



Records disposal schedule

Records Disposal Schedule Health and Community Services Complaints Management Department of the Attorney-General and Justice

Disposal Schedule No. 2016/9

July 2016

Disposal Schedule for Health and Community Services Complaints Management Records of the Department of the Attorney-General and Justice	2016/9 July 2016
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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 so¹. 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

¹ S.145 *Information Act*

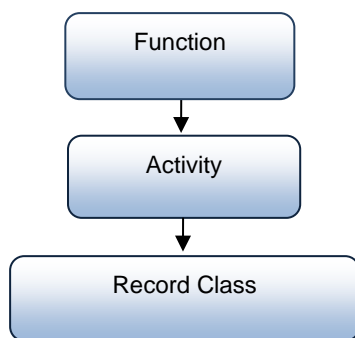
² S.136A(3) *Information Act*

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State Records Authority of NSW and modified for use by NT Government public sector organisations.

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 Health and Community Services Complaints Management and the Health and Community Services Complaints Review function of the Department of the Attorney-General and Justice.

Scope

Application of this Records Disposal Schedule is mandatory for Health and Community Services Complaints Management records of the Department of the Attorney-General and Justice. This Records Disposal Schedule applies to Health and Community Services Complaints Management 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. 2016/9 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 1 July 2016 and is effective immediately.

Re-sentencing Records

All records sentenced using records Disposal Schedule for the Health and Community Services Complaints Commission 2006/7 and the Health and Community Services Complaints Review Committee 2007/1 are to be re-sentenced in accordance with this schedule.

Regulatory Framework

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

- *Health and Community Services Complaints Act*
- *Health and Community Services Complaints Regulations*
- *Information Act*
- NT Government Records Management Standards
- NT Government Archives Management Standards
- Australian Standards AS ISO 15489:2002-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.

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.

Compliance Checklist

<input type="checkbox"/>	Implement a records disposal program to ensure regular appraisal, sentencing, destruction and transfer of all records	<input type="checkbox"/>	Stop applying sentences from previous schedules that have been revoked or amended
<input type="checkbox"/>	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	<input type="checkbox"/>	Retain all records in good order and condition to be available for retrieval during the retention period.
		<input type="checkbox"/>	Identify and update control records so that you can demonstrate what happened to each record, whether paper or electronic
<input type="checkbox"/>	Familiarise all employees of the organisation with the authorised records disposal schedules relevant to the organisation's records	<input type="checkbox"/>	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
<input type="checkbox"/>	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	<input type="checkbox"/>	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
<input type="checkbox"/>	Ensure all copies of temporary records are destroyed in any format (including backups), unless otherwise stated in a disposal schedule	<input type="checkbox"/>	Transfer records of permanent value to the NT Archives Service for retention as archives not later than 30 years after creation
<input type="checkbox"/>	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	<input type="checkbox"/>	Inactive records can be transferred to offsite service providers providing they have been sentenced
<input type="checkbox"/>	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	<input type="checkbox"/>	Destroy time expired temporary records in a secure manner that ensures complete deletion/destruction beyond any possible reconstruction
<input type="checkbox"/>	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	<input type="checkbox"/>	Notify the NT Records Service of destruction of all records
<input type="checkbox"/>	Implement review or quality control procedures in recordkeeping systems to ensure disposal actions are implemented correctly	<input type="checkbox"/>	Do not destroy records that are not described in an authorised records disposal schedule.
<input type="checkbox"/>	Identify records that require re-sentencing where a previous disposal schedule has been superseded	<input type="checkbox"/>	Do not destroy any records created prior to 1 July 1978 without specific authorisation from the NT Archives Service

Disposal Schedule

1. Health and Community Services Complaints Management

The function of providing a health and community services complaints process for resolving complaints between users and providers of health services and community services. Includes statutory appointments, the establishment of the Health and Community Services Complaints Commission under the *Health and Community Services Complaints Act* and other related services.

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, relevant boards and other stakeholders, such as legislative amendments and determinations of fees and expenses made to persons attending before the Commissioner. Includes ministerials, gazette notices and related correspondence.	<ul style="list-style-type: none"> Formal advice to the Minister Determination of fees and Expenses 	Permanent Transfer to the NT Archives Service 10 years after action completed
1.1.2	Records documenting routine advice provided to the community, including health and community service providers in relation to the code of health, community rights and responsibilities. Includes related correspondence.	<ul style="list-style-type: none"> Routine advice 	Temporary Destroy 3 years after action completed

1. Health and Community Services Complaints Management

The function of providing a health and community services complaints process for resolving complaints between users and providers of health services and community services. Includes statutory appointments, the establishment of the Health and Community Services Complaints Commission under the *Health and Community Services Complaints Act* and other related services.

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 and review of high level agreements in relation to health and community services complaints management, such as with government agencies and Australian Health Practitioner Regulation Agency. Includes draft versions, ministerial and briefing notes.	<ul style="list-style-type: none"> High Level Agreements 	Permanent Transfer to the NT Archives Service 10 years after action completed
1.2.2	Records documenting the establishment, negotiation and review of minor agreements in relation to health and community complaints management, such as with the Aged Care and Complaints Commissioner. Includes memoranda of understanding and related correspondence.	<ul style="list-style-type: none"> Memorandum of Agreements 	Temporary Destroy 7 years after expiry or termination of agreement

1. Health and Community Services Complaints Management

The function of providing a health and community services complaints process for resolving complaints between users and providers of health services and community services. Includes statutory appointments, the establishment of the Health and Community Services Complaints Commission under the *Health and Community Services Complaints Act* and other related services.

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	<p>Records documenting the appointment of the Commissioner and Acting Commissioners by the Administrator, including appointments of the Deputy Commissioner by the Commissioner.</p> <p>Includes recommendations, terms and conditions, ministerials and instruments of appointment.</p> <p>May include resignations, retirements, terminations or suspensions of appointments.</p>	<ul style="list-style-type: none"> • Appointments of Commissioner • Appointment of Acting Commissioners 	<p>Permanent</p> <p>Transfer to the NT Archives Service 10 years after action completed</p>

1. Health and Community Services Complaints Management

The function of providing a health and community services complaints process for resolving complaints between users and providers of health services and community services. Includes statutory appointments, the establishment of the Health and Community Services Complaints Commission under the *Health and Community Services Complaints Act* and other related services.

1.4 Complaints Management

The activities associated with the handling of complaints from members of the public, including the formal receiving, investigating and resolving of complaints.

Class No.	Description of Records	Examples	Status and Disposal Action
1.4.1	<p>Records documenting investigations into complaints made to the Health and Community Services Complaints Commission under the Act, including complaints into aged care and disability service providers, and referred complaints such as the Community Visitor Program.</p> <p>Includes written complaints, witness statements, consultation notes, photos, extracts of documents, responses by the provider, and written determinations.</p>	<ul style="list-style-type: none"> Investigations into complaints 	<p>Permanent</p> <p>Transfer to the NT Archives Service 10 years after action completed</p>
1.4.2	<p>Records documenting assessments of complaints where the Commissioner has determined no further action required, referred complaint to a relevant Board, referred complaint to the conciliation process, or where the complaints has been withdrawn.</p> <p>Includes complaints, notifications to the Australian Health Practitioner Regulation Agency (AHPRA), reports, audio recordings, photos, transcripts and related correspondence.</p>	<ul style="list-style-type: none"> Assessments AHPRA notifications 	<p>Temporary</p> <p>Destroy 5 years after action completed</p>

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The function of providing a health and community services complaints process for resolving complaints between users and providers of health services and community services. Includes statutory appointments, the establishment of the Health and Community Services Complaints Commission under the *Health and Community Services Complaints Act* and other related services.

1.4 Complaints Management

The activities associated with the handling of complaints from members of the public, including the formal receiving, investigating and resolving of complaints.

Class No.	Description of Records	Examples	Status and Disposal Action
1.4.3	Records documenting informal complaints known as enquiries where a formal investigation has not taken place and the Commission has provided support to both the complainant and health, aged or disability service provider in facilitating a resolution. Includes consultation notes and related correspondence.	<ul style="list-style-type: none"> • Enquiries • Resolutions 	Temporary Destroy 5 years after action completed
1.4.4	Records documenting enquiries that are not within the jurisdiction of the Commissioner under the Act. Includes file notes and related correspondence.	<ul style="list-style-type: none"> • Enquiries 	Temporary Destroy 1 year after action completed
1.4.5	Records documenting the conciliation process of the Health and Community Services Complaints Commission. Includes file notes, appointments of conciliators, expert opinion reports and final reports from the conciliator. May include enforceable agreements and appointments of professional mentors by the Commissioner.	<ul style="list-style-type: none"> • Complaints gone through conciliation 	Temporary Destroy 3 years after action completed
1.4.6	Copies of medical records in support of health and community service complaints. Includes X-Rays and other supporting documents.	<ul style="list-style-type: none"> • Copies of medical records 	Temporary Destroy 1 year after action completed

1. Health and Community Services Complaints Management

The function of providing a health and community services complaints process for resolving complaints between users and providers of health services and community services. Includes statutory appointments, the establishment of the Health and Community Services Complaints Commission under the *Health and Community Services Complaints Act* and other related services.

1.5 Control

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

Class No.	Description of Records	Examples	Status and Disposal Action
1.5.1	<p>Register of complaints received by the Commissioner in relation to health and community services complaints management.</p> <p>Includes:</p> <ul style="list-style-type: none"> - Personal details - Type of complainant - Dates - Status (Open, Closed) - Type of Health Provider (organisation/individual) - Type of issues raised - Location of services 	<ul style="list-style-type: none"> • Register of complaints in Business System 	<p>Permanent</p> <p>Retain in organisation</p> <p>(manage and migrate data to new platform during system upgrades)</p>

1. Health and Community Services Complaints Management

The function of providing a health and community services complaints process for resolving complaints between users and providers of health services and community services. Includes statutory appointments, the establishment of the Health and Community Services Complaints Commission under the *Health and Community Services Complaints Act* and other related services.

1.6 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
1.6.1	Final set of policies in relation to the Health and Community Services Complaints Commission such as the Code of Health and Community Rights and Responsibilities. Includes ministerial approval,	<ul style="list-style-type: none"> Final Policies 	Permanent Transfer to the NT Archives Service 10 years after action completed
1.6.2	Records documenting the development of the Code of Health and Community Rights and Responsibilities. Includes drafts and consultation notes, written submissions received by relevant stakeholders, interested persons and bodies, ministerial,	<ul style="list-style-type: none"> Draft guidelines and procedures 	Temporary Destroy 5 years after action completed

1. Health and Community Services Complaints Management

The function of providing a health and community services complaints process for resolving complaints between users and providers of health services and community services. Includes statutory appointments, the establishment of the Health and Community Services Complaints Commission under the *Health and Community Services Complaints Act* and other related services.

1.7 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
1.7.1	Final versions of reports in relation to the function of the health and community services complaints management.	<ul style="list-style-type: none"> • Annual reports • Additional reports 	Permanent Transfer to the NT Archives Service 10 years after action completed
1.7.2	Records documenting the development of reports in relation to the function of health and community services complaints management. Includes file notes, statistic reports, consultation notes and draft versions.	<ul style="list-style-type: none"> • Draft versions of annual reports • Draft versions of additional reports 	Temporary Destroy 5 years after action completed
1.7.3	Records documenting reports provided by prescribed providers to the Commission on all health and community service complaints. Includes related correspondence.	<ul style="list-style-type: none"> • Prescribed providers reports 	Temporary Destroy 5 years after action completed

2. Health and Community Services Complaints Review

The function of providing formal reviews into the processes and procedures used for dealing with complaints addressed to the Health and Community Services Complaints Commission and relevant recommendations made by the Review Committee to the Commissioner and the Minister.

Includes the establishment of the Health and Community Services Complaints Review Committee under *the Health and Community Services Complaints Act* and other related services.

2.1 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
2.1.1	Records documenting the provision of formal advice to the Minister in relation to reviews of operations of the Act, including recommendations. Includes ministerials, briefing notes and other related correspondence.	- Formal recommendations on legislative amendments	Permanent Transfer to the NT Archives Service 10 years after action completed

2. Health and Community Services Complaints Review

The function of providing formal reviews into the processes and procedures used for dealing with complaints addressed to the Health and Community Services Complaints Commission and relevant recommendations made by the Review Committee to the Commissioner and the Minister.

Includes the establishment of the Health and Community Services Complaints Review Committee under *the Health and Community Services Complaints Act* and other related services.

2.2 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, appointments of members, terms of reference, proceedings, minutes, reports, agenda etc.

Class No.	Description of Records	Examples	Status and Disposal Action
2.2.1	<p>Records documenting the establishment of the Health and Community Services Complaints Review Committee, including appointments, resignations and terminations of members by the Minister, and minutes and agendas of meetings held.</p> <p>Includes written invitations to the public for members, terms and conditions, copies of discussion papers, disclosure of interests, and recommendations.</p>	- Health and Community Services Complaints Review Committee	<p>Permanent</p> <p>Transfer to the NT Archives Service 10 years after action completed</p>

2. Health and Community Services Complaints Review

The function of providing formal reviews into the processes and procedures used for dealing with complaints addressed to the Health and Community Services Complaints Commission and relevant recommendations made by the Review Committee to the Commissioner and the Minister.

Includes the establishment of the Health and Community Services Complaints Review Committee under *the Health and Community Services Complaints Act* and other related services.

2.3 Reviewing

The activities involved in enquiring into a subject or area of interest in order to discover facts, principles etc. Used to support the development of projects, standards, guidelines etc., and the business activities of the organisation in general. Includes following up enquiries relating to organisational programs, projects, working papers, literature searches, etc.

Class No.	Description of Records	Examples	Status and Disposal Action
2.3.1	<p>Records documenting applications for review received by the Health and Community Services Complaints Review Committee into the process and procedures used for responding to complaints to the Commission under the Act.</p> <p>Includes final reports, witness statements, extracts of documents, and related correspondence.</p> <p>May include reviews into the operations of the Health and Community Services Complaints Commission as requested by the Minister.</p>	<ul style="list-style-type: none"> Reviews into process and procedures of the Commission 	<p>Permanent</p> <p>Transfer to the NT Archives Service 10 years after action completed</p>