

# Territory Records Advisory Council Minutes

MEETING No.4 of 2010-11

3 June 2011

Level 2 Seminar Room, Macarthur House  
12 Wattle Street Lyneham

## Present

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

TRO: Elizabeth Estbergs (Reference Archivist), Wayne Finlaison (Thesaurus Manager), Rohan Clark (Minutes)

Visitor: Anthony Polinelli (TAMS)

Meeting opened: 12:05 pm

## Welcome

The Chair welcomed everyone to the meeting. He congratulated Alyssa Blackburn and Anne Buttsworth on their recent appointments and welcomed Anthony Polinelli to his farewell meeting under the new administrative arrangements.

**Apologies** Andrew Kefford, Rebecca Stubbs

## Minutes of previous meetings

**Resolution Number 1 of Meeting No. 4 2010-11:** Council approved the Minutes of Meeting No.3 2010-11, which would be signed by Jill Caldwell as the Chair had not been present at that meeting.

## Business arising from the Minutes

It had not been possible to arrange a meeting with the former Chief Minister. Meeting the new Minister would be discussed after Agenda Item 3 (see below).

Council had approved a Records Disposal Schedule for Preserving Records Containing Information that may allow People to Establish Links with their Aboriginal or Torres Strait Islander Heritage, and had discussed the possibility of generating publicity among people who may be interested. The Director reported that work was being undertaken for a display during July 2012, which included NADOC Week. State Records of NSW has expressed interest in participating and Rebecca Stubbs had commenced liaison with indigenous communities.

**Agenda Item 1.** – TRO Updates for Council information – Council appointments

New and existing members gave a brief outline of their backgrounds.

**Agenda Item 2.** – TRO Updates for Council information – Hawke Review, and

**Agenda Item 3.** – TRO Updates for Council information – New Directorate structure

The Chair invited Anthony Polinelli to provide Council with an overview of changes resulting from the Hawke Review (*Governing the City State: One ACT Government – One ACT Public Service*, February 2011, [www.actpsreview.act.gov.au](http://www.actpsreview.act.gov.au) )

Anthony said that the new arrangements had commenced on 17 May 2011. In essence, the Review had recommended creating a single Department with nine Directorates. While this has occurred, not all of the more detailed recommendations have been implemented; for instance TRO was expected to move to CMD, but in fact has moved to become a part of Shared Services reporting through Treasury. David Wardle is now reporting to Andrew Whale in Shared Services, who will attend the next meeting.

Anthony noted that there would be benefits in TRO being located in Shared Services, especially in being closer to the Chief Information Officer, should that appointment eventuate, in matters of records management policy, and infrastructure approvals in relation to a possible records repository. Anthony noted that in the Hawke Review [P.23], records and the TRO had been specifically identified as having a significant role in the knowledge management policy framework for a collaborative, responsive and innovative ACTPS.

Anthony welcomed new Council members, and said goodbye. Andrew Whale would be the responsible Executive for Council's next meeting. He thanked David and the Council for its cooperation and assistance during the time of his responsibility for TRO.

David Wardle thanked Anthony for being very supportive of TRO and Council. David noted that the functional approach adopted by the ACT has stood its records management in good stead in previous times of administrative change and it will do so during the present round. At the same time, support for business units during the period of establishing the new Directorates would absorb considerable TRO resources.

The Chair noted the potential advantages for TRO of being located in Shared Services in Treasury that Anthony had identified. However he also noted that there were potential dangers if the service delivery "tail" (provided by Records Services) were to "wag the dog" of strategic records management advice and regulation provided by TRO. He said the "urgent" should not override the "important" in the relationship between TRO and Records Services. For this reason he considered that any suggestion for TRO to locate to Mitchell would be bad, as there was too great a risk that TRO would be "out of sight, out of mind". TRO must be in a position to address the existing and emerging serious and important challenges in the records management environment in order to protect accountability and heritage.

The Chair thanked Anthony for his support and wished him the best of luck.

The Chair provided background to new members regarding previous meetings with Ministers. At the Chair's last meeting with the Chief Minister on 26 June 2009. The Chair had made it clear that the Council was not immediately asking for anything from the Chief Minister, but had made it clear that Council had several strategic priorities:

1. In the (then) upcoming legislative review of the *Territory Records Act 2002*, Council's concern was to ensure that the Act maintained comprehensive coverage of all ACT Government records. He understood that some agencies wanted to be removed from the Act. Council considered accountability to be the most critical issue and he alerted the Chief Minister to Council's preparedness to participate in debate in the public arena if agencies were removed. Although the result of the review was a strengthening of the comprehensiveness of the Act, Council's concern for accountability and comprehensive

legislative coverage remained.

2. The Chief Minister had appeared surprised to hear that the ACT was the only Australian jurisdiction that does not have a purpose-built repository for archival records of Government. Although some progress was subsequently made in identifying a site, a proposal for an ACT archival repository did not survive the Budget process. However the need remains to ensure the survival of ACT's archival heritage, and the matter remains a Council priority.
3. Digital records are already vital to Government functioning and will continue to be. They cannot be ignored. The Chair had pointed out that people now entering the workforce had lived their entire lives in a digital environment. Council would maintain a watching brief over the numerous challenges of creating, securing, preserving and maintaining access to digital records.

These remained Council's strategic priorities, and the Chair said that, with Council's agreement, he would be prepared to alert the public to reductions in the role of the Director, the TRO or records management if threats to accountability and ACT's documentary heritage emerged. Naturally, Council would continue to provide advice to the Director of Territory Records on all aspects of records management as appropriate.

The Chair said he would request the Director to seek a meeting with the new Minister for the entire Council. He noted that the Chief Minister, Katy Gallagher MLA, was presently also Treasurer and so had responsibility for Shared Services although recognised that this was likely to change.

The Chair asked the Director to keep the Council informed of any permanent changes to administrative arrangements, especially those relating to accommodation and Ministerial responsibilities.

**Agenda Item 4.** – TRO Updates for Council information – Public access to records on 12 March 2011

The Director reported that 12 March 2011 (Canberra Day) was the first annual release day of Territory records that are older than 20 years and have no S.28 declaration applying to them restricting public access. In previous years, releases had occurred throughout the year as records reached their 20<sup>th</sup> year of creation (for Executive documents, their 10<sup>th</sup> birthday). The change had been recommended in the recent legislative review.

David said that the event had gone well, and thanked the Reference Archivist for her efforts in creating a display of interesting items. The ABC, 2CC and two print journalists observed the embargoed release of records, which created useful publicity.

The Chair noted that the 2012 release would be the first occasion in Australia in which the records of a sitting Government would be made public.

**Agenda Item 5.** – TRO Updates for Council information – Report on ArchivesACT

Council noted the report from the Reference Archivist.

There was discussion of the significance of some of the numbers reporting online archives usage. The Director explained that CAARA (the Council of Australasian Archives and Records Authorities) was still resolving issues surrounding the way in which statistics were being

collected in different jurisdictions.

He noted that the last CAARA meeting had been successfully hosted by the ACT in Canberra.

The Chair asked whether a file is marked for retention (RTA – Retained as Territory Archive) if it has been cited or formally quoted. The Director said it would be if the functional area finds out about the citation, which frequently does not happen. A rule of thumb is that if a record has survived for 20 years and is open for public access, it is assumed to be RTA.

**Agenda Item 6. – TRO Updates for Council information – Report on Agency Records Management**

The Director said the report on agency records management sought to provide Council members with an idea of what TRO does and how it implements matters discussed at Council meetings.

In responding to a question about issues presently causing concern, David said that TRO would be holding an internal half-day planning session later in June to clarify priority issues for the coming year. It is necessary not only to be consistent across the ACTPS, but also to meet the business needs of each agency. David has felt that, although TRO has met its own requirements, TRO has on occasion not met Agency business needs. The balance of needs between agencies and TRO will be addressed.

The Chair noted some difficulties for agencies at present that would be intensifying their experience of the problems. The changed administrative arrangements would be destabilising some, and it would have introduced a different range of recordkeeping systems to the new Directorates (such as TRIM and Objective, and different versions of TRIM). Also, TRO is very busy, but agencies have no one else to turn to for records management advice. If agencies ignore TRO's advice because it doesn't meet their business needs, the authority of the TRO and comprehensiveness of the records regime are undermined. Steve suggested that flexibility would need to be a key word for the TRO in coming months.

David said there were still gaps in the coverage of the thesaurus, although these are increasingly being addressed. The identification of gaps is a good sign in that it means the TVKAAA is being used, which is how the gaps come to be being identified. Increasingly its universal application will be realised however work will proceed slowly. For instance, with the changes to the administrative arrangements all Records Management Programs will require revision – over 100 of them. The Director will write to the heads of the new Directorates over the coming weeks to advise them of the requirements for new Directorate Records Management Programs.

TRO's work will need to be cooperative and flexible to address agency needs.

**Agenda Item 7. – TRO Updates for Council information – Statement of Cooperation between the National Archives of Australia and the ACT Territory Records Office**

The Memorandum of Understanding between the ACT the Commonwealth regarding records dates from 1989, and has provided a framework for the extensive cooperation that has occurred.

The Director-General of the NAA would have liked the MOU to have been updated, but it was not possible in the time available. However, a Statement of Cooperation was completed. This ensured ongoing cooperation regarding both archival records and finding tools – for many ACT records the information for finding them remains in NAA's systems. Cooperation in meeting archives requests is of great benefit to researchers. For these reasons an updated statement of cooperation was considered desirable by both the TRO and NAA.

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

The Director referred new members to a report by the Auditor-General, Performance Audit Report No.3/2008, *Records Management in ACT Government Agencies*, and to the response by the Public Accounts Committee (PAC) of the Legislative Assembly, tabled on 26 August 2010. The Committee's report made three recommendations, which, in abbreviated form, were:

- a) by the last sitting day in 2010, the Minister will report to the Legislative Assembly on the progress and effectiveness of the Department of Territory and Municipal Services' implementation of the Auditor-General's recommendations that were accepted...;
- b) by the last sitting day in June 2011, the Minister will report to the Legislative Assembly on the progress and effectiveness of the Department of Territory and Municipal Services' implementation of the recommendations of the *Review of the Operation of the Territory Records Act 2002* that have been accepted...; and
- c) by the last sitting day in February 2012 on the effectiveness of: (i) amendments made to the Territory Records Act 2002, and (ii) standards either revised or issued under the Act, in response to the *Review of the Operation of the Territory Records Act 2002*.

Recommendation (a) has been completed. Recommendation (b) is expected to be tabled by the end of June as stated by the PAC. The Director noted that, of the 20 recommendations made by Paul Macpherson, who undertook the review, 16 have been implemented.

The Director informed Council that he has been giving some attention to the content of the report that will be required to meet Recommendation (c). The work being undertaken by Judith Ellis (see Agenda Item 9 below) is part of that consideration.

**Agenda Item 9. – TRO Updates for Council information – Digital Pathway – Judith Ellis Report**

Records are governed by the Standards, of which two relate specifically to digital records. Standard No.6 on digital records came into operation in June 2007, and Standard No.9 on digitisation of records became effective on 25 March this year. The Director reported that this digitisation Standard is being widely used and the feedback from Records Managers is that they are appreciative of its existence as it provides greater guidance in meeting their business needs.

However, the question now concerns how best to manage the increasing demands created by digital records. Understandably, both the Auditor-General's Report and the Macpherson Review left open ended the way in which digital records management could develop.

The Director said that Judith Ellis is known in Australia and internationally for her contributions to records management and the development of records standards. Judith has been asked to provide a report outlining future directions to be pursued in advancing digital records management in the ACTPS. It is a logical follow-on from the Standards and Reports discussed earlier.

When her report has been received, Council will be asked to comment on it as part of providing advice about the way forward for digital records management in the ACT Government.

The Chair noted that Council would be very interested in participating as digital records management was a strategic priority for Council.

**Agenda Item 10. – Draft Records Disposal Schedule for Equipment and Stores**

A draft Records Disposal Schedule for Equipment and Stores was tabled, and comments were invited from members. These should be provided to the Director prior to the next meeting. David

