of items deposited	
Permission to weed the collection	Please specify whether the heritage service can appraise and weed the collection Yes No
Disposal of the collection	Should the Heritage Service decide not to accept the deposit/donation. Please show your preference:- <ul style="list-style-type: none">• return the item to the depositor/donor• destroy the items

2 Data Protection Act (1998) The information collected on this form will be used only for the purpose for which it is collected and will be stored in an electronic database. The council will process your information fairly and lawfully and in accordance with the Data Protection Act 1998.

For the purposes of processing your personal information the Data Controller is The Moray Council. The nominated representative of the Data Controller is the Head of ICT Services. You have the right to obtain details of the personal information which The Moray Council holds about you – you should make a Data Subject Access request in writing to Corporate Policy Unit, The Moray Council, Elgin. A fee of £10.00 will be charged for a Data Subject Access request.

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Additional Information e.g. physical condition	
Signature of depositor	
Signature of staff member	
Library at which deposit made	
Date passed to Local Heritage Service	

Retain this form and pass to the Local Heritage Service with the collection

Copy and give copy to person offering the collection to the Local Heritage Service

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Appendix C

The Moray Council

LOCAL HERITAGE SERVICE

Advice for Depositors of Archives

- The Local Heritage Centre is the place of deposit for archive collections held by The Moray Council.
- The archives will be stored, catalogued, conserved in accordance with professional archive standards.
- Archives will be accepted as gifts, bequests, transfers (from the local authority), loans and deposits.
- Deposit, Gift or Loan Agreements/Receipts will be issued by the Local Heritage Service to the depositor/owner of the collection. An example of such a document is attached at Appendix 1.
- Private Deposits will be accepted on the understanding that the records will remain indefinitely with the Local Heritage Service but that ownership of the records is not transferred to the local authority.
- Private Deposits of archives which are withdrawn from the Local Heritage Service may incur an agreed charge based on storage costs, management and care of the collection for the length of time the collection remained with the service.
- Loans of archives will be accepted e.g. for exhibitions
- All acquisitions by the Local Heritage Service will be made available for public research and consultation by any and all interested parties.
- Where conditions of use are placed on access to a collection (e.g. closed for a number of years due to the sensitive nature of the records held) and accepted by the Local Heritage Service as part of the deposit agreement then these restrictions will be strictly observed.
- Data Protection and other access to information legislation will be observed.
- The archives will not be loaned to the public or removed from the custody of the Local Heritage Service.
- The archives will be made available to the public in the supervised searchroom of the Local Heritage Service.
- Archives held by the Local Heritage Service may be used by the Service for educational, exhibition and outreach purposes.
- The archives may be copied and distributed according to copyright rules.
- The catalogues of the archives will be made available at the Local Heritage Centre, via the internet and details of new accessions will be submitted to the National Register of Archives for Scotland as appropriate.
- The archives will be accessioned and the accession number noted in the terms of the deposit agreement
- Archives may be purchased with the agreement of the Principal Librarian (Central Services)