



STATE RECORDS COMMISSION

MINUTES OF MEETING HELD IN THE BOARDROOM OF THE ALEXANDER
LIBRARY BUILDING ON THURSDAY 4 DECEMBER 2003

PRESENT:

Mr Des Pearson	Auditor General
Ms Kandy-Jane Henderson	Governor's Appointee: Archivist, John Curtin Prime Ministerial Library
Ms Deirdre O'Donnell	Parliamentary Commissioner for Administrative Investigations
Ms Darryl Wookey	Acting Information Commissioner
Mr Tony Caravella	Director: State Records
Ms Isabel Smith (Executive Secretary)	Manager: State Recordkeeping
Ms Vera Novak	Observer: State Records Office
Ms Carole Harris	Project Co-Ordinator: WA Inc Records

MINUTES:

Mrs Norma Shopland	Minutes Secretary
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1. **Welcome**
2. **Apologies**
Tony Caravella – late arrival
3. **Notices of Urgent Business**
Nil.

The Chair requested that future meetings held at the State Library of WA commence at 9.15am.

4. **Confirmation of Minutes of Meeting on 6 November 2003**
Confirmed
5. **Matters Arising**
 - 5.1 **WA Inc Records Project**
[Paper 120/2003]

The Royal Commission into the Commercial Activities of Government and Other Matters Records Project is completed. The purpose of the project was to organise the records of the Royal Commission for retention as State archives and to identify missing records.

The Project Coordinator, in liaison with the Manager: State Recordkeeping and the Director of State Records prepared a Project Close-out Report which is attached.

The Project Coordinator gave a presentation in support of the Report.

The Commission:

- a) **NOTED** the report, and thanked the Project Coordinator and her team for completing what was considered to be a mammoth task;
- b) **REQUESTED** a recommendation for the Department of Public Prosecutions (DPP) regarding the conduct of audits prior to the transfer of records to the SRO;
- c) **REQUESTED** that the State Records Office check the specific allegations leading to the report have all been acquitted;
- d) **REQUESTED** the State Records Office to prepare a report for the State Records Commission to acquit the motion to both Houses of Parliament;
- e) **AGREED** that the State Records Commission will brief the Minister once the report is finalised.

The Project Coordinator left the meeting at 9:40am.

5.2 Small Local Government Authorities' RKP Template

Manager: State Recordkeeping advised that local authorities have been advised that the template has been posted on the website and local governments notified, via mailout, of its existence. The State Records Office is aware that several authorities are using the template.

NOTED

5.3 RKP Submission Survey [Paper 121/2003]

On 30 October 2003, the State Records Office sent a letter to all State and Local Government organisations that had not yet submitted their Recordkeeping Plans seeking their advice on the planned date of submission, on any specific problems and any assistance required.

As at 25 November 2003, response was received from 32 State Government and 23 Local Government organisations, and indications were that February is likely to be the busiest month.

NOTED

6. COMPLIANCE ISSUES

6.1 New Organisations

Nil

6.2 Compliance Monitoring Spreadsheet Attachment "6.2"

The spreadsheet indicates which RKP's have been received, the current status and who is working on them. As at Wednesday 3 December, 57 had been received, and they are being progressed.

NOTED

Director of State Records joined the meeting at 9.55 am.

6.3 Recordkeeping Plans Received and Approved (Thermometer) Attachment "6.3"

NOTED

7. LEGISLATION REVIEW ISSUES

7.1 Legislative Amendment Program 2004

The Commission had dealt with this item via email out of session and agreed that they had no matters to put forward for amendment.

The Director of State Records identified three areas that may be flagged for future consideration:

Section 76 - matters relating to Aboriginal and Indigenous records. As per Paper 135/2003 clarification is being provided for agencies and the operation of this Section will be monitored.

Copyright - There is still uncertainty about the ownership of copyright of records held in the State Records collection, and advice is being sought from the Crown Solicitor.

Inclusion of the Governor - Director of State Records has had some discussions with the Deputy Official Secretary of the Governor's office, who argued that the Governor should not be included in Schedule 1 of the Act. They felt that all that was necessary in the Act would have been reference to the Governor's establishment. The Governor's Office will seek advice from the Crown Solicitor and advise the State Records Office of the outcome.

In the interim the Governor's Office will produce one plan to cover the two areas.

NOTED

8. ITEMS FOR ACTION

8.1 State Records Advisory Committee Minutes of meeting held 26 November 2003

Paper 122/2003

Manager: State Recordkeeping advised:

Item 6.1, RD2003012 Department of Planning and Infrastructure, would be reworked and resubmitted.

Item 6.3, RD2003038 The Insurance Commission of WA is still considering the need to restrict some records, or at least earmark some of them for archiving. Whilst it may be approved, that section of the Schedule is on hold pending further advice to the State Records Office.

NOTED

8.2 State Records Advisory Committee Recommendations

8.2.1 RD 2003012 – Department of Planning and Infrastructure
[Paper 123/2003]

NOTED this Schedule was withdrawn

8.2.2 AD 2003049 – Department for Community Development
[Paper 124/2003]
APPROVED

8.2.3 RD 2003038 – Insurance Commission of WA
[Paper 125/2003]
APPROVED

8.2.4 RD 2003056 – Department of Industry and Resources
[Paper 126/2003]

APPROVED

- 8.2.5 RD 2003057 – Chemistry Centre of Western Australia
[Paper 127/2003]
APPROVED
- 8.2.6 RD 2003071 – Psychologists Board of Western Australia
[Paper 128/2003]
APPROVED
- 8.2.7 RD 2003076 – Department of Justice – Tribunals
Directorate
[Paper 129/2003]
APPROVED

8.3 Recordkeeping Plans

- 8.3.1 RKP 2003035 The Pharmaceutical Council of Western
Australia
[Paper 130/2003]
**CLEARED for approval once the Retention and
Disposal Schedule is approved**
- 8.3.2 RKP 2003070 Esperance Port Authority
[Paper 131/2003]
**CLEARED, pending approval of the Retention and
Disposal Authority RD2003069 expected to be
February 2004.**
- 8.3.3 RKP 2003048 Department of Fisheries
[Paper 132/2003]
APPROVED
- 8.3.4 RKP 2003055 Department of Industry and Resources
[Paper 133/2003]
APPROVED
- 8.3.5 RKP 2002065 Shire of Wyndham East Kimberley
[Paper 134/2003]
APPROVED

9. ITEMS FOR CONSIDERATION

9.1 Implementation of Section 76 of the *State Records Act 2000* [Paper 135/2003]

The State Records Office, in conjunction with representatives from the Department of Indigenous Affairs (DIA) and members of the State Records Advisory Committee, has discussed an effective means of implementing the requirements of section 76 of the

State Records Act 2000, and makes the following recommendations:

1. Agencies, other than the core agencies, will not be required to submit evidence of consultation with Aboriginal bodies (as part of their Retention and Disposal Schedules) **unless** they are directly involved in the discovery and/or management of an Aboriginal site or matter relating to the heritage of Aboriginal Australians or hold original records pertaining to those matters.
2. Agencies, other than those that collect information about Aboriginal people in the context of their Aboriginality, will not be required to submit evidence of consultation with Aboriginal bodies (as part of their Retention and Disposal Schedules).

The Commission **ENDORSED** the recommendations, noting that the State Records Office will monitor Retention and Disposal Schedules from other agencies and ask the DIA to remain alert to this issue; and

AGREED that the operation be reviewed in the first quarter of 2005.

AGREED that the SRO will write to the DIA advising the agreed approach as a policy for all agencies and acknowledging their contribution.

9.2 New Schedule 3 Organisations [Paper 136/2003]

Western Power, a Schedule 3 organisation under the *State Records Act 2000*, will be abolished with the introduction of new legislation; the *Electricity Corporations Act 2003*. Four new entities, likely to be called the Electricity Generation Corporation, Electricity Retail Corporation, Electricity Networks Corporation and the Regional Power Corporation, will be established to deliver the services currently provided by Western Power.

Once the *Electricity Corporations Act* has been proclaimed and the new entities established, the Commission, under section 27 (3) of the *State Records Act 2000*, will be required "...by order or orders published in the Gazette..." to prescribe the timing of the submission of Recordkeeping Plans for the new corporations.

The State Records Office will monitor the progress of the new legislation and upon assent of the *Electricity Corporations Act*, progress the necessary gazettal notice and liaise with the new Corporations to ensure submission of the respective Recordkeeping Plans within 6 months.

The Commission **ENDORSED** the proposed action and authorised the State Records Office to proceed as outlined.

9.3 Proposal for the establishment of a Digital Records Committee
[Paper 137/2003]

Under section 62(3) of the *State Records Act 2000*, the State Records Commission is able to establish committees to assist in the performance of its functions. The Director of State Records outlined a proposal for the establishment of a Digital Records Committee to aid the SRC in a number of practical ways, including assisting in recognising and analysing the priorities for the future planning and development of the SRO's work with digital records, including the development of Policies, Standards and Guidelines.

Acknowledging that RKPs are the immediate priority, the Commission **ENDORSED** the concept and further exploration as an implementation group for WA utilising the work already progressing elsewhere within Australia.

10. ITEMS FOR NOTING

10.1 State Records Office Activities

Attachment 10.1 was tabled at the meeting.

The Director of State Records passed on the thanks of Professor Geoffrey Bolton for the farewell function held to celebrate his retirement. Professor Bolton has given his consent to hold an annual lecture in his name. It was proposed that the event coincide with the Patron Saint of Archivists' (Saint Lawrence) Day in August next year. The theme is to be developed, with emphasis on the use of archives, and the first speaker is yet to be chosen.

The Chair offered assistance with a list of Cemetery Boards for assistance with Recordkeeping Plans.

Manager: State Recordkeeping advised that excellent feedback had been received from the City of Swan, following the visit by Deirdre O'Donnell and Martin Fordham.

NOTED

10.2 Application of the *State Records Act 2000* to Cocos and Christmas Island LGA's

A question had arisen as to whether the *State Records Act 2000* applies to the Christmas Island and to the Cocos Islands. Advice

received from the Department of Premier and Cabinet indicated that whilst the SRO and the SRC have no obligations in respect to any State or Local Government authority on the Indian Ocean Territories, the situation might change in the event the Commonwealth requested the State of WA to administer the *State Records Act 2000* under the delegation of the Commonwealth.

The Commission **NOTED** the report and **ENDORSED** the SRO advice to the relevant local government authorities of the Indian Ocean Territories that they are not required to submit Recordkeeping Plans.

10.3 Department of Treasury and Finance – Review of common use contract for records storage
[Paper 139/2003]

The Department of Treasury and Finance (DTF) contacted the SRO and sought a meeting to discuss the proposed review of the existing Common Use Contract for temporary records storage. The Director of State Records reported that a meeting was held between the SRO and the DTF, where it was agreed that the DTF will keep SRO informed as to progress of the review and that DTF will consult with the SRO and the SRO will provide input and advice to the review process.

NOTED

10.4 Report on recent presentations to Local Government Authorities
[Paper 140/2003]

As part of the strategy to dissolve the ill-informed resistance and opposition to the *State Records Act 2000* on the part of the local government sector, the SRO offered a series of presentations to this sector. So far presentations have been made at the City of Perth, the Shire of Busselton, the City of Bunbury, the City of Geraldton and at the Shire of Coolgardie. The Director of State Records reported on the matters and questions raised.

NOTED

10.5 SRO Client Survey Report
[Paper 141/2003]

A survey of State Records Office Search Room clients was conducted during the period 26 May to 20 June 2003. Names were chosen at random from the Search Room client list, and the researchers' register. A total of 75 forms were distributed and clients were encouraged to fill in the forms and return as soon as possible. A full report of the survey was attached to the Paper.

The Commission **NOTED** the report and asked that the SRO investigate possible trends and place the report in the Reading Room and post on the website.

10.6 SRC Activities

Kandy-Jane Henderson reported having attended the end of year Australian Society of Archivist breakfast.

10.7 Westrail Records held at Public Transport Authority (PTA) [Paper 142/2003]

The Director of State Records has been informed that the PTA Executive has agreed to deploy one person full time to survey the complete range of records they have in custody, determine what is archival and what is of short term value, take whatever storage improvement measures they can and generally do whatever they can to protect the records held at the East Perth Terminal site and at the Midland Railway Workshop site.

SRO will maintain contact with PTA to monitor the progress of its work towards improving the storage conditions for the important archives they have in their custody.

NOTED

10.8 SRC Meeting dates for 2004

Attachment 10.8

The following dates have been set for SRC meetings in 2004:

January 29

March 11

April 22

June 3

July 15

August 26

October 7

November 18

December 16

AGREED

The Commission also **AGREED** to sign off any Recordkeeping Plans ready for consideration before 19 December 2003.

10.9 Meeting between SRO, Functional Review Implementation Team (FRIT) and Office of E Government

Director of State Records advised that the meeting has been rescheduled to 19 January.

NOTED

10.10 Theft of Records from Messenger Post Van

[Paper 143/2003]

Director of State Records advised that notification had been received from Messenger Post that one of their vans that delivers mail for Mailwest was broken into while parked in the CBD and that 3-4 parcels of government records were stolen. The matter was reported to the WA Police Service and security division of Australia Post. SRO is endeavouring to identify the remaining stolen records by checking overdue loans. At this stage, it is not known if the items are State archives or intermediate records.

The State Records Office is reviewing the use of Mailwest for the transit of government records with a view to requesting that agencies only use couriers or staff members for returning or collecting government records to and from SRO custody.

The Commission **NOTED** the report with concern.

10.11 Recordkeeping Trend Analysis extracted from RKPs received

[Paper 144/2003]

SRO submitted a matrix intended to identify issues arising from analysis of RKPs submitted in the context of agencies' use of the RKP Self-Evaluation Checklist.

The Commission was of the opinion that early identification and feedback of the trends to agencies would be very useful, and **SUPPORTED** the recording and reporting of trends to facilitate continuous improvement to record keeping policies and practices.

The Commission **AGREED** that a further report be presented in January.

10.12 Review of SRO Fees and Charges

[Paper 145/2003]

Following an annual review of fees and charges, the State Records Office proposed to institute several new fees for the handling and retrieval of temporary and permanent records from 1 January 2004.

A full list of charges and fees was attached.

NOTED

