



# **DIRECTOR OF TERRITORY RECORDS**

## **ANNUAL REPORT**

**2011-12**

## TERRITORY RECORDS OFFICE

In carrying out the broad range of functions listed in the *Territory Records Act 2002*, the Director of Territory Records works closely with each ACT Government directorate's Director-General's and nominated records manager.

The Territory Records Office (TRO), led by the Director of Territory Records:

- provides advice to directorates and monitors compliance with the Act;
- provides support for the Territory Records Advisory Council;
- helps members of the public access records;
- advises on record management;
- develops standards and guides for record management;
- maintains the whole-of-government records management thesaurus which ensures consistency across the ACT Government;
- monitors the disposal of records by directorates; and
- manages copyright administration across directorates.

The Territory Records Advisory Council met four times during 2011–12. Membership of the Council during 2011–12 was:

- Mr Steve Stuckey (Chair);
- Ms Jill Caldwell (Deputy Chair);
- Ms June Penny;
- Mr Andrew Kefford;
- Dr David Headon;
- Ms Anne Buttsworth;
- Ms Alyssa Blackburn;
- Ms Rebecca Stubbs; and
- Mr David Wardle.

After the last meeting of Council for 2011–12, Ms Amanda Harris, Mr Nick Swain and Mr Mick Chisnall were appointed to replace Ms Penny, Ms Caldwell and Mr Kefford, whose terms had expired.

At a meeting in August 2011 with the Minister responsible for the *Territory Records Act 2002*, Andrew Barr MLA, the Territory Records Advisory Council discussed the strategic priorities that guide its initiatives. Its first priority was to foster a legislative framework that creates a comprehensive and rigorous regime of records management. Recent amendments to legislation contributed to such a framework, and securing recordkeeping practice in line with the framework is an ongoing task. Its second priority was to facilitate and encourage appropriate management of digital records. This consideration absorbed much of Council's time. Council's third priority was to achieve adequate centralised storage of archival records to ensure preservation of the ACT's documentary heritage. Council recognises this to be a longer-term goal.



Many of the drivers of TRO priorities for 2011-12 were in place at the start of the year. Meeting the final recommendation of the report by the Public Accounts Committee (PAC) on the Auditor-General's 2008 review, and implementing changes following from the Hawke Review of the ACT public service were supplemented by renewed emphasis on open government by the Chief Minister Katy Gallagher. In addition, advising directorates on the implementation of amended legislation, the further incorporation of digital records into directorates' records management, and preparations for the celebration of Canberra's centenary were added to the ever-present tasks of records' creation, maintenance and preservation, the provision of public access to records, and liaison with interstate counterparts.

## **Auditor-General's Report**

The Public Accounts Committee (PAC) of the Legislative Assembly tabled its "Review of Auditor-General's Report No 3 of 2008 *Records Management in ACT Government Agencies*" on 25 August 2010. The Government accepted the Committee's three recommendations, which essentially required the Government to keep the Legislative Assembly informed of progress in implementing and monitoring the records management regime in the Territory.

In December 2010 the Government met the Committee's first recommendation by reporting on the progress and effectiveness of the implementation of the Auditor-General's recommendations. The Committee incorporated a review of the *Territory Records Act 2002* into its report on the performance review of records management undertaken by the Auditor-General. The Committee's second recommendation was met in June 2011 when the government reported to the Assembly on the findings of the review of the Act.

The third and final recommendation was met in February 2012 when a report on the effectiveness of legislative changes following from the review of the Act was tabled in the Assembly. This report focussed on three issues that remained outstanding from the legislative review: the appropriateness of the exemption categories under the Freedom of Information Act in relation to the release of records, responsibility for Territory archives, and the continuing management of digital records.

## **Governing the City State: One ACT Government – One ACT Public Service**

The Hawke Review was adopted by the Government in March 2011 and was implemented during the remainder of the year. The nine directorates experienced changed functional responsibilities, which necessitated revised Records Management Programs under *Territory Records Standard No.1 – Records Management Programs*. Directorates made considerable progress with the revision of their Programs by 30 June 2012.

The focus on a unified public service rather than on a different culture in each agency led to demands for greater guidance about the requirements of a compliant Records Management Program. After much consultation with directorates, Standard and Guideline No.1 were re-drafted to include a Model Records Management Program. The Model Program is not mandated, but over time will provide a vehicle for increasing uniformity of Programs – exactly the intent of having a single public service. The Model Program encourages the bringing together of business processes with a directorate's recordkeeping system. Differences between directorates will remain for operational reasons, but increased concern with the evidential value of records and resource pressures will encourage uniformity.

The re-drafting of Guideline No.1 is the largest re-drafting of any Guideline since the commencement of the Act in 2002. Records Managers have been involved at all stages with both the drafting and the evaluation of the new provisions.

## Open Government

In the Chief Minister's update statement to the Assembly on Open Government in September 2011, Katy Gallagher MLA, said:

"... I set myself, my Ministers, the heads of Directorates, and every single public servant, a new default position. I said there ought to be a presumption that information available to the Government should also be made available to the community."

"All of the work of recent months in relation to Open Government has been made much easier by the fact that for the past few years our Territory Records Office has been busily developing standards and guidelines for digital recordkeeping. Most recently, over the past six months, the Office has developed a 'Digital Record Pathway' to improve strategic digital record keeping right across the Government. The Pathway recommends mandating digital formats for long-term records, and the use of open standards, consistent with policy of the National Archives. This work by our own Records Office puts us in a good position to really push forward with a number of our Open Government initiatives. The groundwork is laid."

The Digital Recordkeeping Pathway is the view of an independent expert of the way in which the ACT Government should advance its management of digital recordkeeping. TRO is delighted to have been in a position where it could support the enabling of the Chief Minister's vision of open government.

## Digital Records Management

Management of digital records was a high priority for both the TRO and Council as a recognition that both the ACTPS and the community are increasingly using digital forms of communication. The appointment of the Executive Director of the Government Information Office to Council recognises the digital priority in ACT records management. Previous years have seen the establishment of Standards and Guidelines to guide both the management of digital records and the conversion of paper and other records to digital format.

The need was for a path linking the existing digital Standards to future records management procedures in which sound digital practice was embedded into the daily operations of all Directorates. Evidence of due process is required to secure the evidential value of the records.

A Melbourne records management consultant, Ms Judith Ellis of Enterprise Knowledge Pty Ltd, produced a Digital Recordkeeping Pathway report setting out the broad strategy for further implementation of digital recordkeeping, including mandating digital formats for long-term record retention and the use of open standards. The Pathway report was attached to the report tabled by the Government in the Assembly in February 2012 in response to the third recommendation of the Public Accounts Committee referred to above.

## Public Access to Records

ArchivesACT continues as a key element for the research community in the ACT and provides an early entry point for anyone studying the development and history of the ACT and region. All directorates and other ACT Government agencies continue to provide access to a wide range of records in their custody.

For the second year, administrative records over 20 years old and Cabinet records over 10 years old were released for public access on Canberra Day 2012. The 2012 release had the added significance that this was the first time in Australia that Cabinet papers had been released within the term of the sitting Government that created them.

Consistent with the Chief Minister's Open Government statement, Council saw merit in Government being able to show that no records are being hidden or restricted without there being a legitimate reason. Following extensive consultation with directorates, the Director made available on both the Territory Records Office and the ArchivesACT websites the access exemption register showing all S.28 Declarations that have been approved.



## Council of Australasian Archives and Records Authorities

The Director represents the ACT on the Council of Australasian Archives and Records Authorities (CAARA) to ensure that ACT records management is consistent with other Australian jurisdictions and Australian best practice. Ongoing issues include the increasing importance of digital records, the preparedness of jurisdictions in dealing with disasters, and providing public access to records.

## 100<sup>th</sup> Anniversary Celebrations in 2013

The anniversary celebrations will heighten the community's awareness of the documentary heritage of the ACT. ArchivesACT is actively contributing to the preparations for the celebration of the centenary of Canberra in 1913 by contributing resource material for the preparation of several exhibitions.

The TRO in conjunction with the National Archives of Australia is preparing a 'Guide to Government Records about the ACT' which will assist researchers discover records about the ACT whether in the custody of the NAA or the ACT Government. This publication will be in a format similar to other guides on State and Territory records produced by the NAA.

## Future Directions

Assisting directorates with further revisions to their Records Management Programs will be a major focus of the TRO in 2012-13. Fully integrating new functions into recordkeeping practices for each directorate will be tackled in the context of a new Model Records Management Program that is an early step in encouraging uniformity of practices across a single ACTPS.

Working in close conjunction with the Government's ICT service provider, Shared Services ICT, the Director will advance the implementation of the endorsed Digital Recordkeeping Pathway, which provides strategic directions for managing the digital records environment of the Government. There are considerable short and long term challenges in providing consistent treatment of digital records to ensure their accessibility, evidential value and preservation for as long as required.

Public accessibility during Canberra's centenary celebrations will be a part of raising public awareness of the documentary heritage available to Canberrans. The Advisory Council is a valuable ally in this immediate task as in ensuring the ongoing suitability and relevance of the records regime. Council continues to express firm views on the pressing need for the establishment of an ACT Archives Repository to ensure suitable housing and access for the documentary heritage of the ACT.

## Further information may be obtained from:

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