



Guideline: Access to ANU Archives

Purpose

To provide information about access to records held in the ANU Archives.

Definitions

Access agreement is a form signed by researchers setting out the conditions of access to records in the ANU Archives.

Access exemptions are reasons set out in section 33 of the *Archives Act 1983* (Cth) for the continued restriction from public access of records in the open access period.

Noel Butlin Archives Centre (NBAC) is a research collection of business and labour archives.

Open access period is the period when Commonwealth records are generally available for public access. In 2019 it is 22 years after the year in which they were created, reducing progressively to 20 years by 2021.

University records are Commonwealth records created or owned by the Australian National University.

Guideline

1. Access to University records held in the ANU Archives is governed by the *Commonwealth Archives Act 1983*, *Freedom of Information Act 1982*, and *Privacy Act 1988*, depending on the age of the records:
 - a. The Archives Act applies to records in the open access period
 - b. The FOI Act applies to records not in the open access period
 - c. The Privacy Act also applies to records not in the open access period, regulating how the University handles and discloses personal information about living people.

Access to records in the open access period

2. The University Archivist manages requests for access to University records in the open access period in accordance with the Archives Act, consulting as appropriate with senior University administrators and the National Archives of Australia.

3. Most University records are open for public access once they are in the open access period.
4. Access exemptions can apply to some records in the open access period. For example, 'breach of confidence' and 'unreasonable disclosure of personal information' may apply to medical reports, referee reports and other documents on staff and student files. Information where disclosure 'would have a substantial adverse effect on the financial or property interests' of the University may apply to Council minutes and other administrative records.
5. If access is refused to University records in the open access period, the person applying for access has a right of appeal under the Archives Act. This includes provision for internal reconsideration of the decision and appeal to the Administrative Appeals Tribunal.

Access to records not in the open access period

6. Access to University records which are not in the open access period are to be requested under the FOI Act (see separate procedure). Access may be given to University records not in the open access period outside of the FOI Act and in accordance with the Privacy Act; for example, where access is sought to the staff file of a deceased person for the purpose of writing an obituary.

Access by University staff

7. University staff who require access to University records to undertake the administrative duties of their position are given access outside the provisions of the Archives Act and the FOI Act. University staff seeking access to University records to undertake their own research activities are provided access in the same way as other members of the public under the Archives Act or the FOI Act.

Access to NBAC collections

8. Many records held in the collection of the Noel Butlin Archives Centre are not owned by the Australian National University and are therefore not University records. Access to these records is governed by agreements made with individual depositors. Researchers wishing to have access to these records must sign an access agreement before being provided with access to the records.
9. In some cases, the University's agreement with the depositor provides that the University must contact the depositor each time a researcher requests access to approve each instance. Archives staff will contact the depositor by email and access cannot be given until approval is received.

How access is granted

10. Access is granted free of charge through making the records available for inspection in the Archives reading room.

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