

Agenda Item No. 3(a)

DERBYSHIRE COUNTY COUNCIL

MEETING OF CABINET MEMBER – HEALTH AND COMMUNITIES

13 December 2016

Report of the Strategic Director - Economy, Transport and Communities

NEW BURDENS FUNDING FOR DERBYSHIRE RECORD OFFICE

(1) **Purpose of Report** To inform the Cabinet Member of the New Burdens funding allocated to Derbyshire Record Office (DRO), as a consequence of changes to legislation, and to request permission to transfer all payments received to a dedicated reserve for the purpose of meeting the costs incurred in complying with the changes to the Public Records Act.

(2) **Information and Analysis** The DRO is the official Place of Deposit (PoD) for public records relating to Derbyshire, which include records of magistrates courts, county courts, coroners courts, prisons, hospitals and NHS trusts.

In 2015, the Constitutional Reform and Governance Act 2010 changed what was known in the Public Records Act as the ‘thirty year rule’ to the ‘twenty year rule’. Under the thirty year rule, public records would be transferred to the PoD once they were thirty years old. In future, they will be transferred once they are twenty years old.

In order to manage the transition from the thirty year rule to the twenty year rule, PoDs will be taking in one extra year’s worth of records every year over ten years, to catch up with the backlog created by this change in policy. The Government has allocated New Burdens funding to support local authorities in taking on this unanticipated quantity of records over 2015 to 2024.

The New Burdens funding is managed by The National Archives (TNA). In order to claim New Burdens funding, PoDs must send in an annual return to TNA, stating the quantity of public records taken in over the past year. The total available funding is divided up each year between PoDs according to the quantity of records they have taken in. This means that New Burdens payments will vary considerably over years, depending on how much material has been taken in across the country and how many PoDs have submitted claims.

In 2015, DRO took in 48 linear metres of extra public records, for which it has received a New Burdens payment of £28,900. The funding is not a substitute

for core service funding, but is to be used for activities such as cataloguing and preserving public records. If appropriate, it may also be used to invest in physical or digital storage solutions that will increase general capacity to collect and manage future transfers of records. For audit purposes, DRO will be required to provide evidence of the spending of this New Burdens payment to TNA. This may form part of their reporting to the Department for Culture Media and Sport, and the Department for Communities and Local Government.

Because New Burdens payments will vary from year to year, permission is requested from the Cabinet Member to create a dedicated reserve for New Burdens payments so that the money can be retained for the purposes for which it was given, and money can be spent across financial years.

(3) **Financial Considerations** As outlined in the body of the report.

(4) **Social Value Considerations** In preserving these public records for future generations, DRO is helping to support the Government-wide transparency agenda in making information accessible to the public for scrutiny and re-use, strengthening the community's trust in key decision making and participation in local affairs.

In preparing this report the relevance of the following factors has been considered: legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

(5) **Key Decision** No.

(6) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(7) **Background Papers** Held on file within the Economy, Transport and Communities Department. Officer contact details – Don Gibbs, extension 36572.

(8) **OFFICER'S RECOMMENDATIONS** That the Cabinet Member:

8.1 Notes the contents of the report.

8.2 Agrees to the creation of a dedicated reserve for New Burdens payments so that the funding can be used towards the costs incurred in complying with the changes to the Public Records Act.

Mike Ashworth
Strategic Director – Economy, Transport and Communities