

Managing Public Sector Records

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Outline

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- The public sector and Victoria's Integrity System
- Why does Victoria have an Auditor-General?
- VAGO's role: what we do and how we do it
- Managing public sector records

Victoria's integrity system

made up of key independent bodies that protect integrity in the public sector



These bodies have different responsibilities, such as setting high standards of conduct, holding government to account and investigating corruption



Executive Government

Agencies

VI
VICTORIAN INSPECTORATE

OVIC
Office of the Victorian Information Commissioner

VAGO
Victorian Auditor-General's Office
Auditing in the Public Interest

ibac

ombudsman
VICTORIAN

Includes:

- VAGO
- VO
- OVIC
- IBAC
- Parliamentary Committees
- Victorian Inspectorate

Why does Victoria have an Auditor-General?

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What do we do?

provide assurance to Parliament on the accountability and performance of the Victorian public sector

Why do we do it?

Because Members of the Parliament are responsible for overseeing the performance of executive government

Why does Victoria have an Auditor-General?

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- under the *Audit Act 1994* (the Act)
- independently of Parliament (i.e. not subject to direction)
- without questioning the merits of policy objectives
- examining the activities of ~ 550 entities (departments, agencies, councils, etc.)
- reporting what we find without **fear, favour or affection**

How VAGO fulfils its mandate

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Financial audit 'how much?'

- report on State's estimated financial statements and annual financial report

Performance audit 'how well?'

- report on whether an agency is achieving its objectives:

Efficient

Effective

Economic

- includes wide powers of access and examination

The story so far...

The central premise

Good records management is critical to government accountability



The story so far...

Year	Origin	Title	Key improvement needed
1996	PAEC	<i>Public Record Office Victoria (PROV)</i>	legislation and regulation
2008	VAGO	<i>Records management in the Victorian public sector</i>	standards, guidance and education
2009	EDIC	<i>Improving access to Victorian public sector information and data</i>	consistency in PSI management
2015	VAGO	<i>Access to public sector information</i>	whole-of-government leadership and governance
2015	PROV	(Landell report) <i>Vic.Gov. records management review</i>	compliance with records management standards
2017	VAGO	<i>Managing public sector records</i>	legislation and regulation

Access to PSI (2015)

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What we found:

whole-of-government leadership & governance of IM failed to drive the significant cultural & operational changes needed to provide the critical foundation of comprehensive & sound IM practices

What we said:

government needs to reform its approach to managing information...

Audit scope



Whether **Department of Education and Training (DET)** and **Department of Health and Human Services (DHHS)** are managing their records effectively

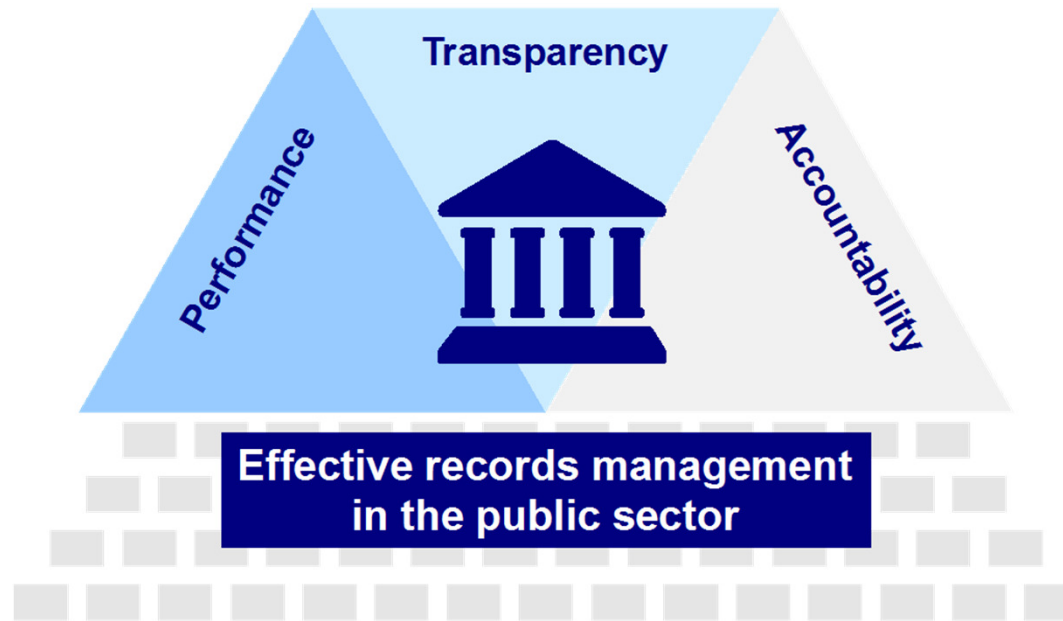


Whether **PROV** is effectively assisting agencies to manage their records



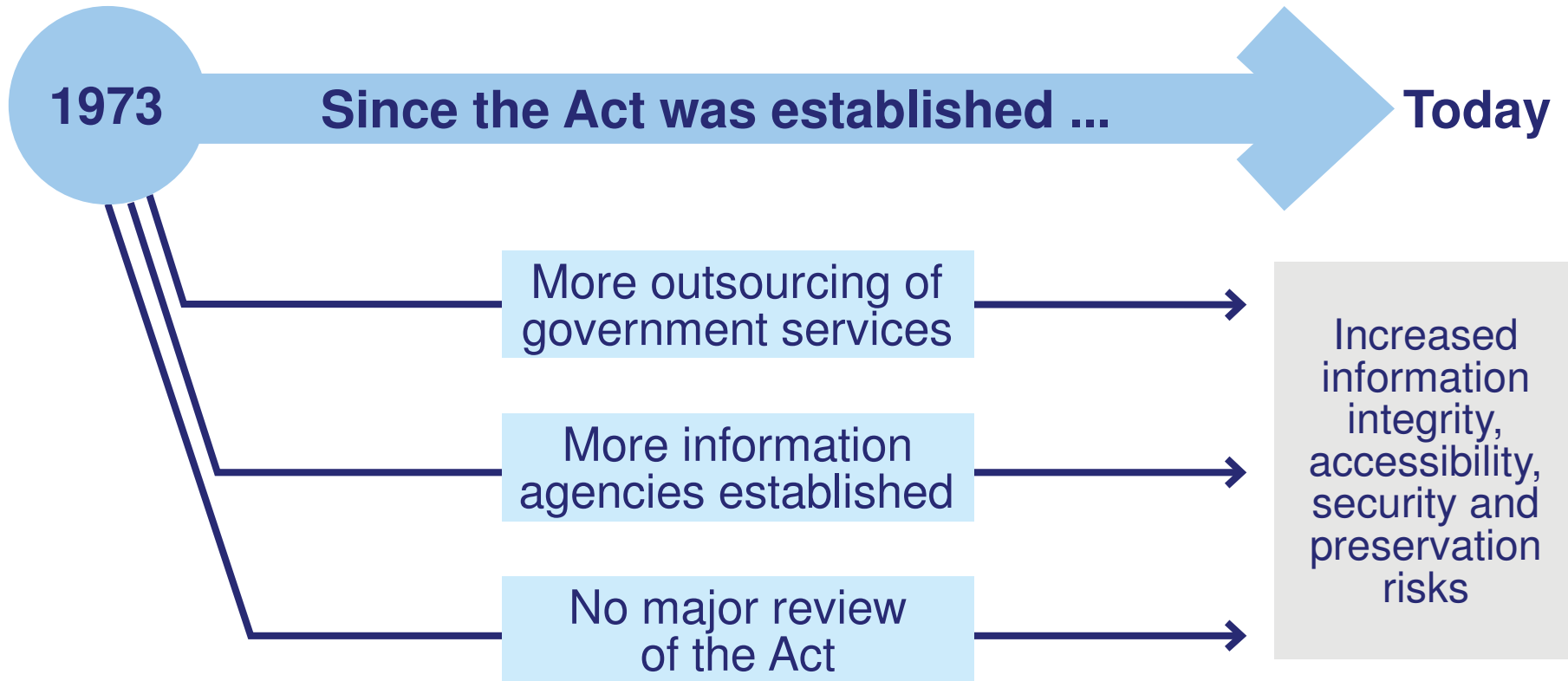
Whether **DPC** is supporting PROV to effectively oversee agencies' records management

Records management: the legislation and regulation



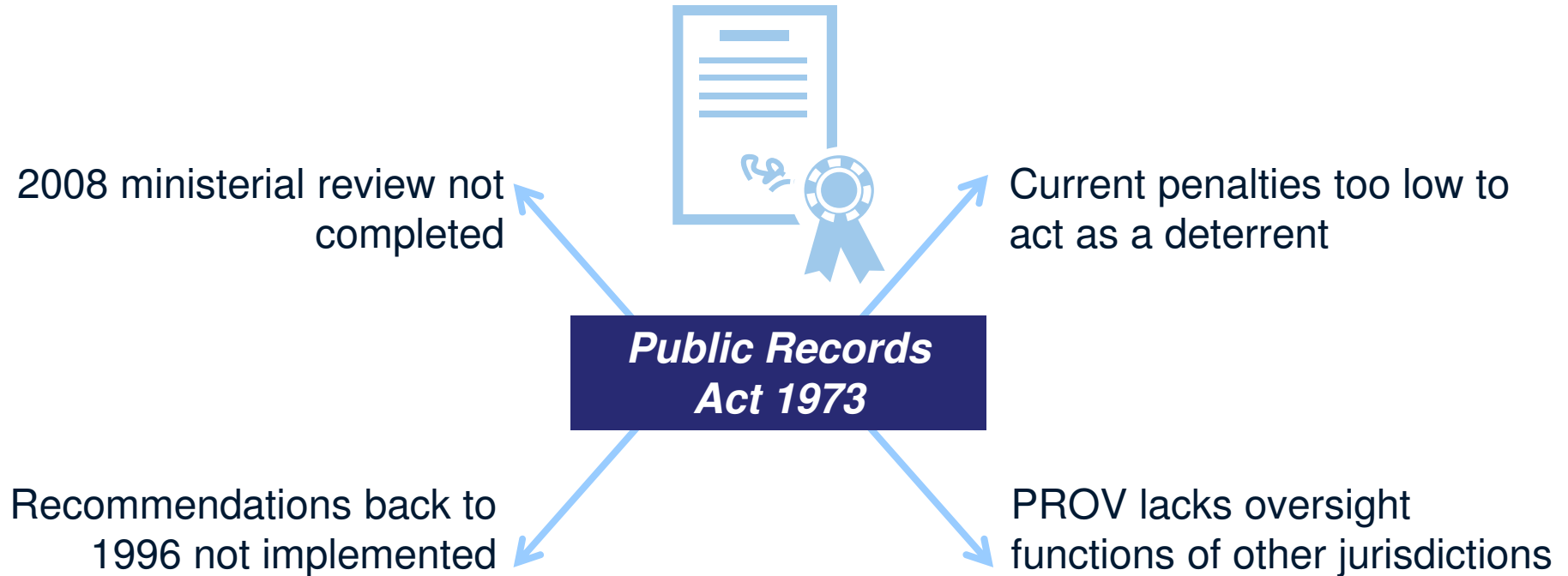
***Public Records Act 1973* (the Act) is the foundation of Victoria's information management environment**

Victoria's changing information landscape



Public records: the legislation

The Act not yet reviewed and remains unfit-for-purpose



Public records: the regulation

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Section 13(A):

'The Keeper of Public Records may enter, at any reasonable time, a public office or any place in which the public records of that office are stored to inspect the storage and conservation arrangements of the records in the office or place and the carrying out in that office or place of the Programme of records management referred to in section 13(b)'

PROV believes this power does not include inspecting agency records programs

PROV should seek legal advice as a matter of priority

Public records: the oversight



PROV did not implement VAGO's 2008 recommendations

Absence of records management oversight



- Reduced visibility of state's records management problems
- Lack support for agencies to help them comply

Public records: the compliance









DET and DHHS do not achieve full compliance



2015 Landell report findings suggest that this is likely to be consistent across the public sector

Findings – agency records management

	DHHS	DET
 Compliance with 218 PROV criteria	130 (59%)	30 (13%)
 Capture specification compliance	0%	0%
 Documents outside of compliant system	100 million	?
 Records in emails	?	?
 Missing child protection files (number of records unknown)	16 800	?
 Files in transit for over 1 year	5 504	?

Public records: the compliance

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Remember!



2015 Landell report findings suggest that this is likely to be consistent across the public sector

Recommendations

4 recommendations for DPC

- Address recommendations from 1996 PAEC review
- Address risk from outsourcing and new technology
- Harmonise the *Public Records Act 1973* with other information legislation
- Incorporate regulatory measures

3 recommendations for PROV

- Seek legal advice on PROV's powers and duties
- Implement competency-based training
- Determine appetite for a records manager 'community of practice'

2 recommendations for DET and DHHS

- Establish agency-wide records management compliance programs
- Establish processes for third-party providers

Key messages

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Good records management is critical to government accountability.

However:

- the Act is still outdated and unfit-for-purpose
- regulation and oversight is still weak

The impact:

- government records are still at risk because of large-scale non-compliance

Overall message

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Greater effort needed to ensure that the evidence of government activity is being lawfully managed

Questions?...

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