



STATE RECORDS COMMISSION OF WESTERN AUSTRALIA

MINUTES OF MEETING HELD ON MONDAY 27 MARCH 2006 – BOARD ROOM, ALEXANDER LIBRARY BUILDING

PRESENT:

Ms Deirdre O'Donnell	Parliamentary Commissioner for Administrative Investigations (CHAIR)
Ms Kandy-Jane Henderson	Governor's Appointee and Archivist, John Curtin Prime Ministerial Library
Ms Darryl Wookey	Acting Information Commissioner
Mr Des Pearson	Auditor General [from 9.30am to 12.30pm]
Mr Tony Caravella	Director of State Records
Ms Isabel Smith	Manager: State Recordkeeping
Mr Damien Hassan	Acting Manager: Archives Control and Access
Mr Mark Brogan	Digital Records Coordinator (SRO) [from 9.30am to 10.25am]

MINUTES:

Miss Vanessa Brown	Minutes Secretary
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1. **Welcome**

The Chair opened the meeting at 9.30am and welcomed those in attendance. It was **NOTED** that the meeting had been postponed from 22 March 2006 to today, Monday 27 March 2006.

It was **AGREED** that Item 5, Matters Arising, would be dealt with accordingly and then Mr Mark Brogan, Digital Records Coordinator (SRO), would make the presentation scheduled for Item 10.2.

2. **Apologies**

Mr Leigh Hays	Manager: Archives Control and Access
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3. **Notices of urgent business**

Nil

4. **Confirmation and sign-off of Minutes 8 December 2005**

CONFIRMED

5. MATTERS ARISING

5.1 Estrays and Lewandowski Police Records

The Director of State Records reported that he would contact the lawyers acting for the parties in this matter with the intention of discussing this matter as per advice received from the State Solicitor's Office.

NOTED

5.2 State Records Advisory Committee (SRAC) – Terms of Reference Attachment 5.2 (Late Paper)

Manager: State Recordkeeping highlighted that paragraph 2.3 had been amended as requested by the Commission at the July 2005 meeting.

The Commission **REQUESTED** that SRAC members and deputies be consulted in regard to the proposal and their feedback be reported to the Commission if necessary before the change is implemented.

5.3 Restricted Access Archives – State Records Commission Role Attachment 5.3 (Late Paper)

Due to this paper being late, the Commission **AGREED** that it would be discussed at the next meeting.

5.4 Common Use Arrangement – Electronic Document and Records Management System

Manager: State Recordkeeping reported on the progress of the EDRMS tender process and the evaluation panel's evaluation of the tenders.

NOTED

5.5 SRC Vision for 2011

The Director of State Records reported that the SRO Vision for 2011 had been distributed to all SRO staff and the SRO would respond to the SRC in due course. The Commission **REQUESTED** the SRO's formal response (action plan) to the Vision by the next meeting.

After delivering his presentation, Mr Brogan left the meeting at 10.25am.

6. MONITORING THE OPERATION OF AND COMPLIANCE WITH THE ACT

6.1 New Organizations

Attachment 6.1

The Commission **NOTED** the list of new Government organizations.

Further to this, the Commission **AGREED** that once an organization had been reported on the New Organizations list it should then move to the Retention and Disposal (R&D) Schedule Progress Register.

6.1.1 Defunct Organizations

Attachment 6.1.1

The Commission **NOTED** the list of defunct Government organizations.

6.2 Inquiring into Breaches or Possible Breaches

6.2.1 Breach Register

Attachment 6.2.1

The Commission **NOTED** the breach register.

6.2.2 Obligations Under the *State Records Act 2000*

Nil

6.2.3 Investigation of Offences Under the *State Records Act 2000*

Ms Darryl Wookey reported that she had met informally with the Corruption and Crime Commission (CCC) to discuss whether it would investigate and deal with offences under the *State Records Act 2000*. The CCC advised that if it were suspected on reasonable grounds that an offence under section 78 (1), (2) or (3) had been committed it is a requirement that it be reported to the CCC and offences (4) and (5) under the same section would depend whether the person was a public officer or not, as the CCC only investigates public officers. The CCC would then make the decision to investigate the matter itself or refer it elsewhere for investigation (ie. Police) or advise that the matter didn't warrant investigation.

The Commission **AGREED** that if an offence were suspected the matter should be put in writing to the CCC, clearly indicating the offence and citing not only the relevant section of the *State*

Records Act 2000, but also under which section/s of the CCC Act the matter is considered to be within the CCC's jurisdiction. Further to this the Commission **AGREED** that a policy or procedure should be drafted by the SRO in regard to the approach required when reporting suspected offences.

6.2.4 Breach Assessment Procedures

Attachment 6.2.4 (Late Paper)

The Commission **AGREED** that a draft document would be provided to the SRO by Ms Darryl Wookey as a template for reports to the Commission in respect of alleged breaches and to assist in formulating a procedure for dealing with such allegations.

6.3 Legal Aid Commission's Private Practitioners under the *State Records Act 2000*

Attachment 6.3 (Late Paper)

The Commission **NOTED** the information provided and that the SRO would provide further updates accordingly.

7. COMPLIANCE MONITORING – RECORDKEEPING PLANS

7.1 Analysis of Recordkeeping Plans

Attachment 7.1

The Commission **REQUESTED** that the recommendations of the analysis be divided into two headings, 1) Functional Issues and 2) Operational Issues. Further distillation of findings and recommendations should be formulated into an action plan ensuring the recommendations stand alone without having to refer elsewhere in the document. Agency performance should be identified into a 'report card' on sector and agency performance, highlighting exceptions for immediate attention in the context of initially providing feedback to stakeholders and forming the basis of the Annual Report to Parliament.

The Commission further **AGREED** that the first draft of an outline as detailed above, should be completed by 13 April 2006.

7.2 Compliance Monitoring – Annual Report Pilot Project

The Director of State Records reported that there were 25 enquiries in response to the letter sent to State and Local government organizations (excluding those covered in the Pilot Project) advising that Annual Reports would be scrutinized against Standard 2: Principle 6 in November 2005. Further to this, the Director enquired if the Commission had any areas of priority that the SRO should monitor.

The Commission **AGREED** that other areas of compliance could be extracted from agency's Annual Reports through the Lonnie Awards administration process.

8. LEGISLATION REVIEW ISSUES

8.1 SRO Input into New Legislation

The Director of State Records reported that a response from the Clerk of the Parliament had not yet been received and would be followed up accordingly. Further to this, the Director advised that a letter would also be sent to Parliamentary Counsel in regard to this matter.

9. APPROVAL OF RECORDKEEPING PLANS (RKPs)

9.1 State Records Advisory Committee (SRAC) Minutes - 24 January 2006

Attachment 9.1

The Commission **NOTED** the SRAC Minutes of the 24 January 2006 meeting.

9.1.1 State Records Advisory Committee (SRAC) Minutes – 10 March 2006

Attachment 9.1.1 (Late Paper)

The Commission **NOTED** the SRAC Minutes of the 10 March 2006 meeting.

9.2 Retention and Disposal Schedules for APPROVAL

9.2.1 RD 2004255 Western Australian Land Authority (Landcorp)

Attachment 9.2.1

APPROVED

9.2.2 RD 2003027 Armadale Redevelopment Authority

Attachment 9.2.2

APPROVED

9.2.3 RD 2004282 Albany Port Authority

Attachment 9.2.3

APPROVED

**9.2.4 RD 2003061/1 Department of Community Development
(amendment)**
Attachment 9.2.4

APPROVED

9.2.5 RD 2006005 Pharmaceutical Council of WA
Attachment 9.2.4

APPROVED

9.2.6 RD 2004097 Burswood Park Board
Attachment 9.2.6

APPROVED

9.2.7 RD 2004275 Equal Opportunity Commission
Attachment 9.2.7

APPROVED

9.2.8 RD 2003050 Western Australian Electoral Commission
Attachment 9.2.8

APPROVED – subject to clarification by the Commission of the restricted classification of some records.

**9.2.9 RD 2004163 Water & Rivers Commission and Swan River
Trust**
Attachment 9.2.9

APPROVED

9.2.10 RD 2004284 Dampier Port Authority
Attachment 9.2.10

APPROVED

**9.2.11 RD 2003016 General Disposal Authority for Administrative
Records (amendment)**
Attachment 9.2.11

APPROVED

**9.2.12 RD 1999002 General Disposal Authority for Human
Resource Management Records (amendment)**
Attachment 9.2.12

APPROVED

9.3 Retention and Disposal Schedule Progress Register
Attachment 9.3

The Director of State Records reported that the target date set by the Commission of 30 June 2006 to have Retention and Disposal Schedules(R&Ds) fully processed is not achievable. The Director advised that a revised target date for completion, of 31 March 2007 was more realistic considering the number of outstanding Schedules (some due to staff turnover at agencies) and operational constraints (including annual leave, core work priorities and other factors not within the SRO's control).

The Commission **NOTED** the revised target date of 31 March 2007 for the SRO to complete processing R&Ds.

9.4 Recordkeeping Plans for APPROVAL

**9.4.1 RKP 2003008 Western Australian Land Authority
(Landcorp)**
Attachment 9.4.1

APPROVED

9.4.2 RKP 2002035 Armadale Redevelopment Authority
Attachment 9.4.2

APPROVED

9.4.3 RKP 2003004 Albany Port Authority
Attachment 9.4.3

APPROVED

9.4.4 RKP 2003055 Pharmaceutical Council of WA
Attachment 9.4.4

APPROVED

9.4.5 RKP 2004081 Burswood Park Board
Attachment 9.4.5

APPROVED

9.4.6 RKP 2004226 Equal Opportunity Commission
Attachment 9.4.6

APPROVED

9.4.7 RKP 2004188 Swan River Trust

Attachment 9.4.7

APPROVED

**9.4.8 RKP 2004239 Parliamentary Commissioner for
Administrative Investigations**

Attachment 9.4.8

APPROVED – Ms Kandy-Jane Henderson acted as
Chairperson for the Approval of this Item.

9.4.9 RKP 2006008 Edith Cowan University

Attachment 9.4.9

APPROVED

9.4.10 RKP 2006003 Shire of York

Attachment 9.4.10

APPROVED

**9.5 Recordkeeping Plans CLEARED Pending APPROVAL of the
Retention and Disposal Schedule**

Nil

10. DIGITAL RECORDS WORKING GROUP (DRWG)

10.1 DRWG Minutes

Nil

10.2 Progress Report

Attachment 10.2

This Item was presented by the Digital Records Coordinator (SRO), Mr
Mark Brogan, after Item 5 on the Agenda.

The Commission **NOTED** the presentation and thanked Mr Brogan for
his attendance.

10.3 Future Meetings

Attachment 10.3

The Commission **NOTED** the schedule of forthcoming DRWG meetings
for 2006.

11. ESTABLISHING STANDARDS AND GUIDELINES

11.1 Standards Attachment 11.1

The Commission **NOTED** the progress report.

11.2 Guidelines Attachment 11.2

The Commission **NOTED** the progress report.

11.3 SRC Standard 7 - Storage Attachment 11.3

The Commission **AGREED** that the approach to developing Standard 7 – Storage, should be based on the outcome of the Archives Repository Business Case, which is expected to be announced on 31 March 2006. The Commission **REQUESTED** the SRO to propose an interim approach regarding archive storage.

12. ITEMS FOR INFORMATION

12.1 Status of Supreme Court Bench Books as Possible State Records

The Director of State Records reported that the appointment of the Chief Justice had not yet occurred and that once this had happened a meeting would be arranged to discuss this matter and the Commission would be informed accordingly.

NOTED

12.2 Access to Archives Involving Legal Professional Privilege / State Solicitor Concerns

The Director of State Records reported that a letter had been sent to the State Solicitor following the meeting conducted last year and a response had not yet been received. The SRO will advise the Commission on the progress of this matter accordingly.

NOTED

12.3 SRO / NAA Collocated Reading Room / Archive Storage

The Director of State Records reported that he recently met with Ross Gibbs, Director General, National Archives of Australia (NAA) to again

further discuss the needs of both agencies and formulate a Heads of Agreement document.

NOTED

12.4 Perth Transport Authority (PTA) – Storage of Western Australian Government Railway’s Drawings and Records
Attachment 12.4

The Director of State Records reported that Manager: State Recordkeeping, Manager: Archives Control and Access and himself recently met with the PTA and that further to this, a letter was sent on 2 March 2006 requesting a response to the recommendations made. The Director will keep the Commission informed accordingly.

NOTED

12.5 State Records Office Activities
Attachment 12.5

The Commission **NOTED** the SRO’s activities.

12.6 SRC Activities

The following activities were attended by the Commissioners:

- RMAA breakfast seminar – 3 Feb 2006 - “State Records Commission – Compliance” – Mr Des Pearson (speaker), Ms Darryl Wookey and Ms Kandy-Jane Henderson
- Perth seminar sponsored by the Council for Australasian Archives & Records Authorities, State Records Office of Western Australia, Edith Cowan University and the Australian Society of Archivists - Recordkeeping legislation: Why Comply? – 15 March 2006 - Mr Des Pearson (speaker) and Ms Kandy-Jane Henderson

13. OTHER BUSINESS

13.1 Australian Society of Archives (ASA) – Membership Directory 2006

Mr Des Pearson enquired as to the inclusion of his name and not the other Commissioner’s names in the ASA membership directory. The Commission **REQUESTED** that this matter be investigated and to advise them of the outcome accordingly.

13.2 CAARA Seminar – Slides used in Presentation

Attachment 13.2

Mr Des Pearson reported that he had received some very positive feedback on some of the information he used in his presentation at the CAARA seminar on 15 March 2006. He suggested that the slides could be used as an approach to building on the information contained therein for the next annual report.

The Commission **AGREED** that this approach would be useful.

Mr Pearson gave his apology and left the meeting at 12.30pm.

13.3 Lonnie Awards

The Director of State Records reported that annual reports had been received and that the relevant information for judging purposes would be extracted accordingly. Further to this the Director advised that the judging panel had been determined.

Meeting declared closed at 12.41pm.

NEXT MEETING – 9.30am, 1 May 2006, Committee Room 2, Level 9, City of Perth

SIGNED.....
(Ms Deirdre O'Donnell)

DATED.....