



STATE RECORDS COMMISSION OF WESTERN AUSTRALIA

MINUTES OF MEETING HELD ON 1 AUGUST 2014 AT THE WESTERN AUSTRALIAN MUSEUM, KALGOORLIE-BOULDER

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)	State Archivist and Executive Director State Records

MINUTES:

Mr Martin Fordham	Recordkeeping Consultant
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1. Welcome and Apologies

The Chair opened the meeting at 8.50am, and noted the apologies of Ms Isabel Smith, Director State Information Management and Mr Leigh Hays, Director Archives.

2. Declaration of conflicts of interest

The State Archivist advised that the Information Commissioner's Retention and Disposal Schedule Review Report was at Agenda Item 7.8.1, however, the item was only for noting by the Commission.

3. Notices of urgent business

The Chair advised the meeting will break at 10.00am so the Chair and the State Archivist can attend the ABC studios for a radio interview. Also, lunch with invited guests will be at 11.45am, including interviews with other local media.

The Commission noted the information provided on regional agency issues.

4. SRC Minutes of 21 March 2014

4.1 Confirmation and Sign-off of Official Minutes for Publication

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

4.2 SRC Action List

The State Archivist advised that actions regarding compensation for recovered records are on hold pending finalisation of the policy on estrays recovery and compensation. The Chair suggested the action item be amended to reflect this. The State Archivist agreed.

The Commission **NOTED** the action list.

5. MATTERS ARISING

5.1 Archives Keeping Plan

The State Archivist advised the amended Archives Keeping Plan is submitted to the Commission for approval, and that once the policy on estrays recovery and compensation is completed, both documents will be submitted to the Minister with a Briefing Note.

The Commission suggested that only section 7.1.5 needs to be omitted from the published version of the Plan. **AGREED.**

The Commission **APPROVED** the Archives Keeping Plan 2014.

5.2 State Solicitor's Office Advice on RD 2013058 – Supreme Court of Western Australia

The Commission considered the advice and the State Records Office's (SRO) position on the matter and endorsed the approach to continue consultation with the Supreme Court to resolve matters of concern.

The Commission **APPROVED** the application for State archives to be retained by the Supreme Court.

6. MONITORING THE OPERATION OF AND COMPLIANCE WITH THE ACT

6.1 Organizational Changes

6.1.1 Register of Government Organizations – Administrative Change

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

6.1.2 Register of Defunct Government Organizations

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

6.2 Inquiring into Breaches or Possible Breaches

6.2.1 Register of Alleged Breaches

The State Archivist advised that the status for item 66 on the Register should read OPEN and not CLOSED.

The Chair advised it is appropriate for the SRO to investigate matters which originate in reports of the Office of the Auditor General (OAG) and welcomes consultation with the OAG on potential breaches to enhance complementary actions between the two offices. The State Archivist **AGREED.**

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

6.2.1.1 Town of Bassendean – Suspected Breach

The Commission noted the SRO analysis and recommendation. The Commission **AGREED** no further action is required.

6.2.1.2 Department of Parks and Wildlife – Suspected Breach

The Commission noted the SRO analysis and recommendation. The Commission **AGREED** no further action is required.

6.3 State Records Commission - Risk Management

Nil

6.4 Compliance Monitoring – Recordkeeping Plans

Nil

7. APPROVAL OF RECORDKEEPING PLANS (RKPS)

7.1 State Records Advisory Committee (SRAC)

7.1.1 SRAC Minutes – 16 April 2014

The Commission **NOTED** the SRAC minutes.

7.1.2 SRAC Minutes – 15 July 2014

The Commission **NOTED** the SRAC minutes.

7.1.3 SRAC Membership - Nomination

The Commission **APPROVED** the recommendation for the appointment of the Deputy representing the Local Government Records Management Group, Mr Michael Tsakalakis.

7.2 Retention and Disposal Schedules for APPROVAL

7.2.1 RD 2012033 – Disability Services Commission

The Commission **APPROVED** the Schedule and the proposed restricted access periods.

7.2.2 RD 2014002 – Office of the Environmental Protection Authority

The Commission **APPROVED** the Schedule and noted the proposal to restrict access to certain records when required.

7.2.3 RD 2012030 – Department of Fisheries

The Commission **APPROVED** the Schedule and the proposed restricted access periods.

7.2.4 RD 2013043 – Independent Market Operator

The Commission **APPROVED** the Schedule and the proposed restricted access periods.

7.2.5 RD 2013061 – Department of Mines and Petroleum

The Commission **APPROVED** the Schedule.

7.2.6 RD 2013062 – Heritage Council of Western Australia

The Commission **APPROVED** the Schedule.

7.2.7 RD 2013063 – Public Sector Commission – Reviews, Special Inquiries and Investigations

The Commission **APPROVED** the Schedule.

7.3 Disposal Lists for APPROVAL

Nil

7.4 Outstanding Restricted Access Matters

Nil

7.5 Transfer of State Archives

7.5.1 Shire of Denmark - RKP 2013034 – Archives not transferred to the SRO

The Commission **APPROVED** section 5.4 of the Shire's amended Plan, under which State archives will be transferred to the SRO.

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

The State Archivist advised that there have been no recent requests but a request from the Town of Mosman Park is imminent and will be reported on at the next meeting of the Commission.

NOTED.

7.6 Recordkeeping Plans for APPROVAL

**7.6.1 Amended RKP 2013053 – Shire of East Pilbara
APPROVED**

**7.6.2 Amended RKP 2013065 – Shire of Toodyay
APPROVED**

**7.6.3 Amended RKP 2014005 – Shire of Murray
APPROVED**

**7.6.4 Amended RKP 2014006 – Shire of Moora
APPROVED**

**7.6.5 Amended RKP 2014007 – Fremantle Port Authority
APPROVED**

**7.6.6 Amended RKP 2014008 – Curtin University of Technology
APPROVED**

**7.6.7 Amended RKP 2014009 – City of Kalgoorlie Boulder
APPROVED**

**7.6.8 Amended RKP 2014010 – Shire of Wyalkatchem
APPROVED**

7.6.9 Amended RKP 2014012 – Small Business Development Corporation

APPROVED

7.6.10 Amended RKP 2014014 – Kimberley Development Commission

APPROVED

7.7 Recordkeeping Plans CLEARED Pending Approval of the Retention and Disposal Schedule

Nil

7.8 RKP Reports – Reports on Reviews

7.8.1 Recordkeeping Plan and Retention and Disposal Schedule Reports – Report on Reviews

The State Archivist added that the Shire of Mukinbudin RKP Review Report has been received.

The Commission **NOTED** the Recordkeeping Plan and Retention and Disposal Schedule Review Reports received.

7.8.2 Recordkeeping Plan Commitments Overdue – Progress Report

The Commission **NOTED** the Report on overdue Recordkeeping Plan commitments.

The Commission **ENDORSED** the position that no further action be taken at this time, and that matters will be addressed when the Recordkeeping Plans next become due for review.

7.9 Recordkeeping Plan and Retention and Disposal – Progressive Report

Nil

7.10 Schedule 3 Recordkeeping Plans

Mr Fordham advised that Western Power was reminded that its RKP Review Report is due to be submitted to its Minister by February 2015.

Mr Fordham advised that the Bunbury and Busselton Water Corporations have submitted their RKPs to their Minister and that the SRO has requested that copies of the final approved Plans and the Minister's approval be provided to the Commission.

NOTED

8. LEGISLATION REVIEW ISSUES

8.1 SRO input into new legislation

8.1.1 *Personal Property Securities Act 2009 (Cth)* – Statutory Review

Mr Fordham advised that the SRO and the Public Records Office of Victoria provided a joint submission to the statutory review of the *Personal Property Securities Act 2009* outlining concerns and possible implications for government records held with commercial records storage providers.

8.2 State Records Act 2000

Nil

9. MANAGEMENT OF THE STATE ARCHIVES COLLECTION

9.1 Recovery of Estrays

9.1.1 Estrays – State Library of Western Australia – Government Archives

The State Archivist advised that the State Library is yet to respond to the letter dated 3 December 2013 and that the new Director General of the Department of Culture and the Arts has been apprised of the matter.

The Commission **NOTED** the update.

9.1.2 Estrays – Recovery of government records under Part 7 of the State Records Act 2000

The State Archivist elaborated on the paper detailing the recovery of a series of government plans and the subsequent matters associated with the request for compensation.

The Commission **NOTED** the information provided.

9.2 Applications to Restrict Access to records in the State Archives Collection

Nil

10. ESTABLISHING STANDARDS AND GUIDELINES

10.1 Register – Publications Review and Development

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

11. STATE RECORDS COMMISSION ANNUAL REPORT

11.1 2013/14 Annual Report

The Commission considered the first draft of the Annual Report, raised and discussed several queries relating to, among other things, archives storage, reporting, estrays and compliance monitoring.

The Chair adjourned the meeting at 10am for the Chair and the State Archivist to attend an ABC radio interview.

Meeting resumed at 10.40am

The Commission requested that an item about matters associated with the State Library should be included and suggested several other amendments.

The Chair advised that the second draft should be prepared for consideration in anticipation of tabling of the report as soon as possible.

12. ITEMS FOR INFORMATION

12.1 State Records Office Operational Activities

The Commission **NOTED** the Operational Activities report.

12.2 State Records Commission Activities

The Chair advised he met with the new Director General of the Department of Culture and the Arts.

13. PUBLIC PROGRAMS AND OUTREACH ACTIVITIES

13.1 Public Programs and Outreach Activities

The State Archivist advised of the successful Margaret Medcalf Award presentation and thanked Commissioner McDermott for her valuable contribution; that an intern has been secured to prepare the Guide to the 1984 State Cabinet Papers; that the SRO is awaiting approval to progress the display at Parliament House; and, the Centenary of ANZAC projects are being progressed.

The Commission **NOTED** the report and the scheduled date for the 2014 Geoffrey Bolton Lecture.

14. STATE ARCHIVIST'S REPORT

14.1 State Archivist's Report

The State Archivist spoke to the paper and advised that the new Director General of the Department of Culture and the Arts will tour the State archives next week. In addition, that the SRO will provide input to the Department of Culture and the Arts 2013 – 2014 Annual Report as well as develop a stand-alone SRO Operational Report; and the Online Retention and Disposal Application is proving very successful.

The Commission **NOTED** the State Archivist's report.

15. NEW BUSINESS

15.1 Decommissioning – Swan Districts Hospital

Mr Fordham advised that the SRO advises several working groups involved with the decommissioning of Swan Districts Hospital.

The Commission **NOTED** the information provided.

The meeting closed at 11.15am.

NEXT MEETING – Friday 5 December, Boardroom, Alexander Library. 10.00am.

SIGNED.....

DATED.....

Mr Colin Murphy
State Records Commission