

Legal Records at Risk Pilot Project: A Case Study of Records and Record-keeping in a Legal Publishing House

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Introduction

The Legal Records at Risk project at the Institute of Advanced Legal Studies, University of London sets out to identify a broad range of records relating to institutions specialised to law (ISLs) which are at risk, particularly in relation to gaps in provision for their long-term preservation. This pilot project set out to survey the paper and born-digital records of a legal publishing house based in the South East of England. It sought to identify records of archival value and to make recommendations about their permanent retention. It aimed to create a bespoke records retention and disposal schedule including current, semi-current, hard copy and electronic records, based on legal retention periods and current best practice.

Methodology

Two initial meetings took place between the founder and current MD of the organisation, the project archivist and Professor William Twining, Emeritus Professor of Jurisprudence at UCL, to understand the development of the publishers and its current business situation. The project archivist then undertook a survey of the current, semi-current and historic records in paper form, along with a sample of electronic records on the business's shared drives and databases. The survey findings were recorded in a retention schedule, along with a specific retention period for each series of records. The retention guidance was based on current legislation, best practice in other similar organisations, and/or current administration use in the business.

The retention schedule was sent to the MD of the organisation in advance of a meeting to discuss the findings. The retention schedule was presented along with guidance on managing electronic records on shared or network drives and email, which was tailored for their business needs with space for further customization by including job titles for delegating specific responsibilities in managing records. Though a local repository for transfer of the company's historic records had been identified, this was not desired by the business at present. Categories of records for historic and legal permanent preservation were discussed and advice on preserving records was given. The MD is to enquire about records designated for permanent preservation at the end of the records cycle in the commercial records store, and the possibility of their transfer to a local archive service at that point.

Time spent

This case study took 10 working days, broken down as follows:

- Proposal: 0.5 day
- Records survey: 2 days
- Preparation of retention schedule: 2.5 days
- Drafting *Essential Electronic Records* guide: 2 days
- Interview and meeting with business staff: 1 day
- Correspondence and meetings with project staff: 2 days

Outcomes

In total, approximately 17.5 linear meters of paper records were surveyed in addition to a sample of 2.35 TB of electronic records.

The survey methodology and the retention schedule template were tested and amended during the process. Guidelines for the good management of records on shared drives and email were drafted and delivered to the publishers. The organisation felt that the survey and recommendations were useful, and the positive will built up should result in an improvement of record-keeping practices, especially around electronic records. There is an increased understanding in the organisation of the historic importance of its early and accruing record series. An office move will prompt a transfer of some of the semi-current records to external storage, but there is an awareness of the eventual aim to transfer the historic records to an appropriate local archive repository which has already been identified.

This ISL proved a useful case study as it is a small publishing house with a short history, yet significant within the industry and thus of research interest. In terms of record-keeping, the firm benefits from a stable administration since its foundation and a catalogue of interesting titles and authors. This enabled the project archivist to carry out a full survey of its paper records in a reasonably short time, with a further sampling of digital records. Having an in-depth overview of the administrative history following the interview with the business's founder plus full access to the records and project support for the project by the current MD, were essential. These factors (administrative context, high-level support, open access) were important to the success of the case study as it allowed the project archivist to rapidly identify key record series. Understanding the business helped target the retention schedule and e-records guidance to their current business situation. An appropriate local archive repository was identified from the outset should the business wish to transfer its historic records there in the future.