



STATE RECORDS COMMISSION

Perth, Western Australia

Annual Report

2009 / 2010



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CHAIRPERSON'S FOREWORD

I am pleased to present the State Records Commission's (the Commission's) ninth annual report, reflecting on recordkeeping milestones in a year which saw further progress in improving recordkeeping across the State.

This year, the second phase of monitoring the level of government organizations' compliance with their recordkeeping plans was completed. The Commission notes the overall 87% response rate, which is a significant improvement on last year's result. The feedback received from the monitoring compliance surveys continues to highlight the need for induction and training of all government employees regarding responsible recordkeeping activities in government organizations.

Electronic recordkeeping continues to be an area of focus for the Commission. This year the Commission adopted a different approach, resulting in abolition of the Digital Records Working Group. Acknowledging that digital recordkeeping is a core component of the business of government, the Commission and the Director of State Records (Cathrin Cassarchis) continue to keep abreast of issues and obtain the necessary expertise in electronic recordkeeping through national networking forums such as the Council of Australasian Archives and Records Authorities (CAARA) and the Australasian Digital Records Initiative (ADRI).

This Commission is pleased to report that work is underway on the development of a new business case for the provision of archival storage for the State's archives. I would like to acknowledge the efforts and support of the State Records Office and the Director General of the Department of Culture and the Arts in gaining agreement for the business case to proceed. My fellow Commissioners and I look forward to a positive outcome when the case is formally presented for consideration by government.

A positive government response to the archival storage business case is essential to counter the effects of the ongoing dispersal of State archives amongst government organizations with varied and often poor capacity to adequately house and protect records of value to the State and the community. This situation continues to limit public access to State archives and places the Western Australian community's cultural heritage at risk of loss or damage. Without a purpose-built facility for the twenty-first century, the State faces potential loss of vital government information.

I wish to thank my fellow Commissioners for their support and contribution to the work of the Commission during 2009-10. My colleagues and I are grateful to Cathrin Cassarchis, and the staff of the State Records Office, for their continued support for the Commission's operations and that of government agencies in their ongoing quest to improve recordkeeping practices for the State.

Colin Murphy
Chairperson, State Records Commission
September 2010



THE STATE RECORDS COMMISSION

Left to right: Colin Murphy, Chris Field, Justine McDermott and Sven Bluemmel



Mandurah Meeting: Commissioners Field, Bluemmel and Murphy, with Ms Paddi Creevey, Mayor, City of Mandurah, after the Commission meeting, 2 October 2009.



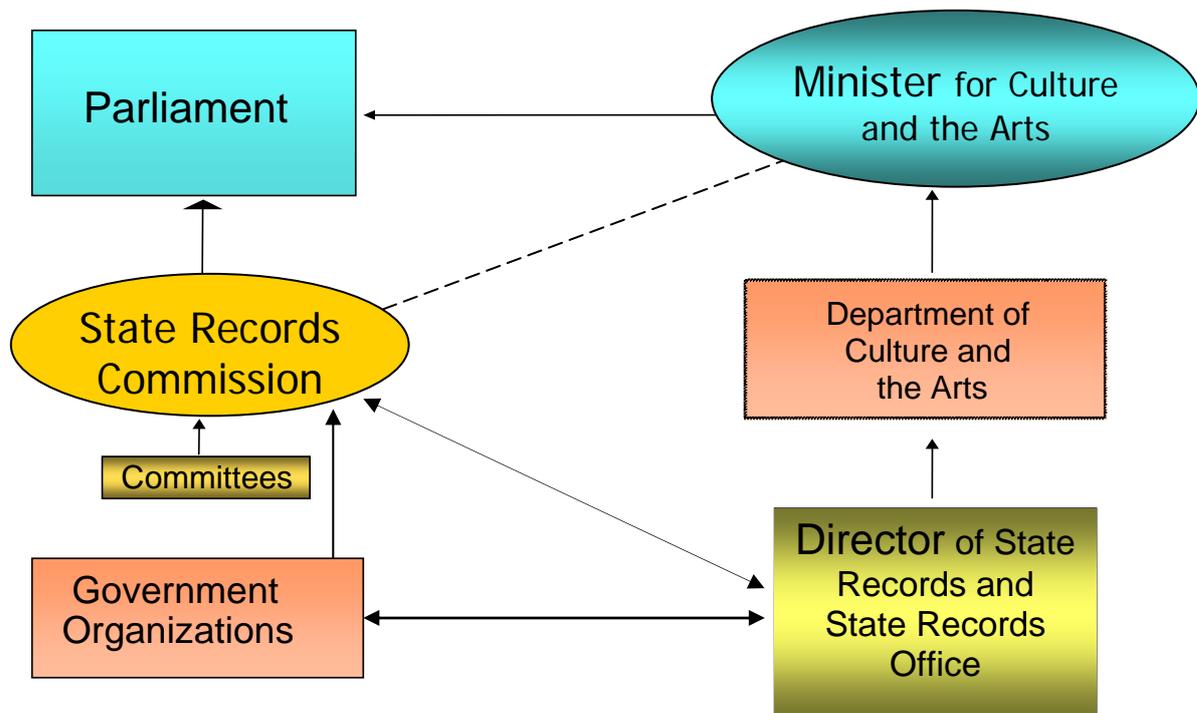
INTRODUCTION

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 2009-10 and comments on matters that pertain to the operations of the State Records Office (hereafter called the 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 Act.





HIGHLIGHTS 2009 – 2010

Lonnie Awards – This year's Lonnie Award for excellence in annual reporting by State government organizations on their recordkeeping obligations was presented to the Fremantle Port Authority on 17 June 2010. According to the award citation, the winning organization demonstrated a commitment to best practice through describing initiatives in place to evaluate its systems and raise awareness of recordkeeping responsibilities throughout the organization.

Margaret Medcalf Award – This Commission sponsored Award for excellence in researching and referencing archives was presented by the Hon John Day, Minister for Culture and the Arts, on 19 May 2010. Award winners, Mr Kevin Fitzgerald and Mr Chris Owen of the South West Aboriginal Land and Sea Council, were honoured for their work, *It's still in my heart, this is my country: The Single Noongar Claim History*.

Compliance Monitoring – During 2009-10 the State Records Office completed phase two of a program designed to monitor government organizations' compliance with their recordkeeping plans. This year's program, conducted in two parts, targeted two groups of organizations required to create and maintain records associated with: (1) camping grounds and caravan parks; and (2) management plans. The results of the two surveys indicate that the participating organizations generally comply with legislative requirements to keep relevant records. However, management techniques varied, which suggests a need for improved induction and training for government employees regarding their recordkeeping responsibilities.

General Disposal Authority for Local Government: review and revision – This year the General Disposal Authority for Local Government Records (GDALG) was comprehensively reviewed. A Working Group, consisting of representatives from metropolitan and regional local government agencies and SRO staff, held monthly meetings during 2009-10 to review the draft to ensure that the fully revised GDALG is reflective of current local government operational needs. The draft was released for external stakeholder comment during May 2010 with relevant feedback incorporated into the final draft for completion on 30 June 2010. The Commission anticipates its publication during late 2010.



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 2009-10 the Commissioners were:

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

Mr Sven Bluemmel, Information Commissioner.

Mr Chris Field, Parliamentary Commissioner for Administrative Investigations.

Ms Justine McDermott, Governor's Appointee to the Commission.

There were no changes to the Commission's membership during 2009-10.

WHAT WE DO

The Commission's functions are set out in 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 four formal meetings during 2009-10. The meeting dates were: **2 October, 4 December 2009, 7 April and 18 June 2010**. Of the four meetings, three were held in central Perth, whilst the October 2009 meeting was hosted by the City of Mandurah.

Once approved, the minutes of each meeting may be viewed on the SRO's website at www.sro.wa.gov.au .



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 government agencies and statutory organizations (including 141 local governments).

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

Technical advice and administrative support is provided to the Commission by the Director of State Records (hereafter called the Director). The Commission's approach is to establish a framework that gives effect to the Act, placing a primary responsibility on government organizations to comply with recordkeeping requirements.

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 elected members; and
- a range of statutory offices, including the Governor's Establishment, Ministerial offices, Commissions and Committees of Inquiry.

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, with the Manager of State Recordkeeping providing the Executive Secretariat to the Commission. These positions host and support the Commission's meetings, functions and activities, providing advice as necessary. In particular, the Director reports to the Commission on matters relating to the operation of the Act.

A cornerstone of the legislation is the Recordkeeping Plan (hereafter called the RKP), which is a compliance requirement for each government organization. The 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; describe the management; security; and disposal procedures for obsolete records.



Draft RKPs are submitted by government organizations to the Director for evaluation by SRO staff, before the RKPs are submitted to the Commission for approval.

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, under the Act, to create and maintain a register of all State archives, including those not in the State archives collection.

OUR VISION

Four years ago the Commission released its *Vision for 2011*. That document set out the priorities and identified the measures the Commission and 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.*

In 2010 the Commission is pleased to reflect on the successful achievement of key elements of that Vision with the whole of government incorporated into a recordkeeping regime; Standards and guidelines developed for the management of digital records; monitoring programs implemented and reported against; and greater access to State archives achieved through online mechanisms.

The Commission expects that over time, further initiatives and developments will result in the following positive outcomes for all Western Australians:

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

With key elements of the 2011 vision now achieved, the Commission met with senior members of the SRO during the year to consider whether the vision should be revised or replaced. It was agreed that the Commission did not need to develop a new vision statement beyond what is articulated by the Act. The Commission will continue to report progress and achievement against the requirements of the Act, including the requirement to ensure that:



- (a) State record keeping is of a standard that best serves the interests of the people of this State; and
- (b) subject to the law, government records are accessible to the public.

The Commission also contributes to the strategic planning processes of the SRO. In this context the Commission supports the SRO's plans in the following areas:

- Archival Storage – developing the SRO business case for new archival storage as a priority for 2010-11;
- Digital Records and Archives Management – conducting an expanded, second phase Digital Archive Pilot project. The Commissioners agreed that their individual organizations should be involved in the second phase, particularly the Office of the Auditor General;
- Recordkeeping Regime – developing online records management tools for agency training, and the introduction of sector wide General Disposal Authorities and Standards; and
- Identity – enhancing the SRO's identity and awareness of the value of the State archives collection.

KEY PERFORMANCE AREAS

The following outlines activities carried out by the Commission during 2009-10 in meeting the requirements of the Act.

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 (RKP) describes an agency's recordkeeping systems, disposal arrangements, policies and practices. The RKP 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 March 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.

The Act requires a government organization to review its RKP, and submit a report of that review to the Commission within five years of its approval date (or last review). This year 77 agencies were required to review their RKPs.

During 2009-10 the Commission approved 92 RKPs, comprising RKPs from new organizations; amendments to existing RKPs; and the continuation of



RKPs requiring no amendment (see Figure 2). The Commission also noted 35 RKP review reports.

Appendix 1 of this Report identifies the status of those RKPs due for review or submission to the Director during 2009-10.

Appendix 2 identifies new organizations required to submit an RKP during 2009-10.

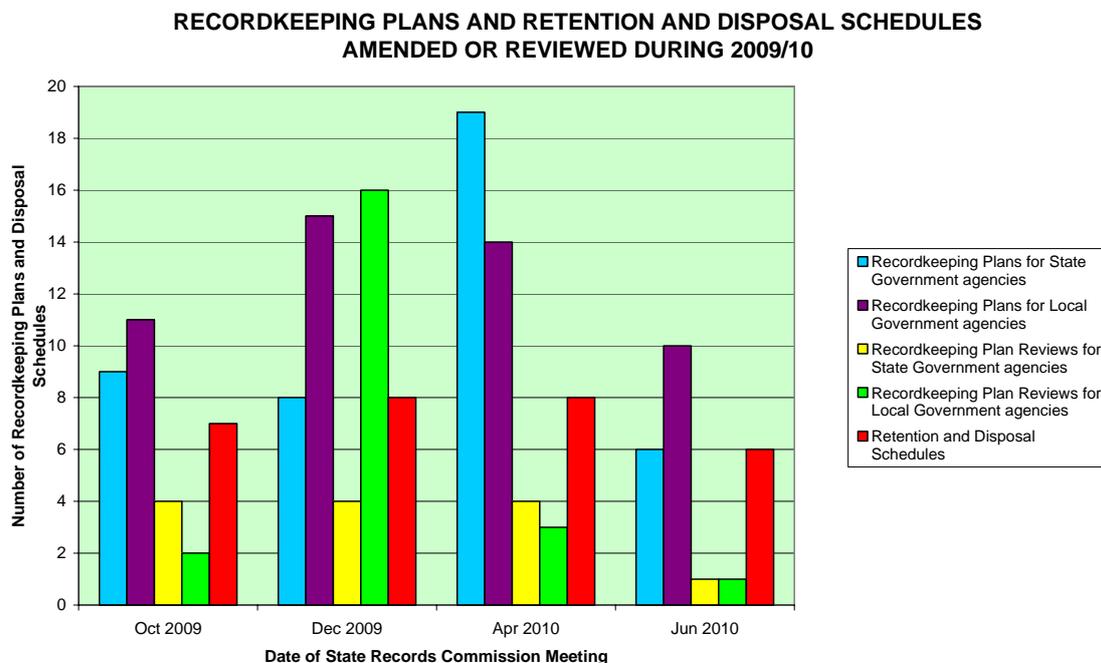
Retention and Disposal Schedules

The disposal plan for an organization's records is commonly referred to as a records Retention and Disposal Schedule (hereafter called an R&D). This document is an integral part of an organization's RKP. Unless records are covered by a General Disposal Authority, developed by the SRO, State government organizations are required to develop R&Ds that are unique to the functional activities of their organizations. An organization's RKP can only be approved by the Commission after its R&D component has been given final approval.

Following advice from the SRO and the State Records Advisory Committee, the Commission approved 28 R&Ds during 2009-10.

Figure 2 below shows the number of RKP reviews and R&Ds considered and approved by the Commission this year.

FIGURE 2. Recordkeeping Plans and Retention and Disposal Schedules actioned in 2009 / 10.





Online Retention and Disposal Application (ORDA)

The SRO is leading the development of ORDA, a new web based application, that will enable government organizations to compile (and submit) R&Ds online. At present most State government organizations' R&Ds are received and assessed by the SRO and referred to the Commission in hard copy format, with manual evaluations proving to be very labour intensive.

The Director has advised the Commission that ORDA, which should be operational by the end of 2011, will provide greater flexibility and efficiencies within the SRO and throughout government organizations. It is envisaged that most R&Ds developed under this application will eventually be made accessible online, enabling better informed appraisal decisions across government and greater opportunities for standardised appraisal practice for archives collecting institutions throughout Australia.

New General Disposal Authority Program

At its April 2010 meeting the Commission endorsed an SRO project to develop General Disposal Authorities (GDAs) for large sectors within State government; e.g. Development Commissions, Port Authorities, Universities, Redevelopment Authorities, etc. These sector GDAs, once approved by the Commission, will be used by the relevant State government organizations to enhance the legal and efficient disposal of recorded information and contribute to effective business operations within government.

The project is designed to provide coverage for the legal disposal of government information through the introduction of a suite of GDAs relevant to the functional records of State government. A wide range of government sectors will be targeted for inclusion into the program thus eliminating the need for individual organizations to produce individual R&Ds, other than by exception (*i.e.* where specific categories of records fall outside the scope of a GDA). In time, the sector GDAs are expected to form an important component of the ORDA project, mentioned previously.

Commission Standards

The Director provides the Commission with regular progress reports regarding the development, review and completion of Standards, including GDAs.

This year the General Disposal Authority for Local Government Records (GDALG) was subjected to a comprehensive review. A Working Group, consisting of eight representatives from metropolitan and regional local government agencies and SRO staff, held monthly meetings during 2009-10 to review the draft to ensure a fully revised GDALG, reflective of current local government operational needs.

The draft was released for external stakeholder comment during May 2010 with relevant feedback incorporated into the final draft for completion on 30 June 2010. The Commission anticipates its publication during late 2010.

The Commission is very appreciative of the commitment shown by local government members of the Working Group and congratulates the Group and



the SRO for the comprehensive review, which will be welcomed by all local government organizations in this State.

Two other GDAs are due for review and the Director is exploring available resource options for their completion.

2. Digital Recordkeeping & Archives Management

Digital Archives Pilot

In November 2009 the SRO completed a digital archives pilot project involving a small group of government organizations considered to have robust electronic recordkeeping regimes. The project's purpose was to test digital archives processes in order to inform the business case for an archives repository (see page 16). The results indicate the need for further development of the prototype in 2010-11, involving a larger sample group.

Strategic partnerships

The SRO is providing input to the State government working group that is considering the responsibilities of the Chief Information Officer and Chief Technology Officer across the public sector. These new offices, with whole of government functions, were proposed in Recommendations 42 and 43 of the Economic Audit Committee's report, released in October 2009.

The Commission has been advised that the SRO has held discussions with the Australian National Data Service (ANDS) regarding three funding proposals. One of these concerns the development of a Geographic Information System interface to digital images of maps and plans in the State archives collection. The SRO is also considering two further funding proposals, for the development of DSpace as a Digital Repository application system, and for a research project on the archiving of the Square Kilometre Array data. The Director anticipates that the likelihood of ANDS's involvement with these projects should be known before the conclusion of the archives business case.

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 recordkeeping plans. In March 2009 the Commission determined that the second phase of compliance monitoring would be conducted in two parts during 2009-10.

The second phase of the Compliance Monitoring Program focused on core business records required by legislation.

Phase Two, Part One: focused on 'Licence' records required to be created or managed under the *Caravan Parks and Camping Grounds Act 1995* and the *Caravan Parks and Camping Grounds Regulations 1997*. Twenty local government organizations, which did not respond to the 2008-09 monitoring program, were surveyed in this phase.



Phase Two, Part Two: focused on 'Management Plans' required to be created (or received), and managed under legislation. Fifteen State government organizations were surveyed.

The purpose of the program is to ascertain the extent to which:

- organizations are compliant with legislative requirements to create and maintain records;
- the creation and management of the records is compliant with the Commission's Standards; and
- the creation and management of the records is compliant with an agency's approved Recordkeeping Plan.

Results of the surveys conducted in 2009-10

Part One and Two of these surveys were conducted using 35 government organizations (15 State and 20 local).

Of the 15 State government organizations surveyed; 12 responded = 80% response.

Of the 20 local government organizations surveyed; 19 responded = 95% response.

The results of Phase Two of the Monitoring Program indicate that:

- like records across a range of local government organizations (metropolitan and regional both large and small) are being managed in a reasonably consistent manner;
- local government organizations are generally compliant with legislative requirements to create and maintain prescribed records to a satisfactory degree;
- the coverage and applicability of Recordkeeping Plans and the General Disposal Authority for Local Government Records (currently under review) to core business records, such as caravan parks and camping grounds, can be improved;
- State government organizations are compliant with legislative requirements to create or receive and maintain Management Plans;
- the coverage of Management Plans by organizations' recordkeeping Plans, and relevant R&Ds is sufficient; and
- as reported in 2008-09, further training of both State and local government employees, particularly in the application of disposal authorities and induction programs, continues to be identified as an ongoing issue.

State Records Commission Award for Excellence in Compliance Reporting

The Institute of Public Administration Australia (IPAA) recognizes excellence in annual reporting by the public sector through the W. S. Lonnie Awards. In

2006 a new award for excellence in annual reporting on recordkeeping was introduced by the IPAA, in collaboration with the Commission and the SRO.



This year all State government organizations' annual reports were assessed for the award. The final short listing yielded the annual reports of 21 organizations for consideration by the judging panel of industry representatives. The judging panel evaluated the reports according to whether:

- the efficiency and effectiveness of the organization's recordkeeping systems are evaluated not less than once every five years;
- the organization conducts a recordkeeping training program;
- the efficiency and effectiveness of the recordkeeping training program are reviewed from time to time; and
- the organization's induction program addressed employees' roles and responsibilities in regard to their compliance with the organization's recordkeeping plan.

At the Lonnie Awards function on 17 June 2010, the Fremantle Port Authority was presented with the *State Records Commission Award* for excellence in compliance reporting. The judging panel also commended the Disability Services Commission for a high standard of reporting.



*Debbie Cutts, left, Manager Information Services, Fremantle Port Authority, accepts the State Records Commission Award from Cathrin Cassarchis, Director of State Records.
(Photograph courtesy of IPAA WA)*

4. User Friendly Accessibility to State Archives

Archives Explored Online

Since November 2004 the SRO's public and government clients have been able to search online for items identified on the SRO's online archives 'catalogue'; known colloquially as AEON (Archives Explored Online). During 2009-10, digital images of items in the State archives collection were made accessible online for the first time. Between December 2009 and June 2010 over 6000 images of (previously digitized) Lands Department early exploration, survey and cadastral maps and plans were made available for public access on AEON.



New storage for State archives

In previous annual reports the Commission has expressed concern that the Director of State Records cannot accept custody of conventional archives from government organizations because of the lack of appropriate archival storage. In 2009-10 the Director was still constrained from complying with her statutory obligation to accept custody of archives from government organizations, when those archives become 25 years old. This situation has prevailed since July 2001.

The Commission is pleased to report that the Department of Culture and the Arts (DCA) has this year assisted in the development of a business case for a storage solution for State archives. In January 2010, work commenced on establishing an appropriate governance structure and project definition for the business case. A Project Evaluation Group, chaired by the Director, has oversight of the business case process. This Group includes representatives from Building Management and Works (within the Department of Treasury and Finance), GHD consultants, the Public Sector Commission, the Art Gallery of WA and the DCA. The business case is due for completion by October 2010.

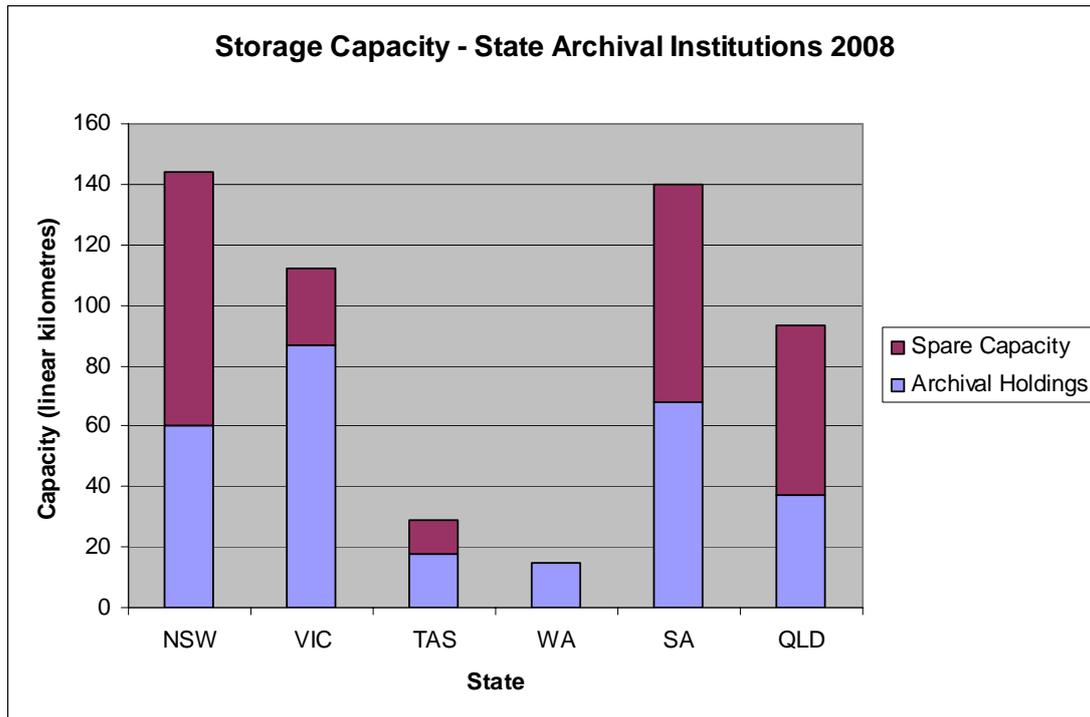
The Act was promulgated in 2001, the same year that the SRO reached storage capacity. Consequently, a large number of organizations have never transferred their archives to the SRO. Under Section 32(4) of the Act, where the Director of State Records is unable to accept transfers of State archives from a State organization, the Director must provide directions as to how the archives must be kept until transfer can take place.

The SRO has therefore issued *Directions for keeping hardcopy archives awaiting transfer to the State Records Office*. The purpose of the *Directions* is to assist State organizations in ensuring that State archives are managed appropriately, where they remain in the custody of the originating agency. The *Directions* set minimum compliance requirements, and recommend that organizations pursue best practice options.

Nevertheless, the accumulation of State archives (including digital archives) awaiting transfer to the SRO is of concern to the Commission because those records remain at risk of loss or damage while they continue to be kept in unsuitable accommodation. **Figure 3** compares the SRO's archival storage capacity, with the situation extant in other Australian States.



FIGURE 3. Comparison of storage capacity available within Australian State archival repositories.



NB: Graph based on data currently available from the Council of Australasian Archives and Records Authorities (CAARA).

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 a person's medical condition or disability – in which case they may be restricted for up to 100 years.

Sections 37 and 38 of the Act require the Commission to rule on applications by government organizations 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 government organizations to identify restricted access archives in their RKPs. During 2009-10 the Commission approved restricted access applications submitted by eight organizations.



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.

As at 1 July 2009 there were two Committees established 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**. On behalf of the Commission, the SRO chaired and provided direction and administrative support to both Committees.

1. The State Records Advisory Committee

The State Records Advisory Committee (the 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 retention and disposal components of RKPs, a critical element of the comprehensive records management framework, established by the Act. Recommendations are presented to the Commission following each Committee meeting.

During 2009-10 the Committee met on four occasions, and recommended 24 disposal authorities for Commission approval. The Committee's meeting dates were: **19 August, 17 November 2009, 16 February and 20 May 2010.**

The Committee includes representatives from the Public Service and bodies concerned with recordkeeping. Members and deputy members are appointed for three-year terms by the Commission.

Membership of the State Records Advisory Committee as at 30 June 2010.

Chair of the Committee – SRO

Ms Isabel Smith – Manager of State Recordkeeping

Australian Society of Archivists (WA) Inc

Dr Roberta Cowan (Deputy: Vacant)

Department of Indigenous Affairs

Ms Tanya Butler (Deputy: Ms Rebecca Bairnsfather-Scott)

Historical Interests representative

Ms Jennie Carter (Deputy: Vacant)



Institute for Information Management Ltd (WA)

Vacant (Deputy: Vacant)

Law Society of Western Australia

Mr Robert O'Connor QC (Deputy: Ms Anne Seghezzi)

Local Government Records Management Group

Ms Julie Mathieson (Deputy: Vacant)

Local Government CEO Representative

Mr Jonathan Throssell (Deputy: Mr Gary Evershed)

State Government CEO Representative

Mr Brian Bradley (Deputy: Ms Cheryl Gwilliam)

Records Management Association of Australasia

Vacant (Deputy: Vacant)

Executive Secretary

Mr Martin Fordham – Recordkeeping Consultant, SRO

Minutes Secretary

Ms Amanda Casselton – Recordkeeping Advisory Officer, SRO

The Commission acknowledges the valuable contribution provided by all members, including those who retired from the Committee this year.

Members of the Committee who retired during 2009-10 (and the bodies they represented)

Ms Julie Lunn	Historical Interests
Mr Neil Whiteley	Institute for Information Management
Mr Mark Caporn	Local Government Records Management Group

2. The Digital Records Working Group

The Digital Records Working Group (Working Group) was established in 2005 to advise the Commission on the following:

- projects undertaken by the Australasian Digital Records Initiative;
- the development of solutions for the effective management of digital records;
- the development of guidelines, principles and Standards for the management of digital records in government agencies (and related matters); and
- related matters.

No meetings of the Working Group were held during 2009-10. At the Commission's October 2009 meeting a recommendation from the Director for the dissolution of the Working Group was considered and approved. Given



that the Working Group had not met since September 2008, the Director was of the opinion that advocacy for electronic recordkeeping in this State would now be better served through informal networking groups on a needs basis.

The Commission extends its sincere appreciation to the former members of the Working Group for their past contribution to the Commission's policies, Standards and initiatives concerned with digital recordkeeping.

COMPLIANCE REPORT – STATE RECORDS ACT 2000

Part 8 of the 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 2009-10 is presented below.

Part 3 Division 2

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

No orders were issued during 2009-10.

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

During 2009-10 the Commission approved 92 RKPs, comprising RKPs from new organizations; amendments to existing RKPs; and the continuation of RKPs requiring no amendment.

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

The Commission did not refuse to approve any recordkeeping plans submitted during 2009-10.

Part 3 Division 3

Section 25 – Commission to have plan

The Commission's amended RKP was approved by the Minister for Culture and the Arts in February 2008. No further action was required during 2009-10.

Section 26 – State Records Office to have plan

The SRO's amended RKP was approved by the Commission in December 2007. No further action was required during 2009-10.

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

No orders were required to be issued during 2009-10.



Part 3 Division 4

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

The Commission required no discretionary reviews in 2009-10.

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

The recordkeeping plans of 78 organizations were due for review during 2009-10. Review reports were received from 74 organizations (see Appendix 1) with two outstanding which are being assisted by the SRO.

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

No directions were given in 2009-10.

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

No reports were referred to Parliament by the Commission in 2009-10.

Part 5 Division 2

Section 37 – Restricted access archives identified

The Commission approved restricted access applications submitted by eight government organizations during 2009-10.

Section 38 – when archives cease to be restricted access archives

During 2009-10 no applications were submitted by the Director under this section.

Part 5 Division 3

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

At its December 2008 meeting the Commission approved the SRO's revised archives keeping plan submitted by the Director. The original plan was approved in May 2003. No further action was required during 2009-10.

Section 40(3) – give reasons for refusal

Not required.

Section 40(4) – direct time for resubmission

The SRO's archives keeping plan is to be reviewed by December 2013.



Section 41 – Plan to be reviewed

The Commission approved the fully revised archives keeping plan in December 2008. The Director is required to conduct a review of the archives keeping plan within five years of the plan's approval.

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 2009-10.

Part 6

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

No directions were given by the Director in 2009-10.

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

No directions required review in 2009-10.

Part 8 Division 1

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

During 2009-10, 35 agencies were surveyed regarding compliance with their recordkeeping plans.

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

1. Report on progress with the investigation of an alleged breach of the Act which was mentioned in the Commission's 2008-09 Report:
 - On 29 May 2008 the Estimates and Financial Operations Committee (the Estimates Committee) of the Legislative Council reported on an investigation into the Balga Works Program at Balga Senior High School. The Estimates Committee found that the Department of Education and Training (the DET, now the Department of Education) had failed to ensure that a record was kept of any meeting between the DET and the relevant Minister regarding the program. The Estimates Committee also noted anomalies in the recording of program enrolment and attendance figures.

The DET delayed finalising the draft policy for the keeping of student attendance records to ensure matters raised in an Office of the Auditor General report, released in August 2009, had been fully addressed. The DET has provided information, for the Commission's consideration, regarding the action taken. Enquiry is ongoing.



2. Alleged Breaches of the Act by Government organizations reported to the Commission during 2009-10.

The following alleged breaches were reported to the Director during the reporting year and subsequently resolved:

- Office of the Minister for Indigenous Affairs: The Commissioner of Public Sector Standards referred a suggestion, by Roger Cook MLA, that the Office of the Minister for Indigenous Affairs had requested the removal of records relating to the appointment of the Chair of the Aboriginal Cultural Material Committee. The Commission investigated the matter and determined that no breach had occurred.
- Belmont City College (Department of Education): A family history researcher alleged that all pre-1983 student records of the former Belmont Senior High School had been destroyed. The Department of Education satisfied the Commission that records are only destroyed in accordance with the approved Recordkeeping Plan and that the relevant student information could have been accessed through enrolment and admission records, had they been requested. The Commission investigated the matter and determined that no breach had occurred.
- Rottnest Island Authority: A media report concerning a fatality on Rottnest Island suggested that the Rottnest Island Authority may not have an adequate record of past building programs. The Commission's subsequent investigation found that the Rottnest Island Authority does hold records of its building programs on the Island between 1976 and 1984, and that they are kept in accordance with the Recordkeeping Plan and *State Records Act 2000*. The Commission investigated the matter and determined that no breach had occurred.
- Great Southern TAFE: The Commission received correspondence from a member of the public alleging that Great Southern TAFE (the TAFE) was housing archival records in inappropriate storage. The TAFE satisfied the Commission that the storage facility in question is used to store records of short term value only. Records of long term value and State archives are stored in a purpose built records storage area. The Commission investigated the matter and determined that no breach had occurred.

The following alleged breaches reported during 2009-10 are currently being investigated by the SRO. They comprise:

- Town of Bassendean: The Town of Bassendean (the Town) reported the unauthorized off-site use of State records by an employee. Some records were subsequently alleged missing from the site. The Town has been requested to advise of progress in identifying and recovering the records and measures implemented to prevent similar incidents. Enquiry is ongoing.



- Perth Arena: Allegations of poor recordkeeping by the former Department of Housing and Works in connection with the planning and management of the Perth Arena project. This matter was brought to the attention of the Commission via an Auditor General's report, released in March 2010, on the management of Perth Arena. Enquiry is ongoing.
- Department of the Attorney General (DotAG): A Corruption and Crime Commission report tabled in Parliament in March 2010 found that a Judge's associate at the District Court had obtained access to information in departmental databases and passed the information to third parties. The DotAG has been requested to advise about policies and procedures governing the secure access and use of databases containing sensitive information. Enquiry is ongoing.
- Department of Transport (the Department): A former employee advised of records which had allegedly been removed from the Department prior to cessation of employment in 2001. The Department has provided information, for the Commission's consideration, regarding the alleged incident. Enquiry is ongoing.
- Challenger TAFE: A parent of a student attending the TAFE alleged that inadequate records had been kept of his dealings with that agency regarding his son's education. In June 2010 the Director wrote to Challenger TAFE requesting advice on established practice for documenting meetings and conversations relating to students and their legal guardians. Enquiry is ongoing.

Section 61 – establish principles and standards

A fully revised *General Disposal Authority for Local Government Records* (GDA) was developed by the State Records Office in 2009-10, and is expected to be approved by the Commission for publication in the latter half of 2010. The new GDA is intended to replace the current version which was published in 1999.

The Commission notes that two existing GDAs remain due for review and the Director is exploring available resource options to complete these reviews.

Section 62 – establish committees

The State Records Advisory Committee was established in December 2001 in accordance with section 62(1) and (2) of the Act. The current membership structure of the Committee was approved by the Commission in December 2008. The Committee met on four occasions during 2009-10.

The Digital Records Working Group was established under section 62(3) in 2005. The Commission approved the abolition of the DRWG in October 2009 (see also page 19).



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

The Commission's eighth Annual Report (2008-09) was submitted to both Houses of the State Parliament on 18 September 2009. Copies of the Report were tabled in both the Legislative Assembly and the Legislative Council on 22 September 2009.

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

No special reports were submitted to Parliament in 2009-10.

Section 64(4) – give Minister copy of report

A copy of the Commission's Annual Report (2008-09) was given to the Minister for Culture and the Arts on 18 September 2009.

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 2009-10.

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

During 2009-10 neither the Commission nor the Director received any specific request as per this section of the Act.

Part 8 Division 3

Section 68 – Commission may request a government organization to report about its record keeping or an aspect of its record keeping

In the 2008-09 Annual Report the Commission referred to ongoing issues with the Department of Health's (the Department's) Recordkeeping Plan. It also mentioned that the Department had been requested to provide six monthly progress reports on matters relevant to the implementation of the Plan.

Progress continues to be monitored, with the most recent report (April 2010) identifying a positive approach to recordkeeping compliance matters.

COMPLIANCE WITH STANDARD 2, PRINCIPLE 6

The SRO manages the Commission's records, and therefore its 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:



- Although the RKP is not due for review until 2013, the SRO evaluated relevant recordkeeping systems and practices (including a file audit) and assessed the efficiency and effectiveness of current systems;
- The Recordkeeping Policy and Procedure Manual was reviewed to clarify or amend procedures as required, with the revised Manual being progressed to SRO Executive Management for approval;
- The SRO reviewed the induction pack for Commissioners to ensure the currency of the information provided; and
- The Commissioners have continued to develop their knowledge of current recordkeeping issues through their active participation in the work of industry associations and interaction with government clients.

SPREADING THE MESSAGE

The Commissioners attended and/or participated in the following events and activities during 2009-10, with the aim of enhancing public sector and community awareness of the Commission and the Act.

- | | |
|------------------|--|
| 15 July 2009 | Commissioner McDermott delivered the keynote address at the AGM of the WA Branch of the Records Management Association of Australasia. |
| 10 November 2009 | Commissioners Murphy, Bluemmel and McDermott attended the SRO's Geoffrey Bolton Lecture at Government House. |
| 19 May 2010 | Commissioners Murphy and Bluemmel attended the presentation of the 2008 Margaret Medcalf Award. |



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

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Perth WA 6000

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Chairperson: State Records Commission

Mr Colin Murphy
Auditor General

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

Ms Cathrin Cassarchis

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Appendix 1

Recordkeeping Plans Required for Review on or before 30 June 2010

Status Register

Agency Name	Status R = Received O = Overdue	Next Review Date
Animal Resources Authority	R	8 Mar 2015
Botanic Gardens and Parks Authority	R	7 Apr 2015
Bunbury-Harvey Regional Council	R	30 Aug 2014
Chowerup Cemetery Board	R	18 Nov 2014
City of Armadale	R	18 Jun 2015
City of Bayswater	R	18 Jun 2015
City of Belmont	R	18 Jun 2015
City of Bunbury	R	4 Dec 2014
City of Fremantle	R	4 Dec 2014
City of Joondalup	R	30 Aug 2014
City of Mandurah	R	7 Oct 2014
City of Nedlands	R	30 Aug 2014
City of Perth	R	4 Dec 2014
City of South Perth	R	4 Dec 2014
City of Stirling	R	7 Apr 2015
City of Subiaco	R	7 Apr 2015
Coal Industry Superannuation Board	R	7 Apr 2015
Council of Official Visitors	R	30 Aug 2014
Dampier Port Authority	R	3 Jul 2014
Department for Child Protection	R	10 Mar 2015
Department for Communities	R	10 Mar 2015
East Perth Redevelopment Authority	R	4 Dec 2014
Geraldton Port Authority	R	3 Jul 2014
Gold Corporation	R	2 Apr 2015
Government Employees Superannuation Board	R	7 Apr 2015
Governors Establishment	R	2 Apr 2015
Insurance Commission of WA	R	4 Dec 2014
Main Roads WA	R	7 Oct 2014
Midland Redevelopment Authority	R	18 Jun 2015
Office of the Public Sector Standards Commissioner	R	7 Apr 2015
Peel Development Commission	R	18 Jun 2015
Perth Market Authority	R	4 Dec 2014
Port Hedland Port Authority	O	
Racing and Wagering WA	R	5 Oct 2014
Rivers Regional Council	R	4 Dec 2014
Screenwest	R	5 Oct 2014
Shire of Boddington	R	18 Jun 2015
Shire of Bridgetown-Greenbushes	R	4 Dec 2014
Shire of Bruce Rock	R	5 Oct 2014
Shire of Busselton	R	18 Jun 2015



Agency Name	Status R = Received O = Overdue	Next Review Date
Shire of Capel	R	4 Dec 2014
Shire of Carnamah	R	7 Oct 2014
Shire of Chapman Valley	R	7 Apr 2015
Shire of Coolgardie	R	18 Jun 2015
Shire of Coorow	R	18 Nov 2014
Shire of Donnybrook-Balingup	R	7 Oct 2014
Shire of Dundas	R	2 Apr 2015
Shire of Esperance	R	30 Aug 2014
Shire of Irwin	R	4 Dec 2014
Shire of Kalamunda	R	2 Oct 2014
Shire of Katanning	R	2 Oct 2014
Shire of Kent	R	18 Jun 2015
Shire of Manjimup	R	7 Apr 2015
Shire of Mt Magnet	R	7 Oct 2014
Shire of Nannup	R	7 Apr 2015
Shire of Peppermint Grove	R	7 Oct 2014
Shire of Roebourne	R	18 Jun 2015
Shire of Waroona	R	18 Nov 2014
Shire of Wickiepin	R	7 Apr 2015
Shire of Wongan-Ballidu	R	7 Oct 2014
Shire of Wyndham-East Kimberley	O	
South West Development Commission	R	2 Apr 2015
Southern Metropolitan Regional Council	R	2 Apr 2015
State Supply Commission	R	N/A
Subiaco Redevelopment Authority	R	4 Dec 2014
Tamala Park Regional Council	R	5 Oct 2014
Town of Claremont	R	7 Apr 2015
Town of Cottesloe	R	5 Oct 2014
Town of Mosman Park	R	30 Aug 2014
Town of Narrogin	R	7 Apr 2015
Town of Victoria Park	R	15 Jul 2014
Veterinary Surgeons' Board	R	10 Mar 2015
WA Health Promotion Foundation	R	10 Mar 2015
WA Industrial Relations Commission	R	15 Jul 2014
WA Land Information Authority	R	7 Apr 2015
WA Museum	R	7 Apr 2015
WA Police Service	R	16 Dec 2014



Appendix 2

Recordkeeping Plans of New Organizations due for submission on or before 30 June 2010

Status Register

Organization Name	Due Date	Submission Date
Department of Mines and Petroleum	1 Jul 2009	22 Dec 2008
Department of State Development	1 Jul 2009	25 Jun 2009
Department of Commerce	1 Jul 2009	26 Jun 2009
Building Commission <i>(incorporated into Department of Commerce, Builders' Registration Board and Painters' Registration Board RKPs)</i>	1 Jan 2010	24 Feb 2010
Department of Planning	1 Jan 2010	4 Jan 2010
Department of Transport	1 Jan 2010	30 Dec 2009
Department of Regional Development and Lands	1 Jan 2010	30 Dec 2009
Department of Local Government	1 Jan 2010	5 Feb 2010
Department of Training and Workforce Development	30 Apr 2010	4 May 2010
Department of Education	30 Apr 2010	27 Apr 2010
Office of the Environmental Protection Authority	27 May 2010	11 Jun 2010



Acronyms used in this Report

Acronym		Term
Disposal Authority	=	A term used to incorporate GDAs and R&Ds.
GDA	=	General Disposal Authority for the legal disposal of government records
R&D	=	Retention and Disposal Schedule for the legal disposal of government records
RKP	=	Recordkeeping Plan
SRC	=	State Records Commission
SRO	=	State Records Office