

Territory Records Advisory Council Minutes

MEETING No.1 of 2010-11

27 August 2010

Meeting Room
ACT RECORD SERVICES
Building 6, 9 Sandford Street, Mitchell ACT

Present

TRAC: Steve Stuckey (Chair), Veronica Pumpa (Deputy Chair), Jill Caldwell, June Penny, Rebecca Stubbs, Andrew Kefford, David Wardle

TRO: Elizabeth Estbergs, Glenda Tow (Minutes)

Meeting opened: 12:40 pm

Welcome

The Chair welcomed everyone to the meeting.

Apologies

Dr David Headon

Minutes of previous meetings

Resolution Number 1 of Meeting No. 1 2010-11: Minutes of the meeting be approved.

There was no business arising from the previous minutes.

Agenda Item 1. – Auditor-Generals Report – Public Accounts Committee hearings (verbal report)

The Director tabled the *Standing Committee on Public Accounts Review of Auditor-General's Report No.3 of 2008: Records Management in ACT Government Agencies, August 2010*.

The Report was tabled the previous day in the Legislative Assembly.

The three recommendations of the Committee are good and require ongoing reporting to the Assembly. The regularity and structure of reporting will keep agencies aware of their record keeping responsibilities

The Chair of the PAC, Caroline Le Couteur attended the public hearing of the Review into the Territory Records Act. She acknowledged that the 18 month wait by the PAC to receive the government response to the Auditor-General's report was due to the Review of the Act.

Agenda Item 2. – Report of the Review of the *Territory Records Act 2002*

The Director reported that the Review had been presented to the Legislative assembly on 1 July 2010 however as the Review was presented and not tabled it is not available on the Assembly website or in Hansard.

Andrew Kefford explained that standing orders were changed the previous day to provide for automatic authorisation for publication of documents tabled by Ministers during tabling of papers time in the Assembly.

The Council stated the importance of having the Review published and discussed a range of options to achieve this.

Action: Andrew Kefford and David Wardle will liaise on the best way to have the report of the *Review of the Territory Records Act 2002* published on the Assembly website.

Agenda Item 3. – Draft amendments to the *Territory Records Act 2002* (verbal report)

The Director reported that the drafting of the amendments to the *Territory Records Act 2002* had now been completed. Ways were found to give effect to all but one of the recommendations in the Review. The one exception was not being able to incorporate the word ‘Archives’ into the title of the Act.

New clauses establish the relationship with records managed under both the *Legal Aid Act 1977* and the *Health Records (Privacy and Access) Act 1997*. Other provisions deal with the transfer of records to other jurisdictions, the disposal of records and new responsibilities for the Council.

Andrew Kefford reported that the provisions of the *Executive Document Release Act 2001* had been integrated into the amending Act and that a common release day of Canberra Day will now apply to all Territory Records, with Cabinet Records being released at 10 years and other records at 20 years. The first public release will be Canberra Day 2011. The CMD and the TRO websites will explain the public access to Cabinet documents process.

Action:

The Chair to write to Paul Macpherson on behalf of the Council at the time that the Amending Act is presented in the Legislative Assembly and thank him for his work and the excellent outcome from the Review.

Agenda Item 4. – Report on ArchivesACT

The Director gave a brief synopsis of the Wreck Bay Name Indexing Project. Rebecca Stubbs and Elizabeth Estbergs will be travelling to Wreck Bay in early September. Rebecca Stubbs reported that she had spoken to Ruben Ardler from the Wreck Bay Aboriginal Council. There is interest in the project but it was stressed that expectations should not be too high as there are only a small number of families mentioned in the index.

If the Wreck Bay Aboriginal Council is interested in the project, a digitisation program could be considered to provide access to the records. The objective is to facilitate community involvement and start consultation.

No further progress has been made on securing the State Records NSW Travelling Exhibition *In Living Memory*. Council expressed the view that hosting the exhibition would be a good thing for the ACT and of great interest to many Canberrans.

Agenda Item 5. – Report on agency Records Management

The Chair expressed his view that it was very useful for Council to hear details of the interaction between the TRO and the ACT Government agencies. It should be a regular item on the agenda as it is good to remind Council members of the breadth and depth of the TRO work.

Agenda Item 6 - 7. - Draft Standard and Guideline for Records Digitisation and Conversion (verbal report) and Draft Records Disposal Schedule for Source Records

The draft Standard and Guideline was tabled last meeting and is currently out for Agency consultation. TRO has now produced a draft Records Disposal Schedule for Source Records

separate from the Standard. It is anticipated that a revised Standard & Guideline and a Records Disposal Schedule for Source Records will be tabled at the November meeting for the consideration of Council. A legal opinion from the Government Solicitor will be sought prior to the next meeting on the impact of the Standard in relation to evidence in a digital format presented to the ACT Courts.

This is the first non-functional Records Disposal Schedule prepared by the TRO and the format could be used to deal with other records which cannot be described functionally. The Director enquired if the Council would be happy with this approach.

The Chair stated that the TRO should start educating Record Managers and Agencies that there is a range of ways to achieve their recordkeeping responsibilities under the Act. This is one of them. Agencies could achieve savings through digitisation of their records. Advice should accompany the Standard and Guideline.

June Penny asked if there was scope to digitise cultural and socially significant material that might ordinarily be disposed of. Council agreed that there are other things beside record disposal schedules that can be used to determine retaining or disposing of records. Surveyor's notebooks are digitally scanned but the original books are still retained.

The Chair raised the issue of dealing with social media such as Twitter. ArchivesACT have a Twitter account and TAMS will also have a Twitter account in the near future.

Agenda Items 8-9 - New Records Advices

- Records Advice No. 56: The Recordkeeping Responsibilities of ACT Government Employees
- Records Advice No.57: Records and documents required for legal proceedings

The Chair suggested the following wording be added to Records Advice No. 57:

Generally, if a record that is subject to later legal proceedings has been lawfully destroyed under an approved RDS before its need for legal proceedings were apparent, then agencies will be able to argue that such destruction was legally undertaken.

Action: The Director will seek the opinion of the Government Solicitor.

Other Business

The Chair mentioned the importance of having a regular meeting with the Chief Minister. He would, at the next opportunity, discuss a range of issues including digital records and an ACT Repository.

The Chair raised the issue of the Report on artsACT: *Review of the Arts in Canberra*

<http://www.arts.act.gov.au/pages/images/Final%20Report%20by%20Peter%20Loxton.pdf>

The Director explained the Report reviewed the future of Arts funding in the Act and the role of the Cultural Facilities Corporation. The Report is open for public consultation until November. Council might be interested in some of the recommendations, especially those that relate to the documentary heritage collections of CMAG and their relationship to a future ACT Archives Repository.

If Council members feel that they would like to respond to the Report they were asked to contact the Chair direct.

Action:

The Director to send Council members a link to the *Review of the Arts in Canberra* site.

Next meetings

26 November 2010

11 February 2011

Meeting closed: 1:45 pm.

Olwen Conran, Manager of Records Services then took Council members on a guided tour of the ACT Records Services Repository.

Minutes confirmed on:26/11/2010

_____Steve Stuckey (Chair)