Isle of Man Public Record Office

Collection and Selection Policy

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Introduction

The Isle of Man Public Record Office preserves the national archives of Isle of Man public bodies. Our role and activities are defined by statute – the Public Records Act 1999 and the Public Records Order 2015.

We work with public bodies on the Isle of Man to select records of historic and cultural significance. We make sure that these are preserved, transferred to the archives and made accessible to the public for research at the appropriate time.

Selection and preservation of public records within our national archives is important.

Our archives:

- Contribute to transparent and accountable Government by preserving the corporate memory of Isle of Man public bodies;
- Make public information available for historical, cultural, medical, environmental and other scientific research;
- Help foster Manx identity, heritage and culture by contributing to our national memory;
- Enable people to understand their community, family and cultural background; and
- Protect human rights.

The Isle of Man Public Record Office plays a key role in delivering the Isle of Man Government Programme for Government (2016-2021) policy statements:

- 'To continue to make more Government information available and increase transparency in the way Government delivers its services' (Responsible Island); and
- 'To continue to promote and support our national heritage, culture and language at home and around the world' (Sustainable Island).

Why selection?

It is not possible or desirable to retain all records created by Isle of Man public bodies. Many records have little long-term evidential or informational value. Permanent preservation of records as archives is costly, requiring specialist storage and care. We aim to preserve *only* records of long-term historical and cultural value.

This policy provides details of:

- Our collecting remit (***whose*** records we will collect);
- Our selection principles (***which*** records we will select for preservation); and
- ***How*** we undertake selection in practice.

The aim of this policy is to:

- Inform stakeholders and the public – our rationale for selection decisions is open and transparent;
- Ensure we make high-quality, consistent selection decisions based on professional best practice;
- Provide justification for selection and preservation of records, where their retention may appear to be in discord with other legislation (for example, data protection); and
- Ensure preservation of our national heritage in a cost-effective manner by selecting only those records that merit preservation.

Our collecting remit

Our collecting remit is established by the Public Records Act 1999 and the Public Records Order 2015.

The Public Records Act 1999 defines 'records' as 'not only written documents, but also records conveying information by any other means whatsoever'.

We will collect records in all formats. This includes paper, parchment, vellum, maps and plans, photographs, microfilm and fiche, audio-visual content and digital records, for example, e-mails, spreadsheets, data sets and web content.

We will collect public records as defined by:

- Schedule 2 of the Public Records Act 1999;
- Part 4 of the Public Records Order 2015;
- Schedule 1 and Schedule 2 of the Public Records Order 2015;
- Any subsequent amendments made by Act or Order to the list of bodies whose records are public records.

This collecting remit extends to virtually all records of Isle of Man public bodies. It includes selection and preservation of historically significant records from:

- Tynwald;
- Council of Ministers;
- Attorney General;
- Isle of Man Government departments;
- Statutory boards;
- Local authorities;
- Schools;
- Isle of Man Courts of Justice;
- Isle of Man Constabulary;
- Manx Museum and National Trust; and
- Many other public bodies.

The Public Record Office may, under the Public Records Act 1999, part 1(3)(e), accept and preserve records from private sources; however our principal focus and statutory role is to preserve and make accessible records of Isle of Man public bodies. Our collecting efforts are committed to this area of work.

Manx Museum and National Trust, and other libraries and heritage organisations on the Island, already preserve and promote access to private archives, published library and museum resources. Their collecting remit includes records of families, individuals, businesses, societies and faith organisations. We do not intend to focus efforts in this area.

We will maintain a small local history reference library for use by researchers visiting the Record Office.

We may preserve objects, works of art and private records in exceptional circumstances and where considered appropriate. This includes instances where objects, works of art or private records are received within the historic records of an Isle of Man public body and form an integral part of the collection.

Our selection principles

'Selection' is the process of assessing which records have enduring, long-term value and should be preserved permanently as part of the Island's national archives. In the archival profession, the alternative term 'appraisal' is often used.

Principles

We will select records for preservation based on their value as evidence of the functions and activities of the Isle of Man government and other public bodies of the Isle of Man.

We will also select records based on their informational content and future likely research use. The following lists, whilst not exhaustive, indicate the nature and type of records that we may select for preservation.

Records we select may illustrate:

- core operations/main functions and business processes of public bodies;
- the formulation and interpretation of policy;
- the formulation of legislation, its implementation and interpretation;
- the impact of changes in policy and legislation on a public body's work;
- matters of precedent;
- major projects and initiatives, including those which did not happen;
- significant changes in strategic functions or obligations;
- significant changes in direction or practice, including restructure of public bodies;
- significant relationships with other jurisdictions;
- the management of the economy;
- the administration of justice;
- the management and protection of assets including property;
- significant impacts on, and interaction with, the physical environment;
- controversial issues, proposals and developments;
- the rights of individuals;
- impact on the public, including the effect of changes in policy and legislation;
- the interaction between public bodies and citizens.

Records we select may include:

- information on high profile individuals and organisations;
- information on events of continued interest, including international events;
- matters of interest to the media at the time or more recently;
- information on times of political, legal, social or economic change;
- information on unique aspects of life on the Isle of Man;
- summary or snap shot information about aspects of Island life;
- case files, data sets and records that contain extensive information about the lives of individuals, groups, organisations and places;
- case files, data sets and records that reflect particular sectors of the economy and community which can be used for statistical or quantitative analysis.

Selection of records containing personal data

Processing of personal data relating to living individuals is regulated by Manx Data Protection legislation, including the EU General Data Protection Regulations as applied to the Isle of Man.

Article 89 of the EU General Data Protection Regulations and the Isle of Man GDPR and LED Implementing Regulations 2018 (SD 2018/0145) allow for processing of personal data for the purposes of 'archiving in the public interest' and scientific, historical and statistical research purposes, subject to appropriate safeguards.

Selection, appropriate retention and transfer of public records containing personal data to the Record Office ('archiving in the public interest') is a legal obligation for Isle of Man public bodies under the Public Records Act 1999.

Where public records contain personal data, including special category data, we will only select them for permanent preservation as part of the Island's national archives if society as a whole, in particular researchers, will benefit from the preservation of the records for historical and cultural research purposes.

We will ensure that appropriate access conditions and safeguards are in place to respect the privacy rights of all data subjects identified in records transferred to the Record Office for permanent preservation.

Exclusions

We will not select:

- duplicates of records already held by the Public Record Office, except in small quantities where retention is to form part of a 'handling collection' for outreach purposes (for example, use by school groups); or,
- records of low historical, evidential or informational value.

Duplicate records found amongst existing collections will be weeded at the time of cataloguing and offered back to the creating body.

We may select duplicates of records held by other archives and heritage organisations (including those outside of the Isle of Man) for preservation under certain circumstances:

- where records are the original or 'official' versions which should be preserved as part of the Isle of Man's national archives (where records held by other organisations comprise copies or published versions); or,
- reference library items, including copies of archival items, where their presence alongside the Public Record Office collections will add significant value to the experience of visitors using the Record Office for research.

To ensure cost-effective management of collections, we will make every effort to keep duplication of resources, both within the Public Record Office and with other organisations, to a minimum.

Powers of inspection

Officers of the Public Record Office undertake selection of records for permanent preservation under delegated authority from the Registrar-General.

We have powers under section 3(3) of the Public Records Act 1999 to inspect and examine any public records at any time for this purpose, notwithstanding any confidence, privilege or statutory restriction.

Putting principles into practice

Working with public bodies

Under the Public Records Act 1999 (sections 3 and section 4), Isle of Man public bodies have legal obligations:

- To take reasonable steps for the safe-keeping of records in their custody (i.e. through good records management practices);
- To make arrangements with the Record Office for the selection of records suitable for permanent preservation;
- To transfer selected records to the Record Office no later than 25 years after the records were created; and,
- To notify the Record Office of any access restrictions which should be placed upon the records on transfer to the Record Office.

We will work actively with public bodies on the Isle of Man to provide advice and guidance, and co-ordinate this work.

Selection of records is a two-way process involving both the Record Office and the record creating body. Both bring a different and valuable perspective to the selection exercise.

Records creators bring knowledge of the functions, activities, context and informational content within their records. The Record Office team bring to the selection process a historical perspective, which includes an understanding of: the historical and cultural value of records; the needs of researchers; past, current and possible future research trends; and archival best practice.

Final selection decisions will always be made by the Isle of Man Public Record Office, however, the views of the record creating body will be considered as part of the decision-making process.

Macro-appraisal

Isle of Man public bodies create a very large volume of records and information. It is not practical or cost effective to examine all records individually to make decisions on which records have historical value.

Wherever possible, we will undertake selection through ‘macro-appraisal’.

Selection decisions will be made for each record series, informed by: existing record surveys, asset registers or lists; discussions with the record-creating/holding body; and desk research. We will seek to gain an understanding of:

- the legal context, history, functions and activities of the organisation;
- the evidential and informational value of the record series (based on typical content);
- best practice in other jurisdictions for retention of the record series; and
- any duplication of the content of the record series.

Examination of individual records will be kept to a minimum, although we may ask to view a small sample of a record series in order to confirm the type of record and content prior to making a decision.

Where records are of a complex or technical nature, for example scientific or engineering records, we may seek expert opinion or advice to inform the selection decision.

Micro-appraisal

We may carry out 'micro-appraisal' (examination of individual documents to make selection decisions on a case by case basis):

- Where a public body holds historic records that do not fit within its current business records systems/series, functions and activities; or,
- Where the evidential or informational value of the records is unclear and cannot be judged at record series level or from existing lists; or,
- Where records do not form a distinct record series within a records management system, are unlisted/poorly listed or dis-ordered; or,
- On sequences of case files in order to inform sampling; or,
- During archive cataloguing, to weed out duplicates or items identified as of little long-term archival value.

We will ask the creating/record-holding public body to list any unlisted, poorly listed or dis-ordered records before selection takes place.

Sampling

For large record series, such as client or patient case records, we may decide to select and retain a sample rather than the whole series.

All sampling decisions will be made after careful analysis of the purpose of the sample, appropriate sampling methods and sizes to fulfil the desired purpose, costs and practical application.

Samples may be selected to:

- Enable statistical research; or,
- Provide an illustration of a record type, function, activity or process; or,
- Enable qualitative research.

Sampling methods that may be adopted include:

- Random sampling;
- Systematic sampling;
- Stratified sampling;
- Cluster sampling; and,
- Illustrative sampling.

Documentation

We will clearly document all selection decisions, including the reasons for the decision.

Where selection is carried out through macro-appraisal, we will also insert selection decisions for each record series into the public body's records retention and disposal schedule (where available) to inform future retention of records and transfers to the Record Office.

Terms of acquisition

We will transfer records selected for permanent preservation to the Isle of Man Public Record Office at a date to be agreed with the record-holding body under the following terms of acquisition:

- Public Records Act 1999 Section 3(4):
    - Full transfer of records from the public body to the Record Office.
    - Any public access arrangements or restrictions applicable to the records will be agreed with the appropriate public body before transfer.
    - Records may be returned temporarily on loan to the creating/record-holding body (or its successor) under section 3(10) of the Public Records Act 1999 subject to agreed terms.
    - Under section 4(8) of the Public Records Act 1999, the creating/record-holding body (or its successor or, in the absence of such, the Chief Secretary) remains responsible for authorising any access to 'closed records' transferred to the Record Office. This includes access under the Freedom of Information Act 2015 and Manx Data Protection legislation. The public body remains a Data Controller.

- Public Records Act 1999 Section 3(8):
    - Temporary transfer of records from the public body to the Record Office to enable further assessment for selection purposes (determining which records should be retained for permanent preservation).
    - The depositing public body retains ownership of the records and may withdraw them at any time.
    - The depositing public body is responsible for all public access to the records, including access under the Freedom of Information Act 2015 and Manx Data Protection legislation, and remains the Data Controller.
    - The Public Record Office may return the records to the depositing public body at any time. We are under no obligation to store them.

- Public Records Act 1999 Section 6(1):
    - Full transfer of any records held, filed or deposited in the General Registry.
    - On transfer to the Record Office, private records held, filed or deposited in the General Registry become public records under the Public Records Act 1999 and become subject to the terms of the Act (including the additional points listed above under section 3(4) terms of acquisition).

Places of deposit

Under section 1(6) of the Public Records Act 1999, the Registrar-General may designate other record offices, libraries or repositories within the Island as 'places of deposits' for public records.

We will assess all 'places of deposit' before designation to ensure they meet suitable standards for archives storage, security, suitably qualified personnel and public access to records.

Records of Isle of Man public bodies held by the Manx National Heritage Library and Archives (the Manx Museum) are 'public records' as defined by schedule 2 of the Public Records Act 1999. The Museum is designated under the Act as a 'place of deposit' for these records.

Designation of a 'place of deposit' may be appropriate:

- Where a record requires specialist storage or technical preservation not available at the Record Office; or,
- Where records fit within, or complement, a records series or collection (including Museum collections) already held elsewhere.

Acquisition of public records from private sources

On rare occasions, records created by Isle of Man public bodies have fallen into the custody of private organisations or individuals. Where this becomes known and where considered appropriate, we may acquire these records for transfer to the Record Office, provided that the records meet the selection criteria set out in this policy.

Disposal

Public records judged as not suitable for permanent preservation may either be:

- Retained by the record-creating/depositing public body for their own legal/business/administrative needs; or
- Sent for confidential destruction; or
- Disposed of by another means.

Under the Public Records Act 1999 section 3(7), we may legally destroy or dispose of public records unsuitable for permanent preservation without reference to the creating or depositing public body. However, we will always attempt to engage with the record-creating/depositing body or its successor before destruction or disposal takes place.

Records which do not fall under the definition of 'public records' may be offered to other archive services, libraries or repositories as appropriate, provided that they do not form an integral part of a series or collection of 'public records'.

We will clearly document all destruction or disposal of records (where carried out by the Public Record Office). We are not responsible for documenting the later destruction or disposal of records where these have been returned to the creating/depositing public body.

Re-appraisal and de-accessioning

We may re-appraise (repeat the selection process) and de-accession records if judged appropriate and in the following circumstances:

- Where there is clear evidence that earlier decisions require review and the records do not fit the criteria within this collection and selection policy; or,
- Where records are stored at the Record Office under section 3(8) of the Public Records Act 1999 pending further assessment; or,
- Where advances in technology mean it is no longer possible or practical to retain the records.

We will clearly document all re-appraisal, including the reasons for the final selection decision.

Records which, after re-appraisal, are not selected for preservation will be disposed of in accordance with the Public Records Act 1999 and the disposal arrangements set out in this policy.

Review

Version 1 issued 16 November 2018.

We will review this policy every three years, and at interim dates where necessary.

Approval

Approved by: Edward Clague, Director of Central Registry

Date: 16 November 2018