

# Records disposal schedule

# Records Disposal Schedule Care and Protection of Children Territory Families

Disposal Schedule No. 2017/10

August 2017

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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), 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.

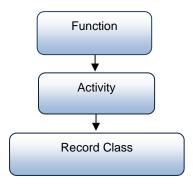
Disposal schedules are developed using the functional structure based on the business classification scheme of the *Keyword AAA: A Thesaurus of General Terms* produced by the State Records Authority of NSW and modified for use by NT Government public sector organisations.

<sup>&</sup>lt;sup>1</sup> S.145 Information Act

<sup>&</sup>lt;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 the function Care and Protection of Children of Territory Families.

## Scope

Application of this Records Disposal Schedule is mandatory for Care and Protection of Children records of Territory Families.

This Records Disposal Schedule applies to Care and Protection of Children records in all formats.

## Responsibility

The Chief Executive of Territory Families 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. 2017/10 was approved by the Director of the NT Archives Service (The Archives Service), Senior Director, Digital Policy (The Records Service), and the Chief Executive of Territory Families on 4 August 2017 and is effective immediately.

# **Re-sentencing Records**

The following classes sentenced under the superseded records disposal schedule Family and Children Services – Territory Families – 2012/2 are to be re-sentenced using this schedule, 1.3.9, 1.3.10, 1.3.11, 1.3.12, 1.3.13, 1.3.14, 1.3.15, 1.3.16, 1.3.17, 1.3.18, 1.3.19, 1.3.20, 1.3.21, 1.3.22, 1.3.23, 1.3.37, 1.3.38, 1.3.39, 1.3.40, 1.3.41, 1.3.42, 1.3.43, 1.3.44, 1.3.45, 1.3.46, 1.4.1, 1.5.2, 1.5.4, and 1.5.5.

# **Regulatory Framework**

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

- Care and Protection of Children Act
- Care and Protection of Children (Mediation Conferences) Regulations
- Care and Protection of Children (Placement Arrangements) Regulations
- Care and Protection of Children (Screening) Regulations
- Carers Recognition Act
- Education and Care Services National Law (NT)
- Youth Justice Act
- 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 Territory Families
- · current authorised disposal schedules for Territory Families

#### **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.

This work is copyright. Apart from any use as permitted under the Copyright Act 1968, no part may be reproduced by any process without prior written permission of the NT Archives Service. Requests and enquiries concerning reproduction and rights should be directed to the Director, NT Archives Service. The terms in the business classification scheme are based on the Keyword AAA: A Thesaurus of General Terms (Government of New South Wales, 1998), and are produced under a licence agreement between the NT Archives Service and the State Records Authority of New South Wales.

C	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,		Retain all records in good order and condition to be available for retrieval during the retention period.		
	to an appropriately skilled records manager who consults with the NT Archives Service and NT Records Service		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**

# 1. Care and Protection of Children

The function of promoting and safeguarding the wellbeing of children and supporting families.

#### 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	Status and Disposal Action
1.1.1	Records relating to major advice given and received by the Minister and other government bodies with regards to the care and protection of children where a detailed response has been provided.  Includes ministerials, briefing notes and other related correspondence.	Permanent Transfer to Northern Territory Archives Service 10 years after action completed
1.1.2	Records relating to minor advice given and received by the department with regards to the care and protection of children, such as procedures.	Temporary  Destroy 5 years after action completed

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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	Status and Disposal Action
1.2.1	Records documenting the establishment, negotiation, maintenance and review of major agreements with other bodies, such as Commonwealth agreements like the National Framework for Protecting Australia's Children 2009-2020.	Permanent Transfer to Northern Territory Archives Service 10 years after action completed
1.2.2	Records relating to minor agreements with other bodies, such as with local service providers to deliver intensive family support to clients to prevent the reoccurrence of harm.  Includes service level agreements.	Temporary Destroy 7 years after expiry or termination of agreement
1.2.3	Records documenting agreements with Out-of-Home-Care placement providers and residential care services, such as daycare.  Includes agreements and supporting documentation.	Permanent Transfer to Northern Territory Archives Service 10 years after action completed

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#### 1.3 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
1.3.1	Records documenting final audit reports in relation to the care and protection of children, such as practice reviews.	Temporary Destroy 50 years after action completed
1.3.2	Records documenting the development of audits.  Includes draft versions, statistics, sample records, review questions, file notes and other supporting documentation.	Temporary Destroy 7 years after action completed

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#### 1.4 Authorisation

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

Class No.	Description of Records	Status and Disposal Action
1.4.1	Records documenting appointment of authorised officers by the CEO, including written delegations of powers and functions.  Includes terms and conditions.	Permanent Transfer to Northern Territory Archives Service 10 years after action completed
1.4.2	Records documenting approved applications for individuals to become an authorised carer for children who are in need for Out-of-Home-Care, including kinship carers.  Includes applications, assessments, carer agreements, case notes, file notes, copies of identification, medical assessments, interview notes and other supporting records.	Permanent Transfer to Northern Territory Archives Service 10 years after action completed
1.4.3	Records documenting applications for individuals to become an authorised carer for children who are in need of Out-of-Home-Care, that have not been approved.  Includes withdrawn applications and incomplete applications.  May include assessments, interview notes, written decisions and other supporting documentation.	Temporary Destroy 50 years after action completed
1.4.4	Records documenting approved exemption applications for working with children clearance from employers in "child-related" organisations.  Includes employer request for working with children exemption applications.  May include copies of relevant child-safe workplace policies, child-safe risk management strategies, child safety plans, evidence of a working with children clearance card from another jurisdiction.	Temporary Destroy 50 years after action completed.
1.4.5	Records documenting applications for working with children clearance exemptions received	Temporary Destroy 50 years after action

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#### 1.4 Authorisation

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

Class No.	Description of Records	Status and Disposal Action
	from employers that have been refused.	completed
	Includes application and written notices of decision back to the employer.	
	May include copies of relevant child-safe workplace policies, child-safe risk management strategies, child safety plans, evidence of a working with children clearance card from another jurisdiction.	

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## 1.5 Case Management

The activities associated with the process of assessment, planning, facilitation for options and services to meet individual needs.

Class No.	Description of Records	Status and Disposal Action
1.5.1	Records documenting the case management of children who are subject to child protection intervention, including children not subject to a protection order, temporary placement arrangements, and provision of protection under the Act.	Permanent Transfer to the NT Archives Service 20 years after action completed
	Includes notices received by the department from individuals, health and community workers, education department or from police, including reports provided by phone, inquiry reports, child details, demographic information, family relationships, school details, interview records, medical assessments, legal advice, care and contact agreements, meeting minutes, case notes, diaries, photos and other supporting documentation.	
	May include copies of protection orders, placement arrangements, final care plans and their reviews and amendments, interim care plans, inquiries into monitoring the wellbeing of children under placement arrangements, inspection of places where the child resides in care, court orders, appointment of legal practitioners, legal advice, school or employment history, case notes, minutes of meetings, medical reports, photos, personal property lists, birth certificates and other supporting documentation.	
	May include requests for the Public Trustee to take control of the property of the child, requests for transfers for children who have relocated interstate, CEO assistance to young persons who have left the CEO's care.	
	May also include audio recordings of phone calls.	

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#### 1.5 Case Management

The activities associated with the process of assessment, planning, facilitation for options and services to meet individual needs.

Class No.	Description of Records	Status and Disposal Action
1.5.2	Records documenting case files where a preliminary assessment was conducted into children who have been suspected of being or likely to have been, victims or perpetrators of sexual offences, harm or exploitation where it is established that no sexual offence, harm or exploitation has occurred and a decision has been made not to proceed to investigation.  Includes reports received from the Department from individuals, health and community workers, notifications from department of education and from police.	Temporary Destroy 50 years after action completed
	Use 1.5.1 for records documenting where an offence has likely occurred and the child is subject to an intervention by the Department.	

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#### 1.6 Committees

The activities associated with the management of committees, sub committees, councils, forums working groups, boards and task forces (internal and external, private, community, local, state, national, international, etc.). Includes the committee's establishment, appointment of members, terms of reference, proceedings, minutes, reports, agendas etc.

Class No.	Description of Records	Status and Disposal Action
1.6.1	Records documenting the establishment of review teams under the Act, for the purpose of safeguarding the wellbeing of children, including appointments of members.  Includes gazette notices, minutes, agendas and recommendations.	Permanent Transfer to the NT Archives Service 10 years after action completed
1.6.2	Records documenting high level committees that have been established by the Department, or where the Department is a member, for the purposes of the care and protection of children, such as the Protecting Australia's Children National Plan.  Includes agendas, minutes and discussion papers.	Permanent Transfer to the NT Archives Service 10 years after action completed
1.6.3	Records documenting inter-departmental committees that are hosted by other agencies, such as the Northern Territory Child Deaths Review and Prevention Committee.	Temporary  Destroy 5 years after action completed

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## 1.7 Complaints

The activities associated with addressing complaints and resolving disputes.

Class No.	Description of Records	Status and Disposal Action
1.7.1	Records documenting investigations into complaints received by members of the public, Ombudsman, Children's Commissioner and the Minister in relation to the care and protection of children.	Permanent Transfer to the NT Archives Service 10 years after action completed
	Includes written complaints, file notes, assessments, requests for information, witness statements, referral reports, extracts of documents, formal responses and other supporting documentation.	
	May include final reports from the complainant body, legal advice, reports and actions taken by the department, including reports resulting from a mediation conference, court orders and final decisions.	

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#### 1.8 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	Status and Disposal Action
1.8.1	Records documenting investigations into persons who have or are suspected of contravening the Act, such as not reporting where child is at risk of harm or exploitation, disclosure of a child's identity, and employment conditions of children, where a breach has been proven.	Permanent Transfer to the NT Archives Service 10 years after action completed
	Includes final reports, witness statements, extracts of documents and other supporting documentation.	
	May include notifications by the CEO to parents and employers and court orders.	
1.8.2	Records documenting investigations into persons who have or are suspected of contravening the Act, that have been unfounded.	Temporary Destroy 15 years after action completed
	Includes final reports, witness statements, extracts of documents and other supporting documentation.	
1.8.3	Records documenting the monitoring of Out-of-	Temporary
	Home-Care care providers by the Department in relation to the care and protection of children.	Destroy 50 years after action completed
	Includes internal audits, copies of visitor's registers, medication registers, incident notifications, daybooks, diaries, file notes, reviews, recommendations and related correspondence.	

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#### 1.9 Control

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

Class No.	Description of Records	Status and Disposal Action
1.9.1	Register of carers.	Permanent
	Includes persons' details, dates of registration, security clearance checks and expiry dates,	Retain in organisation
		(manage and migrate data to new platform during system upgrades)
		Transfer hardcopy registers and index cards to NT Archives Service 10 years after action completed
1.9.2	Register of Authorised Officers in relation	Permanent
	to the care and protection of children.	Retain in organisation
	Includes:	
	- personal details	(manage and migrate data to new
	- terms and conditions	platform during system upgrades)
	- registration number	
1.9.3	Register of reportable incidents for children in protection or subject to an investigation.	Permanent Retain in organisation
	Includes:	
	<ul> <li>type of critical abuse (sexual, emotional, physical or neglect)</li> </ul>	(manage and migrate data to new platform during system upgrades)
	- child's details	
	- dates of incidents	
	- person reporting details	
1.9.4	Register of case management files in relation to the care and protection of children.	Permanent
		Retain in organisation
	Includes:	
	<ul><li>Child's name</li><li>HRN Details</li></ul>	(manage and migrate data to new platform during system upgrades)

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#### 1.9 Control

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

	37 3 3		
Class No.	Description of Records	Status and Disposal Action	
	- Date of Birth	Transfer hardcopy registers and	
	- Family Connections	index cards to NT Archives Service 10 years after action completed	
	- Address	To your and addition completed	
	- Place of Birth		
	- Mother's Maiden Name		

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## 1.10 Enquiries

The activities associated with the handling of requests for information about the organisation and its services by the general public or another organisation.

Class No.	Description of Records	Status and Disposal Action
1.10.1	Records documenting requests for information in relation to the care and protection of children from government bodies and members of the public including the Territory Coroner, Courts, Child Death Review and Prevention Commissioner and the Children's Commissioner.	Permanent Transfer to the NT Archives Service 10 years after action completed
	Includes formal information sharing requests as required under the Act, and requests for personal information from current and past clients.	
	Use GOVERNMENT RELATIONS – INQUIRIES for records documenting the organisations involvement in inquiries related to the care and protection of children from Government bodies, such as the Ombudsman and Royal Commissions.	

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#### 1.11 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	Status and Disposal Action
1.11.1	Records documenting the promotion of the wellbeing of children, including the rights and responsibilities of children and their carers or parents through information sessions, posters, expos and the Darwin, Katherine and Tennant Creek Shows.	Temporary Destroy 10 years after action completed

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## 1.12 Investigations

The acts and processes involved in ascertaining facts by enquiry or examination.

The date and processes inverses in describining ractors of enquiry or examination		
Class No.	Description of Records	Status and Disposal Action
1.12.1	Records documenting investigations into whether the wellbeing of a child is at risk, (including where the child is in the CEO's care), including responses to investigations by the Children's Commissioner or the Territory Coroner.	Permanent Transfer to the NT Archives Service 10 years after action completed
	Includes investigation reports, witness statements, photos, audio footage, statutory declarations, medical reports and assessments, copies of other health records, access requests to a child-related authority.	

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#### 1.13 Planning

The process of formulating ways in which objectives can be achieved. Includes determination of services, needs and solutions to those needs.

Class No.	Description of Records	Status and Disposal Action
1.13.1	Master set of final plans with regards to care and protection of children, such as the Family Intervention Framework.  Includes formal draft versions, file notes and other related correspondence.	Permanent Transfer to the NT Archives Service 10 years after action completed
1.13.2	Records documenting the development of plans in relation to the care and protection of children.	Temporary  Destroy 5 years after action completed

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## 1.14 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
1.14.1	Master set of policies and guidelines in relation to the care and protection of children as required under the Act, such as the Charter of Rights for Children who are in the CEO's care, Administrative guidelines and the Concerns for the Safety of Children in Care Policy.  Includes formal draft versions, file notes and other related correspondence.  May include gazette notices.	Permanent Transfer to the NT Archives Service 10 years after action completed
1.14.2	Records documenting the development of policies and guidelines in relation to the care and protection of children, such as working draft versions and working notes.	Temporary Destroy 10 years after action completed

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#### 1.15 Program Management

The activities associated with managing programs designed to achieve the organisation's strategic plan objectives. Includes governance, management, planning and implementation.

Class No.	Description of Records	Status and Disposal Action
1.15.1	Final versions of program plans in relation to care and protection of children, such as the Out-of-Home-Care program and the Boarding School Project.  Includes management briefing reports,	Permanent Transfer to the NT Archives Service10 years after action completed
	progress reports, training records, implementation plans, and related correspondence.	
1.15.2	Records documenting draft versions of programs in relation to care and protection of children.  Includes drafts, correspondence and feedback.	Temporary  Destroy 10 years after action completed
1.15.3	Records documenting the delivery of care and protection of children programs.  Includes delivery plans, progress reports, file notes, minutes of meetings, statistics and other related correspondence.	Temporary  Destroy 10 years after program superseded

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#### 1.16 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
1.16.1	Records documenting final reports to senior management and other government bodies, such as the Australian Institute of Health and Welfare and mandatory reporting in relation to the care and protection of children, including reports of reviews and recommendations by Review Teams as required under the Act.	Permanent Transfer to the NT Archives Service 10 years after action completed
	Includes formal draft versions, consultation notes, summary reports and other supporting documentation.	