

PROCEDURES FOR ARCHIVING RECORDS

Date policy adopted: 29/10/2014

Date of last review: 10/03/2022

Introduction

The ESC must ensure that its records of enduring value are permanently retained and made accessible. This is known as archiving. ESC must outline its archiving and transfer arrangements and ensure that records of enduring value are deposited in an appropriate archive repository.

The ESC has three separate agreements to archive their records. One with the National Records of Scotland, one with the British Library and one with the National Library of Scotland.

1. Archiving agreement with the National Records of Scotland

The ESC deposits and stores its records of enduring historical, cultural and research value with the National Records of Scotland (NRS). These records are transferred by the ESC to the NRS to fulfil its obligations under the Public Records (Scotland) Act 2011, as described under Element 7 of its Records Management Plan. The process for archiving these documents is set out in the ESC's Archiving Agreement with the National Records of Scotland, dated 12 August 2021.

What records should be archived with the National Records of Scotland

The following records are to be archived with NRS (paragraph 5.1 of the agreement):

- merger records (relating to the merger of OCPAS, SPSC and CIO in April 2011)
- reports to the Standards Commission for Scotland
 - a. breaches under s9 of the Ethical Standards in Public Life etc. (Scotland) Act 2000
 - b. non-breaches further to a direction issued under s10 of the Ethical Standards in Public Life etc. (Scotland) Act 2000
- Business plans
- Minutes from management team meetings
- Internal investigation procedures

The agreement also covers websites own and administered by ESC:

- publicstandardscommissioner.org.uk
- publicappointments.org
- ethicalstandards.org.uk
- ethicalstandards.scot

The Commissioner does not archive the following documents with the NRS:

- General (annual) report (as required under the Scottish Parliamentary Commissions and Commissioners etc. Act 2010)
- Strategic plans
- Annual report and accounts
- Code of Practices for Ministerial Appointments to Public Bodies in Scotland
- Reports of non-compliance with the Code of Practice
- Equal opportunities strategies for public appointments

These items are provided to the Scottish Parliament and archived through their procedures. In addition, the ESC deposits these publications with the National Library of Scotland. NRS have advised that HR and operational policies and procedures are not required.

How to archive a record with the National Records of Scotland

Guidance on how to deposit records with the NRS can be found on their website at:

<https://www.nrscotland.gov.uk/record-keeping/guidance-for-depositors>. This guidance is frequently updated.

2. Archiving agreement with the British Library

Under the Non-Print Legal Deposit Regulations 2013, the British Library has powers to archive the whole of the UK web domain. The UK Web Archive was established in 2004 to capture and archive websites from the UK domain. It contains specially selected websites that represent different aspects of online life in the UK. The British Library archives our websites in the [UK Web Archive](#).

The ESC nominated three websites for inclusion in the UK Web Archive in 2015. These nominations were accepted on 16 November 2015 and are still being archived.

What records should be archived with the British Library

The following websites are archived with the British Library:

- publicstandardscommissioner.org.uk
- publicappointments.org
- ethicalstandards.org.uk

How to archive a record with the British Library

The British Library automatically archives these websites. No action is required by the ESC.

3. Archiving agreement with the National Library of Scotland

Under the Legal Deposit Libraries (Non-Print Works) Regulations 2013, the ESC is required to submit 'electronic-only publications' to the National Library of Scotland. Any document laid before the Scottish Parliament or published on our website is considered an 'electronic publication'.

What records should be archived with the National Library for Scotland

- General (annual) report (as required under the Scottish Parliamentary Commissions and Commissioners etc. Act 2010)
- Strategic plans
- Annual report and accounts
- Code of Practices for Ministerial Appointments to Public Bodies in Scotland and associated statutory guidance
- Reports of non-compliance with the Code of Practice
- Equal opportunities strategies for public appointments

How to archive a record with the National Library for Scotland

Electronic versions (PDF) of the document should be uploaded to the NLS's web-based deposit tool (Digital Deposit Scotland). Digital Deposit Scotland can be accessed at <https://auth.nls.uk/login>. Account details are available internally.