



# STATE RECORDS COMMISSION OF WESTERN AUSTRALIA

## MINUTES OF MEETING HELD ON 4 DECEMBER 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
	Governor's Appointee
Ms Justine McDermott	Director of State Records
Ms Cathrin Cassarchis (Executive Officer)	A/Manager of State Recordkeeping
Mr Martin Fordham (Executive Secretary)	Manager of Archives Control & Access
Mr Leigh Hays	

### MINUTES:

Ms Joyce Steveni Recordkeeping Consultant

*Further text excluded for reasons of confidentiality.*

#### 1. Welcome and Apologies

The Chair opened the meeting at 10.00 am and acknowledged Isabel Smith as an apology.

#### 2. Declaration of conflicts of interest

Nil

#### 3. Notices of urgent business

Nil

#### 4. SRC MINUTES OF 2 OCTOBER 2009

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

Commissioner Bluemmel advised that he had put the Manager of State Recordkeeping (Mgr:SR) in touch with the appropriate officer at the Office of the Information Commissioner regarding incorporation of freedom of information elements into any briefings provided to local government elected members about the revised policy for elected members records.

Commissioner Bluemmel also provided the Manager of Archives Control & Access (Mgr:ACA) with a contact at the Public Sector Commission (PSC) regarding the secure government strategy. The Mgr:ACA advised that the SRO had contacted the PSC who advised that the strategy had moved down their priority list, however the SRO will maintain contact.

Minor editorial changes to the minutes were requested and 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.

# **5. MATTERS ARISING**

## **5.1 Government Employees Superannuation Board**

The A/Mgr:SR reported that representatives of the SRO had met with the government appointed independent reviewer, Mr Rod Whithear, to provide clarification on the State records issues in relation to the proposed mutualisation of the Government Employees Superannuation Board. *Further text excluded for reasons of confidentiality.*

The Chair stated that it is encouraging to note that Mr Whithear had engaged with the SRO, considering that it is a high level review that is being undertaken, and that the importance of the records issues has been recognised.

**NOTED**

## **5.2 Strategic Issues**

The Director advised that the strategic directions review information has been circulated to the Commissioners and a meeting date has been set for 17 February 2010.

**NOTED**

# **6. MONITORING THE OPERATION OF AND COMPLIANCE WITH THE ACT**

## **6.1 Organizational Changes**

### **6.1.1 Register - Government Organizations – Administrative Change**

The A/Mgr:SR advised that the Office of the Environmental Protection Authority (EPA) is to be formally separated from the Department of Environment and Conservation (DEC) and that a decision is yet to be made regarding whether EPA records will continue to be managed under the DEC Recordkeeping Plan or whether the EPA will develop its own Recordkeeping Plan.

The Commission **NOTED** the register with the updated information.

### **6.1.2 Register - Defunct Government Organizations**

The A/Mgr:SR advised that the proposed National Registration and Accreditation Scheme for Health Professionals will replace 10 existing health professional registration boards in WA. The Scheme will not be a Commonwealth scheme whereby the National Archives of Australia would assume the records regulatory role, rather each State will have its own legislation for managing registration of health professionals to feed into the national scheme. The SRO met with the Department of Health, who would be involved in the drafting of the legislation for WA, to discuss regulatory

matters, proposals to transfer State records to a national body, and other issues. The SRO has requested that the Department of Health continue liaison regarding the draft legislation and will continue to monitor the situation.

The Commission **NOTED** the register with the updated information.

## **6.2 Inquiring into Breaches or Possible Breaches**

### **6.2.1 Breach Register**

The Commission discussed whether it is appropriate to register a suspected breach on the strength of a newspaper report and the point at which a suspected breach is to be included in the register. The Commission **AGREED** that a matter should be added to the register as a suspected breach after the SRO has made initial enquiries with the agency concerned and the response provides grounds to suspect that a breach may have occurred.

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

### **6.2.2 Alleged Breaches - Aboriginal Cultural Material Committee**

The Commission **ENDORSED** the recommended approach to provide advice to the Department of Indigenous Affairs and the Minister's office in relation to recordkeeping practices; to advise the Department of the Premier and Cabinet that such matters should be included in induction programs for staff of Ministers' offices; to draft a letter of response to Dr Ruth Shean on behalf of the Commission; and, to advise the Public Sector Commission of the outcome of the investigation.

## **6.3 State Records Commission - Risk Management**

Nil

## **7. COMPLIANCE MONITORING – RECORDKEEPING PLANS**

### **7.1 Compliance Monitoring – Local government organizations – Phase 2 – Part 1**

The A/Mgr:SR advised that the survey focusing on "Licence" records managed under the *Caravan Parks and Camping Grounds Act 1995* and the associated Regulations had been issued to 20 local government authorities which did not respond to the first compliance monitoring program. Responses have been received from 18 agencies, 12 of those were received by the due date. The agencies that responded late or did not respond were contacted numerous times regarding submission of the questionnaire. Analysis of the responses will be reported to the next meeting of the Commission.

Commissioner Field stated that the Commission needs to be cognisant of the regulatory burden on agencies and, as a regulator, should be seen to be sympathetic and be cautious not to be overbearing.

**NOTED**

## **8. LEGISLATION REVIEW ISSUES**

## **8.1 SRO input into new legislation**

The A/Mgr:SR advised that the Public Sector Reform Bill which has been introduced into Parliament makes changes to the *Public Sector Management Act 1994* and includes changes to the *State Records Act 2000* (the SRA). Under the special inquirer provisions of the SRA section numbers have changed, and under Schedule 4 the Minister makes determinations on the remuneration of the fourth Commissioner on the recommendation of the Public Sector Commissioner.

### **NOTED**

## **9. APPROVAL OF RECORDKEEPING PLANS (RKPs)**

### **9.1 State Records Advisory Committee (SRAC)**

#### **9.1.1 SRAC Minutes – 17 November 2009**

The Commission **NOTED** the SRAC minutes of 17 November 2009.

#### **9.1.2 SRAC Membership – Nominations / Resignations**

Nil

### **9.2 Retention and Disposal Schedules for APPROVAL**

Commissioner Bluemmel commented that the justification to restrict access to certain archives because the records may contain personal information should not be the sole reason for restriction as the general definition of personal information is quite broad. It was noted that additional reasons had also been provided for archives being considered for restricted access at this meeting. The A/Mgr:SR advised that there is always potential for review of the restricted access archives guideline where appropriate.

#### **9.2.1 RD 2009034 – Public Sector Commission**

The Commission **APPROVED** the Schedule and the time expired restricted access periods.

#### **9.2.2 RD 2009045 – Insurance Commission of Western Australia**

The Commission **APPROVED** the fully revised Schedule and the time expired restricted access periods.

#### **9.2.3 RD 2008063 – Office of Energy**

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

#### **9.2.4 RD 2009044 – Commissioner for Children and Young People**

The Commission **APPROVED** the Schedule.

#### **9.2.5 RD 2007073 – Office of the Public Sector Standards Commissioner**

The Commission **APPROVED** the fully revised Schedule and the time expired restricted access periods.

#### **9.2.6 AD 2009052 – Department of Health (Mainframe Backup Tapes)**

The Commission **APPROVED** the Ad Hoc Disposal Authority.

#### **9.2.7 RD 2004278/1 – Water Corporation**

The Commission **APPROVED** the amendment to the Schedule.

#### **9.2.8 RD 2009057 – Legislative Council**

The A/Mgr:SR advised the Commission that the approving authority for this Schedule is the President of the Legislative Council.

The Commission **NOTED** the Schedule and its prior approval.

### **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**

The Commission **NOTED** the transfer request from the Shire of Dalwallinu.

The Commission confirmed that they had noted that a budget has been allocated for preparation of the business case for a new archives repository. The Director advised that the funding for the business case is being made available from the funds for the regeneration of the Cultural Centre.

### **9.6 Recordkeeping Plans for APPROVAL**

#### **9.6.1 RKP 2009011 - Shire of Broomehill-Tambellup**

The Commission **APPROVED** the Plan.

#### **9.6.2 RKP 2008035 - Commissioner for Children and Young People**

The Commission **APPROVED** the Plan.

#### **9.6.3 RKP 2009025 - Public Sector Commission**

The Commission **APPROVED** the Plan.

#### **9.6.4 Amended RKP 2008042 - Shire of Woodanilling**

The Commission **APPROVED** the amended Plan.

#### **9.6.5 Amended RKP 2009005 - City of Gosnells**

The Commission **APPROVED** the amended Plan.

#### **9.6.6 Amended RKP 2009028 – City of Swan**

The Commission **APPROVED** the amended Plan.

#### **9.6.7 Amended RKP 2009033 – Shire of Ravensthorpe**

The Commission **APPROVED** the amended Plan.

#### **9.6.8 Amended RKP 2009041 – Perth Market Authority**

The Commission **APPROVED** the amended Plan.

- 9.6.9 Amended RKP 2009042 – Shire of Menzies**  
The Commission **APPROVED** the amended Plan.
- 9.6.10 Amended RKP 2009046 – Shire of Bridgetown-Greenbushes**  
The Commission **APPROVED** the amended Plan.
- 9.6.11 Amended RKP 2009049 – City of Perth**  
The Commission **APPROVED** the amended Plan.
- 9.6.12 Amended RKP 2009055 – Shire of Irwin**  
The Commission **APPROVED** the amended Plan.
- 9.6.13 Amended RKP 2009062 – Shire of Capel**  
The Commission **APPROVED** the amended Plan.
- 9.6.14 Amended RKP 2009063 – City of Fremantle**  
The Commission **APPROVED** the amended Plan.
- 9.6.15 Amended RKP 2009067 – East Perth Redevelopment Authority**  
The Commission **APPROVED** the amended Plan.
- 9.6.16 Amended RKP 2009074 – Shire of Upper Gascoyne**  
The Commission **APPROVED** the amended Plan.
- 9.6.17 Amended RKP 2009079 – City of South Perth**  
The Commission **APPROVED** the amended Plan.

*The Commission noted that agenda items 9.6.18 to 9.6.23 should read “Amended RKP” and not “Reviewed RKP”.*

- 9.6.18 Amended RKP 2009069 – Subiaco Redevelopment Authority**  
The Commission **APPROVED** the amended Plan.
- 9.6.19 Amended RKP 2009089 – Rivers Regional Council**  
The Commission **APPROVED** the amended Plan.
- 9.6.20 Amended RKP 2009090 – City of Bunbury**  
The Commission **APPROVED** the amended Plan.
- 9.6.21 Amended RKP 2009064 – Department of Racing, Gaming and Liquor**  
The Commission **APPROVED** the amended Plan.
- 9.6.22 Amended RKP 2009001 – Legal Practice Board**  
The Commission **APPROVED** the amended Plan.
- 9.6.23 Amended RKP 2009077 – Insurance Commission of Western Australia**  
The Commission **APPROVED** the amended Plan.

- 9.7 Recordkeeping Plans CLEARED Pending Approval of the Retention and Disposal Schedule**
- 9.7.1 RKP 2009030 – Department of State Development**

The Commission **CLEARED** the Plan pending the approval of the Retention and Disposal Schedule.

## **9.8 RKP Reports – Reports on Reviews**

- 9.8.1 RKP 2004218/1 - Shire of Roebourne - Review Report  
NOTED**
- 9.8.2 RKP 2004109/1 - Shire of Coolgardie - Review Report  
NOTED**
- 9.8.3 RKP 2004107/1 - City of Nedlands - Review Report  
NOTED**
- 9.8.4 RKP 2004233/1 - State Supply Commission - Review Report  
NOTED**
- 9.8.5 RKP 2003073/1 - Western Australian Industrial Relations  
Commission - Review Report  
NOTED**
- 9.8.6 RKP 2004102/1 - Town of Mosman Park - Review Report  
NOTED**
- 9.8.7 RKP 2004101/1 - City of Mandurah - Review Report  
NOTED**
- 9.8.8 RKP 2005026/1 - Town of Cottesloe - Review Report  
NOTED**
- 9.8.9 RKP 2004046/1 - Shire of Donnybrook Balingup - Review Report  
NOTED**
- 9.8.10 RKP 2004069/1 - Main Roads WA - Review Report  
NOTED**
- 9.8.11 RKP 2004170/1 - City of Joondalup - Review Report  
NOTED**
- 9.8.12 RKP 2004177/1 - Shire of Esperance - Review Report  
NOTED**
- 9.8.13 RKP 2004073/1 - Shire of Boddington - Review Report  
NOTED**
- 9.8.14 RKP 2004156/1 - Town of Victoria Park - Review Report  
NOTED**
- 9.8.15 RKP 2003123/1 - ScreenWest - Review Report  
NOTED**
- 9.8.16 RKP 2004165/1 - Shire of Carnamah - Review Report  
NOTED**

**9.8.17 RKP 2004091/1 - Shire of Jerramungup - Review Report  
NOTED**

**9.8.18 RKP 2006032/1 - Tamala Park Regional Council - Review Report  
NOTED**

**9.8.19 RKP 2004272/1 - Shire of Coorow - Review Report  
NOTED**

**9.8.20 Review Report - Withdrawn**

**9.8.21 RKP 2004142/1 - Shire of Wongan-Ballidu - Review Report  
NOTED**

**9.9 SRO Progress Report – Recordkeeping Plan and Retention and Disposal Schedule Workload**

**9.9.1 Recordkeeping Plan Workload**

The A/Mgr:SR advised a typographical error under point 2, the 2<sup>nd</sup> sentence should read “46 outstanding” rather than “49 outstanding”.

**NOTED**

**9.9.2 Retention and Disposal Schedule Workload**

The A/Mgr:SR advised that the expected workload for Retention and Disposal Schedules for 2010 will be lightened by the proposed sector General Disposal Authority (GDA) program and the proposed National Registration and Accreditation Scheme for Health Professionals which will abolish ten WA health professional registration boards.

The A/Mgr:SR advised that review and revision of the GDAs for Human Resource Management Records and Administrative Records will be included in the GDA program.

**NOTED**

**9.10 Department of Health – Six Monthly Implementation Report**

*Further text excluded for reasons of confidentiality.*

The Commission **NOTED** the Department of Health’s report and **ENDORSED** the approach to specify the matters to be reported in the next report and advise the Department that work should commence on development of the revised Recordkeeping Plan.

**9.11 Schedule 3 Recordkeeping Plans**

**9.11.1 Water Corporation RKP 2009040**

The Commission **NOTED** the Minister’s approval of the amended Plan.

**10. DIGITAL RECORDS INITIATIVE (DRI)**



## 10.1 Digital Records Initiative Progress Report

The Mgr:ACA provided the following update:

The Digital Archive Pilot Project has been completed and a report will be tabled at the next Commission meeting. A larger pilot project will now be undertaken.

SRO staff had attended a recent Australasian Digital Recordkeeping Initiative (ADRI) meeting and reported the following: The ADRI strategic plan has been reviewed for the next five years and will focus on improving ICT skills, digital preservation maturity and looking at opportunities in relation to web 2.0 *further text excluded for reasons of confidentiality*. There is once again discussion of a distributed archive, but is not an approach other states are contemplating; *further text excluded for reasons of confidentiality*, and, the key issue that came out of the meeting was problems in achieving successful digital transfers from an EDRMS. The Commission discussed the concept of distributed archives and the approach of other States and other countries and other possible options for digital archives storage such as the Square Kilometre Array and collaboration with other State organisations.

iVEC is providing good advocacy for the SRO with the Australian National Data Service (ANDS) which has money available to assist organisations with digital projects and have shown some interest in the SRO's project, especially in relation to longevity of data.

State Records New South Wales and the University of Sydney use the same operating system and public interface as SRO's archive database and have offered to provide some system upgrades in exchange for enhancements developed by SRO relating to the display of online images. SRO's enhancements were funded by the Friends of Battye to support the online maps project and have been provided at no charge to State Records NSW. The upgrades offered to SRO are in exchange for the enhancements, with the only cost to SRO being for their implementation.

The functional requirements document for Online Retention and Disposal Application has been prepared and circulated to ADRI for comment. Feedback has been received from New South Wales and Queensland. The SRO is looking to engage with stakeholders via information sessions in February or March 2010.

### NOTED

## 11. ESTABLISHING STANDARDS AND GUIDELINES

### 11.1 SRC Standards

#### 11.1.1 General Disposal Authority for Local Government Records - Review

The Commission **NOTED** progress of the review of the General Disposal Authority for Local Government Records.

### 11.2 Guidelines

Nil

## 12. ITEMS FOR INFORMATION

## **12.1 State Records Office Operational Activities**

The Commission **NOTED** the report.

## **12.2 State Records Commission Activities**

The Chair advised that the Commission had received a letter from the Mayor of Mandurah thanking them for making the trip to Mandurah in October for the Commission's regional meeting.

# **13. PUBLIC PROGRAMS AND OUTREACH ACTIVITIES**

## **13.1 Public Programs and Outreach Activities**

The Director spoke to the paper and remarked on the positive feedback and good publicity received in relation to the Geoffrey Bolton lecture and the Martha Rendell event held in conjunction with the Fremantle Prison. Commissioner Bluemmel remarked on the difficulties downloading the podcast of the GB Lecture due to the size of the file. He queried whether it is possible to reduce the quality, and therefore the file size, without affecting the audibility of the podcast. The Mgr:ACA stated that he would follow up on the request.

The Mgr:ACA advised that a journalist will be visiting the SRO to view files on UFOs for an article in the West Australian newspaper.

The Director requested the Commission to nominate a Commissioner to be a judge for the 2010 Margaret Medcalf Award. Commissioner McDermott volunteered and was appointed.

The Director advised that Heather Ridout had been invited to deliver the 2010 Geoffrey Bolton Lecture because of her interest in modernising communication assets and its connection to digital records.

The Chair commented positively on the quality of the events he had attended.

The Commission **NOTED** the update.

# **14. DIRECTOR'S REPORT**

## **14.1 Director's Report**

The Director spoke to the report and advised that, as part of the Communications Plan to liaise with other portfolio agencies, the SRO had recently hosted the DCA's Portfolio Visionary Outcomes Team meeting and took the opportunity to display a number of items from the state archives collection relevant to the Art Gallery and the Museum, and to raise awareness with the CEOs of how the SRO might participate in public programming activities within the Portfolio.

With regard to the Cultural Centre Redevelopment, the Director advised that the SRO is liaising with East Perth Redevelopment Authority and has suggested development of an enactment program which could be rolled out in participation with other portfolio agencies. Actors would pose as characters from the archives and interact with the public working from a prepared script. Commissioner

McDermott suggested that there could be an opportunity to work with school groups by linking in with the curriculum.

*Further text excluded for reasons of confidentiality.*

The Director advised that development of the framework for the business case and release of the funds for a project officer has been discussed with the DCA. The ex-CEO of Archives New Zealand, Dianne Maccaskill, has been approached to act as a consultant on the business case. The Chair enquired as to what steps could be taken to ensure that the business case delivers what is required by the Minister and the Department of Treasury and Finance (DTF) as previous business cases have been too easily dismissed. The Director cited research and consultation to get agency CEOs on board as an important factor as well as the strong involvement of the DTF. The Director has met with a project officer from Shared Services. There is a budget allocation to engage other consultants to work on specific aspects of the business case. The Commission stressed that the business case must be competitive and must provide scalable options for the DTF to consider.

The Minister has advised that funds have been allocated to develop an SRO exhibition. The SRO would work with the Museum and their curatorial staff to develop the exhibition. The aim is that the exhibition will be engaging and will include artefacts as well as paper documents.

In relation to the separation of SRO from the State Library, the Director advised that DCA has appointed a project officer to gather information. The project officer has reviewed SRO files and a meeting is to be held soon to discuss the separation.  
*Further text excluded for reasons of confidentiality.*

The Commission **NOTED** the Director's report.

## 15. NEW BUSINESS

### 15.1 Proposed SRC Meeting Schedule 2010

The A/Mgr:SR circulated the draft SRC 2010 Schedule of Meetings. Commissioner Field stated that a State Ombudsman's Regional Outreach Forum is likely to be held in Albany in early October 2010 and he will confirm the date within the next two weeks.

Commissioner Field **AGREED** to liaise with the SRO to confirm the date and location of the October 2010 meeting.

The meeting closed at 11.30 am.

**NEXT MEETING** – Friday 5 March 2010 - Alexander Library Board Room.

SIGNED.....

DATED.....

Mr Colin Murphy  
State Records Commission