



STATE RECORDS COMMISSION OF WESTERN AUSTRALIA

MINUTES OF MEETING HELD ON 22 JUNE 2009 AT THE ALEXANDER LIBRARY BUILDING

PRESENT:

Mr Colin Murphy (CHAIR)	Auditor General
Mr Sven Bluemmel	Information Commissioner
Mr Chris Field	Parliamentary Commissioner for Administrative Investigations
Ms Justine McDermott	Governor's Appointee
Ms Cathrin Cassarchis (Executive Officer)	Director of State Records
Ms Isabel Smith (Executive Secretary)	Manager of State Recordkeeping
Mr Leigh Hays	Manager of Archives Control & Access

MINUTES:

Ms Lena Stekl	Recordkeeping Consultant
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1. **Welcome and Apologies**

The Chair opened the meeting at 9.30 and welcomed Commissioners McDermott and Bluemmel to their first meeting.

2. **Declaration of conflicts of interest**

Nil

3. **Notices of urgent business**

Nil

4. **SRC MINUTES OF 23 MARCH 2009**

4.1 **Confirmation and Sign-off of Official Minutes**

The minutes were **CONFIRMED** and signed by the Chair.

4.2 **Confirmation of Published Minutes**

The Commission **APPROVED** the version of the minutes for publication to the website.

4.3 **SRC Action List**

The Commission noted the Action List and Commissioner Field **REQUESTED** that due dates be added to the list as appropriate.

5. MATTERS ARISING

5.1 Office of Native Title – consultation under section 76 of the *State Records Act 2000*

The Manager of State Recordkeeping (Mgr: SR) stated that the Office of Native Title (ONT) has advised that implementation of a consultation process as required under section 76 of the *State Records Act 2000* (the Act) would be a difficult and costly exercise. Due to issues such as language barriers, geographical distance and accessibility the ONT estimates that a budget of \$10k per consultation would be required for remote areas. Written advice from the ONT proposes that either the Act is amended or that adequate funding is provided to enable the consultation process to be undertaken.

The Mgr: SR advised that whilst the ONT, in consultation with the State Records Office (SRO), has narrowed the records of relevance to s76 down to connection material, a broad interpretation to the term “Aboriginal bodies” appears to have been adopted. The SRO believes a workable approach can be adopted in which Aboriginal bodies will be interpreted to mean those agencies or organizations responsible for assisting Indigenous people with the lodgement of native title claims and not every Indigenous group or individual within the State. The Mgr: SR further advised that if the Commission agrees with the SRO’s interpretation of Aboriginal bodies, the ONT will be assisted to meet the requirements of s76 in a practical manner.

Commissioners **AGREED** that the SRO’s interpretation of the term Aboriginal bodies is appropriate and that the level of consultation conducted with those bodies will satisfy the requirements of s76 of the Act.

5.2 Policy – Local Government Elected Members

The Director of State Records (the Director) advised that as a result of consultation with all local government organizations, regarding the revised policy for Elected Members records, the City of Perth wrote to the Minister for Culture and the Arts, highlighting the need for a government archival repository in Western Australia.

Further text excluded for reasons of confidentiality.

The Director advised that the policy will be published to the SRO website with notification sent to all local governments. Assistance with the provision of induction and information sessions will also be provided as required.

NOTED

5.3 Appointment of New Commissioners

The Commission **NOTED** the paper formally documenting the appointment of Commissioners McDermott and Bluemmel.

6. MONITORING THE OPERATION OF AND COMPLIANCE WITH THE ACT

6.1 Organizational Changes

6.1.1 Register - Government Organizations – Administrative Change

The Commission **NOTED** the new entries on the register.

6.1.1.1 Government Employees Superannuation Board – Mutualisation Issues

The Chair **ADVISED** that he is in receipt of the draft letters to the CEO of GESB Mutual Ltd and the Under Treasurer. Letters will be finalised as soon as possible.

6.1.2 Register - Defunct Government Organizations

The Commission **NOTED** the register, including the new entries for the Department of Planning and Infrastructure and the Department of Local Government and Regional Development.

6.2 Inquiring into Breaches or Possible Breaches

6.2.1 Breach Register

The Commission **NOTED** the register updating current inquiries.

6.2.2 Alleged Breaches

Nil

6.3 State Records Commission - Risk Management

The Mgr: SR advised that a further category had been added to the list of risks to address conflicts of interest, as requested at the Commission's March meeting.

NOTED

7. COMPLIANCE MONITORING – RECORDKEEPING PLANS

7.1 Compliance Monitoring – State Organizations

The Mgr: SR advised that the next phase of compliance monitoring is in development and that agencies that did not return the previous survey will be targeted again where possible. The next survey will be developed in August and is expected to focus on "Licences" created and maintained under enabling legislation.

NOTED

8. LEGISLATION REVIEW ISSUES

8.1 SRO input into new legislation

Nil

8.2 Review of the *State Records Act 2000* – Communications Plan

The Director presented the draft Communications Plan. Throughout the document, proposed actions that are presently unable to be performed or under funded, due to resourcing constraints, are identified in grey type.

Commissioner Field suggested that the proposed actions be prioritised within the Plan. The Director **AGREED**. The Director pointed out that the SRO has been working to build relationships with increased media contacts over a period of time. The Commission congratulated the Director for the level of positive media interest in the work of the SRO and its collections.

The Director advised that the SRO has been discussing the messages it wishes to convey to senior officials during the Commission's tour of the SRO. The tour will also be attended by the Public Sector Commissioner and the Director General of the Department of the Premier and Cabinet and it is hoped that positive messages will convey a better understanding of SRO's worth within the WA community. The Director distributed documentation (to be provided in an information kit) which includes a graph showing the level of resourcing received by Western Australia and other comparable States following the introduction of archives legislation. Commissioners expressed interest in the obvious discrepancy in the level of funding between the jurisdictions and **REQUESTED** that further research be conducted to show what functional activities are undertaken by those archival institutions.

9. APPROVAL OF RECORDKEEPING PLANS

9.1 State Records Advisory Committee (SRAC)

9.1.1 SRAC Minutes – 13 May 2009

The Commission **NOTED** the SRAC minutes of 13 May 2009.

9.1.2 SRAC Membership - Appointments

Nil

9.2 Retention and Disposal Schedules for APPROVAL

9.2.1 RD 2008060 – Western Australian Treasury Corporation

The Commission **APPROVED** the fully revised Schedule.

9.2.2 RD 2007004 – Department of Culture and the Arts

The Commission **APPROVED** the fully revised Schedule and the time expired restricted access periods, noting the absence of precedents for the Peer Assessment Panel restricted access provision.

9.2.3 RD 2008019 – Fremantle Port Authority

The Commission **APPROVED** the fully revised Schedule.

9.2.4 RD 2008047 – Builders' Registration Board

The Commission **APPROVED** the fully revised Schedule and the time expired restricted access periods, noting the absence of precedents for the Disciplinary Action restricted access provision.

- 9.2.5 RD 2008048 – Building Disputes Tribunal**
The Commission **APPROVED** the fully revised Schedule.
- 9.2.6 RD 2008046 – Painters’ Registration Board**
The Commission **APPROVED** the fully revised Schedule and the time expired restricted access periods, noting the absence of precedents for the Disciplinary Action restricted access provision.
- 9.2.7 RD 2009019 – City of Wanneroo**
The Commission **APPROVED** the Schedule.
- 9.2.8 RD 2003061/3 – Department for Child Protection**
The Commission **APPROVED** the amended Schedule.
- 9.2.9 Reviewed RD 2004006 – Dwellingup Cemetery Board**
The Commission **APPROVED** the continuation of the Schedule.
- 9.2.10 Reviewed RD 2004122 – Dudinanning Cemetery Board**
The Commission **APPROVED** the continuation of the Schedule.
- 9.2.11 Reviewed RD 2003094 – South Caroling Cemetery Board**
The Commission **APPROVED** the continuation of the Schedule.
- 9.2.12 Reviewed RD 2004058 – Albany Cemetery Board**
The Commission **APPROVED** the continuation of the Schedule.
- 9.2.13 Reviewed RD 2003097 – Wheatbelt Development Commission**
The Commission **APPROVED** the continuation of the Schedule.

9.3 Disposal Lists for APPROVAL

Nil

9.4 Outstanding Restricted Access Matters

Nil

9.5 Transfer of State Archives

9.5.1 Requests to Retain State Archives

Nil

9.5.2 Requests to Transfer State Archives to the Custody of the State Records Office

Nil

9.6 Recordkeeping Plans for APPROVAL

9.6.1 Amended RKP 2009013 – Shire of Mundaring

The Commission **APPROVED** the amended Plan.

9.6.2 Amended RKP 2009010 – Department of Education and Training

The Commission **APPROVED** the amended Plan.

9.6.3 Amended RKP 2007078 – Shire of Dalwallinu

The Commission **APPROVED** the amended Plan.

- 9.6.4 Amended RKP 2007091 – Shire of Tammin**
The Commission **APPROVED** the amended Plan.
- 9.6.5 Amended RKP 2008068 – Shire of Chittering**
The Commission **APPROVED** the amended Plan.
- 9.6.6 Amended RKP 2009008 – Department of Housing**
The Commission **APPROVED** the amended Plan.
- 9.6.7 Amended RKP 2009012 – Shire of Dardanup**
The Commission **APPROVED** the amended Plan.
- 9.6.8 Amended RKP 2008015 – Shire of Mukinbudin**
The Commission **APPROVED** the amended Plan.
- 9.6.9 Amended RKP 2009018 – Shire of Yalgoo**
The Commission **APPROVED** the amended Plan.
- 9.6.10 Amended RKP 2008072 – Hairdressers Registration Board**
The Commission **APPROVED** the amended Plan.
- 9.6.11 Amended RKP 2009020 – Department of Agriculture and Food**
The Commission **APPROVED** the amended Plan.
- 9.6.12 Reviewed RKP 2004152/1 – Dwellingup Cemetery Board**
The Commission **APPROVED** the continuation of the Plan.
- 9.6.13 Reviewed RKP 2004121/1 – Dudinanning Cemetery Board**
The Commission **APPROVED** the continuation of the Plan.
- 9.6.14 Reviewed RKP 2004112/1 – South Caroling Cemetery Board**
The Commission **APPROVED** the continuation of the Plan.
- 9.6.15 Reviewed RKP 2004054/1 – Albany Cemetery Board**
The Commission **APPROVED** the continuation of the Plan.
- 9.6.16 Reviewed RKP 2004059/1 – Law Reform Commission**
The Commission **APPROVED** the continuation of the Plan.
- 9.7 Recordkeeping Plans CLEARED Pending Approval of the Retention and Disposal Schedule**
Nil
- 9.8 Recordkeeping Plan Reports – Reports on Reviews**
 - 9.8.1 RKP 2004048/1 - Department of Racing, Gaming and Liquor – Review Report**
NOTED
 - 9.8.2 RKP 2004119/1 - Shire of Menzies – Review Report**
NOTED

9.8.3 RKP 2003095/1 – Mid West Development Commission – Review Report

NOTED

9.8.4 RKP 2004235/1 – Drug and Alcohol Office – Review Report

NOTED

9.8.5 RKP 2004001/1 – Perth Zoo – Review Report

NOTED

9.8.6 RKP 2003013/1 – Department of Culture and the Arts – Review Report

The Commission noted the report and **APPROVED** the SRO's recommendation to request an amended Plan by 30 September 2010.

9.8.7 RKP 2004023/1 – Perth Theatre Trust – Review Report

The Commission noted the report and **APPROVED** the SRO's recommendation to request an amended Plan by 30 September 2010.

9.8.8 RKP 2004055/1 – Shire of Laverton – Review Report

The Commission noted the report and **APPROVED** the SRO's recommendation to request an amended Plan by 22 June 2010.

9.8.9 RKP 2008038 – Western Power – Progress Report

The Commission **NOTED** the progress report and the action taken.

9.9 Progress Report – Recordkeeping Plan and Retention and Disposal Schedule Reviews

The Director reported that of all the agencies due to review their RKPs in 2008, only one agency, the WA Sports Centre Trust (the Trust), had failed to submitted a review. The SRO has been in contact with the Trust and more recently (9 June) wrote requesting the submission by 19 June in order to avoid being reported to Parliament. The Trust has not responded to this letter.

The Commission noted the update and **REQUESTED** the Trust's failure to submit a review to be cited in the Commission's annual report and that this is to be brought to the Chair's attention once the report has been drafted.

9.10 Department of Health – Six Monthly Implementation Report

The Commission noted that the Department of Health's (the Department) report, once again, identified very little progress in relation to the implementation of improved recordkeeping practices, as stated in their own Recordkeeping Plan. The Commission expressed concern that in the 22 months of reporting, the Department has achieved very few of the planned implementations. Commissioners **REQUESTED** that the Department be notified that their lack of progress to implement improved recordkeeping practices is to be cited in the Commission's annual report.

10. DIGITAL RECORDS INITIATIVE (DRI)

10.1 Digital Records Working Group (DRWG) Report

The Director reported that the DRWG has had several changes to its membership and a meeting is planned for later in 2009.

The Commission **NOTED** the update.

10.2 Digital Records Initiative (DRI) Progress Report

The Director reported that the SRO's proposed joint venture with the Public Record Office Victoria (PROV), to further develop the Online Records Disposal Application (ORDA), will not proceed due to the PROV being unable to secure funding from the Victorian government. The SRO will proceed with the development of ORDA.

The Director advised that the Digital Archive Pilot project has been implemented with minimal resources. The Chair suggested that it is valuable to report such projects within government to demonstrate the SRO's keenness to develop solutions for digital records management issues in the most cost effective manner.

Commissioners **NOTED** the progress of projects and expressed their willingness to visit Archival institutions and other relevant parties whilst on business in other States if that would be beneficial. The Director offered to provide a list of relevant contacts for Australasian jurisdictions.

11. ESTABLISHING STANDARDS AND GUIDELINES

11.1 Standards

The Commission noted the register of Standards and **REQUESTED** that the inability to progress General Disposal Authorities, now well overdue for review, be noted in the Commission's annual report.

11.1.1 Source Records General Disposal Authority

Commissioner McDermott commented that the General Disposal Authority for Source Records (GDA Source) document was vastly improved on the original version made available for public comment. Commissioner McDermott stated that she considered the concepts within the document, now quite workable.

In relation to gazettal of the document, Commissioners considered that since previous General Disposal Authorities were not gazetted and that the Digitization Specification in the Appendix would need to be regularly updated, it was not necessary for the GDA Source to be gazetted.

The Commission **APPROVED** the GDA Source for publication pending minor typographical amendments and consideration of the inclusion of XML within the Digitization Specification.

11.1.2 Amendment of SRC Standard 8 – Digital Recordkeeping

The Commission **APPROVED** the SRO's proposal to retain the current wording of Standard 8 and consider clarifying references to email when the Standard is next reviewed.

11.2 Guidelines

The Commission **NOTED** the register of Guidelines.

12. ITEMS FOR INFORMATION

12.1 State Records Office Operational Activities

The Director advised that the Margaret Medcalf Award was mentioned in Parliament on 20 May.

The Commission **NOTED** the report.

12.2 State Records Commission Activities

Nil

13. PUBLIC PROGRAMS AND OUTREACH ACTIVITIES

13.1 Public Programs and Outreach Activities

The Commission **NOTED** the update and commented on the encouraging level of outreach activities. The Director asked Commissioners to diarise the Geoffrey Bolton Lecture being held on 10 November 2009.

13.2 State Records Commission State Records Awards

The Director advised that the State Records Award was presented to the Disability Services Commission at a function organized by the Institute of Public Administration Australia, on 17 June. The Fremantle Port Authority was also given a high commendation. The Commission **NOTED** the information provided.

14. DIRECTOR'S REPORT

14.1 Director's Report

The Director referred to the:

- Collections Care Hub for regional areas and advised that this initiative is to be a collaboration of small regional groups using shared resources to care for their various collections. She is seeking confirmation that State archives are not included in this project;
- draft of the Department of Treasury and Finance's regulation review guidelines. The SRO will be monitoring the implementation of the guidelines to determine their impact on the Commission;

- continuing negotiations with the State Library regarding the refurbishment of the ground floor and the SRO's requirement for secure access from the ground floor public space being built by the Library;
- Minister's visit to the SRO and the Dianella repository on 21 April proved a good opportunity to explain the work performed by a State Archive which also has a regulatory role;
- grant of \$11,500 received from the Friends of Battye Library for modifying AEON to enable uploading of digitized historical maps and plans; and
- unsuccessful SRO funding request for the repository business case, stating that a cost pressure submission is now being developed, using the Zero Based Budgeting data collected previously.

The Commission **NOTED** the Director's report and confirmed support for the Director's negotiation for secure access to the SRO from the Library's public area.

15. NEW BUSINESS

15.1 Mandurah Meeting

The Mgr: SR apologised for the absence of a paper under this item, explaining that consultation with the City of Mandurah is being undertaken. She further advised that details regarding the venue for the next Commission meeting, at the City of Mandurah, are awaiting confirmation and will be circulated to Commissioners out of session.

15.2 SRC Annual Report 2008 / 09

The Commission considered the Timeline and Table of Contents for the 2008/09 Annual Report and **REQUESTED** that drafting of the report be progressed as early as possible and that the draft incorporates comments as discussed during this meeting, namely:

- reference to the WA Sports Centre Trust for their failure to review their Recordkeeping Plan within the prescribed timeframe;
- reference to the Department of Health's lack of progress in improving their recordkeeping practices; and
- the General Disposal Authorities which are overdue for review and associated risk management issues for the Commission.

15.3 Transfer of State archives from State Library to State Records Office

The Director advised that she is keen to move as quickly as possible to finalise the transfer of State archives currently held by the State Library. This will involve identification of the steps required for formal separation and then preparation of a proposal for the State Librarian's consideration. The SRO may require the Commission's support during the process.

The Commission **NOTED** the information provided and encouraged the SRO to continue the process.

The meeting closed at 12.00 noon.

NEXT MEETING – Friday 2 October 2009 – in Mandurah (further detail to be provided).

SIGNED.....

DATED.....

Mr Colin Murphy
State Records Commission