Records disposal schedule

Records Disposal Schedule
Community Visitor Program Management
Department of the Attorney-General and Justice

Disposal Schedule No. 2016/7

June 2016

Disposal Schedule for Community Visitor Program Management Records
of the Department of the Attorney-General and Justice

2016/7
June 2016

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NT Archives Service
NT Records Service

Table of Contents

Disposal Schedule for Community Visitor Program Management Records
of the Department of the Attorney – General and Justice

2016/7
June 2016

Preamble

Introduction

The *Information Act* states that public sector organisations must safeguard their records and must not delete or otherwise dispose of a record unless authorised to do so[1]. Disposal of records is permitted through the use of records disposal schedules and enable regular, planned and authorised disposal of records controlled by an agency.

Records retention decisions are based on:

- the current and future business needs of the organisation

- compliance with legal and governance requirements of the organisation

- the current and future needs of internal and external stakeholders, including the wider community.

Records disposal schedules provide continuing authorisation for the legal disposal of records and are authorised by the records service, archives service and chief executive officer of the public sector organisation responsible for the schedule.

Records disposal schedules apply to records created and maintained in any format, including electronic records, records in business systems, and parts of records.

In the Northern Territory government there are two types of records disposal schedules:

- General records disposal schedules that apply to records common to most or all NT Government public sector organisations, and

- Functional records disposal schedules that apply to records specific to an NT Government public sector organisation or function.

Functional records disposal schedules should be used in conjunction with general records disposal schedules.

Structure of a Records Disposal Schedule

Records disposal schedules set out minimum requirements for the creation, maintenance, retention or destruction actions to be taken in relation to existing or future records described in each class. Records disposal schedules specify

(a) whether a class of record has temporary or permanent status;

(b) the retention period for a temporary class of record;

(c) authorised disposal actions for a class of record. [2]

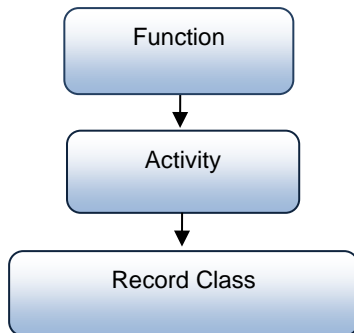Each class of records created by an agency is described using classifications based on business analysis.

Disposal schedules are developed using the functional structure based on the business classification scheme of the *Keyword AAA: A Thesaurus of General Terms* produced by the State Records Authority of NS*W* and modified for use by NT Government public sector organisations.

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[1] S.145 *Information Act*

[2] S.136A(3) *Information Act*

Within the schedule, functions are documented as the highest level terms and business activities under the functions, followed by record classes, as shown in diagram 1.

Diagram 1

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┌─────────────────────┐
│     Function        │
└─────────────────────┘
          │
          ▼
┌─────────────────────┐
│     Activity        │
└─────────────────────┘
          │
          ▼
┌─────────────────────┐
│    Record Class     │
└─────────────────────┘
```

Function

The function or keyword is the highest level in the classification scheme in this disposal schedule. The function is indicated at the start of each section and a description (scope note) provided.

Activity

Activities are the processes or operations that make up the business function. This is the second level in the classification scheme in this disposal schedule. The description (scope note) provides details of the transactions that take place in relation to the activity, for example, REPORTING or POLICY.

Record Class

A record class is a group of records that relate to the same activity, function or subject and require the same disposal action. The descriptions can relate to one record (such as a register) or a group of records documenting a particular set of business transactions.

Status and Disposal Action

The appraisal status of a record class is assigned as either permanent or temporary.

Permanent Records: Records appraised with permanent status have been identified as archives and must be transferred to the NT Archives Service for their preservation and eventual public access.

The retention period for permanent records is the maximum period before the records must be transferred to the NT Archives Service. Permanent records must be transferred no later than 30 years after creation in accordance with the Information Act, unless exemption has been granted (see *Archives Management Standards Transfer of Archives, and Exemption from Compulsory Transfer of Permanent Records to the NT Archives Service)*. An Application to Transfer Records form must be submitted to the NT Archives Service before records will be accepted for transfer.

Temporary records: The retention period for temporary records is the minimum period before the records can legally be destroyed. The retention period is calculated after an event or a disposal trigger such as 'date of action completed', 'date of audit' or 'date of birth'.

Destruction should be done following consultation with relevant operational business employees responsible for the records

Retention periods for temporary records in a records disposal schedule are minimum periods only and agencies may keep records for a longer period if considered necessary for business requirements.

Reasons for longer retention could include,

- administrative need or agency directives,

- legal requirements such as current or pending legal action,

- relevance to an investigation or inquiry which is in progress,

- is subject to an Information Access application, or

- subject to a disposal freeze.

Records created prior to 1 July 1978 must not be disposed of without the authorisation of the NT Archives Service in accordance with Archives Management Standard Records Created Prior to 1978, unless specified in a schedule.

Sentence records with this records disposal schedule using the following five steps:

1. Determine the appropriate function and activity of the records. This can be done by examining an existing record or when creating a new record.
2. Identify the disposal class.
3. From the disposal action in the class, identify the trigger event and a date when the record can be disposed of, alternately, identify that the record is to be retained permanently as archives.
4. If the trigger event has already occurred (such as action is completed), confirm and implement the disposal action.
5. If the trigger event has not occurred (e.g. the record is still in active use), set a review date for the future.

About this Records Disposal Schedule

Purpose
The purpose of this Records Disposal Schedule is to enable regular, planned and authorised disposal of records of the Community Visitor Program Management function of the Department of the Attorney-General and Justice.

Scope
Application of this Records Disposal Schedule is mandatory for Community Visitor Program Management records of the Department of the Attorney-General and Justice.

This Records Disposal Schedule applies to Community Justice Services records in all formats.

Responsibility
The Chief Executive of the Department of the Attorney-General and Justice is responsible for the content and implementation of this Records Disposal Schedule including the provision of advice and training, and for monitoring compliance.

Authority
This Records Disposal Schedule is authorised in accordance with S. 136B of the *Information Act.*

Disposal Schedule No. 2016/7 was approved by the Director of the NT Archives Service (The Archives Service), Senior Director of ICT Policy and Governance (The Records Service), and the Chief Executive of the Department of the Attorney-General and Justice on 22 June 2016 and is effective immediately.

Regulatory Framework
The regulatory basis for this Records Disposal Schedule is defined in:
- *Alcohol Mandatory Treatment Act*
- *Alcohol Mandatory Treatment Regulations*
- *Disability Services Act*
- *Mental Health and Related Services Act*
- *Mental Health and Related Services Regulations*
- *Information Act*
- NT Government Records Management Standards
- NT Government Archives Management Standards
- Australian Standards AS ISO 15489-Records Management

Related Documents
This Records Disposal Schedule is to be read in conjunction with:
- NT Government Records Management Standard – Records Disposal
- policies and procedures of the Department of the Attorney-General and Justice
- current authorised disposal schedules for Department of the Attorney-General and Justice.

Normal Administrative Practice

Public sector organisations are permitted to dispose of some short term or ephemeral documents under the authority of the Disposal Schedule for Short Term Value Records. These include:

- duplicate (eg information or reference copy)
- obviously unimportant (e.g. telephone message slips)
- of short term facilitative value (e.g. compliment slips)
- a combination of these

The guiding principle is that organisations should be sure that destroying these records will not destroy evidence that might be needed.

Records that have been captured into a recordkeeping system should be destroyed using the Disposal Schedule for Short Term Value Records unless the class of records has been identified in a specific disposal schedule.

Notification of Destruction

Provide formal notification of destruction of all records to the NT Records Service.

Note: In the case of the Disposal Schedule for Records of Short Term Value (Disposal Schedule No. 2003/10), notification is only required for the destruction of records described in Disposal Class No. 1.10.1.

Acknowledgement

The NT Archives Service and the NT Records Service acknowledge that material produced by National Archives of Australia, State Records Authority of New South Wales, State Records of South Australia, Public Records Office of Victoria, Territory Records Office and Standards Australia was used in the development of this schedule.

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Compliance Checklist

☐	Implement a records disposal program to ensure regular appraisal, sentencing, destruction and transfer of all records	☐	Stop applying sentences from previous schedules that have been revoked or amended
☐	Assign responsibility for the management and application of regular records disposal action using authorised records disposal schedules, to an appropriately skilled records manager who consults with the NT Archives Service and NT Records Service	☐	Retain all records in good order and condition to be available for retrieval during the retention period.
		☐	Identify and update control records so that you can demonstrate what happened to each record, whether paper or electronic
☐	Familiarise all employees of the organisation with the authorised records disposal schedules relevant to the organisation's records	☐	Implement an appropriate and approved strategy for retention of records of continuing value, eg. preservation in original form, migration to new systems, and conversion to long term medium
☐	Identify and sentence all records described in this schedule in all formats including electronic records and records in business systems, copies of records and parts of records	☐	Dispose of all records sentenced according to this schedule in all formats including electronic records and records in business systems, copies of records and parts of records
☐	Ensure all copies of temporary records are destroyed in any format (including backups), unless otherwise stated in a disposal schedule	☐	Transfer records of permanent value to the NT Archives Service for retention as archives not later than 30 years after creation
☐	Apply this records disposal schedule to records in the organisation's records management systems, including systems for the management of paper records, electronic records, or records in any other format	☐	Inactive records can be transferred to offsite service providers providing they have been sentenced
☐	Apply this records disposal schedule to records in the organisation's business systems, either directly or by linking the business system to a records management system	☐	Destroy time expired temporary records in a secure manner that ensures complete deletion/destruction beyond any possible reconstruction
☐	Implement quality assurance mechanisms to periodically check that the disposal class originally assigned at the creation of the records is still applicable at the time of sentencing of the record	☐	Notify the NT Records Service of destruction of all records
☐	Implement review or quality control procedures in recordkeeping systems to ensure disposal actions are implemented correctly	☐	Do not destroy records that are not described in an authorised records disposal schedule.
☐	Identify records that require re-sentencing where a previous disposal schedule has been superseded	☐	Do not destroy any records created prior to 1 July 1978 without specific authorisation from the NT Archives Service

Disposal Schedule for Community Visitor Program Management Services Records
of the Department of the Attorney – General and Justice

2016/7
June 2016

Disposal Schedule

1. Community Visitor Program Management

The function of providing a community visitor program service to protect and promote the rights of people receiving treatment from facilities across the Northern Territory. Includes managing complaints, inquiries, community visitor inspections and the establishment of the Community Visitor Program under the *Mental Health and Related Services Act, Disability Services Act* and the *Alcohol Mandatory Treatment Act.*

1.1 Advice

The activities associated with offering opinions by or to the organisation as to an action or judgement. Includes the process of advising.

Class No.	Description of Records	Examples	Status and Disposal Action
1.1.1	Records documenting the provision of formal advice to and from the Minister, other Government Bodies, and Industry Stakeholders, such as legislative matters, human rights, and policy in relation to the Community Visitor Program. Includes briefing notes, ministerials, cabinet submissions and recommendations by the Principal Community Visitor.	• Recommendations to other Government Bodies	Permanent Transfer to the NT Archives Service 10 years after action completed

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2016/7
June 2016

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1.2 Agreements

The processes associated with the establishment, maintenance, review and negotiation of agreements. Includes formal agreements and /or exchange of letters between parties, as well as informal agreements.

Class No.	Description of Records	Examples	Status and Disposal Action
1.2.1	Records documenting the establishment, negotiation, maintenance and review of high level agreements in relation to the community visitor program, such as with other government agencies and non-profit organisations. Includes draft agreements, memoranda of understanding and other related correspondence.	Agreements with: - Health Services, ie Mental Health, Disability & Alcohol Mandatory Treatment services - Associated NGO /business subcontractors	Permanent Transfer to the NT Archives Service 10 years after action completed

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1.3 Authorisation

The process of seeking and granting permission to undertake requested action.

Class No.	Description of Records	Examples	Status and Disposal Action
1.3.1	Records documenting appointments by the Minister for persons to be a community visitor panel member, including resignations and terminations, and interim appointments. Includes terms and conditions, copies of qualifications and sub-committee cabinet recommendations.	• Appointment of Community Visitor Panel Members	Permanent Transfer to Northern Territory Archives Service 10 years after action completed
1.3.2	Records documenting appointments by the Minister for persons to be a Principal Community Visitor and Community Visitor, including resignations and terminations, and interim appointments. Includes terms and conditions, copies of qualifications and recommendations.	• Appointment of Principal Community Visitor • Appointments of Community Visitors	Temporary Destroy 7 years after end of appointment

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2016/7
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1.4 Client Services

The activities associated with the planning, monitoring, evaluating and delivery of services provided to clients by the organisation.

Class No.	Description of Records	Examples	Status and Disposal Action
1.4.1	Records documenting enquiries into services in relation to the community visitor program management, such as requests to see a community visitor by a person being treated, nurse, carer or service provider.	• Enquiries	Temporary Destroy 5 years after action completed

Disposal Schedule for Community Visitor Program Management Services Records
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2016/7
June 2016

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1.5 Complaints Management

The activities associated with addressing complaints and resolving disputes.

Class No.	Description of Records	Examples	Status and Disposal Action
1.5.1	Records documenting major complaints received by the Community Visitor from persons, carers, nurses, service providers and staff with regard to care and treatment under the relevant Acts that involve serious and systemic implications. Includes file notes, witness statements, resolutions and recommendations. May include investigations, final reports and referrals to the Heath and Community Services Complaints Commission or the Ombudsman.	Complaints: - Across all service areas and complaint categories - Restrictive practices - Seclusion events - Detained Youths Quality of Service provision - Assessment and Treatment - Relationship with Staff - Family contact - Discharge Planning	Temporary Destroy 15 years after action completed
1.5.2	Records documenting minor complaints received by the Community Visitor from persons, carers, service providers, nurses and staff with regards to treatment under the relevant Acts, such as limited	Complaints: - As above	Temporary Destroy 7 years after action completed

Disposal Schedule for Community Visitor Program Management Services Records
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2016/7
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1.5 Complaints Management

The activities associated with addressing complaints and resolving disputes.

Class No.	Description of Records	Examples	Status and Disposal Action
	access to family or community, relationships with staff, quality of service and treatment plans. Includes file notes, witness statements, resolutions and recommendations. May include referrals to the Heath and Community Services Complaints Commission or the Ombudsman.		

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2016/7
June 2016

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1.6 Compliance

The activities associated with complying with, or monitoring compliance with, mandatory or optional accountability, fiscal, legal, regulatory or quality standards or requirements. Includes compliance with legislation and with national and international standards.

Class No.	Description of Records	Examples	Status and Disposal Action
1.6.1	Records documenting inspections by the Community Visitor and the Community Visitor Panels at an approved treatment facility or premises under the relevant Acts. Includes file notes, photos, inspection reports, recommendations and copies of reports to the principal community visitor. May include copies of reports given to the CEO and copies of inspection reports given to the Minister.	- Inspection reports by the Community Visitor - Inspection reports by the Community Visitor Panel - Seclusion Reports (Mental Health)	Temporary Destroy 10 years after action completed
1.6.2	Records documenting quarterly reports, including ad-hoc reports to the Principal Community Visitor and the person-in-charge of the relevant facility or agency. Includes statistic reports and other raw data.	- Quarterly Reports to the Principal Community Visitor	Temporary Destroy 5 years after action completed

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2016/7
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1.7 Extension Services

The activities involved in planning and developing educational activities and programs which raise awareness and understanding of the broader role of the organisation.

Class No.	Description of Records	Examples	Status and Disposal Action
1.7.1	Records documenting the promotion of awareness of the role of the Community Visitor Program in the Northern Territory, including information sessions, interactive workshops, forums and presentations. Includes background research, briefs and designs, copies of handouts, brochures and PowerPoint presentations.	• Education activities • Presentations • Forums • Workshops	Temporary Destroy 5 years after action completed

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1.8 Policy

The activities associated with developing and establishing decisions, directions and precedents which act as a reference for future decision making, as the basis from which the organisation's operating procedures are determined.

Class No.	Description of Records	Examples	Status and Disposal Action
1.8.1	Master set of standard operating procedures in relation to the Community Visitor Program. Includes notifications to the Minister, CEO and the Director and copies of gazette notices as required under the Act.	• Community Visitor Program Policy	Permanent Transfer to the NT Archives Service 10 years after action completed
1.8.2	Records documenting the development of policy guidelines in relation to community visitor program.	• Draft guidelines and procedures	Temporary Destroy 5 years after action completed

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1.9 Reporting

The processes associated with initiating or providing a formal response to a situation or request (either internal, external or as a requirement of corporate policies), and to provide formal statements or findings of the results of an examination or investigation. Includes agenda, briefing, business, discussion papers, proposals, reports, reviews and returns.

Class No.	Description of Records	Examples	Status and Disposal Action
1.9.1	Final versions of reports for the Northern Territory Community Visitor Program.	• Annual reports • Additional reports	Permanent Transfer to the NT Archives Service 10 years after action completed
1.9.2	Records documenting the development of reports in relation to the function of community visitor program management. Includes file notes, statistic reports, consultation notes and draft versions.	• Draft versions of annual reports • Draft versions of additional reports	Temporary Destroy 5 years after action completed