

REPORT OF THE SERVICE DIRECTOR, YOUTH, FAMILIES AND CULTURE**ARCHIVES AND CENTRAL LIBRARY MEMORANDUM OF
UNDERSTANDING AND STATEMENT OF SERVICES****Purpose of the Report**

1. To seek approval for a proposed revised memorandum of understanding and statement of services with Nottingham City Council in relation to the provision of Archives and Central Library services (as set out in **Appendix 1**)

Information and Advice

2. Following local government reorganisation in 1998, the County and City Councils agreed through a formal service level agreement (SLA) to maintain a single Archives Service and Central Library to serve both the City and County.
3. The SLA was very detailed and described both services as they were structured and resourced in 1998. This was based on the priorities of the two Councils at the time and the historic construction of the services. At a time of significant change the driver to maintain the services to ensure the customer was not disadvantaged by council reorganisation underpinned the agreements.
4. No financial exchange was included within the scope of the agreements.
5. As well as detailing the type of service offer from each Council, the SLA established the counter-balancing principle of each service, i.e. the County Council provided an integrated historical archives service, and the City Council provided a Central Library, equally accessible to both County and City residents.
6. During the last 15 years both services have changed significantly (especially public libraries) in terms of service design and priorities, reflecting the changing requirements of both customers and the Councils.
7. That said, the fundamental principles of the original agreement have been maintained, and both Councils continue to provide appropriate access to services and co operation to ensure citizens of the County and City have no barriers in accessing services.
8. However, as the services have changed, the need for and design of the current SLA format and its detail have become less relevant. The ability to measure the agreement in relation to the fundamental principles of each service delivering for both Councils has therefore over time become unworkable.

9. To address this, both Councils have undertaken a review of the SLA and the type of partnership required for the future, based on the principles of a revised agreement that focusses upon the outcomes required by each Council.
10. To this end a statement of each service and its unique offer and an indication of the likely outcomes offers a useful structure for the revised agreement (see **Appendix 1**). This is underpinned by a requirement for each Council to establish how its investment, risks and liabilities are balanced between the two services.
11. Although the balance between the provisions of each service is not a like for like comparison, the proposed agreement includes a description of what each service provides as the basis for the agreement for the future.
12. Communications and joint working structures will be established to ensure the agreement is both maintained and developed as things change.
13. A formal review will be undertaken every year with a new agreement being approved every five years.

Other Options Considered

14. Other options were considered whilst reviewing the agreement. However, all options would have a potentially negative impact on County and City customers. In addition, the proposed Memorandum of Understanding limits the future revenue and capital liabilities of each Council. Disaggregating historical library and archive collections is very difficult and very poor practice and is in direct contradiction to current County Council and national policy frameworks.

Reason/s for Recommendation/s

15. The proposed revised agreement provides a clear description of each service and refreshes the commitment of both Councils to continue to work together to provide seamless access to specialised services.
16. The agreement limits the financial liabilities on each Council.

Statutory and Policy Implications

17. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Service Users

18. Service users access to Archives and Central Library services will be protected.

Financial Implications

19. There are no direct financial implications

Equalities Implications

20. Due regard has been given to the Public Sector Equality Duty.

RECOMMENDATION/S

- 1) That the proposed memorandum of understanding and statement of services with Nottingham City Council in relation to the provision of Archives and Central Library services, as outlined in **Appendix 1**, be approved.

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Constitutional Comments (NAB 04/06/13)

21. The Culture Committee has authority to approve the recommendation set out in this report by virtue of its terms of reference subject to the memorandum of understanding being in a form approved by the Group Manager for Legal and Democratic Services.

Financial Comments (KL04/06/13)

22. There are no financial implications arising directly from this report.

Background Papers and Published Documents

Nottinghamshire Archives and Records Management Service for the 21st Century, October 2012.

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All.

C0234

Archives and Central Library Memorandum of Understanding and Statement of Services

1. Services

Nottinghamshire Archives will provide a full historical archive service for both Nottinghamshire County Council and Nottingham City Council.

These services will include:

- Acquisition of written, digital and visual archives relating to Nottinghamshire and the City of Nottingham including prior surveying and selection of records
- Secure and environmentally-controlled storage facilities for the preservation of historical archives
- Facilities for the physical conservation of archives
- Cataloguing and indexing to facilitate public access
- Public search room for consultation and research into archives for a variety of administrative, learning and recreational purposes
- Learning and outreach services to promote the use of archives through exhibitions, talks, publications and similar activities
- Online and telephone enquiry service
- Publicly available online catalogue and digitised resources.

The following are excluded or can be provided at additional charge:

- Records Management Services for Nottingham City Council
- Conservation of material from County and City Library Services.

Nottingham Central Library will provide a comprehensive public library lending and reference service to citizens of Nottingham and Nottinghamshire. The same level of access and service will be afforded to citizens of Nottingham City and Nottinghamshire County residents. It provides:

- An enquiry service whether made in person, telephone or electronic means
- Resources - the greatest range and depth of stock particularly in specialist areas of music and local studies
- A unique collection of Local Studies material, including extensive specialist collections subjects such as Lord Byron and DH Lawrence
- A photographic collection of around 250,000 original images, At least 6,000 of these images are of County villages but unique to the Central Library collection
- A large collection of local newspapers and periodicals, local maps and oral history transcripts and recordings. The microfilming of newspapers is carried out on behalf of the County
- Local Studies items (books, maps, journals) identified and sourced with content relevant to the County will continue to be acquired by the City for County Library stock
- Local Studies department: there is a wide range of printed, microfilm and electronic resources for family history research, supported by a team of knowledgeable staff with detailed knowledge and experience of the subject

- A specialist collection of music scores, part songs and recordings which forms part of a national collection and inter-library lending service. This is the largest collection of music in the region and access to it and standards of service are the same for both City and County users
- 25,500 drama and play sets
- The provision of current business related information and access to online resources including a subscription to specialist resources
- Reference copies of official publications and many important current and historical official publications, including Acts of Parliament and government papers
- Significant Law collection of over 730 items to support local demand
- A large collection of maps with complete collections of Ordnance Survey Landranger and Explorer maps for whole UK
- European Union Information Site, which is part of a nationwide network of information centres with an agreed standard of information on European matters
- A wide range of foreign language stock including Asian and European, circulated to County Libraries by request and selected with the assistance of staff with appropriate language skills. Current Asian languages include Hindi, Punjabi, Urdu, Bengali and Gujarati and collections are currently circulated to County Libraries on a 6 month rota including additions every 6 months over an agreed period. The languages provided will be reviewed periodically and stock circulation details agreed annually as part of the review of this Memorandum of Understanding
- The City Resources budget is allocated on a subject basis but approximately a third is spent on Central Library stock. This includes stock not available from traditional mainstream suppliers
- The City Centre location off Old Market Square, close to the main shopping and leisure facilities of the City, makes the library easily accessible and convenient for a range of public transport and parking facilities
- Due to the nature of the service the Central Library has extensive opening hours appropriate to its City Centre location which are convenient to visitors
- The Central Library offers space for all customers to find quiet space to study or relax for as long as they need regardless of whether they live in the City or County
- It provides a safe and neutral community space for all in the heart of the City
- Close proximity to Archives Service for complementary services.

2. Statutory basis

Nottinghamshire Archives undertakes to provide the following statutory functions:

- To perform the functions of both Nottinghamshire County Council and Nottingham City Council as Archives Authorities under the Local Government (Records) Act 1962, and the Local Government Act 1972, by providing facilities for the custody of the archives of the County, the City, and all District Councils, town and parish councils, and private depositors
- To perform the functions of both Nottinghamshire County Council and Nottingham City Council to provide an approved repository for the following deposited public and legal records:

- Quarter Sessional and Petty Sessional Court records, Coroners' Inquest records, Probate records, and other specified Public Records (appointed by the Lord Chancellor under the Public Records Acts 1958 and 1967)
 - Manorial Court Rolls and other records (approved by the Master of the Rolls under the Law of Property Act 1922 and its Amendment Act, 1924, and the Manorial Documents Rules, 1959, 1963, and 1967)
 - Tithe Apportionment and maps (approved by the Master of the Rolls under the Tithe Act, 1936, and the Tithe Rules, 1960 and 1963).
- To act as the Southwell and Nottingham Diocesan Record Office (appointed by the Bishop of Southwell and Nottingham under the Parochial Registers and Records Measure, 1978 as amended by the Church of England (Miscellaneous Provisions) Measure, 1992 in respect of the custody and inspection of parish records within the Diocese), and of the issuing of marriage certificates (in accordance with the Marriage Act, 1949).

Nottingham Central Library

Will be managed and developed in accordance with acknowledged professional public library standards and meets the statutory obligation of all Library Authorities to provide a comprehensive and efficient service by the 1964 Public Libraries and Museums Act.

3. Standards

Nottinghamshire Archives will operate to the following standards:

- British Standard *Guidance for the Storage and Exhibition of Archival Materials* (PD 5454), 2012, lays down physical standards of building design, etc. Nottinghamshire Archives is compliant to the previous standard and will aim to be compliant to the new standard
- The National Archives, *Standard for Record Repositories*, 2004 lays down standards on constitution and finance, staff, acquisition, and access. A previous edition of this standard was formally adopted by the Nottinghamshire Leisure Services Committee on 10 January 1991
- *Lord Chancellor's Code of Practice on the Management of Records under Section 46 of the Freedom of Information Act 2000*. This provides guidance to all local authorities as to the practice which it would be desirable for them to follow in implementing the Freedom of Information Act 2000
- The National Archives, Society of Archivists, Records Management Society and National Association for Information Management *Code of practice for archivists and records managers under section 51(4) of the Data Protection Act 1998*, 2007. This provides guidance on the implementation of the Data Protection Act
- Museums, Libraries and Archives Council, *Benchmarks in Collections Care*. Nottinghamshire Archives is working towards achieving Best Practice under this standard
- Public Service Quality Group, *Standard for Access to Archives*. Nottinghamshire Archives has achieved this standard

- *Archives Service Customer Charter*. This charter, adopted in October 2000, was revised in July 2004, January 2006 and June 2007.

4. Performance Measurement

Nottinghamshire Archives will monitor its performance through the following:

- TNA Self-Assessment of Local Authority Archive Services (to be replaced by an Accreditation of Archive Services)
- PSQG Survey of Visitors to British Archives
- Annual Service plan
- Performance against the *Archives Service Customer Charter*
- County Council Performance Indicators
 - Personal Visits to Archives
 - Virtual Visits to Archives
 - Archives events
 - Archives events attendance

The following measures of services provided to the City Council will be maintained:

- Total of City Council holdings as a proportion of total holdings
- Amount of records relating to City Council area catalogued as proportion of total annual cataloguing
- Personal Visits to Archives by City Council residents as a proportion of total of personal visits
- Number of external events and displays within City Council area as a proportion of the total number of events and displays.

Nottingham Central Library will monitor its performance by the following measures:

- Number of visits
- Loans - broad categories
- Active customers - customer groups
- Reservations - customer groups
- New members - customer groups
- Adult & Children's activities
- Adult and Children's Public Library Surveys (use and satisfaction)
- Have your say – comments and complaints
- Annual community profile for Central Library
- Visitor surveys including postcode analysis between City and County visitors

Other information may be available on request. Information will be made available on a quarterly basis.

5. Communications

- The main point of contact for monitoring and communication at a strategic level is the Group Manager (Head of Service) Libraries, Archives and Information through the quarterly meeting with Heads of City Library and Information Service. This will cover both the Central Library service and the Archives service
- In addition the Heads of City Library and Information Service or their representative will be invited to join the Nottinghamshire Archives User Group (NAUG). This group is formally constituted and has representation from key stakeholders in the provision and development of Archive services. Performance and policy development are reported to this group. The Group Manager and Team Manager, Archives and Local Studies, attend this group
- There is a commitment to a joint Local Studies Collection Policy the detail of which will be managed through the Local Studies Network partnership. A practitioners' quarterly meeting chaired by the Team Manager, Archives and Local Studies, will develop joint working and service development across Archives and both Library services. City librarians will be invited to attend
- Any disputes can be referred to Group Manager and Head of City Library and Information Service.

6. Strategic / Capital Issues

- Nottinghamshire Archives building in Nottingham will be full towards the end of 2012/2013. An extension scheme has been developed to enable the service to continue its core function of acquiring, preserving and providing public access to archives on the current site. This will result in:
 - Sufficient accrual space for the acquisition and storage of archives for at least the next 20 years
 - Improved facilities for the public to access archives
 - New provision for storage of digital media and access facilities
 - Improved provision of educational and learning facilities.
- Alongside the need to secure the long term physical archive, the provision for digital archives is becoming more essential as large amounts of information are either born digital or require digital preservation and access. Investment and cooperation with the City Council in developing new approaches to this increasingly important area will be required. The 'Picture the Past' project is a good example of such working alongside new opportunities to work with commercial providers to digitise and provide online access
- Cooperation, support and acknowledgement of the partnership is required, especially in developing funding bids to relevant external funding bodies for future development of services.
- Nottingham City Council has made a policy commitment to identify funding for a new Central Library for City and County residents alike.

- In the pursuit of a new library, the Nottingham City Library and Information Service has the following key objectives:
 - To provide excellent, inclusive and efficient services as defined under the 1964 Public Libraries and Museums Act
 - To provide modern library facilities fit for the 21st Century
 - To promote literacy, literature and reading for pleasure, especially by young people
 - To support learning and education for all
 - To provide access to information
 - To promote the use of ICT.

7. Review

The agreed performance measures will be monitored annually by the Group Manager, Libraries, Archives and Information, and the Heads of City Library and Information Service and the memorandum of understanding and statement of services reviewed after 5 years.

8. Status of the Memorandum of Understanding

- This Memorandum of Understanding is not intended to be legally binding, and no legal obligations or legal rights shall arise between the parties from it. The parties enter into the Memorandum of Understanding intending to honour all their obligations.
- Nothing in this Memorandum of Understanding is intended to, or shall be deemed to, establish any partnership or joint venture between the parties, constitute either party as the agent of the other party, nor authorise either of the parties to make or enter into any commitments for or on behalf of the other party.