



# STATE RECORDS COMMISSION OF WESTERN AUSTRALIA

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## MINUTES OF MEETING HELD ON 18 JUNE 2010 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 Joyce Steveni	Recordkeeping Consultant
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#### 1. **Welcome and Apologies**

The Chair opened the meeting at 9.40 am.

#### 2. **Declaration of conflicts of interest**

Nil

#### 3. **Notices of urgent business**

Nil

#### 4. **SRC Minutes of 7 April 2010**

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

The minutes were **CONFIRMED** with minor amendments and signed by the Chair.

##### 4.2 **Confirmation of Published Minutes**

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

##### 4.3 **SRC Action List**

The Commission **NOTED** the Action List.

#### 5. **MATTERS ARISING**

##### 5.1 **Government Employees Superannuation Board (GESB)**

The Manager of State Recordkeeping (Mgr:SR) reported that the decision to mutualise the administration of GESB schemes will not proceed.

### NOTED

## 5.2 SRC Annual Report 2009/2010

The Director spoke to the paper and outlined matters for the Commission to consider for inclusion in the 2009/2010 Annual Report. These were: four investigations into alleged breaches that have been resolved; two investigations into alleged breaches that are ongoing; and one investigation into an alleged breach (Balga Senior High School) that was reported in the 2008/2009 Annual Report and is still to be finalised. The Commission discussed the importance of consistency in language describing the outcome of investigations into alleged breaches. The Director agreed and confirmed that the Balga issue is likely to be completed by 30 June.

Following discussion, the Commission agreed that, whilst the problems reported in the 2008/2009 Annual Report with regard to the Department of Health's (the Department) Recordkeeping Plan were not fully resolved, the Department has now acknowledged the issues and is making attempts to rectify matters. Therefore, it should not be necessary to report the Department's lack of progress at this time.

The abolition of one of the Commission's committees, the Digital Records Working Group, is to be reported together with ongoing discussions across government in relation to digital matters. The Director acknowledged the outgoing Acting Chief Information Officer (CIO), Ms Celia Chesney's, valuable support for State Records Office representation on the CIO Working Group and the Data Centre Group. The Commission considered that there is a strong government commitment to filling the CIO and Chief Technology Officer positions and that involvement of the SRO would be expected.

Development of the Archive repository Business Case is also to be considered for inclusion in the Annual report.

The Commission **AGREED** that it would be appropriate to report on the items raised and also **IDENTIFIED** monitoring of agencies as another issue to consider for inclusion in the Annual Report.

## 5.3 SRC Meeting Schedule

The Director reported that the responses received from Commissioners suggested that the 19 November 2010 would be an acceptable date for the Albany meeting and that the October meeting could be rescheduled to late September. The Commission discussed various matters including the short time period between the proposed September and November meetings and that the last Commission meeting of the year is traditionally an opportunity for the Commission to invite State Records Advisory Committee (SRAC) members to attend to thank them for their contributions. Commissioners **AGREED** that instead of a separate end of year function they would, where possible, attend the August SRAC meeting to express their appreciation to the members and the Director will provide the date of that meeting at the earliest opportunity. An alternative arrangement will be considered for the Commission to thank the SRAC members if necessary.

The Commission **AGREED** that the next meeting will be held on 19 November in Albany with an electronic meeting conducted in September if necessary. Commissioner Field advised that his office had prepared a draft schedule for his Albany visit and he would arrange for one of his staff to liaise with the Mgr:SR to discuss venue arrangements.

It was **AGREED** that Commissioners will organise their own travel to Albany.

A suggestion to change the number of Commission meetings from four to three meetings per year, with certain matters addressed out of session as appropriate, was also discussed and **AGREED** and will be trialled in 2011.

## **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 register with the updated information.

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

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

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

#### **6.2.1 Breach Register**

In relation to the Challenger TAFE matter, the Mgr:SR clarified that “legal representatives” relates to impaired or underage students who must be accompanied by a legal representative at meetings.

The Mgr:SR reported that the Town of Bassendean has advised that they are unable to identify which records the staff member had in her possession at the time of the theft because no authorisation had been given to take records offsite. *Further text excluded for reasons of confidentiality.*

The Commission discussed current practice in relation to dealing with an individual who reports an alleged a breach. It was **AGREED** that the Commission’s role is to investigate the allegation but is not obliged to provide a remedy to the individual. Individuals should be referred to the Ombudsman’s Office if they are seeking a remedy.

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

#### **6.2.2 Alleged Breaches**

Nil

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

Nil

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

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

The Mgr:SR advised that there was a far better response to this survey with only 1 of 20 local government authorities, the Shire of Pingelly, failing to respond. In relation to caravan parks and camping grounds, it appears that most agencies are reportedly creating and managing these records appropriately. Issues identified are being addressed with the agencies concerned. The survey revealed that training is a major consideration, particularly with implementation of the General Disposal Authority and identifying the appropriate disposal decisions for record categories

and managing records in general. Providing training to regional areas was discussed, however, such activities are limited by a lack of resources. Other options such as online training were discussed as possible solutions for the future. Commissioner Bluemmel advised that the Office of the Information Commissioner were investigating online training for Freedom of Information (FOI) training in the regions and would be willing to share their experiences with the SRO. The Director and Mgr:SR expressed interest in this opportunity.

The Commission considered that the survey results could be interpreted as both a good and a bad result and concluded that although the responses had identified a number of issues, those matters were being addressed in a positive manner. The Commission agreed that the overall results were encouraging and could be highlighted in the annual report as having identified the need for resourcing to conduct whole of government training.

Commissioner Bluemmel advised that a review of administration of FOI across the State is being undertaken with a survey of agencies, which includes questions in relation to recordkeeping. Following publication of the survey results in August, the raw data can be made available to the SRO. The Director thanked Commissioner Bluemmel for this information.

## **NOTED**

### **7.2 Compliance Monitoring – Phase 2 – Part 2 – State government organizations - Report**

The Mgr:SR spoke to the paper and advised that the survey results were similar to Part 1 results, in that, on the whole, State government records relating to management plans are being created and managed appropriately. Where issues were identified, agencies are working to address those matters. The monitoring program identified that surveys or questionnaires are not the ideal monitoring tool and the SRO is investigating alternative methods which will be presented for the Commission's consideration at a future next meeting.

## **NOTED**

## **8. LEGISLATION REVIEW ISSUES**

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

#### **8.1.1 *Public Sector Reform Bill 2009* – Public Sector Commissioner reporting function**

The Director advised that she had attended a meeting regarding the development of a public sector reporting framework by the Public Sector Commission. In part, the meeting had discussed what form that reporting would take and how the framework would be developed. The Commission discussed how previous public sector reporting tended to focus on faults with often no obligation or opportunity to report on good things that are happening.

## **NOTED**

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

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

#### **9.1.1 SRAC Minutes – 20 May 2010**

The Mgr:SR reported that SRAC had raised concerns with regard to the safety of Landgate records in the absence of a digital archive repository. However, the Director stated that, given recent discussions with the Chief Executive Officer of Landgate, she is confident of Landgate's ability to manage their records appropriately.

The Commission **NOTED** the SRAC minutes of 20 May 2010.

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

The Chair signed a letter acknowledging Neil Whiteley's resignation and his contribution to the SRAC. The Institute of Information Management will be requested to provide nominations to replace their SRAC representative.

The Commission **NOTED** the resignation.

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

Commissioner Bluemmel raised apparent inconsistencies between the restricted time periods for some record categories and queried whether there should be greater consistency between types of restricted archives, particularly health records. The Mgr:SR advised that the *State Records Act* stipulated the 100 year restricted access period for medical records which influences the time periods applied to certain categories of records. The Online Records Disposal Application system, once implemented, will assist in achieving greater consistency across government.

#### **9.2.1 RD 2010028 – Parliamentary Inspector of the Corruption and Crime Commission**

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

#### **9.2.2 AD 2010029 – Fire and Emergency Services Authority**

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

#### **9.2.3 RD 2010016 – Office of the Director of Public Prosecutions**

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

#### **9.2.4 RD 2010007 – Potato Marketing Corporation**

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

#### **9.2.5 RD 2009045/1 – Insurance Commission of WA**

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

#### **9.2.6 RD 2009096 – Western Australian Land Information Authority**

The Commission **APPROVED** the fully revised Schedule with the application for non-transfer of State archives and restricted access matters to be submitted at a later date.

### **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 RKP 2010026 – Parliamentary Inspector of the Corruption and Crime Commission**

The Commission **APPROVED** the Plan.

#### **9.6.2 RKP 2010035 - Department of Education**

The Commission **APPROVED** the Plan.

#### **9.6.3 RKP 2010033 – Department of Training and Workforce Development**

The Commission **APPROVED** the Plan.

#### **9.6.4 Amended RKP 2009083 – City of Bayswater APPROVED**

#### **9.6.5 Amended RKP 2010017 – Shire of Roebourne APPROVED**

#### **9.6.6 Amended RKP 2010023 - Shire of York APPROVED**

#### **9.6.7 Amended RKP 2010034 - Shire of Boddington APPROVED**

#### **9.6.8 Amended RKP 2010019 - City of Belmont APPROVED**

#### **9.6.9 Amended RKP 2010037 – Peel Development Commission APPROVED**

#### **9.6.10 Amended RKP 2010022 – Drug and Alcohol Office APPROVED**

#### **9.6.11 Amended RKP 2009091 – Shire of Kent**

The Commission noted that the original Recordkeeping Plan was approved for five years and not three years as stated in the paper.

**APPROVED**

#### **9.6.12 Amended RKP 2010038 – Shire of Coolgardie APPROVED**

**9.6.13 Amended RKP 2010011 – Midland Redevelopment Authority  
APPROVED**

**9.6.14 Amended RKP 2010013 - City of Armadale  
APPROVED**

**9.6.15 Amended RKP 2009039 - Shire of Busselton  
APPROVED**

**9.6.16 Amended RKP 2009038 - Shire of Ashburton**  
The Commission noted the time lapsed between the Recordkeeping Plan review date and the submission of the amended RKP.  
**APPROVED**

**9.7 Recordkeeping Plans CLEARED Pending Approval of the Retention and Disposal Schedule**  
Nil

**9.8 RKP Reports – Reports on Reviews**

**9.8.1 RKP 2004021/2 – Town of Kwinana - Review Report  
NOTED**

**9.8.2 RKP 2006026/1 – Racing and Wagering Western Australia - Review Report  
NOTED**

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

**9.9.1 Progress Report – Recordkeeping Plan Reviews**

The Mgr:SR reported that the Shire of Merredin had submitted a revised draft Recordkeeping Plan. Also, the Western Metropolitan Regional Council have met with the SRO and committed to submit a plan of action as soon as possible.

**NOTED**

**9.9.2 Progress Report – Retention and Disposal Schedule Reviews**

**NOTED**

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

The Commission **NOTED** the Department of Health's report and the Department's willingness to meet and discuss matters more fully. The Commission considered that the report indicates positive progress, however there is a need to ensure that the momentum is maintained.

**9.11 Schedule 3 Recordkeeping Plans**

Nil

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

### **10.1 Digital Records Initiative Progress Report**

The Director spoke to the report and advised that Phase 2 of the Digital Archive Pilot Project has not yet started due to resource constraints. Significant work has continued with the progression of an Australian National Data Service (ANDS) bid with ANDS inviting a submission from the SRO. The Mgr:ACA advised that ANDS had been established with Universities in mind and have only recently developed a package for submission of government data sets. The Director stated that the submission is moving forward as a priority and is hopeful of receiving significant funding to assist in the development of the digital archive. Also, that if a positive outcome can be achieved before the business case is finalised, a successful bid for Federal funding will significantly support the business case. The Chair queried whether the Minister has been advised that the SRO is dealing with a body outside of WA and the Director confirmed that the Minister has been so advised.

The Commission **NOTED** the progress of the projects.

### **10.2 Digital Archives Project**

The Commission acknowledged the discussion under agenda item 10.1 in relation to this item.

**NOTED**

## **11. ESTABLISHING STANDARDS AND GUIDELINES**

### **11.1 SRC Standards**

**NOTED**

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

The Mgr:SR reported that feedback on the draft revised General Disposal Authority for Local Government Records (GDALG) had been positive and the working group had been very keen with good attendance at meetings. The revised GDALG will be completed by 30 June 2010 and will be presented to the next SRAC meeting for endorsement and then to the Commission for approval. This is a positive outcome for the Annual Report. The GDALG will be made available on the SRO website and guidelines to accompany the GDA are being developed.

The Commission suggested that there may be an opportunity for the Western Australian Local Government Association (WALGA) and the Department of Local Government to provide resources for the release of the GDA. The Mgr:SR advised that a meeting is planned with WALGA to discuss the Elected Members Policy and there may be an opportunity to discuss the GDALG.

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

#### **11.1.2 Public Sector Commission – Information Security Guideline**

The Manager Archives Control and Access advised that the SRO provided feedback to the Public Sector Commission on the draft Information Security Guideline. The suggestions that the guideline could be simplified and should include stronger references to the *State Records Act 2000* had been positively received.

The Commission **NOTED** the report.

#### **11.1.3 Sector GDA Program**

The Mgr:SR advised that the Sector General Disposal Authority (GDA) Program had been outlined at the previous Commission meeting. The mapping exercise has been completed and a list of priority sectors with a timeline is being prepared. The SRO is also working with the universities who are developing a GDA for the University sector. The Sector GDAs will be a priority once the GDA for local government has been finalised.

The Commission **NOTED** the update.

### **11.2 Guidelines**

Nil

## **12. ITEMS FOR INFORMATION**

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

The Chair commented on the discussions with Shared Services in relation to the importance of establishing procedures for the management of records held on behalf of other agencies, stating that the SRO had provided relevant advice.

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 Director spoke to the paper and thanked Commissioner Bluemmel for presenting the Margaret Medcalf Award. Commissioner Bluemmel expressed his appreciation to Gerard Foley for the speech notes. The Director advised that she had the opportunity to speak with Dr Fiona Stanley, who had attended the Award as a parent of a nominee. Dr Stanley also accepted an invitation to visit the SRO and meet with the Director and senior staff.

The Director advised that while the 2011 Geoffrey Bolton Lecture was intended to form part of the planned Commonwealth Heads of Government Meeting, it was now felt that this would not work. The event will still be held at that time but will link in to the Museum exhibition.

The Commission **CONFIRMED** that the date of the 2010 Geoffrey Bolton Lecture has been diarised and all Commissioners confirmed their intention to attend.

### **13.2 State Records Commission Award 2010**

This year's recipient of the Commission sponsored Lonnie Award is the Fremantle Port Authority which was highly commended last year. The Chair considered that this is an important award which raises the awareness of the compliance reporting requirement.

## **14. DIRECTOR'S REPORT**

### **14.1 Director's Report**

The Director spoke to the report and advised that she has been involved in the CIO Working Group and has been invited to join the Data Centre Group stating that it is encouraging that the SRO is included in these groups.

The Director advised that the SRO is working to establish its values and create a brand badge to go alongside the Department of Culture and Arts logo. The aim is not to develop a separate identity but to have a visual identification.

Commissioner McDermott queried whether the Online Retention and Disposal Schedule Application (ORDA) is a database to help agencies develop disposal authorities and whether agencies would be able to interrogate ORDA when applying schedules. Mgr:SR advised that the database is intended for whole-of-government use but whether interrogation will be open to all is still to be determined.

*Further text excluded for reasons of confidentiality.*

The Director has provided comment on a Council of Australasian Archives and Records Authority circular looking at indemnity for travelling exhibitions advising that, while the difficulties of securing exhibitions is appreciated, there are concerns that such an indemnity will open the door for the illegal trade of treasures if the real issues have not been addressed.

With regard to the business case, the Director advised that the review of service delivery models is almost complete. The Investment Logic Mapping exercise proved to be very useful and there may be an opportunity to participate in further workshops. The feedback from the consultant was positive and he considered that the SRO had a clear view of what is required. SRO staff have visited other archival facilities and there has been further discussions regarding shared facilities. The Building Management and Works (BMW) representative is providing positive feedback and the support from the consultant and BMW has been good.

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

## **15. NEW BUSINESS**

### **15.1 SRC Rules for the Conduct of Meetings**

The Commission agreed that the 12 month rotation of the Chair was too short. The Chair indicated that he would be happy to either vacate or continue in the position

at the discretion of the remaining Commissioners. The Commission felt it was important for the Annual Report process to be completed before a change of Chair, with the end of the year considered as the appropriate time for a change to occur if that was intended. The Chair will discuss a date for handover with Commissioner Field as the next senior Commissioner.

The Commissioners considered that: the Rules for the Conduct of Meetings may be too detailed; it may not be necessary for a Commissioner to leave the room in all instances of a conflict of interest; and a three year rotation of the Chair would be appropriate.

The Commissioners **REQUESTED** that the SRO review the Rules to compare them with current practice and provide advice to the next meeting. The Director agreed.

The meeting closed at 11.30 am.

**NEXT MEETING** – Friday 19 November 2010 – Albany – venue TBA.

SIGNED.....

DATED.....

Mr Colin Murphy  
State Records Commission