

On the Record



Office of the State Archivist

May 2019

Royal Commissions update

Two new Royal Commissions have been announced that may impact Tasmanian government organisations. The Royal Commission into Aged Care Quality and Safety was established in late 2018, and the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability was established in April 2019.

Ross Latham, State Archivist, will visit Heads of Agencies and relevant organisations to advise them that Tasmanian government records may be relevant to either Royal Commission and that they may wish to issue a disposal freeze within their organisations. This will ensure that relevant records remain available:

- for the Royal Commission/s and any resulting actions by the Australian government
- for future reference and accountability purposes
- to protect the rights and entitlements of stakeholders and individuals.

Records in all formats may be relevant, no matter where they are kept. Relevant records may include those from defunct or predecessor organisations, as well as those held by outsourced businesses. Relevant records may include client files and administration records.

Investigations or inquiries in progress, such as Royal Commissions, override authorised disposal schedules or disposal authorisations.

The Office of the State Archivist (OSA) will also be contacting information and records managers about both Royal Commissions.

Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability

Prime Minister Scott Morrison announced the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability on 5 April 2019. The Royal Commission will inquire into the prevention and protection of people with disability from experiencing violence, abuse, neglect and exploitation. It will also examine reporting, investigations of and responses to violence against, and abuse, neglect and exploitation of people with disability.

A website for the Royal Commission has just been set up. It includes the [Letters Patent](#) that fully explain the terms of reference. It is expected the Royal Commission will run for three years, and the final report is due in April 2022.

Royal Commission into Aged Care Quality and Safety

The Royal Commission into Aged Care Quality and Safety was established in late 2018 and a final report is due by 30 April 2020. The Royal Commission is inquiring into quality of aged care services, abuse, and future delivery of care.

Royal Commission into Aged Care Quality and Safety *(continued from previous page)*

It will also examine services to people with disabilities living in aged care facilities, including younger people. The [Letters Patent](#) contain more details.

Hearings started in Adelaide and will continue in Sydney. [Practice Guidelines](#) are now on the website, including the [Documentation Management Protocol](#) that outlines the means and format in which electronic documents are to be produced to the Royal Commission. If your organisation may be impacted, you may like to subscribe to the Royal Commission [mailing list](#) to keep up-to-date.

Royal Commission into Institutional Responses to Child Sexual Abuse

Emma Savage, our new Project Officer, joined us in February. Emma is working with government organisations, other jurisdictions (through the Council of Australasian Archives and Records Authorities) and the Royal Commission Response Unit, Department of Justice to respond effectively to the recordkeeping issues and recommendations of the Royal Commission.

We have written a briefing note for general managers and mayors of local councils (through the Local Government Association of Tasmania) about implementing the recordkeeping recommendations of the Royal Commission. We will follow this up by contacting information and records managers from individual councils over coming months.

Work on our Disposal Schedule for Records relating to Child Abuse (DA2520) is progressing. We sent the Schedule to our Reference Group for comment in February; they met in March to discuss. We expect the Schedule will be finished soon.

[Annual Progress Reporting](#) from the Commonwealth, States and Territories on implementing the recommendations is now available. Institutional reports from non-government organisations or peak bodies engaged in child-related work are also on the website. The Tasmanian report, [Protecting our Children: Implementing the Recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. First year Action Plan 2018-19](#) includes a summary of Recommendations that have been Accepted or Accepted in Principle by Tasmania, and their status.

Welcome to Emma Savage

In February, Emma Savage joined OSA on a contract as a Project Officer. Emma's work is focused on implementing the recordkeeping recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse.

Emma (not to be confused with Emma from Emma Savage Consulting) has been working in Libraries Tasmania, most recently in Collection Development in the Heritage and Legal Deposit area. Some of you may have met Emma during her six years as records officer with the Department of Health and Human Services. Emma recently graduated with a Bachelor of Arts (Librarianship and Corporate Information Management) from Curtin University.

Information management training

Our first training course for the year will be *Information Management Foundations*, 26 June, at the Professional Learning Institute, Glenorchy. Our training is run through the [Tasmanian Training Consortium](#) (TTC) and registrations are now open.

If you can't make this date and would like to express an interest in future courses, please email osa@education.tas.gov.au. This will help us understand demand, and when and where we should be scheduling training.

Help design a data breaches training course

A draft data breach publication, [Data Breaches: Prepare-Prevent-Respond-Recover](#), has been added to our [Information Management Framework](#) for comment. Digital Strategy & Services (DSS), formerly the Office of eGovernment, developed this after consulting with agencies last year to raise awareness of new notifiable data breach laws.

DSS are planning to deliver a half-day training course on dealing with data breaches and are interested to find out your needs in this area. The training will be based on the Data Breaches: Prepare-Prevent-Respond-Recover publication. Case studies may be included and practical exercises on how to plan, respond and recover from a data breach.

If you would like to see particular topics included in the training, or would like to comment on the publication, please contact Peter Rice, Digital Strategy & Services by phone 6270 5675 or email peter.rice@dpac.tas.gov.au.

National edeposit (NED)

Tasmanian government organisations currently meet Tasmanian legal deposit laws by depositing electronic publications on [STORS](#). By doing this, there is no need to transfer copies to State archives. To meet Commonwealth legal deposit laws, a copy also needs to be deposited with the National Library of Australia.

[National edeposit](#) (NED) is a new, one-stop portal that allows you to deposit once and meet both your Commonwealth and State legal deposit obligations and is scheduled to be live by the end of June 2019. NED enables long-term access to content and preserves your publications to international standards. NED is an initiative of Australia's National, State and Territory libraries.

The *Libraries Act 1984, s22* (Tas) requires deposits be made within one month of publication. However, it is anticipated that STORS will be shut down for approximately four weeks while content is migrated to NED and you will not be able to deposit your publications via STORS in that time. You can email legaldeposit@education.tas.gov.au to discuss alternatives or advise that you need to delay your deposit until NED is live.

Further information:

- [Frequently asked questions](#) NED.
-

Major government reports

Joint Standing Committee on the National Capital and External Territories. [Inquiry into Canberra's national institutions](#)

The committee made 20 recommendations, including the relocation and expansion of the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), a business case for the establishment of a natural history museum in Canberra, digitisation of analogue audio-visual items by 2025 and a permanent shared exhibition space and collection storage facility.

- [Telling Australia's Story – and why it's important. Inquiry into Canberra's national institutions.](#) Joint Standing Committee on the National Capital and External Territories, April 2019.

Major government reports *(continued from previous page)*

Independent Review of the APS: Priorities for Change

The Independent Review Panel was given the task of ensuring the Australian Public Service is fit-for-purpose for the coming decades. This interim report identifies four priorities for change: Strengthen the culture, governance and leadership model; Build a flexible APS operating model; Invest in capability and talent development and Develop stronger internal and external partnerships. Data and information sharing, seamless services, digital capability and future ways of working are highlighted. The final report is due mid-year.

- [Independent Review of the APS: Priorities for change](#). Department of the Prime Minister and Cabinet, March 2019.

Australian Criminal Intelligence Commission. Administration of the Biometric Identification Services project

The Biometric Identification Services project (BIS) is a \$52 million project to replace the existing National Automated Fingerprint Identification System and add facial recognition. Key messages for government entities focused on governance and risk management, contract management and records management. Poor recordkeeping was highlighted: "An example of poor record keeping was the BIS contract itself. While the Australian National Audit Office located electronic drafts of the contract (or parts of it) in multiple locations, it took ACIC more than four weeks to find and produce a definitive original document."

- [The Australian Criminal Intelligence Commission's Administration of the Biometric Identification Services Project](#). Australian National Audit Office. Auditor-General Report No.24 2018-19.

Public Record Office of Victoria. Recordkeeping Major Highlights and Challenges

A snapshot of the major recordkeeping challenges currently facing the Victorian Public Sector and the activities which have brought these to light. Challenges include risk management, end of life systems, information sharing and governance.

- [Recordkeeping Major Highlights and Challenges: A report on the Victorian Government recordkeeping landscape 2017-18](#). Public Record Office of Victoria, February 2019.

Queensland Crime and Corruption Commission. Taskforce Flaxton

Taskforce Flaxton identified misuse of information as a concern, particularly in relation to the safety and security of prisoners. Recommendation 27 includes replacing the offender management system with one that meets information management and security standards, reducing the risk of inappropriate access to prisoner information, and identifying information management as a strategic risk.

- [Taskforce Flaxton: An examination of corruption risks and corruption in Queensland prisons](#). Queensland Crime and Corruption Commission, December 2018.

Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry

The Final Report made two recommendations (6.9 and 6.10) about co-ordination and sharing information of breach notifications between APRA and ASIC. A new, common database is also on the cards.

- [Final Report. Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry](#). Volume 1. 2019.

In the news

Legislation

[Jamming the shredder - Archive law in Hong Kong.](#) *Harbour Times*, 7 December 2018.

The Law Reform Commission of Hong Kong is consulting the public on whether Hong Kong's current public records management practice and public access to information needs a revamp. Pro-democracy politicians welcome the move, but worry legislation might come too late.

Privacy and consent

[Explainer: Workplace Monitoring & Surveillance.](#) *Data&Society*, February 2019.

The collection of biometric data in the workplace raises questions about ownership, retention, and uses of this data, as well as whether employers can compel workers to hand over biometric data.

[How Taylor Swift showed us the scary future of facial recognition.](#) *The Guardian*, 15 February 2019.

Taylor Swift raised eyebrows late last year when Rolling Stone magazine revealed her security team had deployed facial recognition technology during her Reputation tour to root out stalkers.

[My Health Record: clinics receiving up to \\$50,000 a year in incentives.](#) *The Guardian*, 2 February 2019.

Amid the bonus payments, there are concerns patients have been signed up without their informed consent.

Law enforcement

[Alleged gang rape victim says police told her they 'destroyed' evidence.](#) *ABC*, 9 April 2019.

Queensland detectives have privately told an alleged gang rape victim that evidence has been destroyed in a number of criminal cases including hers, crushing her hopes that all the attackers will be brought to justice.

[Regional policy records system 'a disaster' as costs mount for Portland police.](#) *The Oregonian*, February 2019.

Seven years after it was touted as an innovative electronic records system to manage police reports from 40 police agencies for sharing, the RegIN program now has only seven participating agencies, with Portland police stuck kicking in millions to cover the bill.

[Some U.S. police departments dump body-camera programs amid high costs.](#) *The Washington Post*, 21 January 2019.

Costs have spiked in recent years in some regions of the country because of new state laws that require long-term storage of video footage.

[Understanding law enforcement information sharing for criminal intelligence purposes.](#) *Trends & issues in crime and criminal justice*, Australian Institute of Criminology, No.566, December 2018.

There are a number of legislative, technical and cultural barriers that limit the free flow of information between Australia's law enforcement agencies. This report examines those barriers and develops an information sharing matrix that explains the barriers associated with different types of information sharing.

[Former union boss convicted of destroying tonnes of evidence to pre-empt royal commission.](#) *The Guardian*, 17 December 2018.

Former Queensland CFMEU president David Hanna's trial heard he asked staff to burn files, which were then dumped in the tip.

And finally...

[Archive shows medieval nun faked her own death to escape convent.](#) *The Guardian*, 12 February 2019.

A team of medieval historians working in the archives at the University of York has found evidence that a nun in the 14th century faked her own death and crafted a dummy "in the likeness of her body" in order to escape her convent and pursue - in the words of the archbishop of the time - "the way of carnal lust".

In brief

Tasmanian Government Cybersecurity Policy

The Tasmanian Government Digital Services Board approved the Tasmanian Government Cybersecurity Policy in December 2018. The Policy substantially replaces the previous Tasmanian Government Information Security Policy and applies to all agencies listed in Schedule 1 of the *State Service Act 2000* (Tas). Copies of the policy may be obtained by contacting cybersecurity@dpac.tas.gov.au

Office 365

In our last newsletter we put a call out for practitioners involved in implementing Office 365. Thanks to those of you that responded. We know that local government is enthusiastic about the benefits of Office 365 and that State Government is also progressing implementation.

We've been doing some research on opportunities and records issues. We plan to develop case studies to improve recordkeeping compliance for some of the collaborative tools included in Office 365, such as OneNote and Teams. We would welcome your feedback so we can learn from your experiences.

Approved Secondary Storage Providers

We've recently recertified several secondary storage providers and have updated our [website](#) with new certification dates. In future, we won't be assessing contracts for specific clauses as providers often have many contracts for different clients, and national providers have difficulty customising clauses to specific jurisdictions. If you are about to renew an existing agreement, or enter into a new one, please [contact us](#) to discuss.

Best practice guide to applying data sharing principles released

The [guide](#) aims to help agencies holding Australian Government data to safely and effectively share data. The principles are based on the United Kingdom's Five Safes framework and have been developed by the Office of the National Data Commissioner (ONDC) with the Australian Bureau of Statistics (ABS).

Tasmanian Chapter of RIMPA

Following a favourable response to expressions of interest in establishing a RIMPA Tasmanian Branch, a General Meeting was held in Hobart on 30 January for members and interested parties.

The re-establishment of a Tasmanian Branch was discussed and as an interim measure, a Tasmanian Chapter of RIMPA commenced. The first meeting of the chapter took place on 11 April 2019.

Upcoming conferences

8-11 October 2019: [RIMPA Live](#), the 35th Records and Information Management Professionals Australasia's convention, Melbourne. (RIMPA Live was previously known as *InForum*. Note the change of date and location.)

21-25 October 2019: [Designing the Archive](#), Adelaide. Joint conference of the Australian Society of Archivists (ASA), Archives and Records Association of New Zealand Te Huinga Mahara (ARANZ), International Council on Archives (ICA) and Pacific Regional Branch of the ICA (PARBICA).

If you'd like to update your newsletter subscription, please [contact us](#).