Records disposal schedule

Anti-Corruption Authority

Office of the Independent Commissioner Against Corruption

Disposal Schedule No. 2021/003

June 2021



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Preamble

Introduction

The *Information Act* 2002 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.

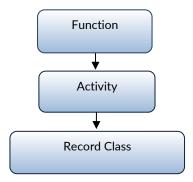
Disposal schedules are developed using the functional structure based on the classification scheme of the *Keyword AAA*: A *Thesaurus of General Terms* produced by the State Records Authority of NSW and modified for use by NT Government public sector organisations.

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

¹ S.145 Information Act 2002

² S.136A(3) Information Act 2002



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 Archives Service. Permanent records must be transferred no later than 30 years after creation in accordance with the *Information Act 2002*, 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 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 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 Anti-Corruption Authority of the Office of the Independent Commissioner Against Corruption.

Scope

Application of this Records Disposal Schedule is mandatory for Anti-Corruption Authority records of the Office of the Independent Commissioner Against Corruption.

This Records Disposal Schedule applies to Anti-Corruption Authority records in all formats.

Responsibility

The Independent Commissioner Against Corruption 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 2002.

Disposal Schedule No. 2021/003 was approved by the Senior Director of Library & Archives NT (the Archives Service), Director of Digital Policy and Data Strategy (the Records Service), and the Independent Commissioner Against Corruption on 4 June 2021 and is effective immediately.

Re-sentencing Records

All records sentenced under a superseded records disposal schedule for Public Interest Disclosure Records 2014/25 are to be re-sentenced using this schedule.

Regulatory framework

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

- Independent Commissioner Against Corruption Act 2017 (NT)
- Information Act 2002 (NT)
- 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 Office of the Independent Commissioner Against Corruption
- current authorised disposal schedules for the Office of the Independent Commissioner Against Corruption
- current authorised general disposal schedules.

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 (e.g. 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.

Acknowledgement

The Archives Service and the 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 Archives Service. Requests and enquiries concerning reproduction and rights should be directed to the Director, Archives Service. The terms in the 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

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 Archives Service and Records Service.	Retain all records in good order and condition to be available for retrieval during the retention period.	
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.	Identify and update control records so that you can demonstrate what happened to each record, whether paper or electronic.	
Ensure all copies of temporary records are destroyed in any format (including backups), unless otherwise stated in a disposal schedule.	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.	
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.	Transfer records of permanent value to the Archives Service for retention as archives not later than 30 years after creation.	
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.	Inactive records can be transferred to offsite service providers providing they have been sentenced.	
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.	Destroy time expired temporary records in a secure manner that ensures complete deletion/destruction beyond any possible reconstruction.	
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 Archives Service.	

Disposal Schedule

1. Anti-Corruption Authority

The function of minimising or preventing, detecting, investigating, and responding to improper conduct within the public administration as required under the *Independent Commission Against Corruption Act 2017*. Includes statutory appointments, delegations and reports as required under the Act, including the delivery of education and training awareness activities and protection of whistle-blowers.

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 documenting the provision and receipt of formal advice in relation to improper conduct matters, such as the Legislative Assembly, Office of the Commissioner of Public Employment and other government bodies.	PERMANENT Transfer to the Archives Service 10 years after action completed
1.1.2	Records documenting general advice provided in relation to improper conduct matters, such as legislation, mandatory reporting procedures and education and training activities.	TEMPORARY Destroy 5 years after action completed
1.1.3	Records documenting written notifications of nominated recipients pursuant to the Act by persons responsible for the management or control of a public body. Includes terms and conditions. May include revocations of nominations.	TEMPORARY Destroy 15 years after action completed
1.1.4	Records documenting legal advice provided internally to staff of the Office of the Independent Commissioner Against Corruption in relation to assessments, investigations, policy and prevention and engagement activities.	TEMPORARY Destroy 25 years after action completed
	Use INVESTIGATIONS for records documenting specific advice to a report maker.	

The function of minimising or preventing, detecting, investigating, and responding to improper conduct within the public administration as required under the Independent Commission Against Corruption Act 2017. Includes statutory appointments, delegations and reports as required under the Act, including the delivery of education and training awareness activities and protection of whistle-blowers.

1.2 Agreement

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 formal agreements in relation to anti-corruption.	PERMANENT Transfer to the Archives Service 10 years after action completed
	Includes data sharing agreements with government bodies and memoranda of understanding with relevant parties both within the Northern Territory Government and external to the Northern Territory Government.	
	Use INVESTIGATIONS for records documenting individual case agreements, including memoranda of understanding.	

The function of minimising or preventing, detecting, investigating, and responding to improper conduct within the public administration as required under the Independent Commission Against Corruption Act 2017. Includes statutory appointments, delegations and reports as required under the Act, including the delivery of education and training awareness activities and protection of whistle-blowers.

1.3 Appointments

The processes of appointing persons under relevant Acts, including setting terms and conditions.

Class No.	Description of Records	Status and Disposal Action
1.3.1	Records documenting the appointment of the Independent Commissioner Against Corruption pursuant to the Act, including acting persons. Includes ministerials, briefing notes, terms and conditions, qualifications, and resignations. May include suspension and terminations.	PERMANENT Transfer to the Archives Service 10 years after action completed
1.3.2	Records documenting the appointment of authorised officers pursuant to the Act. Includes instrument of appointments, terms, conditions, delegations and copies of qualifications. May include returned identity cards.	PERMANENT Transfer to the Archives Service 10 years after action completed
1.3.3	Records documenting the appointment of the Inspector of the Independent Commissioner against Corruption pursuant to the Act. Includes terms and conditions, and suitability checks.	PERMANENT Transfer to the Archives Service 10 years after action completed

The function of minimising or preventing, detecting, investigating, and responding to improper conduct within the public administration as required under the Independent Commission Against Corruption Act 2017. Includes statutory appointments, delegations and reports as required under the Act, including the delivery of education and training awareness activities and protection of whistle-blowers.

1.4 Audit and review

The activities associated with auditing and reviewing the practices, polices or procedures of a public body or public officer.

Class No.	Description of Records	Status and Disposal Action
1.4.1	Records documenting audit and review reports into the practices, policies or procedures of a public body or public officer to identify whether improper conduct has occurred, is occurring or is at risk of occurring as required under the Act. Includes final audit and review reports, recommendations, extracts of documents, audit and review responses and related correspondence.	PERMANENT Transfer to the Archives Service 10 years after action completed

The function of minimising or preventing, detecting, investigating, and responding to improper conduct within the public administration as required under the Independent Commission Against Corruption Act 2017. Includes statutory appointments, delegations and reports as required under the Act, including the delivery of education and training awareness activities and protection of whistle-blowers.

1.5 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
1.5.1	Records documenting the establishment of the Office of an Independent Commissioner Against Corruption (ICAC) as required under the Act. Includes ministerials and briefing notes.	PERMANENT Transfer to the Archives Service 10 years after action completed
1.5.2	Records documenting high level committees, such as the Operations Committee formed to review assessment reports, provide high level advice to the Commissioner with regards to public sector trends and issues, serious misconduct and corruption risks in the NT public administration and guidance for prevention activities. Includes agendas, minutes, discussion papers and business recommendations.	PERMANENT Transfer to the Archives Service 10 years after action completed
1.5.3	Records documenting inter-departmental and internal committees formed that have not been convened by the Office of the Independent Commissioner Against Corruption. Includes agendas, minutes and other related correspondence.	TEMPORARY Destroy 5 years after action completed

The function of minimising or preventing, detecting, investigating, and responding to improper conduct within the public administration as required under the Independent Commission Against Corruption Act 2017. Includes statutory appointments, delegations and reports as required under the Act, including the delivery of education and training awareness activities and protection of whistle-blowers.

1.6 Complaints Management

The activities associated with addressing complaints and resolving disputes.

Class No.	Description of Records	Status and Disposal Action
1.6.1	Records documenting investigations conducted by the Inspector into written complaints about the Independent Commissioner Against Corruption, the Office of the Independent Commissioner Against Corruption or a staff member of the Office of Independent Commissioner as required under the Act.	PERMANENT Transfer to the Archives Service 10 years after action completed
1.6.2	Records documenting written complaints received by the Inspector with regards to Independent Commissioner Against Corruption, the Office of the Independent Commissioner Against Corruption or a staff member of the Office of the Office of the Independent Commissioner as required under the Act where no further action has taken place.	TEMPORARY Destroy 15 years after action completed
	Use INVESTIGATIONS for records documenting the assessment and/or investigation into persons suspected of improper conduct where a mandatory or voluntary report has been received under the Act.	

The function of minimising or preventing, detecting, investigating, and responding to improper conduct within the public administration as required under the Independent Commission Against Corruption Act 2017. Includes statutory appointments, delegations and reports as required under the Act, including the delivery of education and training awareness activities and protection of whistle-blowers.

1.7 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
1.7.1	Records documenting investigations into persons suspected of contravening the Act, such as engaging in retaliation, unauthorised disclosure of information, providing misleading information, failure to comply with requirements of an investigation. Includes written directions, witness statements, extracts of documents and formal reports.	TEMPORARY Destroy 15 years after action completed

The function of minimising or preventing, detecting, investigating, and responding to improper conduct within the public administration as required under the Independent Commission Against Corruption Act 2017. Includes statutory appointments, delegations and reports as required under the Act, including the delivery of education and training awareness activities and protection of whistle-blowers.

1.8 Control

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

Class No.	Description of Records	Status and Disposal Action
1.8.1	Case management system for the Independent Commissioner Against Corruption, currently Condor.	PERMANENT
	Includes summary information:	(Manage and migrate data to
	- mandatory reports	new platform during system upgrades)
	- acknowledgement letters	Town for to the Angles
	- Investigations	Transfer to the Archives Service 10 years after action
	- Preliminary inquiries	completed
	- Assessments	
	- Referral agencies	
	- Directions and notices	
	- Audits and reviews	
	- Public inquiries	
	- Public Statements	
	- Whistle-blower details	

The function of minimising or preventing, detecting, investigating, and responding to improper conduct within the public administration as required under the Independent Commission Against Corruption Act 2017. Includes statutory appointments, delegations and reports as required under the Act, including the delivery of education and training awareness activities and protection of whistle-blowers.

1.9 Delegations

The process of delegating or being delegated as a requirement under relevant legislation.

Class No.	Description of Records	Status and Disposal Action
1.9.1	Records documenting written delegations to a member of staff by the Independent Commissioner Against Corruption pursuant to the Act.	PERMANENT Transfer to the Archives Service 10 years after action completed
	Includes business recommendations, terms and conditions.	

The function of minimising or preventing, detecting, investigating, and responding to improper conduct within the public administration as required under the Independent Commission Against Corruption Act 2017. Includes statutory appointments, delegations and reports as required under the Act, including the delivery of education and training awareness activities and protection of whistle-blowers.

1.10 Education and Training Awareness

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

Class No.	Description of Records	Status and Disposal Action
1.10.1	Records documenting the development and review of prevention and engagement programs in relation to the awareness and prevention of improper conduct within public administration as required under the Act.	TEMPORARY Destroy 7 years after program is replaced or discontinued
	Includes research into the prevention and minimisation of improper conduct initiatives, emerging trends, and strategies to prevent corruption and for education and communication within the community.	
	May include copies of legal advice.	
1.10.2	Records documenting the delivery of prevention and engagement programs in relation to the awareness and prevention of improper conduct, such as information sessions, participation in circuit shows, and exhibits to the public sector and not-for-profit organisations.	TEMPORARY Destroy 7 years after action completed
	Includes registration forms, attendance records, information handouts, survey responses and other feedback received.	

The function of minimising or preventing, detecting, investigating, and responding to improper conduct within the public administration as required under the Independent Commission Against Corruption Act 2017. Includes statutory appointments, delegations and reports as required under the Act, including the delivery of education and training awareness activities and protection of whistle-blowers.

1.11 Investigations

The acts and processes involved in the conduct of investigations into serious improper conduct to form a determination, including assessment of improper conduct reports for their eligibility for investigation and referrals to other government bodies and preliminary inquiries.

Class No.	Description of Records	Status and Disposal Action
1.11.1	Records documenting investigations into suspected improper conduct that has occurred, is occurring or is at risk of occurring, including joint investigations with a referral entity as required under the Act.	PERMANENT Transfer to the Archives Service 10 years after action completed
	Includes final investigation reports, mandatory reports, voluntary reports, brief of evidence, recommendations, extracts of documents, photographs, video footage, witness statements, written notifications, copies of directions, ministerials, and retention notices.	
	May include preliminary inquiries, applications for the determination of privilege claims, referrals to another entity for matters that have come to the ICAC attention that may involve improper conduct, copies of legal advice, including directions and reporting requirements, court orders, search warrants, Aboriginal land permits, public inquiry reports and public statements.	
1.11.2	Records documenting investigations into suspected improper conduct that has occurred, is occurring or is at risk of occurring that are not pursued, such as not related to functions of the Independent Commissioner Against Corruption, determined to be vexatious, lack substance, or where the matter has already been investigated.	TEMPORARY Destroy 15 years after investigation finalised
	Includes mandatory and voluntary reports, extracts of documents and written notifications of decision.	

The function of minimising or preventing, detecting, investigating, and responding to improper conduct within the public administration as required under the Independent Commission Against Corruption Act 2017. Includes statutory appointments, delegations and reports as required under the Act, including the delivery of education and training awareness activities and protection of whistle-blowers.

1.12 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
1.12.1	Master set of strategic planning for the Office of the Independent Commissioner Against Corruption, such as the Strategic Plan 2020 - 2023.	PERMANENT Transfer to the Archives Service 10 years after action completed
	Includes formal draft versions, consultation notes and business recommendations.	

The function of minimising or preventing, detecting, investigating, and responding to improper conduct within the public administration as required under the Independent Commission Against Corruption Act 2017. Includes statutory appointments, delegations and reports as required under the Act, including the delivery of education and training awareness activities and protection of whistle-blowers.

1.13 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
1.13.1	Master set of directions and guidelines in relation to reporting and investigations into improper conduct as required under the Act.	PERMANENT Transfer to the Archives Service 10 years after action completed
	Includes directions and guidelines for dealing with voluntary protected communications, guidelines to minimise retaliation, guidelines and practice directions for ICAC staff and Mandatory reporting directions and guidelines.	

The function of minimising or preventing, detecting, investigating, and responding to improper conduct within the public administration as required under the Independent Commission Against Corruption Act 2017. Includes statutory appointments, delegations and reports as required under the Act, including the delivery of education and training awareness activities and protection of whistle-blowers.

1.14 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
1.14.1	Master set of annual reports as required under the Act, incudes general reports and evaluation reports prepared by the Inspector of the Independent Commissioner Against Corruption. Includes formal draft versions, consultation notes and related correspondence.	PERMANENT Transfer to the Archives Service 10 years after action completed

The function of minimising or preventing, detecting, investigating, and responding to improper conduct within the public administration as required under the Independent Commission Against Corruption Act 2017. Includes statutory appointments, delegations and reports as required under the Act, including the delivery of education and training awareness activities and protection of whistle-blowers.

1.15 Research

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	Status and Disposal Action
1.15.1	Records documenting research into public sector administration improper conduct trends, including public servants' perceptions of improper conduct in public administration. Includes final research reports, recommendations, surveys, reference papers and copies of other jurisdiction reports.	TEMPORARY Destroy 10 years after action completed