

# **STATE RECORDS AUTHORITY OF NEW SOUTH WALES**

# **PUBLICATION GUIDE**

**ADOPTED 18 NOVEMBER 2010**

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## **Introduction**

The State Records Authority of NSW (State Records) Publication Guide tells you in general terms:

- The structure and functions of State Records
- How State Records functions affect the public
- How the public can participate in the formulation of State Records' policy and exercise of its functions
- The kinds of government information held by State Records
- The kinds of government information State Records will make available to the public
- How State Records will make government information available to the public
- Whether or not there is a charge to access specific kinds of information

## **Our Structure and Functions**

The State Records Authority of New South Wales (State Records) is the NSW Government's archives and records management authority. Its purposes are to:

- Preserve the State archives and enable and promote their use; and
- Set standards and provide guidance and services to improve records management across the NSW public sector including local government, the universities and the public health system.

The public can access State archives via the Public Reading Rooms located at the Western Sydney Records Centre and the Sydney Records Centre. Addresses and hours are as follows:

Western Sydney Records Centre  
143 O'Connell Street  
KINGSWOOD

Sydney Records Centre  
2 Globe Street  
THE ROCKS

### Telephone and facsimile

Telephone (02) 9673 1788

Facsimile (02) 9833 4518

### Hours of opening

Monday – Friday 9am – 5pm

Saturday 10am – 4pm

Sunday and public holidays CLOSED

Reading rooms and public facilities are wheelchair accessible.

Postal address

PO Box 516  
Kingswood NSW 2747

The public can also visit our website ([www.records.nsw.gov.au](http://www.records.nsw.gov.au)) or email us ([srecords@records.nsw.gov.au](mailto:srecords@records.nsw.gov.au)).

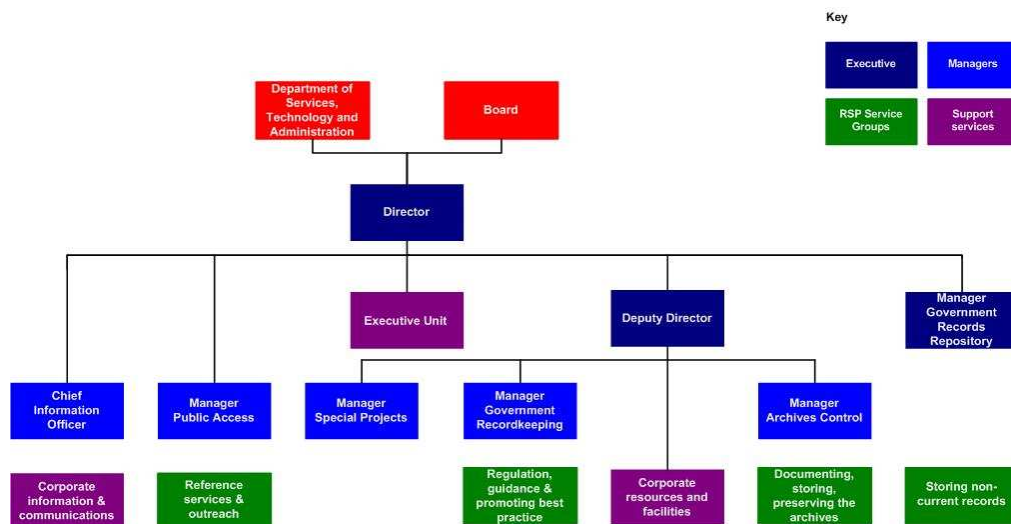
State Records is an agency within the Department of Finance and Services, and a statutory body under Schedule 2 of the Public Finance and Audit Act 1983. Our core regulatory, archival management, public access and service delivery functions are Budget-funded through a grant from the Department of Finance and Services. The Government Records Repository (GRR) operates off-Budget to provide records storage services to the public sector.

State Records is governed by the State Records Act 1998, which also establishes public offices' obligations in relation to their records, and governs public access to records more than 30 years old. The Act was amended in 2005 following a review.

State Records is comprised of an Executive Unit and five branches.

**State Records Authority of NSW**

**June 2010**



- Executive Unit supports the Director and addresses policy issues.
- Public Access enables members of the public to access Government records and archives.
- Government Recordkeeping sets standards for the management of State records, provides guidance to NSW public sector agencies on records management and identifies records which need to be retained as State archives.
- Archives Control and Management accepts Government records which will be held retained as State archives and processes these records to enable access.
- Corporate Information and Communications provides the information technology and communications services required for communication

within State Records and between State Records and its external stakeholders.

- Government Records Repository stores and provides access to non-current Government records, for a fee.

### **Effect of State Records functions on the public**

State Records' function as the State Government's records management authority impacts on the public indirectly since there is a close connection between the quality of government recordkeeping and accountability of government to the people. Recordkeeping standards, proper storage facilities and the orderly appraisal and disposal of records improve the quality of government recordkeeping by ensuring that records are created by public officials in the first place, are properly managed in public sector bodies and that the core of records which become State archives are systematically identified.

State Records' function as the State's archives authority has a direct impact on the public. As a result of the work undertaken in respect of this function, the public are able to use the State archives for a range of legal, administrative and research purposes. Decisions made by State Records and its Board regarding the retention or disposal of State records under s. 21 of the *State Records Act 1998* determine which records will become part of the State archives. The storage and preservation of State archives ensures ongoing physical accessibility of the records while the arrangement and description of the records in their functional and administrative contexts facilitates intellectual access to them. A register of access directions made by public sector bodies assists the public in identifying their rights of access to State archives. Reading room services, a basic telephone and written enquiry service, the provision of copies of selected State archives in regional repositories and public libraries and State Records' website facilitate the identification and use of relevant records by the public.

### **Public participation in policy development**

The public is able to provide input into State Records' policies through public consultation processes associated with major policy developments.

These processes differ depending on the issue at hand. However, generally they will include the opportunity to comment formally on a discussion paper. Information on current reviews will be provided via the State Records website as they occur.

State Records also monitors Ministerial correspondence and customer feedback to identify policy issues that may need review.

Members of the public can influence policy development through membership of the Community Advisory Committee, which represents the views of State Records clients such as professional historians.

Informal feedback can be provided as follows:

Email                [srecords@records.nsw.gov.au](mailto:srecords@records.nsw.gov.au)

Telephone        (02) 9673 1788

Facsimile        (02) 9833 4518

Letter                State Records  
                         PO Box 516  
                         KINGSWOOD NSW 2747

### **What kind of government information do we have?**

Information is contained in the following documents held by State Records:

#### Files

Up to December 1996 files were categorised as follows:

##### a) Administrative files

These cover most aspects of the then Archives Authority's operations, including recruitment and staffing, purchase of equipment, financial matters, etc.

##### b) Policy files

These records contain reports and correspondence on the full range of matters of concern to the Archives Authority, from Records Management and Repository Services to Collection Services and public access activities.

##### c) Disposal files

Disposal files record administrative details relating to the transfer or destruction of public records.

##### d) Reference files

These comprise inquiries from individuals and institutions seeking information from archival records held by State Records.

In January 1997, a new unified correspondence system was introduced.

#### Records relating to Board meetings (Minutes and Meeting Papers)

#### Disposal/accession and related records

These give details of records approved for destruction or transfer as State archives.

#### Public Access — working records

Public Access maintains a range of records, the most significant of which relate to Reading Room Services.

#### Policies

#### Procedure Manuals

These are chiefly designed for State Records staff and other government employees.

### Publications and on-line resources

State Records produces a variety of publications for the public and for the NSW public sector. These range from guides and finding aids to recordkeeping standards, policies and guidelines. Many publications can be viewed on-line and can be purchased in hardcopy format. Detailed and summary lists of publications are available on request to the Sydney Records Centre or the Western Sydney Records Centre.

A range of brochures outlining services offered by the Government Records Repository is available from the Western Sydney Records Centre. Public Access has also prepared a number of *Archives in Brief* leaflets to assist researchers.

State Records' internet is a rich source of information regarding its operations.

### **What kind of government information is made available to the public, and how?**

The *Government Information (Public Access) Act 2009* (the GIPA Act) replaces the *Freedom of Information Act 1989* in NSW.

The GIPA Act encourages the proactive release of Council information and aims to promote a more open and transparent government.

There are four avenues to access State Records information under the GIPA Act:

- Mandatory disclosure of open access information
- Proactive release of information
- Informal release of information
- Formal access application

### Open access information (Mandatory Disclosure)

The GIPA Act provides that certain prescribed information must be made available free of charge on the State Records website. This includes the following "open access information":

- Policy documents
- State Records' disclosure log of access applications
- Publication Guide
- Government Contracts Register (providing details of significant government contracts and tenders)
- Documents that are tabled in Parliament concerning State Records
- Major assets and acquisitions
- Properties disposed of by State Records
- Guarantee of Service
- Code of Conduct
- Record of open access information that is not made available to the public on the basis of an overriding public interest against disclosure

### Proactive release of information

Consistent with the underlying principles of the GIPA Act, State Records may also make a range of information available to the public free of charge on our website. Go to the Proactive release section of the website for further information.

Information available on informal request

Under the GIPA Act, State Records can release other information in response to an informal request and where information that is not made available on the website. State Records may impose conditions on the release of such information. There is no charge for making an informal request for information.

State Records will generally provide the following types of information in response to an informal request, without the need to make a formal access application:

- Copies of correspondence, where the person requesting the correspondence was the person who sent it to State Records.
- Documents that contain only personal information about a particular individual, and that is the person who is requesting the information.
- Documents that have already been made public in some other way.
- Other reasonable requests for information the release of which would not raise any potential concerns in terms of public interests considerations against disclosure.

Information available in response to a formal access application

For access to information that is not made available through the other three avenues, a formal access application will need to be made and is the last resort for obtaining State Records information that is not available any other way. The GIPA Act provides that members of the public have a right to access information unless the GIPA Act provides a reason to withhold information.

There is a \$30 application fee for a formal access application and processing charges also apply.

Information that is not available in response to a formal access application

Information will not be available in response to an access application where it involves "excluded information" as defined under the Government Information (Public Access) Act 2009. Although an access application may be made for all other government information held by State Records, State Records will not release information if there is an overriding public interest against the disclosure of the information.

Some of the particular information that State Records cannot release in response to an access application includes:

- Cabinet information (as defined in item 2 of Schedule 1 of the GIPA Act).
- Executive Council information (as defined in item 3 of Schedule 1 of the GIPA Act).

Otherwise, State Records will release information in response to a valid access application unless there is an overriding public interest against disclosure.

**What to do if you are seeking information informally or have questions about making an access application**

If you are seeking information informally or have questions about making an access application you should contact the Executive Officer at State Records. Contact details are as follows:



Email                srecords@records.nsw.gov.au

Telephone        (02) 8247 8654

Facsimile        (02) 8247 8626

**Applicant's right to request a review of a decision made about an access application made in accordance with the provisions of the *Government Information (Public Access) Act 2009* (the GIPA Act).**

Internal review

An applicant has **20 working days** after the notice of a decision has been posted to ask for an internal review.

There is a \$40 fee for an internal review application except if the decision is deemed refusal' because the agency did not process your application in time. In this case, a review fee cannot be charged.

The agency must acknowledge your application within **5 working days** of receiving it. The agency must decide the internal review within **15 working days** (this can be extended by **10 days** if the agency has to consult with a third party, or by agreement with the applicant).

Requests for internal review should be made to the Executive Officer at State Records. Contact details are as follows:

Email                srecords@records.nsw.gov.au

Telephone        (02) 8247 8654

Facsimile        (02) 8247 8626

External review by the Information Commissioner

If the applicant disagrees with the decision, he/she can ask for a review by the Information Commissioner.

If you are the person applying for access to information, you do **not** have to have an internal review of the decision before asking the Information Commissioner to review it.

If you are not the access applicant, you must seek an internal review before applying for review by the Information Commissioner.

Applicants have **8 weeks** from being notified of the decision to ask for a review by the Information Commissioner.

Note: Applicants cannot ask the Information Commissioner to review a decision that has already been reviewed by the Administrative Decisions Tribunal.

Contact details for the Office of the Information Commissioner are as follows:

Free call number    1800 463 626

Email                oicinfo@oic.nsw.gov.au

Website	<a href="http://www.oic.nsw.gov.au">www.oic.nsw.gov.au</a>
Street Address	Level 11 1 Castlereagh Street SYDNEY NSW 2000
Postal Address	GPO Box 7011 SYDNEY NSW 2001

External review by the Administrative Decisions Tribunal

If the applicant disagrees with any of the decisions listed above, he/she can ask for a review by the Administrative Decisions Tribunal (ADT). The applicant does not have to have the decision reviewed internally, or by the Information Commissioner before applying for review by the ADT.

Applicants have **up to 8 weeks** from being notified of the decision to apply to the ADT for review. However, if the applicant has applied for review by the Information Commissioner, he/she has **4 weeks** from being notified of the Information Commission's review outcome to apply to the ADT.