

Table of commentary: Code of best practice

The *State Records Act 1998* requires NSW State Archives and Records to keep codes of best practice under review (section 13(4)), and to consult with public offices on any proposed code of best practice (section 13(3)).

During March and April 2018, NSW State Archives and Records consulted with public offices regarding the proposed new code of best practice. We announced the consultation on our website on 5 March 2018 and sent emails to all stakeholders in public offices. We placed a notice relating to the proposed code of best practice in the *Government Gazette* on 9 March 2018, as required under section 13(3) of the Act.

Due to Standards Australia's strict copyright requirements, NSW State Archives and Records was unable to make a copy of *AS ISO 15489.1: 2017* available for consultation via the website. Instead, we made available copies of the standard for viewing at the Queens Square office and the reading room of the Western Sydney Records Centre.

We provided further information about the proposed code of best practice at the March 2018 Records Managers' Forum. We published a recording of this presentation on the website soon after. We also published an article in the April issue of the *For The Record* newsletter which is distributed to all public offices.

Over the eight week consultation period we received 16 submissions from public offices. No submissions rejected the proposed code of best practice, and many were enthusiastic in their support for the adoption of *AS ISO 15489.1: 2017* as the new code of best practice.

Public offices providing submissions and comments

Government agencies & authorities

Department of Finance, Services and Innovation

Department of Justice

Information and Privacy Commission

Landcom

Ministry of Health

NSW Treasury

Office of Sport

Office of the Director of Public Prosecutions

Sydney Water

Local Health Districts

Illawarra Shoalhaven Local Health District

Nepean Blue Mountains Local Health District

Western Sydney Local Health District

Universities

Macquarie University

University of Sydney

Local Government

City of Sydney

Port Stephens Council

Court Services (Department of Justice), Supreme Court of NSW, Legal Aid NSW and the Health Professional Council Authority inspected copies of *AS ISO 15489.1: 2017* but did not provide a submission.

Issues raised by public offices

	Issue	Response from NSW State Archives and Records
1	<p>Advice on use of other ISO Standards and relationship to AS ISO 15489 (as the approved code of best practice) and the <i>Standard on records management</i>.</p>	<p>We will link to other ISO standards in our guidance wherever appropriate.</p> <p>As part of the implementation of the new code of best practice we will:</p> <ul style="list-style-type: none"> • issue advice to public offices on how <i>AS ISO 15489.1: 2017</i> relates to the two standards issued under the State Records Act • provide a mapping between <i>AS ISO 15489.1: 2017</i> to the <i>Standard on records management</i> • update the <i>Implementation Guide for the Standard on records management</i> to include references to <i>AS ISO 15489.1: 2017</i>. <p>We will also provide information on the use of other Australian and International Standards where relevant.</p>
2	<p>Consider the formal approval of other ISO standards as codes of best practice.</p>	<p>It is likely that there will only be one code of best practice, as the new <i>AS ISO 15489.1: 2017</i> is a 'central' or 'core' standard which underpins Australian and International Standards on specific topics of records management practice.</p> <p>We will be referring public offices to relevant International Standards where appropriate.</p>
3	<p>As there are copyright concerns around accessibility of <i>AS ISO 15489.1: 2017</i> on websites, will each public office be expected to purchase their own copy of the standard?</p>	<p>Each public office will need to have a copy of the standard.</p> <p>We have raised the issue of making the standard more accessible to our jurisdiction with Standards Australia. Due to copyright, we are not permitted to upload <i>AS ISO 15489.1: 2017</i> to our website.</p>
4	<p>While supportive of the adoption of the new Standard, there are additional features required to address vulnerabilities which are not articulated in the new Standard:</p> <ul style="list-style-type: none"> • the need to create and maintain contemporaneous records of conversations about business decisions • the importance of clear record control and management processes for emails • the potential to embed information and records management as a performance indicator for all public sector employees (which builds on clause 6 of the new Standard) and also fits with the responsibilities of public service employees under the <i>Government Information (Public Access) Act 2009</i> 	<p>As a code of best practice, <i>AS ISO 15489.1: 2017</i> will underpin new guidance on specific topics of practice including the making and keeping of records, capture and management of emails, and recordkeeping responsibilities for all public sector employees.</p>

	and the <i>Government Sector Employee Act 2013</i> .	
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