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27 October 2017

Department of
**Science, Information
Technology and Innovation**

TO BE OPENED BY ADDRESSEE ONLY

Mr Jamie Merrick
Director-General DSITI
GPO Box 5078
BRISBANE QLD 4001

Dear Mr Merrick

Report of statutory investigation into alleged unauthorised disposal of emails

Please find attached for noting, my report and summary of key recommendations from the statutory investigation I have recently conducted. This investigation was into allegations of unauthorised disposal of public records by the Hon Mark Bailey MP, Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply.

Yours sincerely

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Pages 2 through 34 redacted for the following reasons:

Publicly Available 33 Page Report 24 October 2017

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STATE ARCHIVIST BRIEFING

TO

JAMIE MERRICK,

DIRECTOR GENERAL,

DEPARTMENT OF SCIENCE, INFORMATION

TECHNOLOGY AND INNOVATION (DSITI)

**KEY RECOMMENDATIONS RESULTING FROM THE STATUTORY
INVESTIGATION INTO ALLEGATIONS OF UNAUTHORISED DISPOSAL OF
PUBLIC RECORDS BY HONOURABLE MARK BAILEY MP, MINISTER FOR MAIN
ROADS, ROAD SAFETY AND PORTS AND MINISTER FOR ENERGY, BIO FUELS
AND WATER SUPPLY**

24 OCTOBER 2017



This briefing is a summary of key recommendations resulting from the independent investigation undertaken by the State Archivist to fulfil his statutory responsibility to investigate allegations of unauthorised disposal of public records by Mark Bailey, MP, Minister for Main Roads, Road Safety and Ports and Minister for Energy, Bio Fuels and Water Supply.

The investigation sought to answer a number of core questions:

1. Were there public records within the private email account of Minister Bailey at the time of the deletion of the account on 5 February?
2. If there were public records present, were any disposed of without appropriate authorisation?
3. Did the actions of Minister Bailey in managing the public records contained within this private email account result in a breach of the *Public Records Act*?
4. What actions if any should be taken in response to breach of the *Public Records Act*?
5. What other actions in regard to fulfilling the purpose of the *Public Records Act* are required to be undertaken by the State Archivist or others as a result of this investigation?

WERE THERE PUBLIC RECORDS WITHIN THE PRIVATE EMAIL ACCOUNT OF MINISTER BAILEY AT THE TIME OF THE DELETION OF THE ACCOUNT ON 5 FEBRUARY?

There have been 1199 public records identified that were within the account at the time of deletion.

IF THERE WERE PUBLIC RECORDS PRESENT, WERE ANY DISPOSED OF WITHOUT APPROPRIATE AUTHORISATION?

Of the 1199 public records identified: 539 were able to be disposed of without additional authorisation, as they were deemed as transitory public records and were not required to be retained beyond their immediate business use. Minister Bailey had authorisation to dispose of these 539 public records.

660 were required to be retained for periods ranging from 2 years to permanent retention. 69 records were deemed as having permanent value and were required to be retained permanently. 355 records were required to be retained for 7 years.

DID THE ACTIONS OF MINISTER BAILEY IN MANAGING THE PUBLIC RECORDS CONTAINED WITHIN HIS PRIVATE EMAIL ACCOUNT RESULT IN A BREACH OF THE *PUBLIC RECORDS ACT*?

On 5 September 2017, the State Archivist provided a report to the Crime and Corruption Commission (CCC) relating to the State Archivist's investigation into Minister Bailey's actions. On 22 September 2017, the CCC announced that they would not be taking any criminal actions against Minister Bailey in regard to this matter.

The State Archivist's view is that Minister Bailey's actions in managing the public records within his private email account were likely to have resulted in multiple technical breaches of the *Public Records Act*. Specifically:

Section 7 – Making and keeping of public records

Section 8 – Custody and preservation of public records

Section 13 – Disposal of public records

Section 14 – Public authority must ensure particular records remain accessible.

Following the decision of the CCC, the State Archivist considered whether any actions should be taken under the powers of the *Public Records Act*, for which he is responsible and under which decisions related to disposal must be made by the State Archivist without direction or interference.

Following careful consideration the State Archivist has concluded that no actions should be taken by the State Archivist in response to the potential breaches of the *Public Records Act* by Minister Bailey.

For breaches under sections 7, 8 and 14 the *Public Records Act* provides no penalties for breach, thus prosecution is not possible under the *Public Records Act*. In regard to section 13 - disposal of public records - the State Archivist's view is that the evidence available is unlikely to be able to prove beyond reasonable doubt that breach of section 13 has occurred. The fact that Minister Bailey eventually recovered the public records with the assistance of the CCC and that technically the breach would have only been for 26 days even if proven is significant.

WHAT OTHER ACTIONS ARE REQUIRED TO BE UNDERTAKEN BY THE STATE ARCHIVIST OR OTHERS AS A RESULT OF THIS INVESTIGATION?

The investigation has highlighted the potential for widespread creation and receipt of public records in the private email accounts of Ministers and their staff. Without appropriate processes to manage public records created or received within the private email accounts of Ministers there is a significant risk of further breaches of the *Public Records Act* by other Ministers and their staff.

This issue is symptomatic of much wider issues related to the standard of government recordkeeping practice in multiple areas of the Queensland public sector. The State Archivist has outlined a number of key recommendations that relate to actions that should be taken as a matter of urgency both in regard to the specific issue of management of public records in private email accounts of Ministers and their staff and other wider issues.

KEY RECOMMENDATIONS

CURRENT AND FORMER MINISTERS

- The State Archivist to seek assurance from current Ministers that Ministerial records are managed appropriately including procedures for the management of Ministerial records created or received within private email accounts and social media accounts.
- The State Archivist to explore appropriate ways of seeking permanent value Ministerial records that may be in the possession of former Ministers including those contained within private email accounts.

MINISTERIAL RECORDS/RECORDKEEPING

- The State Archivist to issue new guidance for Ministers and their staff on the management of Ministerial records.
- The State Archivist to issue a revised retention and disposal schedule to cover Ministerial records. This revision will be focused on making the process far more practical for Ministers and their offices.
- The Department of the Premier and Cabinet to review training, IT systems and advice provided to Ministers and their staff on the management of Ministerial records to ensure compliance with State Archivist guidance.
- The Department of the Premier and Cabinet to review and update the Ministerial Handbook and the Information Security Policy regarding the management of Ministerial records created or received within private email accounts or social media accounts to ensure compliance with State Archivist guidance.

URGENT AMENDMENTS TO THE PUBLIC RECORDS ACT

- Government to consider urgent amendments to the Public Records Act 2002 including:

- Clear and contemporary definition of the disposal of public records.
- Appropriate penalties for breaches of key sections of the Public Records Act 2002 in particular non-compliance and unauthorised disposal.
- Compliance with mandatory recordkeeping guidelines.
- Public records contained in private email or social email accounts to be forwarded/transferred to official systems within 20 days of receipt or creation.
- Establishment of a relevant and responsible public authority for Ministerial records.

GENERAL RECORDKEEPING

- The State Archivist to review and update guidance for all public authorities on the management of public records within email, private email and social media accounts.
- The State Archivist to issue new minimum standards for recordkeeping for all public authorities that replace Information Standard 40: Recordkeeping and Information Standard 31: Retention and disposal of public records. With the aim of these becoming mandatory requirements once the Public Records Act 2002 is amended.
- The State Archivist to develop an auditing regime to monitor compliance with the Public Records Act 2002.

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Heather Rayfield

From: Mike Summerell
Sent: Friday, 22 September 2017 4:50 PM
To: innovation@ministerial.qld.gov.au
Cc: Jamie Merrick
Subject: State Archivist Report to Minister - CONFIDENTIAL
Attachments: Methodology – Investigation into potential breach of the Public Recordspdf; State Archivist Report to Minister - Final.pdf

Attached is my independent report fulfilling my statutory duty to independently investigate allegations related to the disposal of public records by Minister Mark Bailey

CCC have indicated that as their interest in the matter has ended that it is now appropriate to provide my statutory report on this matter to the Minister responsible for State Archives

This report deals solely with potential breach of the Public Records Act and contains no additional matters related to allegations of corrupt conduct that are the responsibility of the CCC

The contents contained in this report are largely consistent with key considerations, conclusions and recommendations provided in my report to CCC on Public Records Act related matters

Regards

Mike



Mike Summerell

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Customers first | Ideas into action | Unleash potential | Be courageous | Empower people

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Attachment A

METHODOLOGY

Investigation by the State Archivist
into the alleged breach of the *Public Records Act 2002*
by Minister Mark Bailey

Queensland State Archives

August 2017

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Methodology overview:

1. Classification Process: Identification of any emails or other documents within *Mangocube6@yahoo.co.uk* which fall within the definition of a Public Record, as provided by the Act, created within the period 16 February 2015 to 28 February 2017, which encompasses the period commencing with Minister Bailey's appointment to the date that Email Account was deleted.
2. Sentencing Process: In respect of all Public Records identified, determine appropriate Sentencing and application of Retention periods for all Public Records identified.

1. Review Process

1.1 Purpose

Have a defensible and justifiable quality assurance process for classifying and sentencing public records identified in *Mangocube6@yahoo.co.uk*. The purpose of sentencing and classifying the public records is to consider whether the actions related to the potential destruction of public records within the Email Account may have amounted to a breach of the *Public Records Act 2002*.

Total number of emails included in this review are 1167. These emails were identified as Relevant following the Department of Premier and Cabinet (DPC) and Qld State Archives review, with the findings submitted to the Crime and Corruption Commission (CCC) on 15 June 2017. On 19 July 2017 the CCC announced¹ there was sufficient evidence to raise a reasonable suspicion of corrupt conduct relating to the potential destruction of public records by the Minister as this may be an offence under the *Public Records Act 2002* and referred the matter to the State Archivist.²

1.2 Methodology

This methodology provides an audit trail of decisions, which includes six levels of assessment by experienced personnel both within QSA and industry.

- The emails were provided to QSA on 21 July 2017 by CCC as a report from Ringtail, which is an e-discovery software application used in the DPC/QSA review. The report was in Excel format and listed the emails and attachments.
- The spreadsheet was customised by QSA to meet the requirements of their investigation. The new columns included: summary of email, sentencing justification, sentencing rule, disposal authorisation number, minimum date for lawful disposal, and if the content of the email is of interest or considered contentious.

¹ See the [CCC media release 19 July 2017](#)

² See Terms of Reference 17/20366

- Each email and attachments were printed, placed in a folder and numbered using a sequential numbering pattern starting at #1. Attachments that could not be opened were noted on the printed copies. If the attachments could be opened the email was recorded as complete.
- The level 1 reviewers were assigned approximately 400 emails each to sentence and assess against the sentencing guide³ developed for the investigation (see sections 2 and 3 of this methodology). Their decisions were recorded in the spreadsheet.
- Upon completion of the review the data captured in the spreadsheet was merged into a word document. The data relating to each email was printed and placed with each corresponding email. The printout acted as a coversheet and recorded the decisions from the remaining reviewers.
- The level 1 reviewers assessed the emails reviewed by the other level 1 reviewers. The purpose of this review was to highlight inconsistencies, note agreement or alternate sentencing options along with justifications. These decisions were handwritten on each coversheet.
- The level 2 reviewers assessed the decisions documented by the level 1 reviewers and noted their agreement or alternate sentencing options along with justifications. They each reviewed 1167 emails.
- Throughout the QSA review (level 1 and 2 reviews) sentencing rules were developed and confirmed by the external panel (see section 3.3 for the rules). The purpose of these rules:
 - Consistency in classifying and sentencing the emails.
 - Documented approach to support and justify the investigation methodology.
- Three experts from the information management and archival sectors from across Australia made up the 3rd level reviewers. They provided an independent and objective assessment of the methodology and business rules, and sampled approximately 60% of the emails. This review took place over two days at the QSA Runcorn office. See 17/22630 for minutes of the workshop with external panel.
- The findings from the review were used to:
 - Respond to the CCC request to investigate the alleged breach of the *Public Records Act 2002*.
 - Develop a report on findings from the investigation that relates to recordkeeping within Qld government public authorities.

³ These guides were developed to provide consistency and were based on the rules developed during the DPC/QSA review.

1.3 Overview of review stages

Review stage	Purpose / outcome
<p>Level 1 – Archivists & Policy Officer (QSA)</p>	<p>Three experienced officers sentenced the records in accordance with the GRDS and QDAN328v6.</p> <p>Part A: Each reviewer assigned approx. 400 emails and:</p> <ul style="list-style-type: none"> a) Confirm if the emails are public records b) Assign a sentencing rule to the emails using the sentencing guide (see sections 2 and 3) c) Sentence the records by assigning a disposal authorisation reference from the GRDS or QDAN328v6 d) Indicate whether the records are contentious or are of interest to the investigation <p>Part B: Each reviewer checks remaining emails (approx. 800) to:</p> <ul style="list-style-type: none"> a) Determine if they agree with the review undertaken by the other level 1 reviewers, and justify their reason if they disagree.
<p>Level 2 – Senior team (QSA)</p>	<p>Two experienced officers to check the sentencing and classification of the 1167 emails.</p> <ul style="list-style-type: none"> a) Purpose of the review was to check the outcome of the level 1 review by checking: <ul style="list-style-type: none"> i. if the emails are public records ii. the sentencing decisions iii. other review decisions i.e. contentious, consistency applied
<p>Level 3 – External (industry experts)</p>	<p>Three panel of experts external to QSA to provide an independent and objective review of the emails.</p> <ul style="list-style-type: none"> a) Review the sentencing rules and investigation methodology b) Check a sample of emails to test the sentencing rules <p>Objective: note the methodology.</p>
<p>Level 4 – State Archivist</p>	<p>Final check of the process as the responsible officer of the QSA investigation. The results from the investigation were used by the State Archivist to develop the reports.</p>

Classification Process

2.1 Definitions as per the *Public Records Act 2002*

Ministerial record	<p>A record created or received by a Minister in the course of carrying out the Minister's portfolio responsibilities but does not include:</p> <ol style="list-style-type: none"> A record related to the Minister's personal or party political activities; or A record the Minister holds in the Minister's capacity as a member of the Legislative Assembly
A public record	<p>Any of the following records made before or after the commencement of this Act—</p> <ol style="list-style-type: none"> a record made for use by, or a purpose of, a public authority, other than a Minister or Assistant Minister; a record received or kept by a public authority, other than a Minister or Assistant Minister, in the exercise of its statutory, administrative or other public responsibilities or for a related purpose; a Ministerial record; a record of an Assistant Minister. <p>A public record includes</p> <ol style="list-style-type: none"> a copy of a public record; and a part of a public record, or a copy of a part of a public record.
Disposal	<p>Disposal of a record includes:</p> <ol style="list-style-type: none"> destroying or damaging the record, or part of it; or abandoning, transferring, donating, giving away or selling the record, or part of it.

2.2 Classification categories for records identified as Relevant during the DPC/QSA review⁴

The following categories were used to classify the emails to determine their status as public records:

- Relates to the *Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply* as per definitions in 2.1.
- Public record for other purposes as per definitions in 2.1.
- Irrelevant – not considered public or ministerial record as per definitions in 2.1.

⁴ See Terms of Reference 17/20366

Classification category	Explanation	Record status	Comments
Energy portfolio	<p>Carrying out of portfolio responsibilities by the Minister relating to the following:</p> <ul style="list-style-type: none"> • Energy and Water Utilities including- Biofuels • Clean Energy • Electricity and Gas Sectors and Markets Regulation, Monitoring and Consumer Protection • Energy Efficiency, Conservation and Demand Management • Energy Industry Development • Nuclear Energy Policy • Renewable Energy • Reticulated Fuel Gas Distribution and Retail • Sufficiency of Supply of Fuel Gas and Liquid Fuel <p>Responsibilities as a shareholding Minister.*</p>	Ministerial Record	<p>Biofuels was added to the portfolio from 8 December 2015.</p> <p>Shareholding Minister: under the Government Owned Corporation (GOC) legislation powers and area of influence are broader compared to other Ministers.</p>
Water supply portfolio	<p>Carrying out of portfolio responsibilities by the Minister relating to the following:</p> <ul style="list-style-type: none"> • Bulk Water supply, distribution and retail arrangements • Management of Water Supply Emergencies • Regulation of drinking and recycled water quality, water supply continuity and water service provider performance • Regulation of the Safe Operation and Management of Referable Dams • Water Supply Policy and Planning <p>Responsibilities as a shareholding Minister.*</p>	Ministerial Record	<p>Shareholding Minister: under the Government Owned Corporation (GOC) legislation powers and area of influence are broader compared to other Ministers.</p>
Main Roads, road safety and ports portfolio	<p>Carrying out of portfolio responsibilities by the Minister relating to the following:</p> <ul style="list-style-type: none"> • Land Transport and Safety 	Ministerial Record	<p>Shareholding Minister: under the Government Owned Corporation (GOC) legislation powers and area</p>

	<ul style="list-style-type: none"> Main Roads Marine Infrastructure – Project Delivery Maritime Personalised Transport Ports <p>Responsibilities as a shareholding Minister for port operations.*</p>		of influence are broader compared to other Ministers.
Portfolio Acting Arrangements	<p>Carrying out of portfolio responsibilities by the Minister relating to the following:</p> <ul style="list-style-type: none"> See attachment 1 – Mark Bailey portfolio acting arrangements 	Ministerial Record	Minister Bailey was responsible for several portfolios in a short-term acting capacity
Ministerial office administration	<ul style="list-style-type: none"> Calendar bookings Events Policy arrangements Sharing of information about portfolio activities Marketing and communications (briefings and promotional matters) Personnel relations (job applications, staff matters) Lobby and advocacy requests relating to his ministerial office Targeted requests e.g. LinkedIn requests, Fb 	Ministerial Record or Public Record	Some of these records may be managed by Ministerial Services Branch (MSB) Target requests made/received by Mark Bailey about running his ministerial office
Government activity relating to another Minister's portfolio	Emails received or sent by Mark Bailey relating to another Minister's portfolio	Public Record	These records are public records and maybe ministerial records of another Minister
Insufficient contextual information	Any email which has insufficient contextual information to confidently code as irrelevant or public record or where insufficient content can be viewed to make a determination.	Questionable	
Technical	Records cannot be accessed due to technical restrictions	Questionable	If no contextual information is available in email (attachments)

irrelevant	Non-public records (e.g. personal; electorate; parliamentary; party-political)	Not public records	A record related to the Minister's personal or party political activities; or A record the Minister holds in the Minister's capacity as a member of the Legislative Assembly
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2.2.1 Government owned corporations (GOCs) and Shareholding Ministers

Sectors in which GOCs operate include energy, transport, funds management, port operations and water. See Attachment 2 for a list of the GOCs the Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply is the Shareholding Minister.

The objectives of corporatisation, as set out in Section 14 of the GOC Act, are to improve Queensland's overall economic performance and the ability of the government to achieve social objectives by improving the efficiency and effectiveness of GOCs and improving their accountability.

The GOC Act provides for GOCs to have two shareholding Ministers – the GOC Minister (the Treasurer) and the portfolio Minister (e.g., in the case of transport GOCs, the Minister for Transport). Certain powers to be jointly exercised are conferred on the shareholding Ministers.

3. Sentencing Process

3.1 Objective

Apply a disposal authorisation reference to the emails classified as public records located in the email account Mangocube6@yahoo.co.uk using the following two authorities issued by the State Archivist:

- [QDAN328v.6 Office of a Minister of the Crown and Parliamentary Secretaries](#) approved 7/01/2009
- [General Retention and Disposal Schedule \(GRDS\)](#) issued 1/09/2016

3.2 Sentencing assessment guide

These guidelines were developed to provide sentencing consistency and were based on the rules developed during the DPC/QSA review.

Classification	Email type	Explanation	Original categorisation	Classification (as per 2.2)	Disposal authorisation reference options
QSA1	Bulk subscription email services where Minister Baily has used his ministerial account to subscribe & then forwarded the email on to MangoCube6	Emails subscriptions which were subscribed to and received in a ministerial capacity and public records within his ministerial account remain public records when forwarded to his personal account – example: Mediaportal	Relevant	Energy Portfolio Water Portfolio Main Roads Portfolio Acting Portfolio	GRDS ref: 1273 (transitory)
QSA2	LinkedIn requests which seek to meet/lobby or send CV/request a job where it relates to his ministerial office & portfolio responsibilities	Targeted employment requests/offers of service made to the Minister regarding roles/positions relate to the carrying out of his portfolio responsibilities or ministerial office and considered to be a 'ministerial record'	Relevant	Energy Portfolio Water Portfolio Main Roads Portfolio Acting Portfolio Ministerial Office	QDAN328v.6 ref: 1.2.1 (perm) 1.2.2 (7 years) 1.2.3 (2 years)
QSA3	Emails attaching recruitment recommendations, seeking employment or CVs for Chiefs of Staff,	Targeted employment requests/offers of service made to the Minister regarding	Relevant	Ministerial Office	GRDS ref: 1257

	policy advisors, board positions, office or portfolio area staff, etc.	roles/positions related to the carrying out of his portfolio responsibilities or Ministerial office and considered to be a 'ministerial record'. Includes suggestions of a candidate provided by an external source for board positions. Person isn't being nominated or there isn't an opening a name is put forward as a possibility. Successful board appointments		(3 years after recruitment finalised) <i>For consistency this rule is applied to all resumes received. We are assuming all resumes are considered by Mark for a position which rules out GRDS1273.</i> Board GRDS 1266 (2 years) QDAN328v6 ref: 1.5.1 (perm)
QSA4	Emails which seek a meeting/further communication from the Minister which mention portfolio controlled matters. Includes queries or complaints received by the Minister relating to portfolio matters.	Considered to be related to the carrying out of portfolio responsibilities by the Minister and therefore a 'ministerial record'.	Relevant	QDAN328v.6 ref: 1.2.1 (perm) 1.2.2 (7 years) 1.2.3 (2 years)
QSA5	Facebook summary activity/insight statistics & adverts - if clearly related to ministerial responsibilities/his portfolio	Considered to be related to the carrying out of portfolio responsibilities by the Minister and therefore a 'ministerial record'.	Relevant	GRDS ref: 1275 (transitory) Finance payments 1099 (7years)
QSA6	Facebook posts or tags or tweets where he is asked a portfolio related question and/or a	Considered to be related to the carrying out of portfolio responsibilities by the Minister and therefore a 'ministerial record'.	Relevant	QDAN328v.6 ref: 1.2.1 (perm) 1.2.2 (7 years)

	response or specific action is sought and expected			Water Portfolio Main Roads Portfolio	1.2.3 (2 years)
QSA7	For attachments: if corresponding email is relevant	If the body of the email has been assessed as relevant then all of the attachments have also been coded as relevant as 'public records' include the whole or part of the record under the Act.	Relevant		QDAN328v.6 or GRDS
QSA8	Direct emails to him sharing information of interest/related to his portfolio areas, including national and international trends/info; opposition activities in the portfolio area	Targeted information provided to the Minister regarding matters within his portfolio are related to the carrying out of his portfolio responsibilities or ministerial office and considered to be a 'ministerial record' See QSA14 for information and news links e.g. media statement circulars not captured in the Ministerial media statements solution.	Relevant	Ministerial Office Energy Portfolio Water Portfolio Main Roads Portfolio	QDAN328v.6 ref: 1.2.1 (perm) 1.2.2 (7 years) 1.2.3 (2 years)
QSA9	Emails which seek to brief/influence/advocate about his areas of portfolio responsibility, including his responsibilities as a Shareholding Minister	Targeted advocacy or information provided to the Minister regarding matters within his portfolio are related to the carrying out of his portfolio responsibilities or ministerial office and considered to be a 'ministerial record' Includes briefings relating to standard ministerial portfolio matters e.g. operational energise	Relevant	Energy Portfolio Water Portfolio Main Roads Portfolio	QDAN328v.6 ref: 1.6.2 (perm) 1.2.1 (perm) 1.2.2 (7 years) 1.2.3 (2 years) 1.1.4 (perm) 1.1.5 (7 years)
QSA10	Emails with other Ministers which seek to influence/advocate about specific matters that will go before Cabinet but which are not directly related to his portfolio but which nonetheless constitute a ' Ministerial record' by reference to one of the included Ministers	If the email includes the relevant Minister who does have responsibility for the mentioned portfolio area then the communication is still a 'ministerial record' even if it is not Minister Bailey's ministerial record.	Relevant	Energy Portfolio Water Portfolio Main Roads Portfolio	QDAN328v.6 ref: 1.1.3 (perm) 1.2.1 (perm) 1.1.5 (7 years) 1.1.7 (transitory)

QSA11	Also includes emails from parties outside of government discussing cabinet matters. Emails which relate to the development of promotional/communication material including for the Labor party or Unions, which are issued in his name as a Minister or driven by him in his ministerial portfolio role, or provide factual information about what his portfolio is doing	Considered to be related to the carrying out of portfolio responsibilities by the Minister and therefore a 'ministerial record'. Includes the development of Ministerial speeches by people external to the ministerial portfolio e.g. university employee writing about solar energy.	Relevant	Ministerial Office Energy Portfolio Water Portfolio Main Roads Portfolio	QDAN328v6 1.2.3 (2 years) GRDS ref: 1147 (perm) 1148 (5 years) 1275 (transitory) Speeches: 1065 (perm) 1066 (2 years)
QSA12	Sent emails relating to portfolio business which are a brief acknowledgement of receipt, e.g. 'ta'.	Considered to be related to the carrying out of portfolio responsibilities by the Minister and therefore a 'ministerial record'.	Relevant	Ministerial Office Energy Portfolio Water Portfolio Main Roads Portfolio	QDAN328v.6 or GRDS
QSA13	Photos taken which appear to relate to his office and ministerial portfolio areas and sent from his ministerial account to Mangocube6 account, or from his Mangocube6 account to his Mangocube6 account, including those where the image can't be seen. Includes photos sent to other email accounts.	Considered to be related to the carrying out of portfolio responsibilities by the Minister and therefore a 'ministerial record'.	Relevant	Ministerial Office Energy Portfolio Water Portfolio Main Roads Portfolio	GRDS ref: Agency publications 1147 (perm) 1148 (5 years) Routine communication 1275 (transitory)
QSA14	Emails sent from his ministerial account to Mangocube6 which relate to his portfolio responsibilities (i.e. if they are a public record in	Information or news links received in a ministerial capacity and public records within his ministerial account remain public records	Relevant	Ministerial Office	GRDS ref:

	the ministerial account, they remain a public record in the Mangocube6 account)	when forwarded to his personal account. e.g. media statement circulars not captured in the Ministerial media statements solution.		Energy Portfolio Water Portfolio Main Roads Portfolio	1273 (transitory) – external reference information 1268 (transitory) – admin arrangements
QSA15	Sent emails from his Mangocube6 account to his ministerial office staff sharing information relating to his portfolio.	Considered to be related to the carrying out of portfolio responsibilities by the Minister and therefore a 'ministerial record'.	Relevant	Ministerial Office Energy Portfolio Water Portfolio Main Roads Portfolio	QDAN328v.6 ref: 1.2.1 (perm) 1.2.2 (7 years) 1.2.3 (2 years) 1.8.1 (transitory)
QSA16	Emails where the specific document exchange may not be a public record per se, e.g. it's a personal question/comment, but the remainder of the string contains a public record (i.e. part of a record)	The definition of 'public records' under s 6 of the Act includes a copy or part of a public record.	Relevant	Ministerial Office Energy Portfolio Water Portfolio Main Roads Portfolio	QDAN328v.6 or GRDS
QSA17	Emails about personally resigning from being a member of the ETU	Considered to be related to the carrying out of portfolio responsibilities by the Minister and therefore a 'ministerial record'.	Relevant		QDAN328v.6 ref: 1.5.2 (10 years)
QSA18	Ministerial office staff discussions about portfolio or ministerial office management activities, i.e. related news articles, media releases	Considered to be related to the carrying out of portfolio responsibilities by the Minister and therefore a 'ministerial record'.	Relevant	Ministerial Office	QDAN328v.6 ref: media releases: 1.7.1 (perm) 1.7.2 (transitory) Office admin: 1.8.1 (transitory)

QSA19	Emails relating to matters where he jointly administers legislation	Considered to be related to the carrying out of portfolio responsibilities by the Minister and therefore a 'ministerial record'.	Relevant	Government activity Ministerial Office Energy Portfolio Water Portfolio Main Roads Portfolio	QDAN328v.6 ref: 1.6.1 (perm) 1.1.1 (perm) 1.1.4 (perm) 1.1.5 (7 years)
QSA20	Discussions between fellow MPs which directly relate to the undertaking of his Ministerial portfolio responsibilities (i.e. received in his Ministerial capacity)	Considered to be related to the carrying out of portfolio responsibilities by the Minister and therefore a 'ministerial record'.	Relevant		QDAN328v.6 ref: 1.1.3 (perm) 1.1.4 (perm) 1.1.5 (7 years)
QSA21	Briefing & promotional information sent and/or received about what's happening within his portfolio agencies /GOC's/departments.	Considered to be related to the carrying out of portfolio responsibilities by the Minister and therefore a 'ministerial record'. May include sit-reps and briefings but an agency rep about an event e.g. severe weather warning updates. Some updates may only be made in the subject line and come from an agency. These could be seen as transitory but it is important to show that the Minister has been kept up-to-date and he can communicate to community groups and media about a disaster/event.	Relevant	Ministerial Office Energy Portfolio Water Portfolio Main Roads Portfolio	QDAN328v.6 ref: 1.1.4 (perm) 1.1.5 (7 years) 3.2 (transitory) GRDS ref: 1273 (transitory) 1268 (transitory)
QSA22	Invites and Diary requests to him or his ministerial office staffer. Includes emails and diary requests which give limited context or info about the meeting or request	Considered to be related to the carrying out of portfolio responsibilities by the Minister and therefore a 'ministerial record'.	Relevant	Ministerial Office Energy Portfolio Water Portfolio	QDAN328v.6 ref: 1.8.1 (transitory) 1.8.3 (perm) 1.4.1 (transitory) 1.2.3 (2 years)

			If insufficient information to assess whether relevant or irrelevant, categorised as questionable.	Main Roads Portfolio	Visits: 1.9.1 (perm) GRDS 1066 (2years)
QSA23	Photos which have limited information and can't be viewed		If insufficient information to assess whether relevant, categorised as questionable.	Questionable	QDAN328v.6 or GRDS
QSA24	Any email which has insufficient contextual information to confidently code as irrelevant or relevant or where insufficient content can be viewed to make a determination		If insufficient information to assess whether relevant or irrelevant, categorised as questionable.	Questionable	QDAN328v.6 or GRDS
QSA25	Emails received by Mark Bailey offering messages of congratulations	Considered to be related to the carrying out of portfolio responsibilities by the Minister and therefore a ministerial record.	New category	Ministerial Office Energy Portfolio Water Portfolio Main Roads Portfolio	QDAN328v6 1.2.3 (2 years) 1.4.1 (transitory)

3.3 Sentencing business rules

These rules were developed following the deliberations during the first two reviews. The decision to during the first two reviews e purpose of the following rules is to ensure a consistent sentencing approach by all reviewers. The situation of sentencing the records in an artificial environment where minimal context about the activities, portfolio administration practices and processes highlighted the importance of creating an approach that is defensible and consistent.

The following approach and assumptions were made:

Each email sentenced as discrete items. Linkages between threads will be noted and sentenced under the same sentencing rule where appropriate. If a thread is used to start a different conversation a different sentencing rule and retention period may be relevant.

A disposal authorisation number will be assigned to each email, which includes the attachments. The attachments are not sentenced as separate records.
Ministerial records inherently have a higher value because of who they relate to.
The GRDS is used in conjunction with QDAN328v6. Where a disposal action in the GRDS is inconsistent with a disposal action in QDAN328v6, QDAN328v6 takes precedence. Where there is a gap in QDAN328v6 but there is an appropriate class in the GRDS, the GRDS can be used.
Sentencing should be undertaken upon creation of a record and reviewed upon point of disposal. The approach used by QSA to sentence these records is at the point of disposal. Known events and issues associated with Minister Bailey and his portfolio were taken into consideration when a sentencing rule was applied to the 1167 emails. These include RTI requests, alleged lobbying by union members, familiar relationship with recipient, media and community interest, and the direction by the Premier not to use private email account to conduct portfolio activities.
Emails sent to or from a government official account have been captured and managed in accordance with the <i>Public Records Act 2002</i> and advice published by QSA.
Sentencing decisions based on the tools that would have been used by Mark Bailey or his staff to sentence the records – what conclusion would they be reasonably expected to make.

Definitions:

Contentious	Public record – the status of the email as a public record may be challenged. It could be seen as political, electorate, or private conversations. Sentencing – the rule and retention period used may be challenged, particularly around the length of time a record needs to be retained. Could retention periods be seen as excessive or weak?
Copies	Exact replica of a public record that is retained and captured in the Ministerial recordkeeping system or official government network. Copies, in any format, of a master record where: <ul style="list-style-type: none"> nothing has been added, annotated, changed or deleted the copies have been created, distributed, and used only for reference purposes
Transitory	Retain until reference ceases = until business use ceases.

	Public authorities are responsible for developing business rules to determine when business use ceases. The rule for this investigation is 30 days after creation of email.
Temporary	Records that have a minimum value and required to meet certain needs and has a finite time. Rules for this investigation: 2years = 730 days after creation of email. 3years = 1095 days after creation of email. 7years = 2555 days after creation of email.
Permanent	Records identified as having enduring and archival value to the State of Queensland and should be transferred to QSA.

Sentencing Rules:

Rule reference	Rule	Disposal authorisation details
1. Emails between a Ministerial account and Mangocube6		
1.1	<p>Emails sent from a Ministerial account to Mangocube6 account or CC'd. Ministerial accounts include:</p> <ul style="list-style-type: none"> • Bailey Ministerial account • Ministerial office staff official account • Other Minister's official Ministerial account <p>If end of thread use GRDS1271. If not end of thread and no evidence returned to ministerial account sentence by content. <i>Rule Rationale: If email from official ministerial account the assumption is it has been captured by that ministerial office</i></p>	<p>GRDS1271 Temporary (transitory) Or Relevant rule that relates to content</p>
1.2	<p>Emails sent from a Mark Bailey private account (Mangocube6, Outlook or Bigpond) to his Ministerial account AND/OR to the official account of his ministerial staff. Use Rule 3 for personal email accounts of his ministerial staff.</p>	<p>GRDS 1271 Temporary (transitory)</p>

	<p>Excludes any emails where the content was altered or incomplete on forwarding: the original is required to be captured and kept as a separate record (Rule 2 or 3 would apply).</p> <p><i>Rule Rationale: These emails are considered to be copies as an official record is captured within the official ministerial network. The content of the emails was not used to inform the sentencing rule but the action of forwarding the email into the ministerial network where they will be sentenced under the appropriate disposal authorisation class that relates to content.</i></p> <p><i>Rationale for exclusion: By virtue of the content of an email not being captured in its entirety, the email in the private account is now an original record and cannot be sentenced as a copy</i></p>	
1.3	<p>Where a record is received by Mark Bailey (using his private or official email account) AND an official government email address, it is assumed the Ministerial Office/Portfolio/agency officer is responsible for capture – whether or not they are in the primary recipients list or a CC recipient.</p>	QDAN328v6 ref 3.1 Temporary / Permanent (retained by portfolio agency)
<p>2. Interactions to and from public / community groups</p> <p>Mangocube6 to or from a private email account that does not include government officials (i.e. where the last recipients (to/from) are outside official government channels)</p> <p><i>See Rule 3 for emails to/from government officials</i></p>		
2.1	<p><i>Significant</i></p> <p>Interactions that are of significance within the portfolio and/or to the State which contain explicit requests for ministerial action or show/provide evidence that the Minister took some action in response.</p> <p>How we traditionally refer to significance is consistent with the QSA Appraisal Statement:</p> <p>Characteristic 1 – Authority, Foundation & Structure of Government Characteristic 2 – Primary Functions & Programs of Government Characteristic 3 – Enduring Rights & Entitlements Characteristic 4 – Significant Impact on Individuals Characteristic 5 – Substantial Contribution to Community Memory Characteristic 6 – Environmental Management & Change</p> <p>Examples encountered during the review of the mangocube6 email include:</p> <ul style="list-style-type: none"> • Lobbying and/or advocacy on current policy development issues that may be seen as influential 	QDAN328v6 ref 1.2.1 Permanent

	<ul style="list-style-type: none"> Specific discussions outsourcing and enterprise bargaining agreements (EBAs) within a portfolio sector Specific discussions mentioning the GOC or superannuation mergers <p>Excludes emails relating to these or other matters of public or State significance sent to Minister Bailey for information or where there is no explicit request for the Minister to take action.</p> <p>Use QDAN328v6 1.6.2 for emails relating to interactions between Mark Bailey and a member of a GOC.</p> <p><i>Rule Rationale: Due to Mark Bailey's position as a Minister it can be reasonably expected that members of the public or community representatives would contact the Minister on matters that would have high public or state interest. However, unless the Minister acted in response these emails are deemed not significant.</i></p> <p><i>Use of this Rule is based on action taken by Mark Bailey not necessarily the content i.e. the subject could be information about the Great Barrier Reef but the discussion/material is not of significance therefore does not warrant a permanent retention.</i></p>	
2.2	<p>Major</p> <p>Interactions requiring follow up or specific action by the Minister that are not deemed of State significance:</p> <ul style="list-style-type: none"> Requests for meetings with Mark Bailey that suggest/indicate lobbying or advocacy but without context the email cannot be sentenced as significant. Also includes media requests. Includes congratulatory messages that also request a meeting/briefing. Content of emails that displays a relationship with a stakeholder. Events that Mark Bailey participates in that are not considered significant, such as Operation Energise. In the email chains it may not be apparent if a response was provided by Mark Bailey. The content of the email is deemed major. <p>Examples encountered during the review of the mangocube6 email include:</p> <ul style="list-style-type: none"> Child left at Altandi train station Background on boards sent by ETU to Mark Bailey (##267, #268) <p><i>Rule Rationale: Provides evidence of Mark Bailey's actions as Minister. It highlights his involvement in community events, relationships with stakeholders and preferences or direction he may be driving his portfolio. We have assumed all requests for meetings are actioned by Mark Bailey.</i></p>	QDAN328v6 1.2.2 Temporary (7 years)
2.3	<p>Routine</p> <p>Interactions that are deemed routine within the portfolio.</p> <p>Examples encountered during the review of the mangocube6 email include:</p>	QDAN328v6 ref 1.2.3 Temporary (2 years)

	<p>● Reference material sent from [redacted] to Mark Bailey</p> <p>See Rule 2.6 for congratulatory messages where a meeting is not requested.</p> <p><i>Rule Rationale: These interactions are low level but have a 2 year nominal retention period as they provide evidence of Mark Bailey's actions as a Minister and interactions with the community.</i></p>	
2.4	<p><i>Recruitment – unsolicited resumes and unsolicited resumes where appointment made</i></p> <p>Emails relating to target requests for a job received outside of the formal recruitment process where:</p> <ul style="list-style-type: none"> ● The Minister requests a resume from the correspondent ● The applicant provides a resume unsolicited and they are subsequently successful. <p>Includes:</p> <ul style="list-style-type: none"> ● Resumes received by Mark Bailey through email, LinkedIn, Facebook, Twitter that do not relate to specific position/s in his Ministerial office. ● Emails relating to requests for a job within another Ministerial office. Emails received by or forwarded by Mark Bailey that relate to a position within another Ministerial office. <p>See Rule 2.4a for unsolicited resumes where the applicant was not successful.</p> <p>See Rule 3.3 for applications received by someone within government.</p> <p><i>Rule Rationale: all resumes received by Mark Bailey appear to be outside the formal recruitment processes.</i></p>	GRDS 1257 Temporary (3 years after recruitment finalised)
2.4a	<p><i>Recruitment – unsolicited unsuccessful</i></p> <p>Unsolicited emails seeking a job within Mark Bailey's Ministerial office that are received outside of the formal recruitment process and are unsuccessful.</p> <p>See Rule 3.3a for applications received by someone within government.</p> <p><i>Rule Rationale: all resumes received by Mark Bailey appear to be outside the formal recruitment processes.</i></p>	GRDS 1273 Temporary (Transitory)
2.5	<p><i>Appointments</i></p> <p>Resumes and expressions of interest received by Mark Bailey in relation to potential appointments to a Board within his Ministerial portfolio.</p> <p>See Rule 2.2 for discussion about board members or potential board members with a member of the public.</p> <p>See Rule 3.4 for applications received by someone within government.</p> <p><i>Rule Rationale: All appointments are submitted in writing to the Premier before appointment with significant appointments submitted through cabinet (source cabinet handbook). These emails are outside the formal process</i></p>	QDAN328v6 ref 1.2.3 Temporary (2 years)

	<p>therefore sentenced as interactions with members of the public or other organisations external to Government. They may be seen as influence over a Minister.</p> <p>All appointments under Mark Bailey's portfolio are required to go to Premier and/or Cabinet, as per the Cabinet Handbook and are excluded under QDAN328v6 ref 1.5.1. If these were progressed or actioned within the agency they would be captured and sentenced in accordance with the Department of Premier and Cabinet RDS, QDAN328v6 or GRDS.</p>	
2.6	<p><i>Greetings, congratulations, invitations</i></p> <p>Emails relating to messages of invitation, appreciation or thanks, condolences, congratulations to Mark Bailey's appointment as Minister. includes letters of introduction where the sender raises their interest in a field that relates to one of Mark Bailey's portfolios.</p> <ul style="list-style-type: none"> • General invitations to an event where the event is not significant and the Minister is not asked to speak • Congratulations on your appointment • Messages or friend requests received via Facebook or LinkedIn and there is no expectation of a response. <p>See Rule 2.2 for emails relating to requests to meet.</p> <p>See Rule 1.2 for emails forwarded from Mangocube6 to Ministerial account (includes official ministerial staff account)</p>	QDAN328v6 ref 1.4.1 Temporary (Transitory)
2.7	<p><i>Cabinet matters</i></p> <p>Any email sent or received by Mark Bailey relating to CBRC or Cabinet matters, whether via private or official email and relating to his portfolio or not.</p> <p>See Rule 3.6 for emails sent to a known government official.</p>	QDAN328v6 ref 2.1 Temporary / Permanent (Return to Cabinet Secretariat)
2.8	<p><i>Payment and receipt of money</i></p> <p>Emails received by Mark Bailey that relates to the payment of an invoice for services connected to portfolio activities. Examples encountered during the review of the mangocube6 email include:</p> <ul style="list-style-type: none"> • Requests from Facebook for payment of advertising a portfolio related activity • Payment for development of a newsletter 	GRDS 1099 Temporary (7 years after the financial year to which the records relate.
<p>3. Interactions with government officials other than portfolio agency officials Mangocube6 to/or from a private email account of a known government official or Minister</p>		

3.1	<p><i>Significant</i></p> <p>Emails between Mark Bailey, the Premier, other ministers that relate to significant portfolio and government matters. For example emails between Shareholding Ministers, discussion about government policy and commitments to that policy.</p> <p>Excludes correspondence or discussion where Mark Bailey is NOT the lead Minister – i.e. record is not deemed a Bailey ministerial record as per the <i>Public Records Act 2002</i> definition. Use Rule 3.1a</p> <p>See Rule 2.1 for significance criteria.</p> <p>See Rule 3.7 for emails relating to the development and implementation of policy relating to the portfolio of the Minister.</p>	QDAN328v6 ref 1.1.3 Permanent
3.1 a	<p><i>Minor matters or not lead Minister</i></p> <p>Emails between Mark Bailey, the Premier, other ministers, and ministerial staff regarding government business of minor importance or where Mark Bailey is not the lead Minister.</p> <p>Covers correspondence or discussion where Mark Bailey is consulted or copied in on matters for which Mark Bailey is not directly responsible – i.e. the emails are not deemed a Bailey ministerial record as per the <i>Public Records Act 2002</i> definition.</p>	QDAN328v6 ref 1.1.7 Temporary (Transitory)
3.1.b	<p><i>Routine briefs</i></p> <p>Emails relating to briefs sent or received by Mark Bailey that relate to routine matters within his portfolio. These briefs are received from a government official but are outside official government channels.</p>	QDAN328v6 ref 1.1.5 Temporary (7 years)
3.2	<p><i>Ministerial office management</i></p> <p>Emails relating to routine portfolio management activities.</p> <p>Examples encountered during the review of the mangocube6 email include:</p> <ul style="list-style-type: none"> • Requests to add an entry to Mark Bailey’s diary. Excludes the diary or appointment books, which are covered under QDAN328v6 1.8.3 (permanent) • Publication development – design and development of flyers and promotional material • Social media posts – e.g. Facebook advertisement is approved • Routine visits including photos. See Rule 3.5 for further examples. • Photos sent to a ministerial staffer that relates to portfolio activities but little context provided. 	QDAN328v6 ref 1.8.1 Temporary (Transitory)
3.3	<p><i>Recruitment – solicited resumes and unsolicited resumes where appointment made</i></p>	GRDS 1257

	<p>Emails relating to target requests for a job received outside of the formal recruitment process where:</p> <ul style="list-style-type: none"> The Minister requests a resume from the correspondent The applicant provides a resume unsolicited and they are subsequently successful. <p>Includes:</p> <ul style="list-style-type: none"> Resumes received by Mark Bailey through email, LinkedIn, Facebook, Twitter that do not relate to specific position/s in his Ministerial office. Emails relating to requests for a job within another Ministerial office. Emails received by or forwarded by Mark Bailey that relate to a position within another Ministerial office. <p>See Rule 3.3a for unsolicited resumes where the applicant was not successful. See Rule 2.4 for applications received by someone outside of government.</p> <p><i>Rule Rationale: all resumes received by Mark Bailey appear to be outside the formal recruitment processes.</i></p>	Temporary (3 years after recruitment finalised)
3.3a	<p><i>Recruitment – unsolicited and unsuccessful</i></p> <p>Unsolicited emails seeking a job within Mark Bailey's Ministerial office that are received outside of the formal recruitment process and are unsuccessful.</p> <p>See Rule 2.4a for applications received by someone outside of government.</p> <p><i>Rule Rationale: all resumes received by Mark Bailey appear to be outside the formal recruitment processes.</i></p>	GRDS 1273 Temporary (Transitory)
3.4	<p><i>Appointments</i></p> <p>Resumes and expressions of interest received by Mark Bailey in relation to potential appointments to a Board within his Ministerial portfolio.</p> <p>See Rule 2.2 for discussion about board members or potential board members with a member of the public.</p> <p>See Rule 2.5 for applications received by someone outside of government.</p> <p><i>Rule Rationale: All appointments are submitted in writing to the Premier before appointment with significant appointments submitted through cabinet (source cabinet handbook). These emails are outside of the formal process therefore sentenced as interactions with members of the public or other organisations external to Government. They may be seen as influence over a Minister.</i></p> <p><i>All appointments under Mark Bailey's portfolio are required to go to Premier and/or Cabinet, as per the Cabinet Handbook and are excluded under QDAN328v6 ref 1.5.1. If these were progressed or actioned within the agency they would be captured and sentenced in accordance with the Department of Premier and Cabinet RDS, QDAN328v6 or GRDS.</i></p>	QDAN328v6 ref 1.2.3 Temporary (2 years)

3.5	<p><i>These emails are sent from Mangocube6 to Mangocube6 account.</i></p> <p>Examples encountered during the review of the mangocube6 email include:</p> <ul style="list-style-type: none"> • Emails where the only attachment is a photo. Includes photos that cannot be opened but there is enough context to determine status as ministerial record. <p>For photos documenting routine visits and events – use QDAN328v6 1.8.1 (e.g. #647)</p> <p>For photos where the photo documents a significant visit or event taken by Bailey in his official capacity as Minister and relating to his portfolio – use QDAN328v6 1.9.1 (e.g. #618, #646)</p>	<p>QDAN328v6 ref 1.8.1 Temporary (Transitory)</p> <p>QDAN328v6 ref 1.9.1 Permanent</p>
3.6	<p><i>Cabinet matters</i></p> <p>Any email sent or received by Mark Bailey relating to CBRC or Cabinet matters, whether via private or official email and relating to his portfolio or not – to be sent to Cabinet Secretariat for disposal.</p> <p>See Rule 2.7 for emails sent by a member of the community and is not a known government official.</p>	<p>QDAN328v6 ref 2.1 Temporary / Permanent (Return to Cabinet Secretariat)</p>
3.7	<p><i>Policy development and implementation</i></p> <p>Any email sent or received by Mark Bailey relating to the development and implementation of portfolio policy.</p> <p>See Rule 2.1 for significance criteria.</p> <p>See Rule 3.1 for emails between Mark Bailey, the Premier, other ministers that relate to significant portfolio and government matters. For example emails between Shareholding Ministers, discussion about government policy and commitments to that policy.</p>	<p>QDAN328v6 ref 1.1.1 Permanent</p>
<p>4. Interactions with portfolio agency</p> <p>Mangocube6 to or from a @qld.gov.au or other official government email account. Includes correspondence with State Government officials within and outside Bailey portfolio.</p>		
4.1	<p><i>Emails may include reports and briefings received by Mark Bailey from a portfolio agency (includes GOCs).</i></p> <p>Examples encountered during the review of the mangocube6 email include:</p> <ul style="list-style-type: none"> • Situation reports • SEQ water sends latest media release. <p>Excludes:</p> <ul style="list-style-type: none"> • the use of personal email accounts for government and ministerial staff (Use Rule 3) 	<p>QDAN328v6 ref 3.1 Temporary / Permanent (retained by portfolio agency)</p>

	<ul style="list-style-type: none"> • where a modified version of the email was sent by Mark Bailey to another recipient • where the email was forward to a @qld.gov.au account but the thread continues outside of official government network. (Use Rule 3) <p><i>Rule Rationale: These emails are considered to be within the official network therefore considered copies. The content of the emails were not used to inform the sentencing rule but the action of receiving the email from an official government network where it would be captured and retained in accordance with an appropriate disposal authorisation class that relates to content.</i></p>	
<p>5. Emails received by Mark Bailey as a BCC Includes emails received from a @qld.gov.au, other official government account, and all private accounts</p>		
5.1	<p>Notwithstanding any of the rules above, any email where Bailey is BCC'd should be captured and retained as evidence that the Minister received the email. If the record captured in the Ministerial Office, portfolio agency or other government agency does not record Bailey as a BCC, a separate record is required to be captured. Includes:</p> <ul style="list-style-type: none"> • Private person/organisation to another party and Bcc'd to Minister Bailey official account • Private person/organisation to another party and Bcc's to Bailey private account • Government person to another party and Bcc'd to Minister Bailey official account • Government person to another party and Bcc'd to Bailey private account <p>Excludes:</p> <ul style="list-style-type: none"> • Private person/organisation email sent to Minister Bailey official account AND Bcc'd to his private email 	Relevant rule that relates to content