



STATE RECORDS COMMISSION

Perth, Western Australia

Annual Report

2007 / 2008





TABLE OF CONTENTS

	Page
Chairperson's Foreword	3
Introduction	5
Highlights 2007 – 2008	6
About Us	6
What We Do	7
Our Operating Environment Review of <i>State Records Act 2000</i>	7
Our Clients	9
Vision for 2011	9
Key Performance Areas	10
Our Relationship with the State Records Office	15
Committees of the Commission	
The State Records Advisory Committee	16
The Digital Records Working Group	17
The <i>State Records Act 2000</i> – Compliance Report	19
Compliance Statement – Standard 2, Principle 6	25
Spreading the Message	25
How to Contact the State Records Commission	26
<i>Appendices 1 & 2 : Status Register of Recordkeeping Plans due for review or submittal during 2007-08</i>	27



CHAIRPERSON'S FOREWORD

I am pleased to present the State Records Commission's seventh annual report, reflecting on a year of change, and solid progress towards meeting the goals of the Commission's *Vision for 2011*.

There was one change to the Commission's membership during 2008-09. On 1 November 2007 John Lightowers succeeded Darryl Wookey as Acting Information Commissioner, and ex officio State Records Commissioner. My colleagues and I are very appreciative of Darryl's interest and active participation in promoting best practice in government recordkeeping during her four years service as Commissioner: *vale Darryl, salve John*.

This year the Commission also bade farewell to Tony Caravella, who resigned as Director of State Records, in order to rejoin the Commonwealth government service in August 2007. The Commissioners and I acknowledge Tony's sterling efforts to secure appropriate resourcing for the State Records Office during his four year term as Director. We wish him well in his new career and also thank Leigh Hays, for his support this year as interim Acting Director.

The Commission is pleased to welcome Cathrin Cassarchis following her appointment as the third Director of State Records. Cathrin commenced duties in early March 2008. My colleagues and I look forward to maintaining a fruitful working relationship with the new Director over coming years.

As previously anticipated, the first phase of monitoring of compliance by government organizations with their recordkeeping plans commenced this year. The first phase sought a response by April 2008 and covered those agencies whose recordkeeping plan is due for review by April 2009. The program is being conducted in four phases, with each phase presenting opportunities for the enhancement of the survey.

I am pleased to report that two standards governing recordkeeping by Government organizations were this year approved by the Commission and published in the Government Gazette. The standards are SRC Standard 7, *Storage of State archives retained by State Organizations through an approved Recordkeeping Plan*, and SRC Standard 8, *Digital Recordkeeping*. The Commission also notes the issue of an SRO Guideline for the *Sanitizing of Hard Discs and Magnetic Media*. Further guidelines for the management of Digital Records and Email Records are in development.

In March 2007 the Commission engaged a firm of consultants to conduct a review of the *State Records Act 2000*. The Commission received a final copy of the Report in February 2008. The report acknowledged that the *State Records Act 2000* established a framework for recordkeeping in government which has set a new benchmark. The report also acknowledged the



significant progress that has been made with the implementation of the Act. While several groups of stakeholders who were interviewed by the review team did identify deficiencies with the Act's implementation, the Report does not envisage a need for the legislation to be amended at this time.

I wish to thank all who have contributed to this year's achievements, including current and past Commissioners and the previous and current Director and staff of the State Records Office, for their support and dedication to the successful implementation of recordkeeping legislation in this State.

Colin Murphy
Chairperson, State Records Commission

October 2008



THE STATE RECORDS COMMISSION

Left to right: Kandy-Jane Henderson, Colin Murphy, Chris Field and John Lightowlers.

Photo: Gary Warner, The Geraldton Guardian.



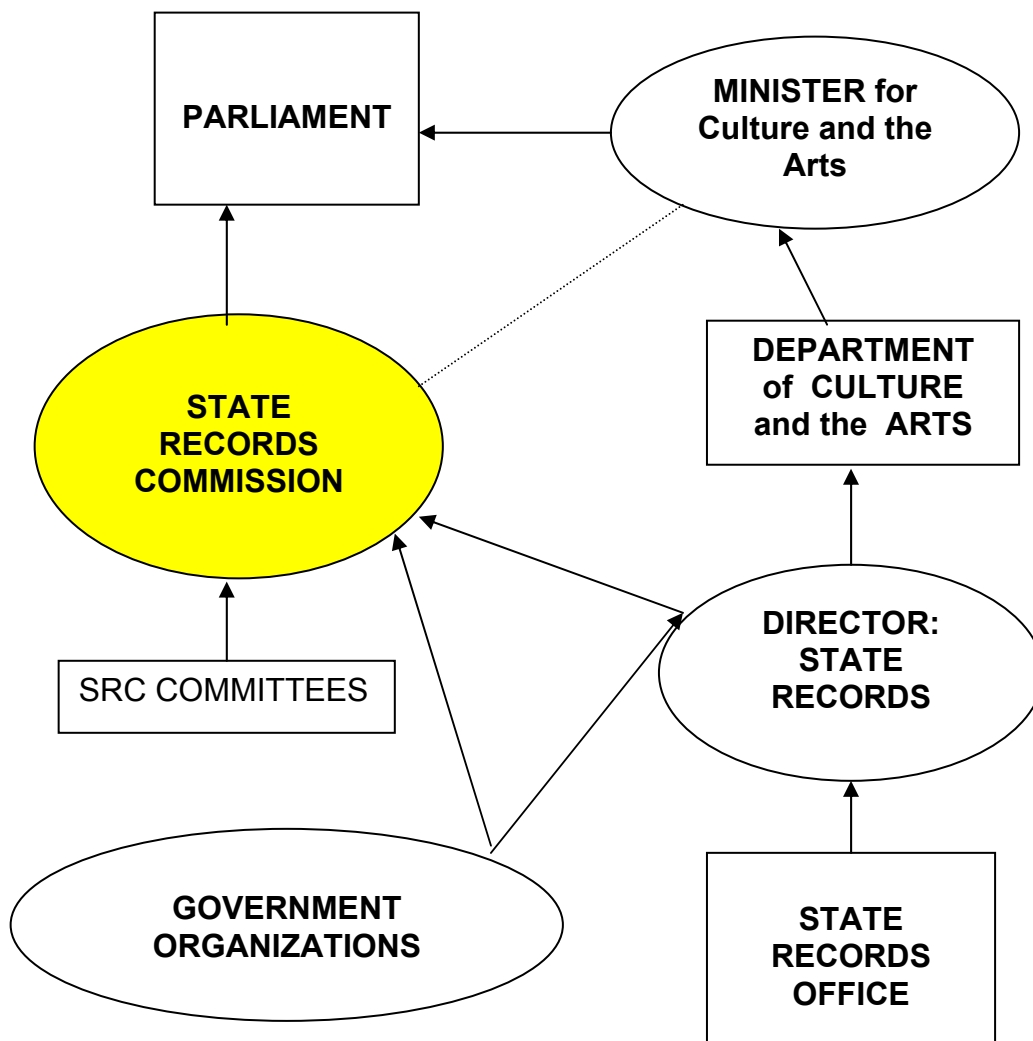
INTRODUCTION

This Annual Report is submitted to Parliament in accordance with the obligations of the State Records Commission (hereafter called the Commission) under section 64(1) of the *State Records Act 2000* (hereafter called 'the Act').

The Report outlines the activities of the Commission during 2007 - 2008 and comments on matters that pertain to the operations of the State Records Office (hereafter called SRO).

- **Note:** The Commission is not an accountable agency with respect to the requirements of the *Financial Management Act 2006*.

FIGURE 1. Representation of the Commission's role in the reporting framework established by the *State Records Act 2000*





HIGHLIGHTS 2007 – 2008

Lonnie Awards – This year's award for excellence in annual reporting by State government agencies on their recordkeeping obligations, was presented to the Department of the Attorney General, at the Lonnie Awards night on 26 June 2008.

Margaret Medcalf Award – This Commission sponsored award for excellence in researching and referencing archives was presented by Commissioner Field on 14 May 2008. The award winner for 2008 is Dr Richard Hartley, for his published work; *River of Steel: A History of the Western Australian Goldfields and Water Supply 1903-2003*.

Review of the State Records Act 2000

In February 2008 consultants Ernst & Young presented a report to the Commission on the operation of the Act. This report did not identify a need to amend the Act at this time.

New SRC Standards – Under section 61 of the Act the Commission is to establish principles and standards governing recordkeeping by State organizations. Two new standards were gazetted during 2007-08. They are:

- SRC Standard 7, *Storage of State Archives retained by State organizations, through an approved Recordkeeping Plan*, and
- SRC Standard 8, *Digital Recordkeeping*.

ABOUT US

The Commission was established in July 2001, in accordance with Part 8 of the Act. The Commission consists of four members: the Auditor General, the Information Commissioner, the Parliamentary Commissioner for Administrative Investigations (Ombudsman), and an appointee with recordkeeping experience from outside Government. The Governor appoints the fourth Commissioner for a three-year term.

During 2007 - 08 the Commissioners were:

Mr Colin Murphy, Auditor General, and **Chair of the Commission**.

Ms Darryl Wookey, Acting Information Commissioner, until October 2007.

Mr John Lightowlers, Acting Information Commissioner, from November 2007.

Mr Chris Field, Parliamentary Commissioner for Administrative Investigations.



Ms Kandy Jane Henderson, Governor's Appointee. Ms Henderson is an inaugural member of the Commission. Her third three year term expires in May 2010.

WHAT WE DO

The Commission's functions are set out in section 60 of the Act and include:

- approving agencies' recordkeeping plans;
- monitoring the operation of and compliance with the Act;
- monitoring compliance by government organizations with their recordkeeping plans;
- inquiring into breaches, or possible breaches of the Act; and
- establishing principles and standards for the governance of recordkeeping by State organizations.

The Commission held five formal meetings during 2007 - 08. The meeting dates were: **6 August, 8 October, 5 December 2007, 18 March, and 25 June 2008.**

Of the five meetings, four were held in central Perth. The October 2007 meeting was held at Karratha and provided an ideal opportunity for the Commission and State Records Staff to meet with regional stakeholders.

All four Commissioners attended each of the five Commission meetings held during 2007-08.

OUR OPERATING ENVIRONMENT

In performing its functions the Commission is responsible for ensuring, as far as possible, that a standard of recordkeeping that best serves the interests of the people of Western Australia is maintained in over 300 State government agencies and statutory organizations (including 149 local governments).

Altogether these agencies employ well over 100,000 people who produce records in a variety of formats, including conventional paper files, microfilm, cartographic plans and digital records.

The Commission comprises four part time Commissioners, and its technical advice and administrative support is provided by the Director of State Records (hereafter called the Director). In this circumstance the Commission's approach is to establish a framework that gives effect to the Act, which places a primary responsibility on government organizations and the Director, to comply with recordkeeping requirements.



Review of the State Records Act 2000

In March 2007 the Department of Culture and the Arts (DCA), at the Commission's request, engaged consultants Ernst & Young to carry out a review of the Act. The consultants were engaged to evaluate and report on the extent to which the Act has met its objectives, and how effectively the Act is perceived to be operating from the point of view of key stakeholders.

The consultants' final report, titled '*Investing in Our Past For the Benefit of Our Future*', was delivered to the Commission in February 2008. The report acknowledged that the *State Records Act 2000* established a framework for best practice recordkeeping in government which has set a new Australian benchmark. The report also acknowledged the significant progress that has been made with the implementation of the Act. The report did not make any recommendation that the Act should be amended. The reviewers did however identify certain opportunities for improvement arising from the implementation of the Act, in the following areas:

Roles and Responsibilities

The report identified some uncertainty amongst stakeholders as to the respective roles of the Commission, the SRO and DCA, and the priority assigned to SRO activities before and after the Act's introduction. In response the Commission acknowledges the supportive frameworks that exist between all three bodies, and believes that respective roles and responsibilities could be better defined, perhaps through a Memorandum of Understanding.

Resource constraints

When the reviewers canvassed views of stakeholders on the Act's effectiveness the responses they received were of the view that however good the legislation may be it cannot be implemented effectively without appropriate resources. The report recommended that a review of the current activities of the SRO be undertaken to determine whether there are priorities under the Act that can not be met within existing resources. If the review identifies resource issues, then a business plan should be developed to provide government with options to address them. The Commission agrees with this recommendation and supports the Director's proposal as a first step to undertake a cost saving and efficiency exercise, as well as comparing SRO resources to those of other Australian jurisdictions.

Monitoring and compliance

The report acknowledged a level of monitoring of government organizations compliance with the requirements of the Act. However, this was not considered fully effective in either delivery or follow-up. It recommends that the Director and the Commission should establish a program that includes both self assessment by agencies, and 'defined monitoring' to be implemented by the SRO. The Commission agrees



that an effective monitoring program is needed to test agency accountability and uphold the compliance provisions of the Act. The Commission also believes that the introduction of a monitoring program is now timely and is pleased to report that the first phase of its implementation commenced in April 2008.

Storage facilities and digital archives

The report noted that the SRO is the only archive authority in Australia with a storage capacity short fall, and that this is currently being addressed by DCA, which is preparing a business case for funding to secure appropriate accommodation for all State archives. The Commission notes that the Director is working closely with DCA in the preparation of the current business case and is keen to provide any support it can to help establish the case for additional archival storage.

OUR CLIENTS

The Commission's clients consist of:

- the people of Western Australia, who are able to access records in the State archives collection and ultimately benefit from the principles and standards by which State archives are selected;
- WA public sector agencies;
- local authorities; and
- a range of statutory offices, including the Governor's Establishment, Ministerial offices, Commissions and Committees of Inquiry.

VISION FOR 2011

Two years have elapsed since the Commission released its *Vision for 2011*. This document sets out the Commissioners' priorities and identified the measures that they and the Director believed could be achieved within five years, in terms of best practice recordkeeping across the WA public sector. The vision is built on the following foundations:

1. *Recordkeeping Plans for all State and Local government authorities approved and implemented;*
2. *Digital records standards and guidelines developed in tandem with a national approach;*
3. *A monitoring regime informed by intelligence derived from targeted analysis of the recordkeeping plans; and*
4. *Access to archives facilitated through a range of practical mechanisms and employing sophisticated information technology.*

The first of these foundations was achieved in March 2007 with the final approval of all outstanding first-round recordkeeping plans.



Significant progress towards the second was achieved with the gazettal in February 2008 of SRC Standard 8, *Digital Recordkeeping*, and the subsequent release of an SRO Guideline for the *'Sanitizing of Hard Discs and Magnetic Media'*.

A compliance regime was introduced in 2007-08. This phase is being conducted over four stages using questionnaires covering 127 government agencies.

Access to archives in the State archives collection continues to be developed through additions to AEON (the SRO's online catalogue).

The Commission expects that over time these programs will result in the following positive outcomes for all Western Australians:

- *A sustainable, self regulated public sector, with records management integrated into mainstream operations; and*
- *Useful accessible archives.*

KEY PERFORMANCE AREAS

The following activities carried out in 2007-08 demonstrate the Commission's resolve to achieve the objectives identified in the ***Vision for 2011***.

1. Evaluation and approval of recordkeeping plans

Under section 61 of the Act the Commission must establish principles and standards for the governance of recordkeeping by State organizations and guidelines for the compilation of recordkeeping plans by those organizations. A recordkeeping plan (hereafter called an RKP) describes an agency's recordkeeping systems, disposal arrangements, policies and practices. The plan indicates whether records are to be retained permanently as State archives and when the records are to be transferred to the State Records Office. It also contains recommendations about records that are to be treated as restricted access archives.

Under the Act all government organizations are required to submit a RKP for approval by the Commission. The first stage of the RKP approval process was completed by December 2004; by then the RKP of almost every organization (that was extant when the process commenced in March 2002), had been approved or cleared by the Commission.

During 2007-08 the Commission approved five and cleared two new RKPs and approved amendments to 37 RKPs (see Figure 2).

This year 83 agencies were required to review their RKPs. The Director has reported that 63 plans were received and reviewed in 2007-08.



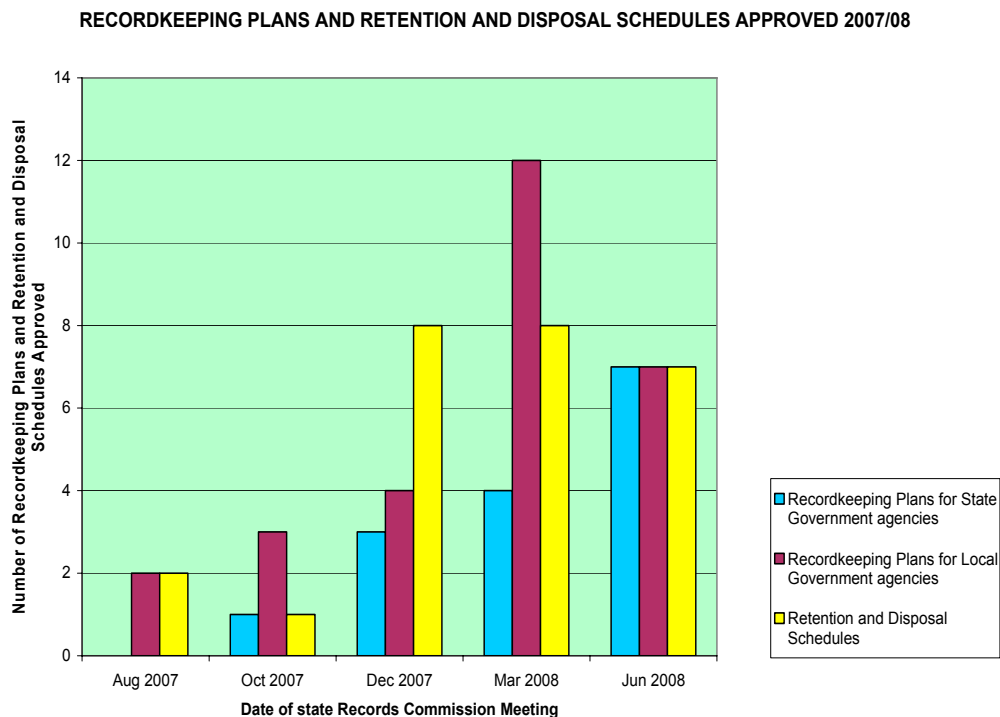
The appendices to this Report (*Appendix 1 & Appendix 2*) detail the status of those RKPs for review by or submittal to Director during 2007-08.

Retention and Disposal Schedules

The disposal plan for an organization's records is commonly referred to as a records retention and disposal schedule (hereafter called a R&D). This document is an integral part of an organization's recordkeeping plan. State government organizations develop R&Ds that are unique to their organizations, whereas the *General Disposal Authority for Local Government Records* determines the disposal of local government records. The Commission advises an organization that its RKP is finally approved once it has approved the retention and disposal component of the plan.

During 2007-08 the Commission approved 26 disposal authorities referred to it by the State Records Advisory Committee. These disposal authorities comprised 21 new or revised R&Ds, and five major amendments to R&Ds.

Figure 2. Recordkeeping Plans approved 2007-08



2. SRC Standards

The Commission is required under section 61 of the Act to produce principles and standards governing recordkeeping by government agencies. The following progress was achieved during 2007-08.



Digital Recordkeeping

SRC Standard 8, *Digital Recordkeeping* was approved by the Commission in December 2007 and gazetted on 29 February 2008. The Commission also endorsed the publication by the SRO of a *Guideline for the Sanitization of Hard Discs and other Magnetic Media*. In 2008-09 the Director expects to finalise a Guideline for Email Management, and a General Disposal Authority for Source Records.

Storage of State Records

In March 2008 the Commission approved SRC Standard 7, *Storage of State Archives Retained by State Organizations through an approved Recordkeeping Plan*. The Standard applies to the storage by agencies of those records that are State archives, but will remain permanently in the custody of the creating agency. Despite the narrow compliance parameters of Standard 7, the Commission's intention is to establish a best practice benchmark throughout the public sector. This is of critical importance in the current environment in which the SRO is unable to accept custody of the archives that would normally be transferred to the Director under section 32 of the Act.

3. Monitoring Compliance with Recordkeeping Plans

The Commission is required under section 60(1)(b) of the Act to monitor "compliance by government organizations with record keeping plans". The Commission's priority to date has been the completion of the first round of the RKP process. Now that the first stage of implementation has been completed and all agencies have approved RKPs, the Commission endorsed a compliance-monitoring regime which commenced in 2007-08.

Many government agencies are established under enabling legislation. In most instances this legislation prescribes that certain records are to be created and maintained. It therefore follows that those records should be considered core business records. A commonly prescribed record across government is a register, with many government agencies required to create and maintain registers of various types.

The Commission endorsed an SRO program to survey those agencies which have a legislative requirement to create a register; and also where their RKP has been approved for five years, and is due for review between March 2008 and June 2012. The program will ascertain the extent to which:

- agencies are compliant with enabling legislation requirements to create and maintain certain records;
- the creation and management of these records is compliant with the Commission's standards; and
- the creation and management of the prescribed records are compliant with an agency's RKP and R&D.



At its March 2008 meeting the Commission agreed to the execution of four surveys, covering 127 agencies during 2008. The analysis of data received from the questionnaires should reveal meaningful trends to assist the SRO in focusing its services to government agencies.

Lonnie Award for Excellence in Recordkeeping

The Institute of Public Administration (IPAA) recognizes excellence in annual reporting by the public sector through the Lonnie Awards. In 2006 a new award for excellence in annual reporting on record keeping was introduced by IPAA, in collaboration with the Commission and the SRO.

This year all State government agencies were asked to self-nominate for the award. Twelve nominations were received and assessed by the judging panel of industry representatives. The judging panel assessed the reports against SRC Standard 2 Principle 6. The third Lonnie Award for excellence in recordkeeping was announced at the IPAA Awards night on 26 June 2008.

The winner of the Commission-sponsored award was the Department of the Attorney General. The Judging Panel also commended the Botanic Gardens Authority, and C Y O'Connor College of TAFE, for their high standard of reporting.

4. User Friendly Accessibility to State Archives

Archives Explored Online

In previous reports the Commission has referred to the success of the State Records Office's online 'catalogue' of record items in the State archives collection. Item titles held by the State Records Office in the State archives collection can be searched on the SRO website, www.sro.wa.gov.au/aeon. The titles of approximately 91% of State archives held by the SRO can now be found online.

New storage for State archives

The Commission has previously expressed concerns that the Director of State Records cannot accept custody of conventional archives from government organizations, because of a lack of appropriate storage space. The Director is constrained from accepting transfers of State archives from government agencies in accordance with section 32 of the Act, which requires agencies to transfer archives to the State archives collection when the archives become 25 years old. This situation has prevailed since July 2001.

Accordingly, the Commission welcomes the development of a new business case for a State archive repository. The business case will be developed in 2008-09, by the Department of Culture and the Arts (DCA). The Department has already committed \$150,000 to the development of the project. The business case will be included in DCA's Strategic Asset Plan.



Suitable storage facilities for State archives are essential to preserve the State's valuable recorded history.

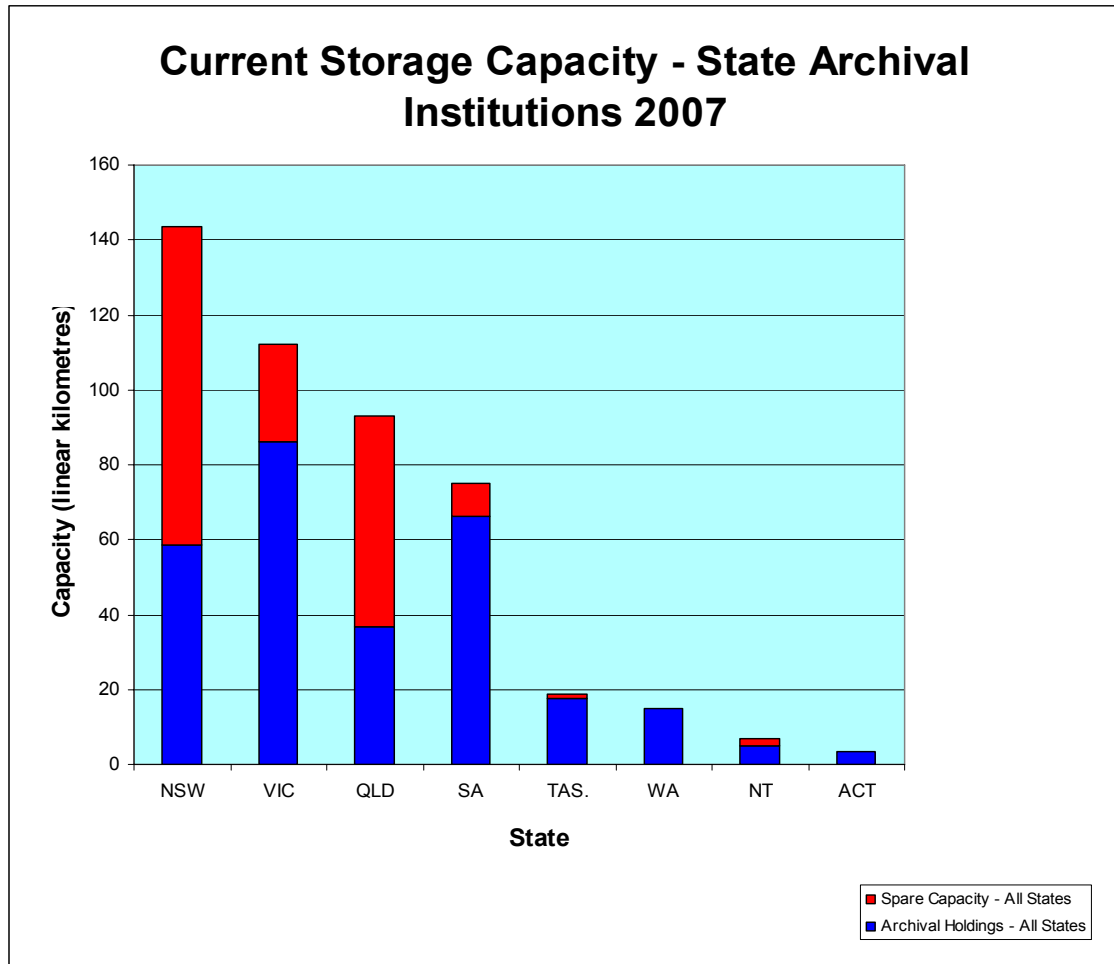


Figure 3. Comparison of storage capacity held by Australian State archival authorities (including capacity shortfall for WA).

N.B. the State Records Office has been without spare capacity for the storage of State archives since July 2001.

Restricted access archives

Under Part 6 of the Act all State archives should be open access archives after 75 years unless they contain exceptionally sensitive information or information about another person's medical condition or disability – in which case they may be restricted for up to 100 years.

Sections 37 & 38 of the Act require the Commission to rule on applications by government agencies to restrict access to certain State archives (or open previously restricted archives) and set the age at which these records cease to be restricted.



SRC Standard 4 Principle 1 requires agencies to identify restricted access archives in their record keeping plans. Following the Commission's request in July 2006, the Director has submitted at each Commission meeting a business case pertaining to those series of records that have been flagged in RKPs as restricted access archives.

OUR RELATIONSHIP WITH THE STATE RECORDS OFFICE

Part 9 of the Act establishes the position of Director of State Records. As well as having other functions under the Act, the Director is the Commission's Executive Officer and provides advice and support to the Commission. In that capacity the Director attends meetings of the Commission. The SRO's Manager of State Recordkeeping, is the Executive Secretary to the Commission.

The Director reports to the Commission on matters relating to the operation of the Act. The Director also reports to the Director General, Department of Culture and the Arts, on administrative and financial matters, and is employed by the Director General.

A cornerstone of the legislation is the recordkeeping plan, which is a requirement of each government organization. Each RKP must identify all records created by the organization, explain how those records are managed in the context of the organization's functions, specify a retention period for each class of record, and describe disposal procedures for obsolete records.

Draft recordkeeping plans are submitted by government organizations to the Director for evaluation by SRO staff, before the RKPs are submitted to the Commission for clearance or approval. When they receive a RKP, SRO staff assess it against a criteria matrix, and then report on the RKP to the Commission.

The Director and staff of the SRO provide advice, assistance and training to government organizations, concerning the management of records by those agencies. The SRO also provides information about, and public access to, records held in the State archives collection. The Director is required by the Act to create and maintain a register of all State archives, including those not in the State archives collection.

COMMITTEES OF THE COMMISSION

Section 62(1) of the Act directs the Commission to establish a committee to assist the Commission with the selection of records as State archives, and propose retention periods for all State records. Section 62(3) allows the



Commission to establish other committees to assist it in the performance of its functions.

The Commission has formally established two Committees under section 62 of the Act: the **State Records Advisory Committee**, which examines retention and disposal schedules prior to their referral to the Commission for approval, and the **Digital Records Working Group**. The Director chairs, and other SRO staff provide administrative support to, each Committee.

1. The State Records Advisory Committee

The State Records Advisory Committee is established to provide advice regarding:

- State records that should be archives;
- retention periods for those State records that are not to be State archives; and
- associated matters.

The Committee meets regularly to consider the records retention and disposal components of recordkeeping plans, and makes recommendations to the Commission about the disposal of records described in those plans.

During 2007-08 the Committee met on four occasions, and recommended 23 disposal authorities for Commission approval. The Committee's meeting dates were: **24 October and 12 December 2007 and 13 February and 12 May 2008.**

The Committee includes representatives from the Public Service and bodies concerned with recordkeeping. Members and deputy members are appointed for three-year terms. Members of the State Records Advisory Committee who are not government employees are entitled to be paid sitting fees for their attendance at Committee meetings in recognition of the impost on their time associated with considering disposal authorities, a critical element of the comprehensive records management framework established by the Act.

Membership of the State Records Advisory Committee, as at 30 June 2008

Figures in brackets indicate number of meetings attended by a representative of each member organization during 2007-08.

Chair of the Committee

Ms Cathrin Cassarchis – Director of State Records (from March 2008)

Executive Secretary

Ms Isabel Smith – Manager of State Recordkeeping, SRO



Australian Society of Archivists (WA) Inc (4)

Dr Roberta Cowan

Department of Indigenous Affairs (2)

Mr Andrew Pepper

Historical Interests representative (4)

Dr Cathie Clement (Deputy: Dr Neville Green)

Institute for Information Management Ltd (WA) (3)

Ms Lesley Ferguson (Deputy: Mr Neil Whiteley)

Law Society of Western Australia (4)

Mr Michael Sonter (Deputy: Mr Rob O'Connor)

Local Government Records Management Group (4)

Ms Shirley Conway-Mortimer (Deputy: Mr Mark Caporn)

State Government CEO Representative (2)

Mr Brian Bradley (Deputy: Mr Barry Sargent)

Records & Information Management Liaison Group (1)

Ms Claudia Dickinson

Records Management Association of Australia (4)

Ms Josette Mathers (Deputy: Ms Gail Murphy)

Minutes Secretary

Ms Claire Harloe – Senior Executive Assistant, SRO

The Commission gratefully acknowledges the work and dedication of all Committee members and their deputies during 2007-08. Amongst those worthy of particular mention are three longstanding members of the Committee who resigned this year. The departing members and their member organizations are:

Dr Karen Anderson, Australian Society of Archivists
Ms Gaynor Deal, Institute for Information Management
Mr Roy Watkins, Records & Information Management Liaison Group

2. The Digital Records Working Group

The Digital Records Working Group (DRWG) operates as a committee of the Commission, as per section 62(3) of the Act.

The DRWG was established for the following purposes:



- to provide advice to the SRO regarding projects undertaken by the Australasian Digital Records Initiative (ADRI);
- to assist the SRO in developing solutions to the effective management of digital records. The SRO will report these to the Commission; and
- to advise the SRC in the development of guidelines, principles and standards for the management of digital records in government agencies (and related matters).

The Director of State Records is the Chair of the DRWG. The SRO also provides administrative support for the Committee. The Committee met on the following dates during 2007-08: **28 February & 29 May 2008**.

Membership of the DRWG is drawn from government agencies, academia and professional groups. Members are recruited on the basis of their knowledge of digital recordkeeping issues and their expertise in and willingness to contribute to developing policies relating to the control and management of those records. Members are appointed on a voluntary basis for a three year term.

During 2007-08, Working Group members contributed towards the development and finalisation of the SRO's *Guideline for the Sanitization of Hard Discs and other Magnetic Media*, as well as the development of a Guideline for Email Management and an Email Management Information Sheet. DRWG members have also provided assistance in the development of a General Disposal Authority for Source Records. The latter project should be completed in 2008-09.

SRC Standard 8, *Digital Recordkeeping* was gazetted in February 2008, and the DRWG members have been actively involved in promoting it in their own and related organisations.

The Commission and the Director gratefully acknowledge the work of all Working Group members during 2007-08.

Members of the Digital Records Working Group

Chair of the Committee

Mr Leigh Hays Manager, Archives Control and Access, SRO

Executive Secretary

Ms Meg Travers Digital Archives Support Manager, SRO

Members (endorsed by the Commission in December 2007)..

Figures in brackets indicate number of meetings attended by each member .

Mr John Layton (2)

WA Police Service



Ms Amanda Lea (1)	City of Mandurah
Mr Stewart Luxton (2)	Office of eGovernment
Mr Carmelo Naso (1)	Department of Treasury and Finance
Mr Kye O'Donnell (2)	Curtin University
Mr Steven Paice (0)	East Perth Redevelopment Authority
Ms Debra Rule (2)	Department of Corrective Services
Mr Brian Soares (1)	Department of the Attorney General & Office of Shared Services.
Mr Brian Stewart (0)	State Library of Western Australia
Mr Richard Teasdale (2)	Art Gallery of Western Australia
Minutes Secretary Ms Claire Harloe	Senior Executive Assistant, SRO

COMPLIANCE REPORT - STATE RECORDS ACT 2000

Part 8 of the State Records Act establishes the Commission. The Commission's duties are set out there and elsewhere in the legislation. A compliance statement on the Commission's activities in 2006-07 is presented below.

Part 3 Division 2

Section 20(2) – gazette orders prescribing timing for submission of agencies' record keeping plans

None issued during 2007-08.

Section 23(1) – approve or refuse record keeping plans

In 2007-08 the Commission approved five recordkeeping plans for government organizations. Four other plans were cleared pending approval of the organizations' retention and disposal schedules.

Section 23(2) – give reasons for refusal to approve record keeping plan

The Commission did not refuse approval of any recordkeeping plans during 2007-08.



Part 3 Division 3

Section 25 – Commission to have a plan

The Commission's original plan was approved by the Minister in May 2002. A review of this plan was completed by the Director, and endorsed by the Commission in December 2007.

Section 25(2) – submit draft to Minister within 6 months of commencement

The revised plan was submitted to the Minister in February 2008.

Section 26 – State Records Office to have plan

The Commission approved a revised draft of the SRO's plan in December 2007.

Part 3 Division 4

Section 27(3) – gazette orders prescribing timing for submission of Schedule 3 organizations' record keeping plans

No orders were issued during 2007-08.

Section 28(3) – require an agency to review its record keeping plan (discretionary)

The Commission required no reviews in 2007-08.

Section 28(5) - five yearly review of all record keeping plans

The recordkeeping plans of 83 organizations were due for review during 2007-08. Reviews or reports of plans were received from 63 organizations this year.

Section 29(1) – give directions as to intervals re periodic reporting (discretionary)

No directions were given in 2007-08.

Section 30(1) – give Parliament copies of reports to Commission under section 29

No reports were required by the Commission in 2007-08.



Part 5 Division 2

Section 37(2)(b) & (4) – directs that an archive in State archives collection is restricted access (on application) & set age of cessation

No applications were received in 2007-08.

Section 37(5) – review direction given under s.37 (2)(b)

There were no directions to review in 2007-08.

Section 38(4) – change age of cessation (on application)

At its meetings in October and December 2007, and June 2008, the Commission considered applications by the Director to review the access status of those records in the State archives collection that were restricted access records when the Act was proclaimed in November 2001. Section 15 of the *State Records (Consequential Provisions) Act 2000* required that these records remain restricted for five years after the commencement of the Act.

During 2007-08 the Commission approved six schedules of access applications submitted by the Director under Section 15 of the Act's Consequential Provisions legislation.

Part 5 Division 3

Section 40(2) – approve or refuse archives keeping plan

In June 2008 the Commission noted receipt of a report on the Director's review of the archives keeping plan. The original plan was approved in May 2003. The Director will submit a fully revised plan in 2008-09.

Section 40(3) – give reasons for refusal

Not required.

Section 40(4) – direct time for resubmission

See Section 41, below.

Section 41 – Plan to be reviewed

The Director is required to conduct a review of the archive keeping plan within five years of the plan's approval. A review was carried out between January and May 2008, and a report on this review was considered by the Commission at its June 2008 meeting.



Part 5 Division 4

Section 43(3), (4) & (5) – deal with applications from Director to destroy archives

No applications from the Director were received in 2007-08.

Part 6

Section 48(1) & (2) – direct that record is “exceptionally sensitive archive” & set age of cessation (on application)

No directions were given by the Director in 2007-08.

Section 48(4) – review direction given under s.48 (1)

No directions required review in 2007-08.

Part 8 Division 1

Section 60(1)(a) – monitor the operation of and compliance with the State Records Act

In 2006-07 the Commission initiated an independent review of the Act to determine whether the legislation is achieving its objectives. The review was conducted by the consultant firm Ernst & Young, who reported their findings to the Commission in February 2008: (see page 8 for a summary of the Commission’s response to the Ernst & Young Report).

Section 60(1)(b) – monitor compliance by government organizations with record keeping plans.

In December 2007 the Commission approved a compliance monitoring program devised by the SRO. The program will test the accountability of 127 selected agencies, through four surveys to be conducted throughout 2008.

Section 60(1)(c) – inquire into breaches or possible breaches of this Act

1. Report on progress with the investigation of two alleged breaches of the Act by government organizations which were mentioned in the Commission’s 2006-07 Report.

- The Director advised the Commission in March 2007 of media allegations resulting from a State Supply Commission investigation of the Department of Education and Training’s (DET’s) contract process. The Director subsequently requested copies of DET’s Document control procedures for contracts, records security and the management



of email and network drives. Following DET's response in August 2007 the Commission determined that the issue was now resolved.

- In June 2007 the Commission noted media reports which alleged that emails in the Department of Health's (the DoH's) system were only fully retrievable for three months after each message was sent/received. Further explanatory information was then sought from the Department regarding its recordkeeping policy and procedures with respect to the retention of emails.

The Commission's investigation was postponed, first of all by the appointment of a special investigator by the Minister for Health, and then by advice from the Corruption and Crime Commission (the CCC) that it would conduct a separate investigation. After conferring with the CCC the Commission decided to defer its investigation, pending the outcome of the CCC's investigation.

The CCC's report was released in late January 2008. It identified inadequacies in the management of emails by the DoH and made two recommendations concerning the State Records Act. In late February the Director advised DoH that the Commission would be conducting a review of that agency's record handling processes in accordance with Recommendation No 4 of the CCC's Report. At the time of writing, the Director at the request of the Commission had recommenced the investigations regarding compliance with the DoH's Recordkeeping Plan and its record keeping practices. It is expected that a report on the investigation will be completed by October 2008 and a report on the outcome of the investigation will be submitted to the Commission and to the CCC.

2. Alleged Breaches of the Act by Government organizations reported to the Commission during 2007-08.

- On 29 May 2008 the Estimates and Financial Operations Committee of the Legislative Council reported on an investigation into the Balga Works Program at Balga Senior High School. The Committee found that DET had failed to ensure that a record was kept of any meeting between DET and the relevant Minister (or subsequent Ministerial decision) regarding the program. Also the Committee noted anomalies in the recording of program enrolment and attendance figures.
- The Commission has asked the Director to investigate the alleged breach and if this is confirmed seek an assurance from DET that systems will be put in place to address those record keeping discrepancies identified in the Council's report.
- In June 2008 the Director was contacted by a legal firm (acting for a client) concerning access to records kept by former Councillors of the



Shire of Kalamunda. The client asked the Director to issue a direction (under section 52 of the Act) to former Councillors to allow any government records they hold to be included in the Shire's recordkeeping system.

- The Director was advised by the Shire that an external review process is underway via the *Freedom of Information Act* that includes a request for access to records held by former Councillors. The Commission supports the Director's decision not to take further action under section 52 of the Act with respect to Councillors' records until the FOI application process is completed.

Section 61 – establish principles and standards

Two standards were approved by the Commission and gazetted during the reporting year.

- SRC Standard 7, *Storage of State archives retained by State organizations through an approved Recordkeeping Plan* was approved by the Commission in March 2008 and gazetted on 4 June 2008.
- SRC Standard 8, *Digital Recordkeeping* was approved by the Commission in December 2007 and gazetted on 29 February 2008.

Section 62 – establish committees

The State Records Advisory Committee was established in December 2001 in accordance with section 62(1) & (2). The current membership structure of the committee was approved by the Commission in July 2005. The Committee convened four times during 2007-08.

The Digital Records Working Group was established under section 62(3) in 2005. The Working Group held two formal meetings during 2007-08.

Section 64(1) & (3) – submit annual report to Parliament by 1 November each year

The Commission's sixth Annual Report (2006-07) was submitted to both Houses of the State Parliament on 29 October 2007. Copies of the Report were tabled in both the Legislative Council, and the Legislative Assembly on 14 November 2007.

Section 64(2) & (3) – submit reports to Parliament re contraventions of the Act (discretionary)

No special reports were submitted to Parliament in 2007/08.



Section 64(4) – give Minister copy of report

A copy of the Commission's Annual Report (2006-07) was given to the Minister for Culture and the Arts on 29 October 2007

Part 8 Division 2

Section 65(4) – include in annual report any policy directions given by Minister

The Minister for Culture and the Arts issued no general policy directions to the Commission, in accordance with section 65(2) of the Act, in 2007/08.

Section 66(4) – comply with requests by Minister for information and make facilities available

During 2007-08 neither the Commission nor the Director received any specific request as per this section of the Act.

COMPLIANCE WITH STANDARD 2, PRINCIPLE 6

The SRO manages the Commission's records, and therefore our compliance with SRC Standard 2 Principle 6 is linked to the compliance of the SRO.

The following action was taken this year to ensure that the Commission complies with SRC Standard 2 Principle 6.

- The Commission's RKP was reviewed during 2007-08 and was approved by the Minister for Culture and the Arts in February 2008.
- The relevant recordkeeping systems and practices (including policies and procedures), were reviewed by the SRO and were found to be efficient and effective.
- Commissioners have undergone induction programs and briefing sessions with the Director after their appointment.
- The Commissioners have continued to develop their knowledge of current recordkeeping issues through their membership of and active participation in the work of industry associations and interest groups.

SPREADING THE MESSAGE

The Commissioners attended and/or participated in the following events and activities during 2006/07, with the aim of enhancing public sector and community awareness of the Commission and the Act.

- | | |
|-----------------------|---|
| 13 August 2007 | Commissioner Henderson attended the Geoffrey Bolton Lecture at Government House |
| 14 May 2008 | Commissioner Field presented the 2008 Margaret |



31 May 2008

Medcalf Award at the Alexander Library theatre. Commissioner Lightowlers also attended. Commissioner Henderson was a member of the judging panel for the Award. Commissioners Murphy and Lightowlers attended the official release of the 1977 Cabinet Papers.

HOW TO CONTACT THE STATE RECORDS COMMISSION

The State Records Commission operates through the State Records Office of Western Australia. All enquiries for the Commission, whether in person, by telephone, fax, email, or in writing, should be directed through the State Records Office.

State Records Commission of Western Australia

Alexander Library Building
Perth Cultural Centre
Perth WA 6000
Mon – Fri: 9am to 5pm
Phone: (08) 9427 3426
Fax: (08) 9427 3368
Email: sro@sro.wa.gov.au
Website: www.sro.wa.gov.au

State Records Office of Western Australia

Ground Floor
Alexander Library Building
James St (West entrance)
Perth Cultural Centre
Perth WA 6000
Phone: (08) 9427 3360
Fax: (08) 9427 3368
Email: sro@sro.wa.gov.au
Website: www.sro.wa.gov.au

Chairperson: State Records Commission

Mr Colin Murphy
Auditor General

Director of State Records & Executive Officer to the State Records Commission

Ms Cathrin Cassarchis
Phone: (08) 9427 3426
Fax: (08) 9427 3368
Email: sro@sro.wa.gov.au

Appendix 1

Recordkeeping Plans Required for Review on or before 30 June 2008 Status Register

Organization Name	Status R = Received O = Overdue	Next Review Date
Art Gallery of WA	R	5 Dec 2012
Broome Port Authority	R	25 Jun 2013
Chiropractors Registration Board of WA	R	15 Jul 2012
City of Albany	R	18 Mar 2013
City of Gosnells	R	7 Oct 2012
City of Kalgoorlie-Boulder	R	18 Mar 2013
City of Rockingham	R	5 Dec 2012
City of Wanneroo	R	5 Dec 2012
Corruption & Crime Commission	R	2 Apr 2013
Curtin University of Technology	R	10 Mar 2013
Dental Board of WA	R	30 Aug 2012
Department of Indigenous Affairs	R	18 Nov 2012
Disability Services Commission	R	2 Apr 2013
Eastern Goldfields Transport Board	R	25 Jun 2013
Eastern Metropolitan Regional Council	R	15 Jul 2012
Economic Regulation Authority	R	2 Apr 2013
Forest Products Commission	R	18 Mar 2013
Fremantle Port Authority	R	20 Mar 2013
Independent Market Operator	R	25 Jun 2013
Inspector of Custodial Services	R	18 Nov 2010
Legal Practice Board	R	2 Apr 2013
Legislative Assembly	R	28 Feb 2013
Legislative Council	R	4 Dec 2012
Office of the Auditor General	R	8 May 2013
Office of the Director of Public Prosecutions	R	18 Nov 2010
Optometrists Registration Board of WA	R	30 Aug 2012
Parliamentary Services Department	R	18 Jan 2013
Podiatrists Registration Board of WA	R	15 Jul 2012
Shire of Augusta / Margaret River	R	30 Aug 2012
Shire of Beverley	R	16 Dec 2010
Shire of Brookton	R	7 Oct 2012
Shire of Broome	R	7 Oct 2012
Shire of Broomehill	R	18 Jun 2012
Shire of Carnarvon	R	9 Mar 2011
Shire of Chittering	O*	
Shire of Collie	R	22 Apr 2012
Shire of Corrigin	R	6 Aug 2012
Shire of Cranbrook	R	25 Jun 2013
Shire of Cuballing	R	18 Mar 2013
Shire of Cue	R	18 Nov 2010
Shire of Cunderdin	R	16 Dec 2010

* More than 12 months overdue.

Appendix 1

Recordkeeping Plans Required for Review on or before 30 June 2008 Status Register

Organization Name	Status R = Received O = Overdue	Next Review Date
Shire of Dalwallinu	R	7 Oct 2012
Shire of Denmark	R	25 Jun 2013
Shire of Derby / West Kimberley	R	18 Mar 2013
Shire of Dowerin	O*	
Shire of Dundas	R	2 Apr 2010
Shire of East Pilbara	R	18 Mar 2013
Shire of Exmouth	R	7 Oct 2012
Shire of Gnowangerup	R	5 Dec 2012
Shire of Goomalling	R	25 Jun 2013
Shire of Halls Creek	O	
Shire of Harvey	R	7 Oct 2012
Shire of Kellerberrin	O	
Shire of Kojonup	R	18 Nov 2012
Shire of Koorda	R	18 Mar 2013
Shire of Kulin	R	5 Dec 2012
Shire of Lake Grace	O	
Shire of Leonora	R	8 Oct 2012
Shire of Meekatharra	R	18 Mar 2013
Shire of Menzies	O*	
Shire of Merredin	O	
Shire of Mingenew	R	18 Jun 2012
Shire of Moora	R	5 Dec 2012
Shire of Morawa	R	18 Jun 2012
Shire of Mt Marshall	R	18 Mar 2013
Shire of Mukinbudin	R	18 Nov 2012
Shire of Mullewa	R	3 Jun 2010
Shire of Murchison	R	6 Dec 2012
Shire of Narrogin	R	25 Jun 2013
Shire of Ngaanyatjaraku	O	
Shire of Northampton	R	18 Mar 2013
Shire of Nungarin	R	30 Aug 2012
Shire of Perenjori	O*	
Shire of Plantagenet	R	6 Aug 2012
Shire of Quairading	R	25 Jun 2013
Shire of Ravensthorpe	O*	
Shire of Sandstone	R	18 Mar 2013
Shire of Shark Bay	R	18 Mar 2013
Shire of Tammin	R	18 Nov 2012
Shire of Toodyay	R	18 Nov 2012
Shire of Upper Gascoyne	R	7 Oct 2012
Shire of Wandering	O	

Appendix 1

Recordkeeping Plans Required for Review on or before 30 June 2008 Status Register

Organization Name	Status R = Received O = Overdue	Next Review Date
Shire of Westonia	R	16 Dec 2010
Shire of Wiluna	R	7 Oct 2012
Shire of Woodanilling	R	7 Oct 2012
Shire of Wyalkatchem	R	18 Nov 2010
Shire of Yalgoo	R	18 Nov 2012
State Records Commission	R	4 Feb 2013
State Records Office of WA	R	5 Dec 2012
Town of Bassendean	R	25 Jun 2013
Town of Cambridge	R	5 Dec 2012
Town of East Fremantle	R	30 Aug 2012
Town of Port Hedland	R	18 Nov 2012
Town of Vincent	R	30 Aug 2010
Wheatbelt Development Commission	R	7 Oct 2012

**Recordkeeping Plans required for submission during
2007/2008
Status Register**

Organization Name	Due Date	Submission Date
Biosecurity Council of Western Australia	24 Mar 2008	25 Mar 2008
Chemistry Centre	1 Feb 2008	31 Jan 2008
City of Geraldton-Greenough	1 Jan 2008	24 Dec 2007
Commissioner for Children and Young People	10 May 2008	12 May 2008
Department for Child Protection	1 Nov 2007	23 Oct 2007
Department for Communities	1 Nov 2007	2 Nov 2007
Department of Environment and Conservation	3 Dec 2007	28 Nov 2007
Nurses and Midwives Board	19 Mar 2008	18 Mar 2008
Shire of Northam <i>(NB: Amalgamation of the former Shire of Northam and Town of Northam)</i>	1 Jan 2008	28 Dec 2007
Western Australian Agriculture Authority	24 Mar 2008	25 Mar 2008
Wildflower Country Regional Council <i>(now Mid West Regional Council)</i>	10 Oct 2007	10 May 2007
Yarra Yarra Catchment Regional Council	30 Sep 2007	12 Nov 2007