

MINISTERIAL BRIEFING NOTE

Subject: Ministerial Recordkeeping Policy
Decision/Action by: 21 December 2017
Reasons for Urgency: Advice to incoming government Ministers is being sent on 21 December 2017 by the Queensland State Archivist.
Briefing type: Unrequested briefing note for noting
Responsible Area: Digital Productivity and Services
Electorate: Statewide
Contact Officer: Andrew Spina – (07) 3719 7733

PURPOSE

To advise the Minister that the Queensland State Archivist will send Ministers and Assistant Ministers a letter on Thursday, 21 December 2017, to advise them of their recordkeeping responsibilities under the *Public Records Act 2002* (the Act).

RECOMMENDATION

It is recommended that the Minister:



- Note that the Queensland State Archivist will be sending a letter to Ministers and Assistant Ministers on 21 December 2017, in relation to their responsibilities relating to the management of ministerial records (Attachment 1).

Noted	Approved	Not approved
✓		

Yes	No

Media Release Required

Routine (Straight to MO) **Non-routine** (DG to endorse)

<p>DIVISIONAL HEAD ENDORSEMENT</p>  <p>Andrew Spina Assistant Director-General Digital Productivity and Services Date: 21/12/17</p>	<p>COMMENTS</p>
<p>DIRECTOR-GENERAL ENDORSEMENT</p> <p>Christine Castley A/Director-General Department of Housing and Public Works Date: / /</p>	<p>COMMENTS</p>
<p>MINISTERIAL APPROVAL</p>  <p>Mick de Brenni MP Minister for Housing and Public Works Minister for Digital Technology Minister for Sport Date: 18/1/18</p>	<p>COMMENTS</p>

CONTEXT

- Under the Act, Ministers and Assistant Ministers have a statutory obligation to make and keep full and accurate records of activities related to their ministerial portfolio responsibilities.
- Ministerial records include emails, social media interactions and text messages relating to a Minister's portfolio responsibilities that are sent or received, even if this occurs through a private account.
- New guidelines on the identification and treatment of ministerial records have been prepared to improve records management in ministerial offices.

KEY ISSUES

- On Thursday, 21 December 2017, the Queensland State Archivist will send Ministers and Assistant Ministers a letter to advise them of their recordkeeping responsibilities under the Act (Attachment 1).
- This is standard advice that State Archivists have sent to previous incoming Ministers to advise them of their recordkeeping responsibilities under the Act.
- Relevant public records are likely to be created almost immediately on being sworn in as a Minister.
- The key message is to convey the importance of putting in place appropriate recordkeeping procedures as soon as possible.
- The new Ministerial records policy seeks to provide guidance to avoid issues associated with use of private email or other systems (including the CCC finding that the use of private email systems presents a corruption risk).

ELECTION AND GOVERNMENT COMMITMENTS

- Not applicable

FINANCIAL IMPLICATIONS

- Not applicable.

CONSULTATION

- Corporate and Government Services, Department of the Premier and Cabinet.

FUTURE STEPS

- Not applicable

COMMUNICATIONS/MEDIA OPPORTUNITIES

- Not applicable

Released under RTI - DCHDE



Queensland
Government

Department of
Housing and Public Works

Josephine Marsh
QSA13/454-03
Government Recordkeeping
07 3037 6605

21 December 2017

Hon Michael de Brenni MP
Minister for Housing and Public Works
Minister for Digital Technology
Minister for Sport
PO Box 2457
BRISBANE QLD 4001

Dear Minister de Brenni

Ministerial recordkeeping responsibilities

I am writing to you in your role of Minister for Housing and Public Works; Minister for Digital Technology; Minister for Sport, to outline some of the key responsibilities that are relevant to you and your Ministerial office regarding the management of ministerial records.

As the Minister for Housing and Public Works, Minister for Digital Technology, Minister for Sport, you are considered a public authority under the *Public Records Act 2002* (the Act). You are also considered the executive officer of your public authority and have statutory obligations under the Act to:

- a) make and keep full and accurate records of your activities as a Minister, and
- b) have regard to any relevant policy, standards and guidelines made by the State Archivist about the making and keeping of public records.

These obligations extend to ensuring that staff within your office also meet these requirements.

A ministerial record is defined in the Act as '*a record created or received by a Minister in the course of carrying out the Minister's portfolio responsibilities*'. A Minister's portfolio is the area of responsibility assigned as a member of Cabinet and identified in the Administrative Arrangements Orders.

For your convenience, I have attached the Ministerial records policy which details the policy requirements for the management of ministerial records by Ministers and ministerial staff.

The policy requirements outlined in the *Ministerial records policy* are as follows:

1. Ministers and ministerial staff are aware of and fulfil their recordkeeping obligations under the *Public Records Act 2002*
2. Ministers must make full and accurate ministerial records
3. Ministers and ministerial staff must keep all ministerial records for as long as they are lawfully required to be kept.

If you require further advice about your responsibilities under the *Public Records Act 2002* in regard to the management of ministerial records, please contact my Director of Government Recordkeeping, Ms Josephine Marsh on telephone 07 3037 6605 or email Josephine.Marsh@archives.qld.gov.au.

Yours sincerely



Mike Summerell
Executive Director and State Archivist
Queensland State Archives

Enc.

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MINISTERIAL RECORDS POLICY

A recordkeeping policy for Ministers and Assistant Ministers

December 2017

Security classification: Public



Department of Science,
Information Technology
and Innovation



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Purpose

This policy establishes requirements for the management of ministerial records and the records of Assistant Ministers by Ministers, Assistant Ministers and ministerial staff in accordance with the *Public Records Act 2002*.

Policy statement

Ministers and Assistant Ministers will make and keep full and accurate records of activities related to their ministerial portfolio responsibilities or Assistant Minister duties.

Policy benefits

Records are the cornerstone of an accountable and democratic society and allow scrutiny from the public of the decisions made by those who are elected to act on their behalf.

By implementing this policy Ministers, Assistant Ministers and ministerial staff will be able to:

- Make informed policy and business decisions
- Protect the rights and entitlements of citizens
- Contribute to democratic and accountable government
- Respond quickly to requests for information including Right to Information requests
- Share accurate information
- Locate evidence of decisions and actions
- Answer correspondence consistently and efficiently
- Provide confidence in the authenticity and integrity of information
- Support open data
- Promote collaboration and communication
- Support efficient and transparent business practices

Applicability

This policy applies to all Queensland Government Ministers, Assistant Ministers and ministerial staff.

This policy should be used in conjunction with the *Ministerial Recordkeeping Procedures*, the *Queensland Ministerial Handbook* and the *Ministerial Information Security Policy* published by the Department of the Premier and Cabinet.

Queensland Government departments may find it useful to refer to the policy when managing ministerial records on behalf of their portfolio Minister.

Definitions

The definition of a ministerial record under the *Public Records Act 2002* is 'a record created or received by a Minister in the course of carrying out the Minister's portfolio responsibilities'.

A Minister's portfolio is the area of responsibility assigned as a member of Cabinet and identified in the Administrative Arrangements Orders.

For the purposes of this policy, reference to a ministerial record also includes a record created or received by an Assistant Minister in the course of carrying out their official duties.

Ministerial records do not include the following (unless they relate to the Minister's portfolio responsibilities or Assistant Minister's duties):

- personal activities and interactions with family and friends
- party political membership or activities
- constituency or electorate activities
- responsibilities as a member of the Legislative Assembly

Authority

This policy is issued under section 25(1)(f) of the *Public Records Act 2002* which enables the State Archivist to make policy, standards and guidelines about the making, keeping, preserving, managing and disposing of public records.

Authorised by State Archivist: Mike Summerell

Date: 13/12/2017

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Policy requirements

Policy requirement 1

Ministers, Assistant Ministers and ministerial staff are aware of and fulfil their recordkeeping obligations under the *Public Records Act 2002*

Accountability

Ministers and Assistant Ministers are public authorities for the purposes of the *Public Records Act 2002*.

As public authorities, Ministers and Assistant Ministers have a statutory obligation under section 7 of the *Public Records Act 2002* to make and keep, full and accurate records of activities related to their ministerial portfolio responsibilities or Assistant Minister duties. There is also an obligation to ensure compliance with policies, standards and guidelines made by the State Archivist including *Information Standard 40: Recordkeeping* and *Information Standard 31: Retention and disposal of public records*.

Ministers and Assistant Ministers are responsible for:

- allocating resources for the creation, capture, keeping and disposal of ministerial records
- endorsing the disposal of ministerial records in accordance with authorisations issued by the State Archivist
- implementing procedures that ensure the appropriate management of ministerial records
- ensuring the safe custody and preservation of ministerial records
- ensuring ministerial staff attend recordkeeping training

While overall accountability for recordkeeping rests with the Minister or Assistant Minister, recordkeeping obligations outlined in the *Public Records Act 2002* extend to anyone who manages ministerial records including ministerial and portfolio department staff.

A Minister or Assistant Minister can delegate the actions of creating, maintaining and disposing of ministerial records to a suitably qualified or skilled person in the same way as financial or human resource activities can be delegated.

Policy requirement 2

Ministers and Assistant Ministers must make full and accurate ministerial records

Ministerial records

Ministers, Assistant Ministers and ministerial staff create and receive a lot of records, not all of which are ministerial records. If a record is created or received because of an individual's role as a Minister or Assistant Minister, then it is a ministerial record. If a record has been created or received in any other role solely as a Member of Parliament or membership of a political party - it is not a ministerial record.

Private email and social media accounts

Ministerial records can be created in both digital or paper formats and include emails, text messages, social media interactions, diaries, photographs, videos, and data held in business systems.

Ministerial records include **emails, social media interactions and text messages** relating to a Minister's portfolio responsibilities that are sent or received from a private account.

If a ministerial record is received in a private email account, processes must be in place to forward the email from the private email account to the official ministerial email account within 20 days of receipt or creation of the email.

If a response is required to an email received in a private email account, a ministerial email account should be used to respond.

If a Minister has access to and continues to use a private email account that predates the ministerial appointment, it is prudent to activate automatic or standard replies, that direct people to send correspondence related to ministerial portfolio responsibilities to the official ministerial email account.

Social media interactions relating to ministerial portfolio responsibilities or Assistant Minister duties that are required to be kept must be captured whether they are sent from a private or an official account. This includes social media posts and comments or responses to posts.

Procedures

Documented procedures must be in place for the management of ministerial records that are created and received by Ministers, Assistant Ministers and ministerial staff.

Some business interactions may result in the automatic creation of a ministerial record (e.g. when sending or receiving an email). In other cases, specific action will need to be taken to create a ministerial record for example creating a file note or sending a follow up email to document the decisions or outcomes agreed in a text message or a meeting.

Policy requirement 3

Ministers, Assistant Ministers and ministerial staff must keep all ministerial records for as long as they are lawfully required to be kept

Retention and disposal of ministerial records

Ministerial records can only be disposed of or destroyed with the authorisation of the State Archivist. This authorisation is usually given in a retention and disposal schedule or other disposal authorisation from the State Archivist and determines the length of time ministerial records need to be kept.

The retention and disposal schedules and other disposal authorisations applicable to records of Ministers, Assistant Ministers and ministerial staff can be located at <https://www.forgov.qld.gov.au/search-retention-and-disposal-schedule>

Transfer of ministerial records to Queensland State Archives

Ministerial records identified as permanent by the State Archivist in a retention and disposal schedule or other disposal authorisation must be transferred to Queensland State Archives. They can be transferred at any time during a Minister's term of office but must be transferred on a change of Minister or government.

Ministerial staff should contact Ministerial Services to discuss the ongoing storage of ministerial records identified as temporary in a retention and disposal schedule or other disposal authorisation on a change of Minister or government.

Ministerial diaries

Ministerial diaries must be kept permanently, which means they must be transferred to Queensland State Archives on a change of Minister or government.

Ministerial diaries should be in electronic form e.g. Microsoft Outlook calendars and the full diary must be captured. This means that all attachments that are relevant to the meeting such as meeting agendas, meeting reports and details of attendees must be captured in conjunction with the diary.

Any entries in the ministerial diary that relate to personal or party political matters should be removed before transferring the diary to Queensland State Archives. If these entries are not removed prior to transfer they will remain part of the ministerial diary.

Extracts from diaries of ministers published on the Queensland Government website are not sufficient to meet this requirement.

Management of other records

Other ministerial records related to the portfolio department such as briefing notes, parliamentary briefs and correspondence actioned by the department must be returned to the portfolio department for retention or disposal.

Cabinet documents are treated differently to ministerial records and must be returned to the Cabinet Secretariat for disposal. Information about this can be found in the *Queensland Cabinet Handbook*.

Administrative records such as finance and human resource records must be returned to Ministerial Services for safekeeping.

Access to records at Queensland State Archives

Following transfer to Queensland State Archives, ministerial records have a restricted access period of 30 years after the date of the last action on the record.

Anyone seeking access to ministerial records held in the custody of Queensland State Archives during the 30 year restricted access period must apply under the *Right to Information Act 2009* or *Information Privacy Act 2009*. This includes former Ministers (including the Minister who created the records), members of the public and Ministers of a different party.

Further information

More information about recordkeeping can be found at forgov.qld.gov.au/recordkeeping

For recordkeeping implementation advice please contact Ministerial Services on 07 3003 9900.

For recordkeeping advice from Queensland State Archives, please go to forgov.qld.gov.au/contact-queensland-state-archives.

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Attachment 1: Examples of ministerial records

If a record is created or received because of an individual's role as a Minister or Assistant Minister then it is a ministerial record.

How long to keep ministerial records is determined by disposal authorisations issued by the State Archivist.

Procedures issued by the Department of the Premier and Cabinet also provide guidance on identifying ministerial records.

Minister for Industry XYZ

Use the examples of records created or received by the fictitious Minister for Industry XYZ to help identify ministerial records.

In the *Administrative Arrangements Orders* the Minister for Industry XYZ is responsible for a number of pieces of legislation, including the *Industry XYZ Support Act 2016* and has oversight for the Department of Industry XYZ Regulation.

The Minister is also the shareholding minister for the Government Owned Corporation IndustryTechQ. The Minister has a Chief of Staff, 2 Senior Policy Advisors and an Executive Assistant. The Minister is the Member of Parliament for the electorate of Bristown.

Example	Ministerial record?
<u>Portfolio related</u>	
An email to the Director-General of the Department of Industry XYZ Regulation requesting an update on the progress of the new strategy for industry development	Yes
An email received by the Minister congratulating them on their appointment as the Minister for Industry XYZ	Yes
An email received by the Minister congratulating them on their Ministerial appointment, and requesting a meeting to explain how their private company can assist with potential government initiatives	Yes
An email sent by a family friend recommending their grandson for a role in the new Ministry	Yes
An email sent by a lobbying organisation requesting a meeting to discuss the future of industry XYZ in Queensland	Yes
An email from a long-time colleague attaching an article of interest relating to industry XYZ in New Zealand	Yes

Example	Ministerial record?
An email from the president of the Industry XYZ Engineers Union requesting an update on pay negotiations with IndustryTechQ	Yes
An email from a fellow Member of Parliament requesting an investigation for development of a new industry XYZ centre of technology in their electorate	Yes
Response to a social media post from a constituent complaining about proposed new policy on industry XYZ	Yes
Emails with a marketing firm relating to the development of a newsletter promoting industry XYZ that is issued by the Minister	Yes
Email from a long time business associate providing advice on the latest draft of a new policy on industry XYZ licensing	Yes
Email subscription providing latest updates on US industry XYZ activities	Yes
Text message to Director-General of the Department of Industry XYZ Regulation requesting DG to meet with representative from industry XYZ (the details might be captured elsewhere in a follow up email or file note and therefore the text message would not require further capture)	Yes
Email from a member of the public providing information on their new industry XYZ invention	Yes
Invitation from an international government for a visit to discuss and view innovation on industry XYZ in their jurisdiction	Yes
Email from the Minister's Executive Assistant with details of the Minister's trip to Gladville to open a conference on industry XYZ technology	Yes
Email from the Minister's Chief of Staff requesting 2 days leave	Yes
Photos of the Minister presenting the key note speech at an industry XYZ conference in Queensland	Yes
Email from an industry association providing input into proposed government policy on industry XYZ technology development in Queensland	Yes
Invitation from CEO of IndustryTechQ to attend football match	Yes

Example	Ministerial record?
Emails with NSW Minister for Industry ZYX discussing differences in government policy between the two states	Yes
<u>Personal</u>	
An invite to dinner on Saturday night from a family member	No
Email subscription advising of travel specials from local travel agent	No
Notifications of updates on Minister's personal Facebook account	No
Text message to family member asking what they want for dinner	No
Comments made on posts about world travel expo in Queensland using personal Twitter account	No
Invitation from brother to attend football match	No
<u>Electorate/parliamentary/party political</u>	
A submission by a constituent of Bristown on the proposed changes to the main road in the Minister's electorate	No
An invitation to open new classrooms in Minister's electorate of Bristown	No
Emails with party candidates in the lead up to an election proposing policy ideas for advancing the Queensland space industry	No
Text message from fellow caucus member regarding party nominations for next election	No
Social media post congratulating Minister on re-election as Member of Parliament for Bristown	No
Circular from union sent to its members	No
Advice on dates from the Clerk of the Parliament on the induction for new Members of Parliament	No
Email with party officials regarding election of new party leader	No

Example	Ministerial record?
<u>Cabinet documents (are public records but require management by returning to Cabinet secretariat for disposal)</u>	
Email from Cabinet Secretariat circulating cabinet documents for next Monday's cabinet meeting	No
Cabinet agenda	No
Correspondence between the Minister and the Premier proposing matters to be raised in Cabinet	No

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MINISTERIAL BRIEFING NOTE

Subject: Recordkeeping Transformation Program
Decision/Action by: N/A
Reasons for Urgency: N/A
Briefing type: Requested briefing note for noting
Responsible Area: Queensland State Archives
Electorate: Statewide
Contact Officer: Mike Summerell – (07) 3037 6601

PURPOSE

To provide the Minister with an overview of the Recordkeeping Transformation Program launched by Queensland State Archives in November 2017, which aims to achieve 95 ~~per cent~~% minimum compliance with recordkeeping standards by public authorities by 2022.

RECOMMENDATION

It is recommended that the Minister:

1. ~~Note~~ Agree the approach taken to improve recordkeeping compliance through the Recordkeeping Transformation Program (Refer to Attachment 1).
2. Note the future steps of the program that will require Ministerial approval.
3. ~~Note~~ Agree the letter to be sent to public authority chief executives by the State Archivist about the Recordkeeping Transformation Program and reduction in some operational services (Refer to Attachment 2).

Noted	Approved	Not approved

Yes	No

Media Release Required

Routine (Straight to MO) **Non-routine** (DG to endorse)

<p>DIVISIONAL HEAD ENDORSEMENT</p> <p><u>Endorsed</u></p> <p>Andrew Spina Assistant Director-General Digital Capability, Information and Transaction Based Services</p> <p>Date: <u>28/02/18</u></p>	<p>COMMENTS</p>
<p>DIRECTOR-GENERAL ENDORSEMENT</p> <p>Liza Carroll Director-General Department of Housing and Public Works</p> <p>Date:</p>	<p>COMMENTS</p>
<p>MINISTERIAL APPROVAL</p> <p>Mick de Brenni MP Minister for Housing and Public Works Minister for Digital Technology Minister for Sport</p>	<p>COMMENTS</p>

Date: / /	
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CONTEXT

- Despite dedicated legislation for the management of public records being in place since 2002, the standard of recordkeeping across Queensland public authorities remains low. Data from Queensland State Archives' (QSA) 2015 recordkeeping survey shows that only **15% per cent** of the approximately 500 Queensland public authorities are compliant with what QSA would deem a minimum standard of recordkeeping practice. The poor standard of government recordkeeping practice has been reported by QSA for many years with little improvement noted. Large scale change is required to transform the standard of recordkeeping across the Queensland **G**overnment. The Recordkeeping Transformation Program was launched by QSA in November 2017 and aims to achieve **95% per cent** compliance with minimum recordkeeping standards by 2022.

KEY ISSUES

- Under the *Public Records Act 2002* (the Act), a public authority must make and keep full and accurate records of its activities, and have regard to any policy, standards and guidelines issued by the State Archivist about the making and keeping of public records. Responsibility for compliance with the Act lies with the executive officer of a public authority and in the case of Ministerial records, the relevant Minister.
- While paper recordkeeping practices tend to be relatively well established, technological advances since the introduction of the Act have resulted in vast numbers of digital records being created, challenging traditional recordkeeping practices. Government's increased digital service delivery has outpaced its ability to capture, manage and preserve the digital evidence of its business activities as it continues to rely on outdated paper-based recordkeeping practices.
- Recordkeeping practices across the Queensland Government require significant improvement to support transparent and accountable government and strengthen decision making and efficient government business.
- Information gathered during the 2017 independent investigation into allegations that the Honourable Mark Bailey **MP**, Minister for Main Roads, Road Safety and Ports and Minister for Energy, Bio**F**uels and Water Supply had unlawfully disposed of public records demonstrated the lack of recordkeeping awareness and good recordkeeping practices in Ministerial offices that is also evident across government.
- On 16 November 2017, QSA launched the Recordkeeping Transformation Program (the Program) which aims to transform the standard of government recordkeeping practices.
- The Program aims to achieve **95 per cent%** compliance with minimum recordkeeping standards by public authorities by 2022.
- Compliance is dependent on public authorities applying the minimum recordkeeping standards within their business, noting that under the current legislation adherence to the standards issued by QSA is not mandatory and non-compliance does not incur any penalties.
- The Program will drive the behavioural change required to transform recordkeeping through a five-year strategy that will focus on increasing the value of information across government, transforming recordkeeping legislation, building digital capability in public authorities and engaging with agencies. (refer to **Attachment 1**).
- ~~It is proposed that the Program will This will include:~~
 - ~~reviewing the Act to ensure it supports effective recordkeeping for the public sector in the digital age;~~

- exploring innovative solutions and tools to promote practical and efficient recordkeeping practices;
 - developing new minimum standards in recordkeeping practice for public authorities and monitoring performance against them;
 - publicly reporting levels of recordkeeping practice across the public sector;
 - developing a digital maturity framework to build digital capability and help agencies plan and improve their digital recordkeeping practices;
 - implementing more effective and efficient methods for the authorisation and disposal of public records;
 - developing online training for agencies to improve recordkeeping capability;
 - releasing a digital transition strategy that will govern the transition of public authorities from paper-centric to digitally capable;
 - engaging with agencies through social media including blog posts, newsletters and Twitter;
 - progressing priority amendments to the Act to clarify the management, disposal of and access to ministerial records; and
 - reviewing and developing improved recordkeeping practices for Ministers.
- In addition, consideration should be given to a review of the Act. A further brief will come to youis being prepared outlining a range of options for the Minister's review with regard to this matter seeking or consideration of this issue.
 - QSA participated in a joint initiative with the Queensland University of Technology QUT in December 2017 to reimagine the future of recordkeeping. The initiative produced a conceptual 'QSAbot' technology which would ensure recordkeeping compliance by default by attempting to make recordkeeping happen 'behind the scenes'. The technology would significantly minimise the level of user involvement currently required and revolutionise recordkeeping in a world first.
 - The Program is closely aligned with the Digital ArchivArchivesng Program. While the Digital Archives Program will not solve the issues of recordkeeping compliance outlined above, it will ensure the preservation of permanent value digital records that will be transferred into the digital archive.
 - QSA's operational resources are insufficient to lead and progress the Program without some reduction in the current services provided by QSA. This includes the provision of operational recordkeeping advice to agencies and the development and review of agency-specific retention and disposal schedules. QSA's intention is to maintain only minimal operational services during the life of the Program, to enable key resources to be redirected to transformation initiatives. A draft letter to be sent by the State Archivist to public authority chief executives advising of this change is attached (refer to **Attachment 2**).

ELECTION AND GOVERNMENT COMMITMENTS

- The issue is not the subject of an election or Government commitment.

FINANCIAL IMPLICATIONS

- Requests for extra resources within the Government Recordkeeping team at QSA required to progress the Program and develop the 'QSAbot' technology are currently being progressed through the budget funding processes separate CBRC submissions.
- For the Program to succeed, chief executives will need to dedicate resources towards digital recordkeeping within their own agencies as part of their statutory obligation under the Act to make and keep full and accurate records of their activities.

CONSULTATION

- Not applicable.

FUTURE STEPS

- If endorsed, wWhole of government and public consultation about the review of the Act can occur as early as is anticipated to commence in early March 2018.
- The State Archivist proposes will to write to public authority chief executives to advise them about the Program and the subsequent changes to QSA's government services.
- Informal whole-of-government consultation on the new minimum requirements for recordkeeping is currently underway. The new requirements will replace the two existing Information Standards: *Information Standard 40: Recordkeeping* and *Information Standard 31:*

Retention and disposal of public records. As the requirements will continue to be a part of the Queensland Government Enterprise Architecture, (QGEA) consultation will follow the Queensland Government Chief Information Office framework.

- **Consideration Submission of a proposal to the Minister of legislative change regarding a review of the Public Records Act.** Priority amendments to the Act are being identified progressed. Identification of legislation to attach the amendments to will be required to progress through the Cabinet process. A separate Ministerial Briefing Note will outline the proposed changes and seek approval to proceed. Identification of legislation to attach the amendments to will be required to progress through the Cabinet process.
- QSA is currently developing revised disposal authorisation for ministerial records which will be subject to consultation with Ministers, Assistant Ministers and the Department of the Premier and Cabinet.
- Exploration of partnerships to further the development of the 'QSAbot'.

COMMUNICATIONS/MEDIA OPPORTUNITIES

- Not applicable.

BACKGROUND

- Approximately 500 public authorities are required to comply with the Act, including state government departments, local governments, statutory authorities, Ministers and Assistant Ministers and Government Owned Corporations.
- Poor recordkeeping contributes to ineffective public administration and can have consequences under whole-of-government legislation, such as the *Public Records Act 2002*, the *Criminal Code Act 1899*, the *Evidence Act 1977*, the *Crime and Corruption Act 2001* and the *Health Ombudsman Act 2013*.

Attachment 1: Recordkeeping Transformation Program

Valuing Information

Disposal Authorisation

DELIVERABLE: A new method of authorising disposal and a review of authorisation responsibility and delegation.

Information Value

DELIVERABLE: An effective approach to the way we assign value to business information created across the spectrum of agencies.

Digital Appraisal

DELIVERABLE: An effective approach to the way we identify and appraise the value of digital records

Ministerial Records

DELIVERABLE: Processes for the management of ministerial records.

Building Digital Capability

Digital Transition Strategy

DELIVERABLE: A 5 year strategy that governs the transition of agencies from paper-centric to digitally capable.

Digital Maturity Framework

DELIVERABLE: Strategy to support a phased approach to improving agency recordkeeping maturity through the establishment of clear performance goals that align with recordkeeping principles.

Minimum Requirements

DELIVERABLE: An revised recordkeeping standard to replace IS40 and IS31.

Agency Baseline

DELIVERABLE: An accurate current state of recordkeeping. Agencies will be baselined against new digital capability requirements and surveyed annually to measure compliance.

GOAL:
A shared and aligned view of the value of business information across the spectrum of government agencies shaped by our clients

GOAL:
95% of Queensland government agencies meet minimum digital recordkeeping standards

Engaging Agencies

Client Engagement

DELIVERABLE: A transformation of the way we engage with all stakeholders.

GOAL:

An agile and transformative client engagement model that supports a positive information culture within the Queensland government

Recordkeeping Training

DELIVERABLE: Online training to improve recordkeeping capability.

Attachment 2 – draft letter to CEOs re Recordkeeping Transformation Program

Recordkeeping Transformation Program

The development of effective recordkeeping practices by agencies is vital as the business of government becomes increasingly digital. To strengthen recordkeeping across government, Queensland State Archives has launched the Recordkeeping Transformation Program. This ambitious program aims to significantly improve recordkeeping across the Queensland public sector.

Good recordkeeping underpins transparent and accountable government and strengthens decision making and efficient business. From surveys conducted by Queensland State Archives we know that only 15 per cent of Queensland government agencies meet an acceptable level of recordkeeping practice.

The Recordkeeping Transformation Program will introduce a number of new policies that will help your agency build its recordkeeping capability. These will include new minimum recordkeeping standards and a digital recordkeeping maturity framework that will map a pathway for agencies to become digital by default. Effective recordkeeping in your agency will strengthen sound policy decisions, meet legislative and reporting obligations, provide evidence of decisions and actions and consolidate trusted customer relationships.

The Recordkeeping Transformation Program delivers a strategic recordkeeping agenda for government. To ensure its success QSA will:

- focus on increasing digital recordkeeping capability across government
- reduce operational recordkeeping advice to agencies
- suspend the development and review of retention and disposal schedules for agencies
- explore new methods for authorising the disposal of public records.

More information about the Recordkeeping Transformation Program can be found on our website at xxx (to be provided)

If you would like to hear more about the program and what opportunities it might present for your agency, please contact Josephine Marsh, Director Government Recordkeeping on 07 3037 6605 or email Josephine.marsh@archives.qld.gov.au

Attachment 2 – draft letter to CEOs re Recordkeeping Transformation Program

Recordkeeping Transformation Program

The development of effective recordkeeping practices by agencies is vital as the business of government becomes increasingly digital. To strengthen recordkeeping across government, Queensland State Archives has launched the Recordkeeping Transformation Program. This ambitious program aims to significantly improve recordkeeping across the Queensland public sector.

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The Recordkeeping Transformation Program delivers a strategic recordkeeping agenda for government. To ensure its success QSA will:

- focus on increasing digital recordkeeping capability across government
- reduce operational recordkeeping advice to agencies
- suspend the development and review of retention and disposal schedules for agencies
- explore new methods for authorising the disposal of public records.

More information about the Recordkeeping Transformation Program can be found on our website at xxx (to be provided)

If you would like to hear more about the program and what opportunities it might present for your agency, please contact Josephine Marsh, Director Government Recordkeeping on 07 3037 6605 or email Josephine.marsh@archives.qld.gov.au

MINISTERIAL BRIEFING NOTE

Subject: Recordkeeping Transformation Program
Decision/Action by: N/A
Reasons for Urgency: N/A
Briefing type: Requested briefing note for noting
Responsible Area: Queensland State Archives
Electorate: Statewide
Contact Officer: Mike Summerell – (07) 3037 6601

PURPOSE

To provide the Minister with an overview of the Recordkeeping Transformation Program launched by Queensland State Archives in November 2017, which aims to achieve 95 ~~per cent~~% minimum compliance with recordkeeping standards by public authorities by 2022.

RECOMMENDATION

It is recommended that the Minister:

1. ~~Note~~ Agree the approach taken to improve recordkeeping compliance through the Recordkeeping Transformation Program (Refer to Attachment 1).
2. Note the future steps of the program that will require Ministerial approval.
3. ~~Note~~ Agree the letter to be sent to public authority chief executives by the State Archivist about the Recordkeeping Transformation Program and reduction in some operational services (Refer to Attachment 2).

Noted	Approved	Not approved

Yes	No

Media Release Required

Routine (Straight to MO) **Non-routine** (DG to endorse)

<p>DIVISIONAL HEAD ENDORSEMENT</p> <p><u>Endorsed</u></p> <p>Andrew Spina Assistant Director-General Digital Capability, Information and Transaction Based Services</p> <p>Date: <u>28/02/18</u></p>	<p>COMMENTS</p>
<p>DIRECTOR-GENERAL ENDORSEMENT</p> <p>Liza Carroll Director-General Department of Housing and Public Works</p> <p>Date:</p>	<p>COMMENTS</p>
<p>MINISTERIAL APPROVAL</p> <p>Mick de Brenni MP Minister for Housing and Public Works Minister for Digital Technology Minister for Sport</p>	<p>COMMENTS</p>

Date: / /	
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CONTEXT

- Despite dedicated legislation for the management of public records being in place since 2002, the standard of recordkeeping across Queensland public authorities remains low. Data from Queensland State Archives' (QSA) 2015 recordkeeping survey shows that only **15% per cent** of the approximately 500 Queensland public authorities are compliant with what QSA would deem a minimum standard of recordkeeping practice. The poor standard of government recordkeeping practice has been reported by QSA for many years with little improvement noted. Large scale change is required to transform the standard of recordkeeping across the Queensland **G**overnment. The Recordkeeping Transformation Program was launched by QSA in November 2017 and aims to achieve **95% per cent** compliance with minimum recordkeeping standards by 2022.

KEY ISSUES

- Under the *Public Records Act 2002* (the Act), a public authority must make and keep full and accurate records of its activities, and have regard to any policy, standards and guidelines issued by the State Archivist about the making and keeping of public records. Responsibility for compliance with the Act lies with the executive officer of a public authority and in the case of Ministerial records, the relevant Minister.
- While paper recordkeeping practices tend to be relatively well established, technological advances since the introduction of the Act have resulted in vast numbers of digital records being created, challenging traditional recordkeeping practices. Government's increased digital service delivery has outpaced its ability to capture, manage and preserve the digital evidence of its business activities as it continues to rely on outdated paper-based recordkeeping practices.
- Recordkeeping practices across the Queensland Government require significant improvement to support transparent and accountable government and strengthen decision making and efficient government business.
- Information gathered during the 2017 independent investigation into allegations that the Honourable Mark Bailey **MP**, Minister for Main Roads, Road Safety and Ports and Minister for Energy, Bio**F**uels and Water Supply had unlawfully disposed of public records demonstrated the lack of recordkeeping awareness and good recordkeeping practices in Ministerial offices that is also evident across government.
- On 16 November 2017, QSA launched the Recordkeeping Transformation Program (the Program) which aims to transform the standard of government recordkeeping practices.
- The Program aims to achieve **95 per cent%** compliance with minimum recordkeeping standards by public authorities by 2022.
- Compliance is dependent on public authorities applying the minimum recordkeeping standards within their business, noting that under the current legislation adherence to the standards issued by QSA is not mandatory and non-compliance does not incur any penalties.
- The Program will drive the behavioural change required to transform recordkeeping through a five-year strategy that will focus on increasing the value of information across government, transforming recordkeeping legislation, building digital capability in public authorities and engaging with agencies. (refer to **Attachment 1**).
- ~~It is proposed that the Program will This will include:~~
 - ~~reviewing the Act to ensure it supports effective recordkeeping for the public sector in the digital age;~~

- exploring innovative solutions and tools to promote practical and efficient recordkeeping practices;
 - developing new minimum standards in recordkeeping practice for public authorities and monitoring performance against them;
 - publicly reporting levels of recordkeeping practice across the public sector;
 - developing a digital maturity framework to build digital capability and help agencies plan and improve their digital recordkeeping practices;
 - implementing more effective and efficient methods for the authorisation and disposal of public records;
 - developing online training for agencies to improve recordkeeping capability;
 - releasing a digital transition strategy that will govern the transition of public authorities from paper-centric to digitally capable;
 - engaging with agencies through social media including blog posts, newsletters and Twitter;
 - progressing priority amendments to the Act to clarify the management, disposal of and access to ministerial records; and
 - reviewing and developing improved recordkeeping practices for Ministers.
- In addition, consideration should be given to a review of the Act. A further brief will come to youis being prepared outlining a range of options for the Minister's review with regard to this matter seeking or consideration of this issue.
 - QSA participated in a joint initiative with the Queensland University of Technology QUT in December 2017 to reimagine the future of recordkeeping. The initiative produced a conceptual 'QSAbot' technology which would ensure recordkeeping compliance by default by attempting to make recordkeeping happen 'behind the scenes'. The technology would significantly minimise the level of user involvement currently required and revolutionise recordkeeping in a world first.
 - The Program is closely aligned with the Digital ArchivArchivesng Program. While the Digital Archives Program will not solve the issues of recordkeeping compliance outlined above, it will ensure the preservation of permanent value digital records that will be transferred into the digital archive.
 - QSA's operational resources are insufficient to lead and progress the Program without some reduction in the current services provided by QSA. This includes the provision of operational recordkeeping advice to agencies and the development and review of agency-specific retention and disposal schedules. QSA's intention is to maintain only minimal operational services during the life of the Program, to enable key resources to be redirected to transformation initiatives. A draft letter to be sent by the State Archivist to public authority chief executives advising of this change is attached (refer to **Attachment 2**).

ELECTION AND GOVERNMENT COMMITMENTS

- The issue is not the subject of an election or Government commitment.

FINANCIAL IMPLICATIONS

- Requests for extra resources within the Government Recordkeeping team at QSA required to progress the Program and develop the 'QSAbot' technology are currently being progressed through the budget funding processes separate CBRC submissions.
- For the Program to succeed, chief executives will need to dedicate resources towards digital recordkeeping within their own agencies as part of their statutory obligation under the Act to make and keep full and accurate records of their activities.

CONSULTATION

- Not applicable.

FUTURE STEPS

- If endorsed, wWhole-of-government and public consultation about the review of the Act can occur as early as is anticipated to commence in early March 2018.
- The State Archivist proposes will to write to public authority chief executives to advise them about the Program and the subsequent changes to QSA's government services.
- Informal whole-of-government consultation on the new minimum requirements for recordkeeping is currently underway. The new requirements will replace the two existing Information Standards: *Information Standard 40: Recordkeeping* and *Information Standard 31:*

Retention and disposal of public records. As the requirements will continue to be a part of the Queensland Government Enterprise Architecture, (QGEA) consultation will follow the Queensland Government Chief Information Office framework.

- **Consideration Submission of a proposal to the Minister of legislative change regarding a review of the Public Records Act.** Priority amendments to the Act are being identified progressed. Identification of legislation to attach the amendments to will be required to progress through the Cabinet process. A separate Ministerial Briefing Note will outline the proposed changes and seek approval to proceed. Identification of legislation to attach the amendments to will be required to progress through the Cabinet process.
- QSA is currently developing revised disposal authorisation for ministerial records which will be subject to consultation with Ministers, Assistant Ministers and the Department of the Premier and Cabinet.
- Exploration of partnerships to further the development of the 'QSAbot'.

COMMUNICATIONS/MEDIA OPPORTUNITIES

- Not applicable.

BACKGROUND

- Approximately 500 public authorities are required to comply with the Act, including state government departments, local governments, statutory authorities, Ministers and Assistant Ministers and Government Owned Corporations.
- Poor recordkeeping contributes to ineffective public administration and can have consequences under whole-of-government legislation, such as the *Public Records Act 2002*, the *Criminal Code Act 1899*, the *Evidence Act 1977*, the *Crime and Corruption Act 2001* and the *Health Ombudsman Act 2013*.

MINISTERIAL BRIEFING NOTE

Subject: Recordkeeping Transformation Program
Decision/Action by: N/A
Reasons for Urgency: N/A
Briefing type: Requested briefing note for noting
Responsible Area: Queensland State Archives
Electorate: Statewide
Contact Officer: Mike Summerell – (07) 3037 6601

PURPOSE

To provide the Minister with an overview of the Recordkeeping Transformation Program launched by Queensland State Archives in November 2017, which aims to achieve 95 per cent minimum compliance with recordkeeping standards by public authorities by 2022.

RECOMMENDATION

It is recommended that the Minister:

1. ^{Done} Note the approach taken to improve recordkeeping compliance through the Recordkeeping Transformation Program (Refer to **Attachment 1**).
2. Note the future steps of the program that will require Ministerial approval.
3. ^{Done} Note the letter to be sent to public authority chief executives by the State Archivist about the Recordkeeping Transformation Program and reduction in some operational services (Refer to **Attachment 2**).

Noted	Approved	Not approved

Yes	No

Media Release Required

Routine (Straight to MO) **Non-routine** (DG to endorse)

DIVISIONAL HEAD ENDORSEMENT	COMMENTS
<p>Endorsed</p> <p>Andrew Spina Assistant Director-General Digital Capability, Information and Transaction Based Services</p> <p>Date: 28 /02/18</p>	<p><i>Andrew + Mike Sorry for more changes. I think the minister needs to sign off on his program of work. Also the legislative process needs to be put to the minister as a proposal.</i></p> <p><i>[Signature]</i></p>
<p>DIRECTOR-GENERAL ENDORSEMENT</p> <p>Liza Carroll Director-General Department of Housing and Public Works</p> <p>Date: / /</p>	
<p>MINISTERIAL APPROVAL</p> <p>Mick de Brenni MP Minister for Housing and Public Works Minister for Digital Technology Minister for Sport</p> <p>Date: / /</p>	

CONTEXT

- Despite dedicated legislation for the management of public records being in place since 2002, the standard of recordkeeping across Queensland public authorities remains low. Data from Queensland State Archives' (QSA) 2015 recordkeeping survey shows that only 15 per cent of the approximately 500 Queensland public authorities are compliant with what QSA would deem a minimum standard of recordkeeping practice. The poor standard of government recordkeeping practice has been reported by QSA for many years with little improvement noted. Large scale change is required to transform the standard of recordkeeping across the Queensland Government. The Recordkeeping Transformation Program was launched by QSA in November 2017 and aims to achieve 95 per cent compliance with minimum recordkeeping standards by 2022.

KEY ISSUES

- Under the *Public Records Act 2002* (the Act), a public authority must make and keep full and accurate records of its activities, and have regard to any policy, standards and guidelines issued by the State Archivist about the making and keeping of public records. Responsibility for compliance with the Act lies with the executive officer of a public authority and in the case of Ministerial records, the relevant Minister.
- While paper recordkeeping practices tend to be relatively well established, technological advances since the introduction of the Act have resulted in vast numbers of digital records being created, challenging traditional recordkeeping practices. Government's increased digital service delivery has outpaced its ability to capture, manage and preserve the digital evidence of its business activities as it continues to rely on outdated paper-based recordkeeping practices.
- Recordkeeping practices across the Queensland Government require significant improvement to support transparent and accountable government and strengthen decision making and efficient government business.
- Information gathered during the 2017 independent investigation into allegations that the Honourable Mark Bailey MP, Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply had unlawfully disposed of public records demonstrated the lack of recordkeeping awareness and good recordkeeping practices in Ministerial offices that is also evident across government.
- On 16 November 2017, QSA launched the Recordkeeping Transformation Program (the Program) which aims to transform the standard of government recordkeeping practices.
- The Program aims to achieve 95 per cent compliance with minimum recordkeeping standards by public authorities by 2022.
- Compliance is dependent on public authorities applying the minimum recordkeeping standards within their business, noting that under the current legislation adherence to the standards issued by QSA is not mandatory and non-compliance does not incur any penalties.
- The Program will drive the behavioural change required to transform recordkeeping through a five-year strategy that will focus on increasing the value of information across government, transforming recordkeeping legislation, building digital capability in public authorities and engaging with agencies. (refer to **Attachment 1**).
- This will include:
 - reviewing the Act to ensure it supports effective recordkeeping for the public sector in the digital age;
 - exploring innovative solutions and tools to promote practical and efficient recordkeeping practices;
 - developing new minimum standards in recordkeeping practice for public authorities and monitoring performance against them;
 - publicly reporting levels of recordkeeping practice across the public sector;
 - developing a digital maturity framework to build digital capability and help agencies plan and improve their digital recordkeeping practices;
 - implementing more effective and efficient methods for the authorisation and disposal of public records;
 - developing online training for agencies to improve recordkeeping capability;

It is proposed
not the
Program

- releasing a digital transition strategy that will govern the transition of public authorities from paper-centric to digitally capable;
- engaging with agencies through social media including blog posts, newsletters and Twitter;
- progressing priority amendments to the Act to clarify the management, disposal of and access to ministerial records; and
- reviewing and developing improved recordkeeping practices for Ministers.
- QSA participated in a joint initiative with the Queensland University of Technology in December 2017 to reimagine the future of recordkeeping. The initiative produced a conceptual 'QSAbot' technology which would ensure recordkeeping compliance by default by attempting to make recordkeeping happen 'behind the scenes'. The technology would significantly minimise the level of user involvement currently required and revolutionise recordkeeping in a world first.
- The Program is closely aligned with the Digital Archives Program. While the Digital Archives Program will not solve the issues of recordkeeping compliance outlined above, it will ensure the preservation of permanent value digital records that will be transferred into the digital archive.
- QSA's operational resources are insufficient to lead and progress the Program without some reduction in the current services provided by QSA. This includes the provision of operational recordkeeping advice to agencies and the development and review of agency specific retention and disposal schedules. QSA's intention is to maintain only minimal operational services during the life of the Program, to enable key resources to be redirected to transformation initiatives. A draft letter to be sent by the State Archivist to public authority chief executives advising of this change is attached (refer to **Attachment 2**).

ELECTION AND GOVERNMENT COMMITMENTS

- The issue is not the subject of an election or Government commitment.

FINANCIAL IMPLICATIONS

- Requests for extra resources within the Government Recordkeeping team at QSA required to progress the Program and develop the 'QSAbot' technology are currently being progressed through the budget funding process.
- For the Program to succeed, chief executives will need to dedicate resources towards digital recordkeeping within their own agencies as part of their statutory obligation under the Act to make and keep full and accurate records of their activities.

In addition consider should be given to a review of the act. A further brief will ~~sub~~ come to you seeking consider of the issue

CONSULTATION

- Not applicable.

FUTURE STEPS

- ~~If endorsed, whole-of-government and public consultation about the review of the Act can occur as early as March 2018.~~
- The State Archivist proposes to write to public authority chief executives to advise them about the Program and the subsequent changes to QSA's government services.
- Informal whole-of-government consultation on the new minimum requirements for recordkeeping is currently underway. The new requirements will replace the two existing Information Standards: *Information Standard 40: Recordkeeping* and *Information Standard 31: Retention and disposal of public records*. As the requirements will continue to be a part of the Queensland Government Enterprise Architecture, consultation will follow the Queensland Government Chief Information Office framework.
- ~~Priority amendments to the Act are being identified. A separate Ministerial Briefing Note will outline the proposed changes and seek approval to proceed. Identification of legislation to attach the amendments will be required to progress through the Cabinet process.~~
- QSA is currently developing revised disposal authorisation for ministerial records which will be subject to consultation with Ministers, Assistant Ministers and the Department of the Premier and Cabinet.
- Exploration of partnerships to further the development of the 'QSAbot'.

consider of legislative change

COMMUNICATIONS/MEDIA OPPORTUNITIES

- Not applicable.

BACKGROUND

- Approximately 500 public authorities are required to comply with the Act, including state government departments, local governments, statutory authorities, Ministers and Assistant Ministers and Government Owned Corporations.
- Poor recordkeeping contributes to ineffective public administration and can have consequences under whole-of-government legislation, such as the *Public Records Act 2002*, the *Criminal Code Act 1899*, the *Evidence Act 1977*, the *Crime and Corruption Act 2001* and the *Health Ombudsman Act 2013*.

Released under RTI - DCHD

Attachment 1: Recordkeeping Transformation Program

Please include lead-out of this part

Valuing Information

Disposal Authorisation

DELIVERABLE: A new method of authorising disposal and a review of authorisation responsibility and delegation.

Information Value

DELIVERABLE: An effective approach to the way we assign value to business information created across the spectrum of agencies.

Digital Appraisal

DELIVERABLE: An effective approach to the way we identify and appraise the value of digital records

Ministerial Records

DELIVERABLE: Processes for the management of ministerial records.

GOAL:
A shared and aligned view of the value of business information across the spectrum of government agencies shaped by our clients

Transforming Legislation

Public Records Act Review

DELIVERABLE: A modern and relevant Act to support the creation, discoverability and flow of information within Government.

Priority Amendments

DELIVERABLE: Essential amendments to the Act and regulations to allow for critical Government processes.

Research Sprint

DELIVERABLE: Research paper to inform the Public Records Act review.

Research Sprint

DELIVERABLE: Research paper to inform the development of an audit and assessment framework.

GOAL:
A modern and relevant Act shaped by our clients and the community

Building Digital Capability

Digital Transition Strategy

DELIVERABLE: A 5 year strategy that governs the transition of agencies from paper-centric to digitally capable.

Digital Maturity Framework

DELIVERABLE: Strategy to support a phased approach to improving agency recordkeeping maturity through the establishment of clear performance goals that align with recordkeeping principles.

Minimum Requirements

DELIVERABLE: An revised recordkeeping standard to replace IS40 and IS37.

Agency Baseline

DELIVERABLE: An accurate current state of recordkeeping. Agencies will be baselined against new digital capability requirements and surveyed annually to measure compliance.

GOAL:
95% of Queensland government agencies meet minimum digital recordkeeping standards

GOAL:
An agile and transformative client engagement model that supports a positive information culture within the Queensland government

Engaging Agencies

Client Engagement

DELIVERABLE: A transformation of the way we engage with all stakeholders.

Recordkeeping Training

DELIVERABLE: Online training to improve recordkeeping capability.

Attachment 2 – draft letter to CEOs re Recordkeeping Transformation Program

Recordkeeping Transformation Program

The development of effective recordkeeping practices by agencies is vital as the business of government becomes increasingly digital. To strengthen recordkeeping across government, Queensland State Archives has launched the Recordkeeping Transformation Program. This ambitious program aims to significantly improve recordkeeping across the Queensland public sector.

Good recordkeeping underpins transparent and accountable government and strengthens decision making and efficient business. From surveys conducted by Queensland State Archives we know that only 15 per cent of Queensland government agencies meet an acceptable level of recordkeeping practice.

The Recordkeeping Transformation Program will introduce a number of new policies that will help your agency build its recordkeeping capability. These will include new minimum recordkeeping standards and a digital recordkeeping maturity framework that will map a pathway for agencies to become digital by default. Effective recordkeeping in your agency will strengthen sound policy decisions, meet legislative and reporting obligations, provide evidence of decisions and actions and consolidate trusted customer relationships.

The Recordkeeping Transformation Program delivers a strategic recordkeeping agenda for government. To ensure its success QSA will:

- focus on increasing digital recordkeeping capability across government
- reduce operational recordkeeping advice to agencies
- suspend the development and review of retention and disposal schedules for agencies
- explore new methods for authorising the disposal of public records
- ~~overhaul recordkeeping legislation.~~

More information about the Recordkeeping Transformation Program can be found on our website at xxx

If you would like to hear more about the program and what opportunities it might present for your agency, please contact Josephine Marsh, Director, Government Recordkeeping on 07 3037 6605 or email Josephine.marsh@archives.qld.gov.au.

Attachment 1: Recordkeeping Transformation Program

Valuing Information

Disposal Authorisation

DELIVERABLE: A new method of authorising disposal and a review of authorisation responsibility and delegation.

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Research Sprint

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A shared and aligned view of the value of business information across the spectrum of government agencies shaped by our clients

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A modern and relevant Act shaped by our clients and the community

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MINISTERIAL BRIEFING NOTE

Subject: Recordkeeping Transformation Program
Decision/Action by: N/A
Reasons for Urgency: N/A
Briefing type: Requested briefing note for noting
Responsible Area: Queensland State Archives
Electorate: Statewide
Contact Officer: Mike Summerell– (07) 3037 6601

PURPOSE

To provide the Minister with an overview of the Recordkeeping Transformation Program launched by Queensland State Archives in November 2017 which aims to achieve 95% minimum compliance with recordkeeping standards by public authorities by 2022.

RECOMMENDATION

It is recommended that the Minister:

1. **Note** the approach taken to improve recordkeeping compliance through the Recordkeeping Transformation Program
2. **Note** the future steps of the program that will require Ministerial approval.
3. **Note** the letter to be sent to public authority chief executives by the State Archivist about the Recordkeeping Transformation Program and reduction in some operational services (Attachment 2).

Noted	Approved	Not approved

Yes	No

Media Release Required

Routine (Straight to MO) **Non-routine** (DG to endorse)

<p>DIVISIONAL HEAD ENDORSEMENT</p> <hr/> <p>Andrew Spina Assistant Director-General Digital Capability, Information and Transaction Based Services</p> <p>Date: / /</p>	<p>COMMENTS</p>
<p>DIRECTOR-GENERAL ENDORSEMENT</p> <hr/> <p>Liza Carroll Director-General Department of Housing and Public Works</p> <p>Date: / /</p>	<p>COMMENTS</p>
<p>MINISTERIAL APPROVAL</p> <hr/> <p>Mick de Brenni MP Minister for Housing and Public Works Minister for Digital Technology Minister for Sport</p> <p>Date: / /</p>	<p>COMMENTS</p>

CONTEXT

- Despite dedicated legislation for the management of public records being in place since 2002, the standard of recordkeeping across Queensland public authorities remains low. Data from Queensland State Archives' (QSA) 2015 recordkeeping survey shows that only 15% of the approximately 500 Queensland public authorities are compliant with what QSA would deem a minimum standard of recordkeeping practice. The poor standard of government recordkeeping practice has been reported by QSA for many years with little improvement noted. Large scale change is required to transform the standard of recordkeeping across the Queensland government. The Recordkeeping Transformation Program was launched by QSA in November 2017 and aims to achieve 95% compliance with minimum recordkeeping standards by 2022.

KEY ISSUES

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- Compliance is dependent on public authorities applying the minimum recordkeeping standards within their business, noting that under the current legislation adherence to the standards issued by QSA is not mandatory and non-compliance does not incur any penalties.
- The Program will drive the behavioural change required to transform recordkeeping through a five-year strategy that will focus on increasing the value of information across government; transforming recordkeeping legislation; building digital capability in public authorities and engaging with agencies. (**refer to Attachment 1**)
- -This will include:
 - reviewing the Act to ensure it supports effective recordkeeping for the public sector in the digital age
 - exploring innovative solutions and tools to promote practical and efficient recordkeeping practices
 - developing new minimum standards in recordkeeping practice for public authorities and monitoring performance against them
 - publicly reporting levels of recordkeeping practice across the public sector
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 - developing online training for agencies to improve recordkeeping capability
 - releasing a digital transition strategy that will govern the transition of public authorities from paper-centric to digitally capable

- engaging with agencies through social media including blog posts, newsletters and Twitter
- progressing priority amendments to the Act to clarify the management, disposal of and access to ministerial records
- reviewing and developing improved recordkeeping practices for Ministers.
- QSA participated in a joint initiative with QUT in December 2017 to reimagine the future of recordkeeping. The initiative produced a conceptual 'QSAbot' technology which would ensure recordkeeping compliance by default by attempting to make recordkeeping happen 'behind the scenes'. The technology would significantly minimise the level of user involvement currently required and revolutionise recordkeeping in a world first.
- The Program is closely aligned with the Digital Archiving Program. While the Digital Archive Program will not solve the issues of recordkeeping compliance outlined above, it will ensure the preservation of permanent value digital records that will be transferred into the digital archive.
- QSA's operational resources are insufficient to lead and progress the Program without some reduction in the current services provided by QSA. This includes the provision of operational recordkeeping advice to agencies and the development and review of agency specific retention and disposal schedules. QSA's intention is to maintain only minimal operational services during the life of the Program, to enable key resources to be redirected to transformation initiatives. A letter to be sent by the State Archivist to public authority chief executives advising of this change is attached ([refer to Attachment 2](#)).

ELECTION AND GOVERNMENT COMMITMENTS

- The issue is not the subject of an election or Government commitment.

FINANCIAL IMPLICATIONS

- Requests for extra resources within the Government Recordkeeping team at QSA required to progress the Program and develop the 'QSAbot' technology are currently being progressed through [the budget funding process separate CBRC submissions](#).
- For the Program to succeed chief executives will need to dedicate resources towards digital recordkeeping within their own agencies as part of their statutory obligation under the Act to make and keep full and accurate records of their activities.

CONSULTATION

- Not applicable.

FUTURE STEPS

- [If endorsed, whole-of-government and public consultation about the review of the Act can occur as early as is anticipated to commence in early March 2018.](#)
- The State Archivist [proposes will to](#) write to public authority chief executives to advise them about the Program and the subsequent changes to QSA's government services.
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- Priority amendments to the Act are being [identified progressed. Identification of legislation to attach the amendments to will be required to progress through the Cabinet process.](#) A separate Ministerial Briefing Note will outline the [proposed changes and seek approval to proceed. Identification of legislation to attach the amendments to will be required to progress through the Cabinet process.-](#)
- QSA is currently developing revised disposal authorisation for ministerial records which will be subject to consultation with Ministers, Assistant Ministers and the Department of the Premier and Cabinet.
- Exploration of partnerships to further the development of the 'QSAbot'.

COMMUNICATIONS/MEDIA OPPORTUNITIES

- Not applicable.

BACKGROUND

- Approximately 500 public authorities are required to comply with the Act, including state government departments, local governments, statutory authorities, Ministers and Assistant Ministers and Government Owned Corporations.
- Poor recordkeeping contributes to ineffective public administration and can have consequences under whole-of-government legislation such as the *Public Records Act 2002*, the *Criminal Code Act 1899*, the *Evidence Act 1977*, the *Crime and Corruption Act 2001* and the *Health Ombudsman Act 2013*.

Released under RTI - DCHD

16/02/2018 14:53	MECS\Heather.Rayfield	Workflow was CC'd to Heather Rayfield for Information by Heather Rayfield (who was acting for: DPS) with the following instructions:	
16/02/2018 14:51	MECS\Heather.Rayfield	MECS\Heather.Rayfield deleted attachment(s) with the following description(s) : (1) Attachment 1 – Ministerial briefing note Recordkeeping Transformation Program diagram.;	
16/02/2018 14:49	MECS\Heather.Rayfield	Item created by Heather Rayfield	

Released under RTI - DCHDE

Subject Immediate actions to be undertaken by Queensland State Archives to affirm recordkeeping obligations of all public authorities

Approval required by: 8/3/2017

RECOMMENDATION

- It is recommended that the Director-General **note** Queensland State Archives proposed course of action to issue guidance to all Queensland public authorities to remind them of their recordkeeping obligations.

BACKGROUND

- The main purpose of the *Public Records Act 2002* (the Act) is to ensure the public records of Queensland are made, managed, kept and, if appropriate, preserved in a useable form for the benefit of present and future generations.
- Under the Act, the functions and powers of the Archivist include the development and promotion of efficient and effective methods, standards, guidelines, procedures and systems for making, managing, keeping, storing, disposing of, preserving and using public records.
- Fundamental principles of the Act require that a public authority must make and keep full and accurate records of their activities, and have regard to any relevant policy, standards and guidelines made by the Archivist about the making and keeping of public records.
- Additionally a public authority is responsible for ensuring the safe custody, preservation and appropriate retention and disposal of its public records.
- Minimum retention periods are set out in Retention and Disposal Schedules approved by the State Archivist; it is important to note that different records will have different retention periods, from the very short term to permanent.
- Exceptions to the minimum retention periods include records which:
 - are, or are reasonably likely to be, subject to a judicial proceeding including any legal action or a Commission of Inquiry, noting it is an offence under the *Criminal Code Act 1899* (s.129) 'for a person, who knowing something is or may be needed in evidence in a judicial proceeding, damages it with intent to stop it being used in evidence'
 - are subject to a request for access under the *Right to Information Act 2009*, the *Information Privacy Act 2009* or any other relevant Act
 - are subject to a disposal freeze issued by the State Archivist.

KEY ISSUES

- A public record is any form of recorded information, created or received by, or created on behalf of a Queensland public authority in the transaction of government business.
- This includes Ministerial records which are records created or received by a Minister in the course of carrying out Ministerial portfolio responsibilities, but does not include:
 - a record related to personal or party-political activities; or
 - a record held in their capacity as a member of the Legislative Assembly.
- There is a current matter before Parliament and in the Media regarding the Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply, Mark Bailey.
- Minister Bailey has a private email account that allegedly contains emails related to his work as a Minister, and that he has allegedly undertaken actions regarding this account which are potentially in breach of the *Public Records Act 2002*.
- The Director-General of the Department of the Premier Cabinet has been asked by the Premier to investigate this issue.

- The State Archivist is supportive of this review and considers the management of these records to be the responsibility of public authorities on a day to day basis, consistent with the *Public Records Act 2002*.
- The State Archivist will monitor this situation to assess whether it is in the public interest for an independent review by the Archivist of any potential breach of the *Public Records Act 2002*.
- The State Archivist is concerned this issue may be symptomatic of a lack of understanding and awareness of recordkeeping requirements in this area and this has prompted Queensland State Archives to issue immediate guidance to all Queensland public authorities, including Ministers and Assistant Ministers, to remind them of their general recordkeeping obligations relating to this matter.
- The State Archivist will issue this advice under Section 25(f) of the *Public Records Act 2002* (refer **Attachment 1** and **Attachment 2**).
- This incident has raised a number of significant questions for which Queensland State Archives is seeking legal advice as to any further actions it may be required to take to ensure the ongoing integrity and completeness of Queensland public records now and in the future.

FINANCIAL IMPACTS

- There are no financial impacts.

Endorsed

Noted / Approved / Not Approved

Andrew Spina
Assistant Director-General

Jamie Merrick (or the Director on behalf of)
Director-General

Director-General or Director comments

Audience: To CEOs of all Qld Public Authorities

Topic: Advice on their responsibilities and definition of a public record

Dear ***

Responsibilities for making and keeping public records

I am writing to you in your role as the Chief Executive Officer of a Queensland public authority to outline key information management and recordkeeping responsibilities that relate to the management of records that may have been created outside of a public authority's official Information & Communication Technology (ICT) network.

Under the *Public Records Act 2002* (the Act), all public authorities are required to make and keep full and accurate public records of its activities and to have regard to any policy, standards and guidelines made by the State Archivist. As the CEO, you are responsible for ensuring compliance with these requirements.

We have previously issued advice on the creation and management of records and we would like to take this opportunity to remind you of some key recordkeeping principles.

A public record is any form of recorded information, created or received by, or created on behalf of a Queensland public authority in the transaction of government business. The definition of a public record is technology neutral and therefore public records can exist in all formats including emails, text messages and social media interactions that are related specifically to, or include, the transaction of government business.

A public record is also not defined by where it is created, stored or managed. Ideally, all government transactions should be managed through appropriate government channels. However we are aware some public authorities may create what may be defined as public records outside of official ICT networks. These may include government business interactions and exchanges conducted through:

- private or non-government email, and drop box accounts
- private mobile and smart devices including text messages
- private social media applications e.g. Twitter, Facebook, Snapchat
- external websites e.g. blogs, comment sections.

It is important you have processes in place to capture, manage, and preserve potential public records that are created outside your official ICT network. This would include awareness for staff on the use of these channels and the need to ensure potential public records are managed and kept as full and accurate records.

You are responsible for ensuring all public records are kept for their authorised minimum retention periods. These minimum retention periods are set out in Retention and Disposal Schedules that have been approved by the State Archivist. It is important to note that different records will have different retention periods, from the very short term to permanent. Exceptions to the minimum periods include records which:

- are, or are reasonably likely to be, subject to a judicial proceeding including any legal action or a Commission of Inquiry, noting it is an offence under the *Criminal Code Act 1899* (s.129)

'for a person, who knowing something is or may be needed in evidence in a judicial proceeding, damages it with intent to stop it being used in evidence'

- are subject to a request for access under the *Right to Information Act 2009*, the *Information Privacy Act 2009* or any other relevant Act
- are subject to a disposal freeze issued by the State Archivist.

For further advice and assistance on your responsibilities and all recordkeeping matters, please contact Ms Anna Morris, the A/Director, Government Recordkeeping on anna.morris@archives.qld.gov.au.

Yours sincerely

Mike Summerell

Executive Director & State Archivist

Released under RTI - DCHDE

Audience: To all Ministers, including Assistant Ministers and their Chief of Staff

Topic: Advice on their responsibilities and definition of a public record

Dear ***

Responsibilities for making and keeping public records

I am writing to you to outline key information management and recordkeeping responsibilities that relate to the management of records that may have been created outside of a public authority's official Information & Communication Technology (ICT) network.

Under the *Public Records Act 2002* (the Act), all public authorities are required to make and keep full and accurate public records of its activities and to have regard to any policy, standards and guidelines made by the State Archivist. You are responsible for ensuring compliance with these requirements.

We have previously issued advice on the creation and management of records and we would like to take this opportunity to remind you of some key recordkeeping principles.

A public record is any form of recorded information, created or received by, or created on behalf of a Queensland public authority in the transaction of government business. This includes Ministerial records which are records created or received by a Minister in the course of carrying out Ministerial portfolio responsibilities, but does not include:

- a record related to personal or party-political activities; or
- a record held in their capacity as a member of the Legislative Assembly.

The definition of a public record is technology neutral and therefore public records can exist in all formats including emails, text messages and social media interactions that are related specifically to, or include, the transaction of government business.

A public record is also not defined by where it is created, stored or managed. Ideally, all government transactions should be managed through appropriate government channels. However we are aware some public authorities may create what may be defined as public records outside of official ICT networks. These may include government business interactions and exchanges conducted through:

- private or non-government email, and drop box accounts
- private mobile and smart devices including text messages
- private social media applications e.g. Twitter, Facebook, Snapchat
- external websites e.g. blogs, comment sections.

It is important you have processes in place to capture, manage, and preserve potential public records that are created outside your official ICT network. This would include awareness for staff on the use of these channels and the need to ensure potential public records are managed and kept as full and accurate records.

You are responsible for ensuring all public records are kept for their authorised minimum retention periods. These minimum retention periods are set out in Retention and Disposal Schedules that have been approved by the State Archivist. It is important to note that different records will have different retention periods, from the very short term to permanent. Exceptions to the minimum periods include records which:

- are, or are reasonably likely to be, subject to a judicial proceeding including any legal action or a Commission of Inquiry, noting it is an offence under the *Criminal Code Act 1899* (s.129) 'for a person, who knowing something is or may be needed in evidence in a judicial proceeding, damages it with intent to stop it being used in evidence'
- are subject to a request for access under the *Right to Information Act 2009*, the *Information Privacy Act 2009* or any other relevant Act
- are subject to a disposal freeze issued by the State Archivist.

For further advice and assistance on your responsibilities and all recordkeeping matters, please contact Ms Anna Morris, the A/Director, Government Recordkeeping on anna.morris@archives.qld.gov.au.

Yours sincerely

Mike Summerell

Executive Director & State Archivist

Released under RTI - DCH/DPE

MINISTERIAL BRIEFING NOTE

Subject: Confirmation of processes by Ministers and Assistant Ministers to manage public records in private email accounts
Decision/Action by: N/A
Reasons for Urgency: N/A
Briefing type: Unrequested briefing note for approval
Responsible Area: Queensland State Archives
Electorate: Statewide
Contact Officer: Departmental contact: Mike Summerell (07) 30376601

PURPOSE

To advise of the State Archivist's intention to write to Ministers and Assistant Ministers seeking confirmation that ministerial office processes are in place to manage public records received or sent from private email accounts.

RECOMMENDATION

It is recommended that the Minister:

- Note the State Archivist's intention to write to Ministers and Assistant Ministers seeking confirmation that ministerial office processes are in place to manage public records received or sent from private email accounts.

Noted	Approved	Not approved
	Yes	No
	Media Release Required	X

Routine (Straight to MO) **Non-routine** (DG to endorse)

DIVISIONAL HEAD ENDORSEMENT	COMMENTS
Andrew Spina Deputy Director-General Digital Technology and Services Date: / /	
DIRECTOR-GENERAL ENDORSEMENT	COMMENTS
Liza Carroll Director-General Department of Housing and Public Works Date: / /	
MINISTERIAL APPROVAL	COMMENTS
Mick de Brenni MP Minister for Housing and Public Works Minister for Digital Technology Minister for Sport Date: / /	

CONTEXT

- In March 2017, the Crime and Corruption Commission (CCC) tasked the State Archivist with investigating an allegation of unauthorised disposal of public records by the Honourable Mark Bailey MP, former Minister for Main Roads, Road Safety and Ports and Minister for Energy, Bio Fuels and Water Supply, when he deleted his private email account mangocube6@yahoo.co.uk.
- In September 2017, the State Archivist presented his final report of the investigation to the CCC who accepted all the recommendations made.
- The final report included a recommendation that *'the State Archivist undertakes an urgent review of the processes in place for all current Ministers and ministerial staff in managing public records created or received within their private email accounts.'*

KEY ISSUES

- The investigation highlighted the potential for the widespread creation and receipt of ministerial records in the private email accounts of Ministers, Assistant Ministers and their staff.
- The investigation also highlighted wider issues related to the standard of recordkeeping practices across government including Ministers and Assistant Ministers and their staff, and a lack of awareness of responsibilities and requirements relating to the management of public records.
- The State Archivist made a recommendation in the report to conduct a review of processes for all current Ministers and their staff in managing public records sent or received in private email accounts.
- Following the completion of the CCC investigation, the CCC reported that the use of private email accounts, and particularly the deletion of records in those accounts, could give rise to a significant public perception that the use of such accounts is done for a corrupt purpose.
- In March 2018 the Public Service Commission released a *Private Email Use Policy* which prohibited the use of private email accounts of public service employees for government related business.
- The *Ministerial Handbook* requires that Ministers and Assistant Ministers must ensure all ministerial portfolio-related business is conducted through their ministerial email account.
- The State Archivist issued the *Ministerial Records Policy* in December 2017 which outlines the recordkeeping requirements that Ministers and Assistant Ministers must follow including the management of public records in private email accounts.
- The State Archivist proposes to write to Ministers and Assistant Ministers seeking assurance that ministerial records are being managed appropriately including procedures for the management of ministerial records received or sent from private email and social media accounts.

ELECTION AND GOVERNMENT COMMITMENTS

- The issue is not the subject of an election or Government commitment.

FINANCIAL IMPLICATIONS

- Not applicable

CONSULTATION

- Not applicable.

FUTURE STEPS

- The State Archivist will write to Ministers and Assistant Ministers about their current recordkeeping processes.

COMMUNICATIONS/MEDIA OPPORTUNITIES

- A media release is not required.

QSA Office of the State Archivist

From: Mike Summerell
Sent: Thursday, 26 July 2018 9:03 AM
To: Office of the State Archivist
Subject: HPE CM: RE: For review : Briefing around writing to Ministers seeking confirmation of the processes to manage public records in private email accounts

Follow Up Flag: Follow up
Flag Status: Flagged

Perfect

From: Office of the State Archivist
Sent: Thursday, 26 July 2018 8:19 AM
To: Mike Summerell <Mike.Summerell@archives.qld.gov.au>
Subject: For review : Briefing around writing to Ministers seeking confirmation of the processes to manage public records in private email accounts

Hi Mike

As per your request the other day to develop a brief on Ministerial recordkeeping and use of private email accounts, Josephine has provided the attached brief.

Can you please review and advise if this is what you were wanting and also when you would like it submitted into MECS for progression

Regards Heather

Heather Rayfield

Acting Manager | Office of the Executive Director & State Archivist

Queensland State Archives | Department of Housing and Public Works

435 Compton Road, Runcorn QLD 4113

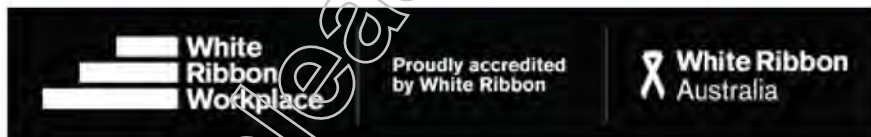
PO Box 1397, Sunnybank Hills, QLD, 4109

Ph 07 3037 6661 (ext 76661) | email Heather.rayfield@archives.qld.gov.au

www.hpw.qld.gov.au

www.archives.qld.gov.au | www.facebook.com/qldstatearchives | www.twitter.com/qsarchives

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SECURITY CLASSIFICATION: OFFICIAL

BRIEFING NOTE – MINISTER

Subject Confirmation of processes by Ministers and Assistant Ministers to manage public records in private email accounts

Approval required by: 2 April 2021

Reasons for Urgency: There is no specific timeframe required

RECOMMENDATION

It is recommended that the Minister:

1. Approve the State Archivist to write to Ministers and Assistant Ministers seeking confirmation that ministerial office processes are in place to manage public records received or sent from private email accounts (**Attachment 1**)

Noted	Approved	Not approved

BACKGROUND/CONTEXT

- In March 2017, the Crime and Corruption Commission (CCC) tasked the State Archivist with investigating an allegation of unauthorised disposal of public records by the Honourable Mark Bailey MP, former Minister for Main Roads, Road Safety and Ports and Minister for Energy, Bio Fuels and Water Supply, when he deleted his private email account mangocube6@yahoo.co.uk.
- In September 2017, the State Archivist presented his final report of the investigation to the CCC who accepted all the recommendations made.
- The final report included a recommendation that *‘the State Archivist undertakes an urgent review of the processes in place for all current Ministers and ministerial staff in managing public records created or received within their private email accounts.’*
- In September 2018, the State Archivist informed the Director-General of Housing & Public Works (HPW) of his intention to write to all Ministers and Assistant Ministers seeking confirmation of the processes they have in place to public records created or received in Private email accounts.
- The Director-General of HPW refused permission for the State Archivist to contact Ministers and Assistant Ministers on this matter.
- At present there is widespread public interest in the management of public records in the private email accounts of Ministers and the State Archivist considers it in the public interest to obtain confirmation of these processes to ensure the ongoing integrity of the Queensland public record.

KEY ISSUES

- The 2017 investigation highlighted the potential for the widespread creation and receipt of ministerial records in the private email accounts of Ministers, Assistant Ministers, and their staff.
- The investigation also highlighted wider issues related to the standard of recordkeeping practices across government including Ministers and Assistant Ministers and their staff, and a lack of awareness of responsibilities and requirements relating to the management of public records.
- The State Archivist made a recommendation in the 2017 report to conduct a review of processes for all current Ministers and their staff in managing public records sent or received in private email accounts.
- Following the completion of the CCC investigation, the CCC reported that the use of private email accounts, and particularly the deletion of records in those accounts, could give rise to a significant public perception that the use of such accounts is done for a corrupt purpose.

- In March 2018 the Public Service Commission released a *Private Email Use Policy* which prohibited the use of private email accounts of public service employees for government related business.
- The *Ministerial Handbook* requires that Ministers and Assistant Ministers must ensure all ministerial portfolio-related business is conducted through their ministerial email account.
- The State Archivist issued the *Ministerial Records Policy* in December 2017 which outlines the recordkeeping requirements that Ministers, and Assistant Ministers must follow including the management of public records in private email accounts.
- The State Archivist proposes to write to Ministers and Assistant Ministers seeking assurance that ministerial records are being managed appropriately including procedures for the management of ministerial records received or sent from private email and social media accounts.

ELECTION/CABINET/PUBLIC COMMITMENTS/LEGISLATION

- The issue is not the subject of an election or Government commitment.

FINANCIAL IMPACTS

- There are no financial impacts.

HUMAN RIGHTS IMPACT ASSESSMENT

- There are no implications for human rights under the *Human Rights Act 2019*.

CONSULTATION

- Not applicable.

COMMUNICATIONS/MEDIA OPPORTUNITIES

- Not applicable.

FUTURE STEPS

- The State Archivist will write to Ministers and Assistant Ministers about their current recordkeeping processes.

<p>DEPUTY DIRECTOR-GENERAL ENDORSEMENT</p>	<p>COMMENTS</p>
<p>Andrew Spina Deputy Director-General Services Delivery and Operations</p> <p>Date: / /</p>	
<p>DIRECTOR-GENERAL ENDORSEMENT</p>	<p>COMMENTS</p>
<p>Clare O'Connor Director-General Department of Communities, Housing and Digital Economy</p> <p>Date: / /</p>	
<p>MINISTER'S OFFICE</p>	<p>COMMENTS</p>
<p>Leeanne Enoch MP Minister for Communities and Housing Minister for Digital Economy Minister for the Arts</p> <p>Date: / /</p>	

Electorates: Statewide or Electorate/s (search address at <https://www.ecq.qld.gov.au/electoral-boundaries/where-is-my-electorate>)

Released under RTI - DCHDE



Queensland
Government

Department of
**Communities, Housing
and Digital Economy**

Our Ref: HPW [SystemRefNo]
Your Ref: QSA21/21

Hon Leanne Enoch MP
Minister for Communities, Housing and Digital Economy
GPO Box 2457
BRISBANE QLD 4001

Dear Minister Enoch

Review of practices used to manage ministerial records held in private email accounts

I am writing to all current Ministers and Assistant Ministers to identify what practices are in place to manage any ministerial records that may be held in private email accounts.

As the Minister for Communities, Housing and Digital Economy you are no doubt aware that you are considered a public authority under the Public Records Act 2002 (the Act). You are also considered the executive officer of your public authority and have statutory obligations under the Act to:

- a) make and keep full and accurate records of your activities as a Minister; and
- b) have regard to any relevant policy, standards and guidelines made by the archivist about the making and keeping of public records.

These obligations extend to ensuring that staff within your office also meet these requirements.

With this in mind, could you please advise what processes you have in place to ensure that ministerial records created or received in private email accounts are captured in an official ministerial system and are not unlawfully disposed of?

Please note that ministerial records do not include records of the following (unless they relate to the Minister's portfolio responsibilities):

- personal activities and interactions with family and friends
- political party membership or activities
- constituency or electorate activities
- responsibilities as a member of the Legislative Assembly.

The results of my review of current practices in ministerial offices will inform me of future work that may need to be undertaken in order to ensure that ministerial records contained within private email systems are identified, captured, managed, kept and preserved in accordance with the requirements of the Act.

To assist with a timely resolution of this matter, I ask that you provide your response to the request above to my office by [date].

I would like to thank you for your assistance with this important review. Ministerial records are some of the most important records created in government and are the cornerstone of

an accountable, democratic and transparent society. These public records provide evidence of the highest level of Queensland Government deliberations, decisions and actions which ultimately influence the administration of government and the people of Queensland. It is critical that the public records of Ministers are handled and managed in a manner which best ensures they are kept and preserved for the benefit of current and future generations.

For further advice and assistance please contact my office on telephone 07 3037 6727 or email officeofthestatearchivist@archives.qld.gov.au.

Yours sincerely

Mike Summerell
Executive Director and State Archivist
Queensland State Archives

Heather Rayfield

From: Mike Summerell
Sent: Tuesday, 2 March 2021 2:34 PM
To: QSA Office of the State Archivist
Subject: EDSA APPROVED - MBN - Confirmation of processes by Ministers and Assistant Ministers to manage public records in private email accounts

Categories: Important

Approved

From: QSA Office of the State Archivist <Officeofthe.StateArchivist@archives.qld.gov.au>
Sent: Tuesday, 2 March 2021 2:33 PM
To: Mike Summerell <Mike.SUMMERELL@archives.qld.gov.au>
Subject: FW: EDSA APPROVAL, pls - MBN - Confirmation of processes by Ministers and Assistant Ministers to manage public records in private email accounts

Hi Mike,

Please could review and approve the attached MBN for 'Confirmation of processes by Ministers and Assistant Ministers to manage public records in private email accounts' and attachment, which is a letter to Minister Enoch regarding this issue.

Once I have your approval I will upload to NEO for the ODDG.

Many thanks.

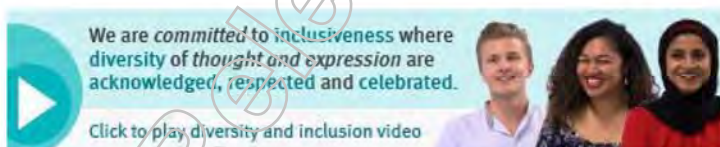
Kind regards, Cemon

Cemon Aveyard

A/g Senior Project Officer | Office of the Executive Director and State Archivist
Queensland State Archives | Department of Communities, Housing and Digital Economy
435 Compton Road, Runcorn QLD 4113
PO Box 1397, Sunnybank Hills QLD 4109
ph 07 3037 6749 | email cemon.aveyard@archives.qld.gov.au
www.hpw.qld.gov.au
www.archives.qld.gov.au | www.facebook.com/qldstatearchives | www.twitter.com/qsarchives

Customers first | Ideas into action | Unleash potential | Be courageous | Empower people | Healthy and safe workforce

I acknowledge the traditional custodian's past and present on whose land I walk, I work, I live and respect.



From: Josephine Marsh <Josephine.MARSH@archives.qld.gov.au>
Sent: Tuesday, 2 March 2021 12:27 PM
To: QSA Office of the State Archivist <Officeofthe.StateArchivist@archives.qld.gov.au>
Subject: Final version of BN and letters to Ministers

Hi

Please can you review the attached BN for formatting and then seek Mike's approval of the final version for submission into Neo. Also included is a letter to be sent to Minister Enoch as part of the BN.

Thanks

Josephine

Josephine Marsh

Director | Government Records and Discovery

Queensland State Archives | Department of Communities, Housing and Digital Economy

435 Compton Road | Runcorn

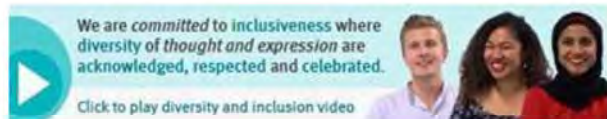
PO Box 1397 | Sunnybank Hills | QLD | 4109

ph 07 3037 6605 | mb49 Sch 4 | email josephine.marsh@archives.qld.gov.au

archives.qld.gov.au facebook.com/qldstatearchives twitter.com/qsarchives

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