

# Cabinet Office Records Selection Policy

#### Cabinet Office Records Selection Policy for Records Created 2000-2020

#### **Authority**

The National Archives'(TNA) Records Collection Policy was published in November 2012, and replaced the 2007 Acquisition and Disposal Policy. The Cabinet Office Records Selection Policy is a guide to which records the Cabinet Office will select for permanent preservation.

Departmental Record Selection Policies (RSPs) are intended to help those involved in the selection of historic public records. The Cabinet Office RSP may be reviewed and revised periodically by the Departmental Records Office and Head of the Cabinet Office Public Records and Archives Unit.

#### **Scope**

This document describes the records the Cabinet Office expects to select for permanent preservation at TNA under the provisions of the Public Records Act 1958 (PRA). It applies to records created after 2000. Historically, the Cabinet Office has been subject to a number of Machinery of Government changes and the selection policy is designed to be flexible so as to accommodate future changes.

The Selection policy focuses on the following broad topics:

- Prime Ministers' Records
- Records of the Cabinet
- Records of Cabinet Committees and Sub-committees
- Records of other committees and groups
- Records of other ministers
- Records of the Cabinet Secretary
- Records of the Head of the Civil Service
- Records relating to the governance of the UK and the constitution
- Records relating to major national infrastructure and financial commitments (projects and programmes)
- Records relating to the coordination of national security, defence, intelligence and international relations
- Records of the Privy Council and the Parliamentary Counsel
- Records of Civil Service oversight and functions of government

#### **Prime Ministers' Records**

Communications with the Prime Minister are selected. This includes the contents of the PM's daily red box and other submissions, correspondence and advice received by the PM. It includes the PM's handwritten notes on documents and any other recorded response. Records of meetings and telephone conversations with ministers, foreign leaders and officials and other interlocutors are selected. Prime Minister's Records are managed in 10 Downing Street and transferred to the Cabinet Office Archive at the end of the Prime Ministers' term in office.

#### **Records of the Cabinet**

All formal conclusions of Cabinet meetings and memoranda presented to Cabinet are selected. Decisions made out of committee will normally be contained in the Prime Minister's records and are not selected separately.

#### **Records of Cabinet Committees**

Terms of reference, membership, secretariat structures, standing orders and organisational instructions for each committee as well as the formal conclusions of committee meetings and the memoranda presented to committees are selected. Formal conclusions and memoranda presented to official committees are selected. Records of supporting and preparatory work by officials are not normally selected unless they shed light on issues of historical, constitutional or strategic interest or importance that were dealt with in the Committee. Write rounds for decisions made outside of committee are selected.

Terms of reference, membership, secretariat structures, standing orders and organisational instructions for each committee or group as well as formal minutes, conclusions, actions of committees and memoranda and reports presented to such groups are selected. Records of the Government Security Group and the Joint Intelligence Organisation are selected. They included Committees of the Cabinet such as the National Security Council, the Joint Intelligence Committee, COBRA and the Civil Contingencies Secretariat.

## **Records of other Committees and formal Working Groups**

Terms of reference, membership, secretariat structures, standing orders and organisational instructions for each committee or group as well as formal conclusions and memoranda presented to ad hoc committees and working groups of ministers and officials which dealt with issues of historical, constitutional or strategic interest or importance are selected. Working papers, and records of supporting and preparatory work by officials are selected if they shed light on issues of historical or strategic interest or importance dealt with in ad hoc committees and groups.

## **Ministerial Records**

Submissions to departmental ministers and other communications, which deal with policy issues for which the Cabinet Office has responsibility, are selected. Selection is from the contents of ministers' daily boxes and other submissions, correspondence and advice they received and includes in particular ministers' handwritten notes on documents and any other recorded response. Notes of meetings and telephone conversations with other ministers and senior officials, foreign dignitaries and other interlocutors, which deal with policy issues for which the Cabinet Office has policy responsibility, are selected. Records of departmental operations are not normally selected unless they shed light on issues of historical, constitutional or strategic interest or importance for which the Cabinet Office has responsibility. Routine administrative records are not selected.

#### **Records of the Cabinet Secretary**

Records of the Cabinet Secretary's advice to the Prime Minister on the operation of Cabinet or the government are selected. This includes advice on the constitution, ministers' activities and performance, the appointment of special advisers, the civil service, and matters of propriety and ethics. Records of significant decisions made by the Cabinet Secretary are selected, including the advice on which decisions are based. Working papers of the Cabinet Secretary and their private offices are not selected unless they shed light on issues of historical, constitutional or strategic interest or importance.

# **Records of the Privy Council Office**

The Privy Council Office (PCO) is the Secretariat to the Privy Council, which has responsibility for certain functions assigned to The King (as Head of the Privy Council), and the Council, by Acts of Parliament or by Royal Prerogative. Whilst the Privy Council Office currently sits within the Cabinet Office, the breadth and nature of Privy Council business extends beyond the remit of both Whitehall and Parliament, and includes the devolved administrations, Crown Dependencies and British Overseas Territories. As such, the work of the PCO is varied and there is no clear distinction as to what records will or won't be selected for transfer to TNA. Every file opened by the PCO is subject to a review every 20 years (maximum) at which point, if the file is deemed to be of historic or national importance, it will be selected for transfer to TNA. Records regarding the grant of new Royal Charters and the 'Sheriffs Roll' relating to the appointment of High Sheriffs in England and Wales are always transferred.

#### Records of the Head of the Civil Service

During this period the role of Head of the Civil Service has been carried out by the Cabinet Secretary but for a significant proportion of the period it has been the role of separate permanent secretary. Working papers of the Head of the Civil Service and their private office dealing with issues of historical, constitutional or strategic interest or importance are selected.

# Records relating to major national infrastructure and financial commitments (projects and programmes)

The Major Projects Authority was created in 2011. In 2016 it merged with Infrastructure UK to form the Infrastructure Projects Authority. Its objective is to improve the delivery of major public sector projects. During much of this period the Cabinet Office played a key role in approving and overseeing major infrastructure investments or major programmes. Records that show the Cabinet Office's role in managing these programmes are selected. A sample of ongoing assessments of major civil and military infrastructure programmes such as the HS2 programme are also selected. Records relating to decisions about the policy and management of key national infrastructure points are also selected. Routine administrative records are not selected.

## **Records of the First Parliamentary Counsel**

The Office of the Parliamentary Counsel is responsible for drafting and delivering the Government's legislative programme and so all records relating to this process are selected. This includes drafting instructions, correspondence with departmental bill teams, correspondence with the House authorities, as well as records relating to the legislative programme as a whole.

# Records Relating to the 2016 EU Referendum, the Department for Exiting the European Union, EU Exit negotiations and European policy after the UK left the EU.

The Cabinet Office holds records on the referendum and the negotiations that took place with the EU after the UK invoked article 50 of the Treaty on European Union. DEXEU was dissolved in January 2020 and its records were transferred to the Cabinet Office. Examples of key decisions include the renegotiation of the Treaty in 2015-16; the Government's case for remaining in the EU during the David Cameron Administration, and the 2016 referendum; the vote and subsequent decisions including the creation of the Department for Exiting the European Union (DExEU) and triggering Article 50, the course of the negotiations with the EU, the Withdrawal Agreement and the debate on a meaningful parliamentary vote on the agreement.

## The Civil Service and the functions of government

There were significant changes to the structure and operation of the Civil Service during this period. Records relating to the Civil Service including the 2011-15 Civil Service Reform Programme and records of the Civil Service Group 2016-2020 are selected. These include key developments on digital, commercial, financial monitoring, efficiency, procurement, and other aspects of delivery and reform.

#### **ANNEX**

#### **Cabinet Office Background information**

The Cabinet Office was established in 1917 to coordinate the decisions of Cabinet and support the Prime Minister. Since then the department has changed significantly in that it has either absorbed functions from other departments, or gestated new functions or operations that have then been moved to other departments. The Cabinet Office has also returned functions to other departments once the reasons for their absorption in the Cabinet Office no longer applies. In this respect it has been and remains a versatile department that has adapted to the needs of the government of the day or the challenges of the UK. Its core function is to serve the Prime Minister, other ministers in the department and the Cabinet as a whole.

#### **Cabinet Office Responsibilities**

- To support collective government, helping to ensure the effective development, coordination and implementation of policy.
- To support the National Security Council and the Joint Intelligence Organisation, coordinating the government's response to crises and managing the UK's cyber security.
- To promote efficiency and reform across government through innovation, better procurement and project management, and by transforming the delivery of services.
- To promote the release of government data and make the government more transparent.
- To create an exceptional Civil Service, improving its capability and effectiveness. Political and constitutional reform.

#### **Cabinet Office Priorities**

- To support the Prime Minister and Cabinet to deliver the government's programme.
- To drive efficiencies and reforms that will make government work better.
- To create a more united democracy.
- To strengthen and secure the United Kingdom at home and abroad.

#### The Cabinet Office Departments, Agencies and Public Bodies

#### **Executive Office**

Prime Minister's Office, 10 Downing Street

# **Ministerial Department**

- Office of the Leader of the House of Commons
- Office of the Leader of the House of Lords

#### Non-ministerial department

UK Statistics Authority

#### **Executive agency**

- Crown Commercial Service
- Government Property Agency

- Civil Service Commission
- Equality and Human Rights Commission

# Advisory non-departmental public body

- Advisory Committee on Business Appointments
- Boundary Commission for England
- Boundary Commission for Wales
- Committee on Standards in Public Life
- House of Lords Appointments Commission
- Security Vetting Appeals Panel
- Senior Salaries Review Body
- Social Mobility Commission

#### Other

- Commission on Race and Ethnic Disparities
- Commissioner for Public Appointments
- Office of the Registrar of Consultant Lobbyists
- Privy Council Office

#### **ANNEX B**

#### **Historical Context**

The selection policy covers the administrations of the first five Prime Ministers of the 21st Century and will provide a survey of British Political History 2000-21, domestically and internationally. This is achieved by selecting records relating to key events and machinery of government changes so as to preserve the political and institutional context of the activities of the Prime Minister's Office and the Cabinet Office's.

#### **Prime Ministers in the 21st Century**

#### 1997 to 2007 - Labour Administration - Prime Minister Tony Blair

Tony Blair won elections on 2 May 1997, 7 June 2001 and 5 May 2005. The Blair government implemented constitutional reforms including devolution to Scotland and Wales and reform of the House of Lords and creation of the Electoral Commission. Progress in the Northern Ireland Peace Process led to the Good Friday Agreement of 10 April 1998. The Freedom of Information Act 2000 created a new relationship between citizens and the state, and the Inquiries Act 2005 created a consistent statutory basis for public inquiries. From 2001 the administration was focussed on the challenge of international terrorism following the 2001 attack on the World Trade Centre in New York. The UK did not join the Euro currency in 2002 when many other European nations adopted the currency. Tony Blair also established new departments including the Department for Environment, Food and Rural Affairs, the Department for Work and Pensions and The Ministry of Justice.

#### 2007 to 2010 - Labour Administration - Prime Minister Gordon Brown

On 27 June 2007, Gordon Brown became Prime Minister, having succeeded Tony Blair as leader of the Labour Party. Gordon Brown's Government began further constitutional reforms under his governance of Britain agenda. This eventually resulted in reforms to party funding in the Political Parties and Elections Act 2009. The key event of Brown's administration was the worldwide economic crisis in 2008. Brown also signed the EU Treaty of Lisbon and attended the Copenhagen Climate Change Summit, which ended without agreement. In 2009, Brown appointed Sir John Chilcot to head an Inquiry into the war in Iraq. The Parliamentary expenses scandal of 2009 prompted the establishment of the Independent Parliamentary Standards Authority. One of the final acts of the Brown government was the Constitutional Reform and Governance Act 2010.

# <u>2010 to 2015 - Conservative and Liberal Democrat Coalition - Prime Minister David Cameron and Deputy Prime Minister Nick Clegg</u>

The election on 6 May 2010 resulted in a hung Parliament and this led to creation of the Coalition Government of the Conservative and Liberal Democrat parties. The negotiations for the coalition were carried out by representatives of the parties without civil service support and these records are not held by the Cabinet Office.

Under the Coalition Government the role of Deputy Prime Minister took on greater significance. The only other time the post was held by a member of a political party different to that of the Prime Minister, was when Clement Attlee was deputy to Winston Churchill during the Second World War. The Coalition government aimed to reduce public sector borrowing and expenditure and improve public sector efficiency. It also embarked on further constitutional reform.

The Constitutional Unit in the Ministry of Justice was transferred to the Cabinet Office with the objective of introducing electoral reform and further reform of the House of Lords.

Some key events that defined the Coalition were the increase of student fees, the introduction of same sex marriage, the removal of male priority in the succession to the crown, the removal of the bar on the sovereign marrying a Roman Catholic.

In 2014, the Government agreed to the holding of a referendum on Scottish Independence. Scotland voted to remain in the United Kingdom. The Government failed to secure a Commons majority for military intervention in the Syrian civil war, the first time in 100 years that the Government lost a vote on military action. In machinery of government changes the Coalition Government revived the Department for Education, replacing the Department for Children, Schools and Families.

# 2015 to 2016 - Conservative Administration - Prime Minister David Cameron.

On 7 May 2015, David Cameron won a Parliamentary majority in the General Election and formed a Conservative Government came to an end, the first since 1992. Policy responsibility for Freedom of Information and Government Records Management transferred to the Cabinet Office from the Ministry of Justice, and sponsorship of TNA transferred to the Department for Culture Media and Sport. The Major Projects Authority merged with Infrastructure UK to become the Infrastructure Projects Authority (IPA) in 2016. The Infrastructure Team moved from HM Treasury to join the Major Projects Authority to form the Infrastructure and Projects Authority. In December 2015, at COP21 in Paris, the landmark Paris agreement on climate change was agreed and adopted by 196 countries, including the United Kingdom. The Brexit referendum took place on the 23rd of June 2016 and the UK voted to leave the European Union. David Cameron resigned as Prime Minister, having campaigned to remain in the European Union, and was succeeded by Theresa May.

#### 2016 to 2019 - Conservative Administration - Prime Minister Theresa May

Following an internal Conservative Party leadership contest, Theresa May became Prime Minister on 13 July 2016. She set up the Department for Exiting the European Union to lead negotiations with the EU on the terms of departure and the UK/EU future relationship. May called a snap General Election on 8 June 2017. The Conservative Party lost its majority and entered a confidence and supply arrangement with the Democratic Unionist Party. In 2017, Brethe High Speed Rail (London - West Midlands) Act received Royal assent. It initiated Phase 1 of the HS2 project. A key event during May's premiership was the 2018 nerve agent attack on a dissident Russian exile in Salisbury. May held Russia responsible and received wide international backing for the UK's diplomatic response.

May's premiership was dominated by EU Exit and having failed to gain approval from Parliament for the proposed Withdrawal Agreement, in June 2019, she announced her resignation. After a Conservative leadership election, Boris Johnson became leader and succeeded her as Prime Minister.

#### From 2019 - Conservative Administration - Prime Minister Boris Johnson

A General Election in December 2019 returned the Conservative Party with an overall Commons majority of 80. On 31 January 2020 the UK formally left the European Union and the Department for Exiting the European Union was disbanded, its residual functions moving to the Cabinet Office. The transition period began on 1 February 2020 and, after a number of extensions, the UK and EU reached agreement on the terms of the UK's departure in December 2020. The Cabinet Office and No10 played a leading role in the Government's response to the COVID-19 pandemic.