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REVIEW OF THE "30 YEAR RULE"

Thank you for your letter of 28 December 2007 regarding the above subject.

In order to fulfil its responsibilities under the Public Records Act, the Department for Children, Schools and Families (DCSF) undertakes a series of reviews and set disposals for our paper files. First reviews are carried out after 10 years at which point files can be destroyed or retained. Retained files are subject to a second review when they are 25 years old in order that their suitability for further preservation at The National Archive (TNA) can be established. If they are not required for preservation, they are destroyed.

We undertake first reviews as they offer the opportunity to dispose of files in bulk by subject matter without having to spend a significant amount of time researching the content. On average, the Department has around 45,000 files due for first review per year. The primary aim of the first review is to lessen the burden of the second review as this is a more time consuming and detailed procedure which requires a high level of research and consultation with TNA. Currently, DCSF has approximately 12,000 files to second review (i.e. 25 years or older). We have 1.5 full time equivalent staff assigned to second reviewing. Any reduction in the review trigger would increase the volumes as follows:-

20 year trigger - 30,730 files

15 years trigger - 79,617 files

10 year trigger - 164,442 files

department for
children, schools and families



INVESTOR IN PEOPLE

Experience in the Department has shown that on average it is possible for one individual to second review around 5,000 files in one year. A reduction to 20 years would therefore require 6 staff to be dedicated to second reviewing for 12 months to address the backlog created. It is difficult in the current climate to envisage an additional 4.5 FTEs being made available to take on this work. In fact, the expertise and knowledge required to undertake second reviewing is significant and there are only a handful of staff in the Department with these skills. Inexperienced staff require an intensive period of training and almost constant supervision for several months. In addition to this reviewing resource, additional staff will be required to 'clean' and list files selected for transfer.

If additional staffing was available, there would be benefits in such a change. Reductions in the Department's paper record holdings would offer significant savings in terms of storage costs amounting to tens of thousands of pounds. Those savings however, in the short term, are likely to be consumed by the increased costs of file destructions and the physical 'picking' cost for the files being reviewed.

Aside from the resourcing problems, there are a number of additional issues that we may face:-

- a) The potential that ministers and other public servants may still be in active political life when records detailing their past actions and decisions are released;
- b) The possibility of disclosing records which include papers provided by other countries before the information is due for disclosure in another country;
- c) Departments will still have to keep sensitive records closed to prevent embarrassment to individuals that may be named, and the younger the information the more sensitive records there will be. The risk therefore is that departments will simply seek more extended closures, which will mean that very little will, in fact, change;

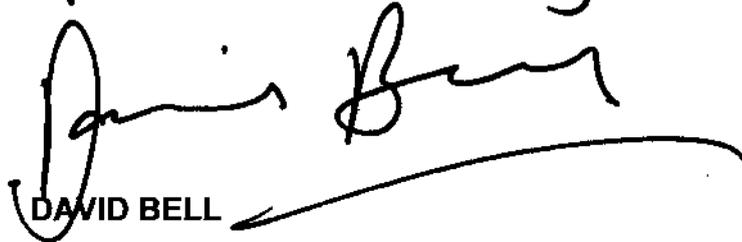
There is potentially a huge additional expectation on TNA, who are likely to be inundated with files for preservation. Whether they have the physical storage capacity and the resource to manage the process as they do now (which includes sending Records Executives to departments to check the content that has been selected for preservation and the listing details), needs to be assessed.

The introduction of electronic records management changes the situation considerably. There is currently a lack of clarity around how records will be selected for preservation and whether TNA will accept bulk transfer of records based upon subject matter. If they do, then the second reviewing burden will reduce considerably in future. Much work is still to be done in this area as, the facilities within EDRM systems and at TNA for transfer are largely unproven.

The implementation and planning of any change will need to be an inclusive process, in order that unrealistic expectations and deadlines are not imposed on departments. Perhaps the best approach would be to run a pilot with one or two departments in order to trial the process, tease out any issues and to gauge the pressures imposed on both the departments concerned and TNA. The lessons learned could be used to inform planning for the main implementation.

I hope that this response is helpful.

Yours sincerely

A handwritten signature in black ink, appearing to read "David Bell". The signature is written in a cursive style with a long horizontal flourish extending to the right.

DAVID BELL