

# Territory Records Advisory Council Minutes

MEETING No.2 of 2011-12

25 November 2011

Murrumbidgee Room, Level 5, 40 Allara Street, Civic

## Present

TRAC: Steve Stuckey (Chair), Jill Caldwell, Alyssa Blackburn, Anne Buttsworth, June Penny, David Headon, David Wardle (Director)

TRO: Elizabeth Estbergs (Reference Archivist), Lynda Weller, Wayne Finlaison, Rohan Clark (Minutes)

Visitor: Mick Chisnall, Director, Government Information Office, Chief Minister and Cabinet Directorate

Meeting opened: 12:35

## Welcome

The Chair welcomed everyone to the meeting including Mick Chisnall who was attending the meeting as Andrew Kefford had another commitment. Mr Chisnall thanked all members for the opportunity to attend.

The Chair welcomed David Wardle on his return from nine weeks leave, and thanked Elizabeth Estbergs for standing in for David while he was away.

David Headon apologised for his early departure. He drew members' attention to the story he was presenting on Mt Stromlo that evening on the ABC 7:30 Report. Dr Headon also referred to a meeting he attended of the Planning Institute of Australia on the Institute's archival material; he will discuss it with the Reference Archivist and report to the next meeting.

In light of Dr Headon's early departure, the Chair proposed commencing the TRO updates for Council Information at Agenda Item 4, and dealing with Agenda Items 1, 2 and 3 after Agenda Item 9.

**Apologies** – Andrew Kefford and Rebecca Stubbs.

## Minutes of previous meetings

**Resolution Number 1 of Meeting No. 2 2011-12:** Council confirmed the Minutes of Meeting No.1 2011-12, held on 19 August 2011.

There was no business arising from the minutes.

## Agenda Item 1. – TRO Updates for Council information – TRO move to Eclipse House

The Director informed Council that with TRO's change in administrative arrangements from the Territory and Municipal Services Directorate to the Treasury Directorate, TRO has physically relocated from Macarthur House to Eclipse House in London Circuit, Civic.

**Agenda Item 2.** –TRO Updates for Council information – Jill Caldwell made a Fellow of the ASA 19 October 2011

The Chair expressed his pleasure at being able to add his personal enthusiasm to Council's congratulations to Jill Caldwell for her recognition as a Fellow of the Australian Society of Archivists. This, Steve said, was a well-deserved honour, and he referred specifically to her work in the education of archive and records professionals and with Aboriginal and Torres Strait Islander members in particular, to her work on the International Standard for recordkeeping, and to her contribution to this Council. All Council members endorsed Steve's congratulations.

**Agenda Item 3.** –Updates for Council information – The ASA Council announced the Accreditation of Charles Sturt University's Bachelor and Masters Courses in Information Studies (Records and Archives Management) for a period of five years

As well as informing Council of the accreditation of these courses, the Director pointed out that the TRO was represented on the accreditation panel. The Chair commended both the participation on the accreditation panel as professional development, and the contribution to an important training program in an environment where the availability of records and archives management courses is declining yet the skills required are of increasing importance with modern digital recordkeeping systems.

**Agenda Item 4.** –TRO Updates for Council information – Chief Minister's Statement on Open Government

Council noted the update by the Chief Minister, Katy Gallagher MLA, to the ACT Legislative Assembly on 19 September 2011. The Chair said it was pleasing to see the reference to the TRO and the Digital Record Pathway, which seeks to improve digital recordkeeping across the Government. The Chair noted the Chief Minister's specific comments endorsing mandating digital formats for long-term records, and the use of open standards.

The Chair noted the strong focus by the Chief Minister on open government, and that the concept of public disclosure as a default position must be a significant issue for the Government Information Office. Mick Chisnall commented that the recommendations of the Digital Record Pathway fitted well with the Chief Minister's agenda of increasing the openness of government.

**Agenda Item 5.** –TRO Updates for Council information – Digital Recordkeeping Pathway – Judith Ellis Report

The Director is seeking to have the Digital Recordkeeping Pathway Report incorporated with the third report to the Public Accounts Committee (PAC) (see Agenda Item 6 below).

The Chair said that Council recognised that TRO's biggest issue remains managing digital records. The Director reported that he had organised a visit for some key ACT Government ICT staff including Mick Chisnall to the National Archives digital repository at Mitchell so that they could better understand the TRO requirements for managing digital records over time.

The Chair noted that all reviews of the TRO had reported that ACT's records regime is well placed in addressing digital recordkeeping. However, to ensure the continued integrity of ACT's regime the TRO must lead agency's requirements. This not only encourages agency compliance with the regime, but it actively enables the Chief Minister's vision of open government.

Mick Chisnall commented that 2011 has seen a big change with the business of creating a single Department with 9 Directorates from 10 separate Departments. Creating an integrated single government is ambitious and TRO's perspective of a whole of government service is vital.

Council expressed concern that the responsibility for the management of legacy records must not be allowed to overshadow the responsibility for the leadership, development and management of digital recordkeeping. This raised the issue of where the TRO should sit in the structure of government. The Chair informed Mick Chisnall of Council's three major priorities – in addition to managing digital records, there is also appropriate public access to records and the creation of a repository for digital and legacy records.

**Agenda Item 6.** –TRO Updates for Council information – Public Accounts Committee Report (No3)

The Director referred Councillors to the minutes of the previous Council meeting in August 2011, where he had outlined the history of the PAC enquiry following the Auditor-General's Report in 2008 and the Macpherson review of the *Territory Records Act 2002* in 2010. The third report to the PAC, dealing with the effectiveness of legislative changes following the Macpherson review, must be tabled in the Assembly by the end of February 2012.

At the time of the last meeting, there had been four outstanding recommendations dealing with three topics, namely, FOI exemption categories relating to S.28 Declarations, management of digital records, and archival records storage. Of these, digital records management is a continuing work in progress, and archival records storage will remain an ongoing matter.

The Director was able to report that the Assembly has before it a Bill to amend the FOI Act however he considers that barring any Assembly amendments that the current access provisions in the *Territory Records Act 2002* will be maintained. The Director expects that copies of the Report No 3 to the Public Accounts Committee will be available for the next Council meeting.

**Agenda Item 7.** –TRO Updates for Council information – *Territory Records Act 2002* Section 28 Declaration report

Council noted the Director's report on S.28 Declarations. Personal privacy was the overwhelming reason for issuing S.28 Declarations, accounting for 64% of all Declarations. The Director said that, in his opinion, agencies were not closing records unnecessarily. Council discussed the aggregated reasons for records remaining closed after 20 years, and which agencies were most represented in closures.

Led by Jill Caldwell, Council discussed how the public would be aware of record closures (S.28 Declarations) at a Whole of Government level. Although agency Records Management Programs (RMPs) had to list all S.28 Declarations (and RMPs were being strongly encouraged to be available online), it was not easy for the public to see an overview. The Director was asked to give consideration to making the consolidated register of S.28 Declarations available on the TRO website. The Director and Council agreed that there was no reason why all Council papers should not be made public as they would be available under FOI in almost all cases.

The Chair pointed out that it would help TRO's presentation of openness and legitimacy if Council papers and record closures were released, with rules if necessary. For instance, if a file title breached privacy, it would have to be withheld; but this would apply in only a very few instances.

Jill endorsed this view, saying that it would reassure the community that the Director's S.28 decisions are valid and fair to the community. She said the issue applied more generally, in the matter of how to demonstrate to the community, not only that community advice has been sought, but that it has been incorporated and acted upon as far as possible.

The Director added to this saying government expected agencies to be proactive in making information about the business of government available to the public. In line with the Hawke Review and structural changes in 2011, this had to be done in a coherent way so as to reflect the concept of a single ACT Public Service with 9 Directorates. The TRO was well placed to contribute to this cultural change.

The Chair summed up, saying that the community wants to know, and has a right to know:

- (a) that Government is collecting the right information;
- (b) how long each type of information is kept; and
- (c) the level of accessibility to each type of information.

Council has a role in encouraging each of these aspects, including overview and summary information. The TRO should be proactive in informing the community on these matters.

Council agreed, in light of Jill Caldwell's suggestions that it would continue to discuss this issue and that it be included as an agenda item for the next meeting.

**Agenda Item 8.** –TRO Updates for Council information – Report on ArchivesACT

Council noted the report on ArchivesACT, and thanked Elizabeth for its preparation. Council also commented favourably on the increasing use of social media in interactions about the history of Canberra and associated archival sources.

Council also enquired as to progress with the SRNSW "In Living Memory" travelling exhibition that was raised in previous meetings. Elizabeth reported that there had been two visits by State Records of NSW to discuss arrangements, and that the Multicultural, Aboriginal and Torres Strait Islander Affairs Unit of the Community Services Directorate and LibrariesACT had also been actively involved. The exhibition is scheduled to open on 3 July 2012, having been moved from Woden to a more central location in Civic at the Civic Library.

**Agenda Item 9.** –TRO Updates for Council information – Report on Agency Records Management

Council noted the Report. The Director explained that the major focus continued to be on getting the nine Directorates to establish compliant RMPs. A major tool to encourage this has been the use of an expanded Records Managers Forum, which now numbers 26 members of the ACTPS actively involved with records management.

Council discussed the "Planet Ark File Fling". Records managers had been reminded that appropriate Records Disposal Schedules must be followed before any disposal of records can take place.

**Agenda Item 10.** –Draft Records Disposal Schedule for Compensation Records

The draft RDS for Compensation Records was noted. The Director requested feedback as soon as possible out of session. He explained that at the same time that Council members were considering the draft RDS, all other agencies were also invited to comment. This allowed the early identification of conflicts between RDSs, and synergies wherein other agencies may also

be able to make use of the RDS.

Council commented that it was unusual to have no Retained as Territory Archives (RTA) records. It was explained that this RDS applied to individual compensation records, and not to the management of claims. Council suggested that a scope note be added to make the distinction clear, and asked to have details of related classes emailed to members.

Council discussed the implications of the harmonisation of OH&S legislation across all jurisdictions. TRO will consider this with a view to the timing of combining Workplace Health and Safety functions with WorkCover functions.

Council members will provide feedback out of session.

**Agenda Item 11.** –Draft Records Disposal Schedule for Fleet Management Records

Council again noted the Draft RDS for Fleet Management Records, and agreed to provide comment out of session to the Director.

Again Council suggested a scope note to make clear that transport policy records would be found in the Traffic and Transport RDS, and requested that details of related classes be emailed to members.

**Agenda Item 12.** –Records Advice No.66: Folio Numbering of Records

The catalyst for this Advice was an enquiry from a contractor, so the information is made available to all ACTPS. Council noted Records Advice No.66.

**Agenda Item 13.** –Records Advice No.67: Archived Personnel Files

Council noted Records Advice No.67.

**Other Business**

Mick Chisnall drew Council's attention to the Twitter Cabinet being held on Monday 28 November 2011 between 12:30 and 1:30 pm at Twitter address #actvcc.

Council expressed its sadness at the death of Jill Downer, a member of the Canberra Historical Society, who was a member of the first Territory Records Advisory Council. Jill died in September 2011 aged 75.

**Next meeting:**

2 March 2012

The Director will arrange a Council meeting in May or June 2012, and asked members to let him know of any period of absence at that time.

Meeting closed: 2:25 pm

Minutes confirmed on: 2/3/2012

Steve Stuckey (Chair)