



## Adequate Records Management in Perspective - Managing Access to Official Records

### Why manage access to official records?

The official records of an agency contain information that can be sensitive and highly personal. The records can also contain information that will be useful to, and of interest to, people outside the agency. As a result it is important that an agency manage the access to its records.

By ensuring that access to its official records is managed, an agency will satisfy the requirements of Outcome 4 of the *Adequate Records Management Standard*.

### Who accesses official records of an agency?

Official records are generally accessed by one of two groups of people:

- by members of staff within the agency to conduct official business of the agency
- by members of the public conducting research, or pursuing other interests.

### Where does access occur?

Access can take place in the following locations:

- within the agency (usually when the records are in active use)
- in off-site storage (usually when the records are in lower demand)
- at State Records (when some of the records have been identified as part of the State Archives and have been transferred to State Records).

### How can an agency ensure that its own access to official records is managed?

Identify your security issues and recognise that monitoring access is part of risk management. Techniques may include:

- limit access to areas where sensitive records are stored, both electronically and physically
- lock filing cabinets and have a policy of limited key distribution
- make sure that both electronic and physical records are only accessible by staff on a 'need to know' basis. This will ensure compliance with the South Australian *Information Privacy Principles*
- ensure that both electronic and physical sensitive records being developed/revised/viewed are either locked away when not in use or the computer is locked, if viewing an electronic record, when the desk is left unattended

## What does an agency have to do about public access to its official records held by State Records?

Sections 20 and 26 of the *State Records Act 1997* give agencies responsibility for determining public access to their records held by State Records.

The Act requires that this be done by developing an access determination in consultation with the Director of State Records.

An access determination can declare that an official record is:

- unrestricted to the public
- restricted from public access or
- restricted with certain conditions.

Public access determinations do not preclude applications for access to official records under the *Freedom of Information Act 1991* or other legislation.

## What are some factors that will impact upon a public access determination?

To assist agencies in making an access determination State Records has developed its *Public Access Determinations Guidelines* (February 2002). This advises agencies to consider such factors as:

- **personal privacy** – do the records contain personal information on individuals, and if so to what degree?
- **commercial confidentiality** – do the records contain information that is considered commercial in confidence?
- **legal matters** – do the records contain information that is subject to legal professional privilege, Crown Law or contempt?

It is important to ensure that the provision of access does not compromise the reliability of records.

## Can records classification assist as an access tool?

Yes, the classification of records can assist in ensuring access considerations are taken into account. For example, the Northern Territory Archives Service encourages agencies to provide security classifications for government records. These include:

- highly protected
- protected
- in Confidence
- NT Government Restricted
- unrestricted.

In addition, security limitations may be used to define specific categories of official records. These limitations (or caveats) can further define specific categories of records where there are particular access requirements.

Some commonly used security limitations can include:

- commercial-in-confidence
- medical-in-confidence
- personnel-in-confidence
- cabinet-in-confidence
- grievance-in-confidence, etc

State and local government agencies and authorities in South Australia can adopt a similar access classification scheme as a means of ensuring the security of their records. A similar security classification scheme is outlined in the *South Australian Recordkeeping Metadata Standard (SARKMS)* (2009) issued by State Records.

### **Further information**

- State Records of South Australia, *Adequate Records Management Standard* (2002).
- State Records of South Australia, *South Australian Recordkeeping Metadata Standard (SARKMS)* (2009).
- State Records of South Australia, *Public Access Determinations Guidelines* (2002).
- Northern Territory Archives, *RM 13 Record Security Classification*.
- Archives of Ontario, *Recorded Information Management. Fact Sheet #3: Security and Integrity of Recorded Information* (Last modified November 1999).  
<http://www.archives.gov.on.ca/>
- Standards Australia, Australian Standard AS ISO 15489-2002, *Records Management* (2002).
- Human Rights and Equal Opportunity Commission, *National Principles for the Fair Handling of Personal Information* (1999).
- Crown Solicitor's Office, *Legal Bulletin No. 21*

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