



## **Records disposal schedule**

# **Records Disposal Schedule Correctional Professional Standards Department of the Attorney-General and Justice**

**Disposal Schedule No. 2019/6**

**May 2019**

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## 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<sup>1</sup>. 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 ([http://www.nretas.nt.gov.au/knowledge-and-history/ntas/records/records\\_disposal](http://www.nretas.nt.gov.au/knowledge-and-history/ntas/records/records_disposal)), 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.<sup>2</sup>

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 *Northern Territory Government Business Classification Scheme*.

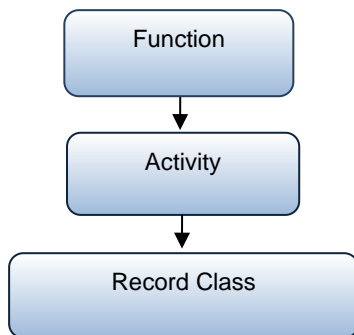
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<sup>1</sup> S.145 *Information Act*

<sup>2</sup> 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



## 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 correctional professional standards of the Department of the Attorney-General and Justice.

### Scope

Application of this Records Disposal Schedule is mandatory for correctional professional standards records of the Department of the Attorney-General and Justice.

This Records Disposal Schedule applies to correctional professional standards 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. 2019/6 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 31 May 2019 and is effective immediately.

### Regulatory Framework

The regulatory basis for this Records Disposal Schedule is defined in:

- *Correctional Services Act 2014*
- *Correctional Services Regulations*
- *Information Act 2002*
- 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 the 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
- 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
- Familiarise all employees of the organisation with the authorised records disposal schedules relevant to the organisation's records
- 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
- Ensure all copies of temporary records are destroyed in any format (including backups), unless otherwise stated in a disposal schedule
- 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
- 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
- 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
- Implement review or quality control procedures in recordkeeping systems to ensure disposal actions are implemented correctly
- Identify records that require re-sentencing where a previous disposal schedule has been superseded
- Stop applying sentences from previous schedules that have been revoked or amended
- 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
- 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
- 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
- Transfer records of permanent value to the NT Archives Service for retention as archives not later than 30 years after creation
- Inactive records can be transferred to offsite service providers providing they have been sentenced
- Destroy time expired temporary records in a secure manner that ensures complete deletion/destruction beyond any possible reconstruction
- Notify the NT Records Service of destruction of all records
- Do not destroy records that are not described in an authorised records disposal schedule.
- Do not destroy any records created prior to 1 July 1978 without specific authorisation from the NT Archives Service

## Disposal Schedule

### 1. Correctional Professional Standards

The function of ensuring correctional services are delivered to the highest standard and correctional employees always maintain an ethical and professional level of conduct. Includes investigations into complaints against employees, inspections into declared police prisons, integrity testing and conducting internal audits against legislation, directives and standard operating procedures issued by the Commissioner.

#### 1.1 Audit

The activities associated with officially checking financial, quality assurance and operational records to ensure they have been kept and maintained in accordance with agreed or legislated standards and correctly record the events, processes and business of the organisation in a specified period. Includes compliance audits, financial audits, operational audits, recordkeeping audits, skills audits, system audits and quality assurance audits.

Class No.	Description of Records	Status and Disposal Action
1.1.1	Records documenting compliance inspections into declared police custody centres (police prisons) within the Northern Territory, such as Groote Eylandt, Darwin, Nhulunbuy, Katherine, Tennant Creek and Alice Springs.  Includes audit reports, checklists, notes taken at interviews, extracts of journals, prison registers, photographs, statements and final inspection reports.	Temporary  Destroy 45 years after action completed
1.1.2	Records documenting the planning and conduct of internal audits in relation to ensuring correctional professional responsibility.  Includes audit reports, notes taken at interviews, responses to audit findings and records of remedial action.	Temporary  Destroy 7 years after audit completed

## 1. Correctional Professional Standards

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### 1.2 Control

The activities associated with creating, maintaining and evaluating control mechanisms.

Class No.	Description of Records	Status and Disposal Action
1.2.1	<p>Register of complaints received in relation to correctional professional responsibility.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>- complainant name</li> <li>- nature of complaint</li> <li>- dates received</li> <li>- dates complaint resolved</li> <li>- status</li> <li>- action officer</li> </ul>	<p>Permanent</p> <p>Transfer to the NT Archives Service 10 years after action completed</p>
1.2.2	<p>Register of integrity testing checks.</p> <p>Includes summary of intelligence, names and dates.</p>	<p>Permanent</p> <p>Retain in organisation</p>

## 1. Correctional Professional Standards

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### 1.3 Integrity Testing

The activities designed to measure the presence of corrupt, criminal or unethical behaviour by employees.

Class No.	Description of Records	Status and Disposal Action
1.3.1	Records documenting assessments conducted to determine the reaction, response or behaviour of a correctional services employee where corrupt or unethical behaviour is found, including assessments where corrupt or unethical behaviour is not found to exist.  Includes assessment results. May include referrals to the NT Police.	Temporary  Destroy 71 years after date of employee or 6 years after separation whichever is the later
1.3.2	Records documenting assessments conducted to determine the reaction, response, behaviour or suitability of a potential correctional services employee, including on behalf of other State/Territory jurisdiction for the purpose of employment.  Includes assessment results.	Temporary  Destroy 5 years after action completed

<h2>1. Correctional Professional Standards</h2> <p>The function of ensuring correctional services are delivered to the highest standard and correctional employees always maintain an ethical and professional level of conduct. Includes investigations into complaints against employees, inspections into declared police prisons, integrity testing and conducting internal audits against legislation, directives and standard operating procedures issued by the Commissioner.</p>		
<h3>1.4 Investigation</h3> <p>The acts and processes involved in ascertaining facts by enquiry or examination.</p>		
Class No.	Description of Records	Status and Disposal Action
1.4.1	<p>Records documenting investigations into complaints against correctional service employees that result in legal action or lead to policy or procedural change, including investigations that have public wide interest.</p> <p>Includes written notifications of complaints, ministerials, briefing notes, investigation reports, recommendations, determinations, electronic recordings of interviews (EROI), transcripts, statements, photographs and consultation notes.</p> <p>May include disciplinary action, such as the suspension, termination or other form of penalty being taken against an employee.</p>	<p>Permanent</p> <p>Transfer to the NT Archives Service 10 years after action completed</p>
1.4.2	<p>Records documenting complaints against correctional officers received by the Ombudsman's office, the Anti-Discrimination Commission, legal representatives or any other organisation in relation to an action or inaction of an employee with regards to their professional conduct and integrity and where disciplinary action has resulted.</p> <p>Includes written notifications of complaints, investigation reports, recommendations, determinations, electronic recordings of interviews (EROI), transcripts, statements, photographs and consultation notes.</p>	<p>Temporary</p> <p>Destroy 71 years after date of birth of employee or 6 years after separation whichever is the later</p>
1.4.3	<p>Records documenting investigations into complaints against correctional service employees that result in no action being taken.</p> <p>Includes written notifications of complaints, investigation reports, recommendations, determinations, electronic recordings of interviews (EROI), transcripts, statements, photographs and consultation notes.</p>	<p>Temporary</p> <p>Destroy 5 years after action completed</p>

## 1. Correctional Professional Standards

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### 1.5 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	Status and Disposal Action
1.5.1	Master set of directives issued by the Commissioner in relation to correctional professional responsibility, including standard operating procedures.	Permanent Transfer to the NT Archives Service 10 years after action completed

## 1. Correctional Professional Standards

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### 1.6 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	Status and Disposal Action
1.6.1	Records documenting high level reports to the Commissioner in relation to correctional professional responsibility services.	Permanent Transfer to the NT Archives Service 10 years after action completed
1.6.2	Records documenting intelligence reports in relation to correctional professional responsibility services, including prisoner trend reports and discussion papers, such as from the Territory Intelligence and Coordination Centre.	Permanent Retain in organisation