

LEGAL FRAMEWORK FOR
**RECORDS MANAGEMENT THE
PUBLIC SECTOR**

A unique one-day summit addressing the impact of the legal framework on records and information management in the public sector

KEY ISSUES TO BE ADDRESSED INCLUDE:

- Legal challenges in keeping public records in the new digital age and scope of records management in the public sector
- Legal issues that need consideration in in 'whole of government' approach to digital records management
- Record keeping for the digital future – challenges and opportunities
- The role of Digital Continuity 2020 Policy in supporting the Australian Government's digital transformation initiatives
- Freedom of Information (FOI) and what kind of information can and cannot be released
- What constitutes illegal destruction of records and legal consequences of not having records readily available
- Legal implications of electronic and digital record and the legal requirements for archiving and retrieving information
- The legality of electronic and digital records and how these records can be presented in courts for evidence
- The Australian privacy principles and how they act and impact public sector records management
- How to maximize the benefits from information and records, and minimize the risks and reducing costs
- 'Notifiable data breach scheme' and how to respond to a data or record keeping breach
- Critical v/s non-critical records

Who Should Attend?

Directors, Branch Managers, Senior Managers, Managers, Officers and Advisors involved with:

*Records Management

*Information Management

*EDRMS

*Legal advisory roles

3 EASY WAYS TO REGISTER!

TEL: (02) 95807327 FAX: (02) 9585 2094, Email: info@learningnetworks.com.au

Overview of the Summit:

Records and document management has evolved in the last decade. Effective records management is a critical aspect of a well-run organization and the public-sector departments and agencies are not an exception. The digital era is on us and with it has come numerous new opportunities and challenges. A significant aspect of good records management has become compliance with an increasing range of legal and legislative requirements that impact the way records are created and managed. Focusing only on technology alone will not fruit desired results. The technology alongside legal framework help achieve strategic goals in most effective manner.

Learning Network Solutions is proud to present its 6th Records Management Summit that will address the impact the legal framework on records and information management in the public sector. The sessions are practical and led by an expert panel that will discuss key current issues that have a profound impact on public sector records/ information management.

Some of the feedback from past attendees:

- I gained good knowledge of legal requirements in record keeping, *Manager Records, Comsuper*
- The conference got to my attention the difference between the legal perspective and records management perspective, *Manager Information Management, Attorney Generals Department*
- I found the overall experience of attending this summit very beneficial, *Manager Corporate Records, Australian Taxation Office*
- Great, lots of information, confirmed what I knew and what my challenges are, *Records Manager, National Museum of Australia*
- Confirmed my understanding in this area, *Legal Counsel, Department of Human Services*
- Helped me to broaden my knowledge about the legal rules, *Records Administrator, Department of Employment*
- It was beneficial to see the bringing together of various legal and legislative policies in this area, *Principal Legal Officer, Department of Immigration*
- Highly experienced presenters and good venue and facilities, *Director Information Management, Department of Industry*

PROGRAM AGENDA

Tuesday, 7th August

8.20 -9.00: REGISTRATION

9.00 - 9.10: OPENING REMARKS BY THE CHAIR

Vince Sharma, Partner, MILLS OAKLEY

9.10-10.10

SESSION 1

INFORMATION GOVERNANCE AND DIGITAL CONTINUITY 2020

- Record keeping for the digital future – challenges and opportunities
- The role of the Digital Continuity 2020 Policy in supporting the Australian Government's digital transformation initiatives
- How Information Governance enables strategic record keeping, data protection and privacy
- Legal and operational considerations for Information Governance frameworks
- How to maximize the benefits from information and records, and minimize the risks and reducing costs

Susan Bennett, Principal, SIBENCO LEGAL & ADVISORY

10.15-10.35: NETWORKING TEA BREAK

10.35-11.55

SESSION 2

LEGAL OVERVIEW OF MANAGING RECORDS IN THE NEW INFORMATION LANDSCAPE

- Legal requirements and significance of a record
- *Evidence Act 1995* (Cth) and admissibility of evidence
- Difference between electronic and digital record and what is electronic and digital evidence
- Legal implications of electronic and digital record and the legal requirements for archiving and retrieving information
- What records are the most critical and how to differentiate between a critical and non-critical record
- Legal implications of text messaging
- What constitutes illegal destruction of records
- Legal consequences of not having records readily available

Paul Armarego, Special Counsel, and Harry Kay Senior Associate MILLS OAKLEY

11.55-12.55

SESSION 3

LEGAL FRAMEWORK AND CHALLENGES IN KEEPING PUBLIC RECORDS: AN OVERVIEW OF THE WHOLE-OF-GOVERNMENT APPROACH TO DIGITAL RECORDS MANAGEMENT

- ❖ Basic framework for record-keeping in the Australian Public Service
- ❖ Key issues in creation of e-records, transfer storage and disposal
- ❖ Legal and practical challenges in whole-of government digital records platform
- ❖ Legal risks to look for when dealing with new technologies

Natasha Smith, Senior Associate, CLAYTON UTZ

12.55-1.50: NETWORKING LUNCH

1.50-2.50

SESSION 4

MANAGING THE BALANCE BETWEEN CONFIDENTIAL INFORMATION AND 'FREEDOM OF INFORMATION' (FOI) IN RECORDS MANAGEMENT

- ❖ What is 'confidential information'?
- ❖ An obligation of confidence – how the common law treats confidential information
- ❖ Interaction between confidentiality and FOI
- ❖ Application of FOI exemptions
- ❖ Managing the FOI process
- ❖ Protection of confidential information

Christina Graves, Special Counsel, MINTER ELLISON

2.50 -3.50
SESSION 5

PRIVACY ISSUES IN PUBLIC SECTOR RECORDS MANAGEMENT

- ❖ Privacy Act (1988) (Cth) and other approaches to privacy
- ❖ Practical impact of privacy on recordkeeping
- ❖ What are the Australian Privacy Principles and how they act?
- ❖ An overview of Australian Government Agencies Privacy Code and its impact on records management
- ❖ Privacy clauses in agreements

Dr. Stephen Thompson, Government Commercial, SPARKE HELMORE LAWYERS

3.50 -4.10: NETWORKING AFTERNOON TEA

4.10-5.10
SESSION 6

MITIGATING DATA BREACHES IN RECORDS MANAGEMENT – PRACTICAL APPLICATIONS OF THE MANDATORY DATA BREACHES NOTIFICATION LAWS

- Legal obligations to protect data and how we can avoid data breaches
- New obligations: the mandatory data breaches notification scheme and its impact on information and records management
- Assessing a suspected breach: what is “eligible data breach” for the purposes of the ‘notifiable data breaches scheme’
- Responding to a data breach: requirements under the scheme and factors to consider
- Privacy breaches and complaints: OAIC determinations and other responses

Imogen Thomas, Solicitor, ELRINGTONS

5.10-5.15: SUMMING UP AND CLOSE OF THE SUMMIT

Legal Framework For
**RECORDS MANAGEMENT IN THE PUBLIC
SECTOR**

7th August, Cliftons Centre, Canberra

****REGISTRATION FORM****

*****Register By:**

Tel: (02) 95807327 Fax: (02) 9585 2094
Email: info@learningnetworks.com.au

INVESTMENT TOTAL

Registration	Investment (\$)
<input type="checkbox"/> Register before 1 June (Early Bird)	850+ GST: \$935
<input type="checkbox"/> Register between 1 and 20 June	950 + GST: \$1045
<input type="checkbox"/> Register after 20 June	1050+ GST: \$1155

***Please note: Places are strictly limited**

First Delegate:

Name _____
Position _____
Email _____

Second Delegate:

Name _____
Position _____
Email _____

Third Delegate

Name _____
Position _____
Email _____

Organisation _____

Address _____

Telephone:

Sign.....

***Invoice shall be sent after receipt of the registration**

*** Please make payment prior to the event**

*** Cheques made payable to *Learning Network Solutions***

Please debit my:

Visa Amex Master Card Bankcard

Card Number.....

Card Expiry Date.....

Cardholder's Name.....

Venue

Cliftons Centre,10 Moore Street, (Optus Building), Canberra.
Tel: 6122 0999

Continuous Professional Development

This conference will add to your CPD points based on the state you are based in. You may claim up to one unit for each hour of attendance. Refreshment breaks are not included in this hour.

Documentation

Conference documentation provided by speakers will be supplied to delegates at the venue.

Special team discounts: Only one discount applies

*Register 3 delegates and receive free pass for the 4th delegate

*Register 5 delegates and receive additional 3 free passes for 6th, 7th and 8th delegate

*Register 2 delegates and receive \$100 off the package

Lunch and Tea Breaks

Lunch and refreshments will be provided at the event. Please advise us if you have any special dietary requirements.

Privacy Statement

We do not have mailing lists and we do not share delegate contact information with any external agency. Information supplied by you may be used to provide you with further information about our events

Cancellation Policy

Cancellations made 2 weeks prior to the event will receive complete refund. If cancellations are done within 2 weeks of the program you are liable to make full payment and no refund can be made. We will issue you a credit note that could be used to attend any of our future events of the same amount. If event is not held due to any reason, our liability is limited to the event fee only. In any event our liability is limited to the event fee only.

Program Changes

We reserve the right to make changes in the program, the venue and the panel of speakers.

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Website: www.learningnetworks.com.au

We are currently launching a new website and there may be some issues accessing it.. Sorry for any inconvenience caused.