

Australian Capital Territory

Territory Records (Records Disposal Schedule – Source Records) Approval 2011 (No 1)

Notifiable instrument NI2011—170

made under the

Territory Records Act 2002, s 19 (Approval of schedules for the disposal of records)

1. Name of Instrument

This instrument is the Territory Records (Records Disposal Schedule – Source Records) Approval 2011 (No 1)

2. Approval

I approve the Records Disposal Schedule – Source Records.

3. Commencement

This instrument commences on the day after notification.

David Wardle
Director of Territory Records
21 March 2011



Records Disposal Schedule

Source Records

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INTRODUCTION

The *Records Disposal Schedule – Source Records* is the official authority for the disposal of Territory Records that have been converted into another format. It is one of a series of Records Disposal Schedules authorised by the Director of Territory Records in accordance with provisions of the *Territory Records Act 2002*. It is used in conjunction with other relevant Records Disposal Schedules.

A “source record” for the purposes of this Records Disposal Schedule is the copy of a record that has been converted into another format. The copy of the record that has been converted is, for the purposes of this Records Disposal Schedule, the “converted record”.

Examples of such conversions are:

- digitisation of a paper original;
- microfilming of a paper original;
- digitisation of a microfilm;
- conversion of a digital record from one software format to another;
- conversion of a database to a set of PDF files and a spreadsheet.

The *Standard for Records Management Number 9 – Records Digitisation and Conversion* sets principles and minimum standards for the management of records that have been converted to a different format. It enables the identification of records that should be retained in their original or unconverted format, either as Territory Archives or as a record that should be kept in its unconverted format for a limited time.

Disposal of the source records is subject to a number of conditions on the conversion process. Some source records will not be eligible for disposal. In addition to establishing a records management regime for digitised records, *Standard No.9* identifies the conditions under which the source record may be disposed of. Although *Standard No.9* sets out the mechanism for source records to be authorised for disposal after they have been converted, there are a number of conditions that must be satisfied before source records can be disposed of, and there are a number of situations where source records **CANNOT** be disposed of after conversion.

PURPOSE

The purpose of this Records Disposal Schedule is to provide for the authorised disposal of source records in the control of ACT Government Agencies.

SCOPE

This Records Disposal Schedule applies to records created or maintained by ACT Government Agencies. It applies to records in any format, including electronic records. It does not replace or supersede any existing Records Disposal Schedule, and must be used in conjunction with existing Records Disposal Schedules.

AUTHORITY

The Director of Territory Records, in consultation with stakeholders and the Territory Records Advisory Council, has approved this Records Disposal Schedule for use. The schedule does not take effect until it has been incorporated into an agency's Records Management Program that has been signed off by the Principal Officer of the agency.

Even so, officers using this Records Disposal Schedule should apply it with caution. They should be aware that the authorisations for disposal are given in terms of the *Territory Records Act 2002* only. Officers must not dispose of records in contravention of this or other Records Disposal Schedule(s) or other requirements.

This Records Disposal Schedule will remain in force until a new schedule supersedes it or the Director of Territory Records withdraws it from use.

STRUCTURE AND RELATIONSHIP TO THE TERRITORY VERSION OF KEYWORD AAA

Most ACT Records Disposal Schedules have a hierarchical structure that reflects arrangements according to functions and activities, rather than by subject, and this also reflects a close relationship to the *Territory Version of Keyword AAA*.

The Director of Territory Records has provided the *Territory Version of Keyword AAA* as a thesaurus of terms relating to the functions common to all agencies. Common functions usually consist of those corporate administrative obligations of an agency, (e.g. finance, personnel, information management). Some common functions can also cover an agency's specific responsibilities, (e.g. INFORMATION MANAGEMENT can be used by the Director of Territory Records and the Territory Records Office). The use of this thesaurus will ensure a consistent approach to the titling of records of common functions across the Territory. It is mandated for use by agencies for the titling of records of common functions. The *Territory Version of Keyword AAA* terminology provides the thesaurus structure for the functionally based Records Disposal Schedules to ensure a consistent approach to the disposal of Territory records.

The records of functions that are not common to all agencies, but are specific to a limited number of agencies, etc. are covered by Records Disposal Schedules (RDS) that apply to the specific function and activities undertaken by those agencies and assign retention periods and disposal actions to the records that support those functions and activities.

Most ACT Records Disposal Schedules specify retention periods. That is, how long records are to be retained by the agency before being destroyed or retained as Territory Archives.

This Records Disposal Schedule (RDS) for source records does not affect the operation of other Records Disposal Schedules; agencies must retain records for the full retention period. However, agencies need not always retain the records in the same format for that period.

Standard No.9 governs the conversion of a record from one format to another; in particular, it provides the conditions under which the source record may be disposed of after such a conversion. This Source Records RDS takes its authority from *Standard No.9* and allows, under certain conditions, source records to be disposed of after conversion.

The conditions for disposal contained in this Source Records RDS are minimum requirements. An agency may keep source records for a longer period where considered necessary. Reasons for longer retention could include legal requirements, administrative needs or where the intrinsic value lies in the original format or information embodied in that format where the source record could have a cultural or artistic value. A record may also be converted as a preservation or access medium rather than a disposal mechanism.

An agency must not dispose of any records where it is aware of possible legal action for which the records may be required as evidence or if there is a current records disposal freeze in effect.

GUIDELINES FOR USE

Coverage of authority

The Records Disposal Schedule – Source Records:

- covers all records;
- is to be used in conjunction with other relevant RDS's;
- specifies the minimum conditions under which source records may be disposed of following conversion; and
- is applicable to records created and maintained in any format, including:
 - cards;
 - registers;
 - files;
 - microfilm;
 - COM (computer output microfiche);
 - electronic records, including various electronic media;
 - any other formats.

Layout of the schedule

This Records Disposal Schedule begins with an introduction incorporating definitions. The structure of the disposal classes is then described.

CUSTODY OF RECORDS

Custody of all records remains the responsibility of the relevant agency unless formal transfer of custody has occurred. Although physical custody may be outsourced, responsibility for custody cannot be outsourced.

Both the source and converted records must be managed in accordance with the agency's Records Management Program, which must comply with the requirements

of all Records Management Standards. This continues to apply in those cases where the source record is expected to be destroyed. The source record must be retained after conversion for a sufficient time to ensure detection of any problem in the quality assurance process, so that it is possible to easily re-convert the record if a problem is detected.

Where source and converted records co-exist, both records must be maintained in a readable and accessible format pending sentencing, destruction, or other action.

DESTRUCTION OF RECORDS

When the approved disposal date for the destruction of a record has been reached, and all other conditions required before destruction have been met, appropriate arrangements for a record's destruction should be made. It is the responsibility of each agency to ensure that its records are destroyed in a secure and appropriate manner as indicated in the agency Records Management Program.

UPDATING THE RECORDS DISPOSAL SCHEDULE

Records Disposal Schedules are reviewed and updated from time to time. For suggested amendments or alterations to this schedule please contact the Director of Territory Records.

ASSISTANCE IN USING THE RECORDS DISPOSAL SCHEDULE

Agencies requiring any assistance in the interpretation or implementation of any Records Disposal Schedule are encouraged to contact the Director of Territory Records.

RELATED LEGISLATION

Legislation related to classes of records covered by this Records Disposal Schedule includes, but is not limited to, the following Acts:

Crimes Act 1900

Electronic Transactions Act 2001

Evidence Act 1971

Evidence Act 1995 (Cwlth)

Freedom of Information Act 1989

Privacy Act 1988 (Cwlth)

Territory Records Act 2002

DEFINITIONS

Actioned

Any substantive work carried out in an agency in response to receiving the correspondence. This does not include purely process work (e.g. conversion).

Agency

The Executive, an ACT Court, the Legislative Assembly Secretariat, an administrative unit, a Board of Inquiry, a Judicial or Royal Commission, any other prescribed authority, or an entity declared under the regulations of the *Territory Records Act 2002* to be an agency.

Archives

See Territory Archives

Converted Records

The copy of the record resulting from the conversion (compare source record). For example, the digitised copy of a paper record.

Conversion

The act of converting a record from one format to another. (See also pre-action conversion, post-action conversion, and digitising).

Digital record

A digital record is a record that is communicated and maintained by means of electronic equipment. (National Archives of Australia, Glossary). (See also “Records”).

Digitisation or Digitising

The process of converting a physical record to a digital representation. (See also “Records”, “Digital record”, “Digitised record”).

Digitised record

A digitised record is a record that has been converted from a physical record to a digital format. (See also “Records”, “Digital record”, “Digitisation”).

Permanent

These records are considered of archival value to the Territory and may not be destroyed. Permanent records are defined by a Records Disposal Schedule.

Pre-action/post-action conversion

The conditions under which the source record can be disposed of depend on when the conversion is carried out.

Pre-action conversion is where conversion is carried out immediately after the record is received by an agency, and before any action has been taken on it. An example of pre-action conversion is the digitisation of received correspondence in a mailroom.

Post-action conversion is where conversion is carried out after any action has been taken on the record. A typical example of post-action conversion is the digitisation of existing paper-based files. An action includes any decision on how to deal with the subject of the record.

Principal Officer

The Chief Executive of an administrative unit, or its equivalent in other types of agencies.

Records

Information created, received, and maintained as evidence and information by an organisation or person, in pursuance of legal obligations or in the transaction of business. This recorded information must be maintained or managed by the agency to provide evidence of their business activities. Records can be in written, electronic or any other form.

Records Disposal Schedule (RDS)

A Notifiable Instrument created under S.19 of the *Territory Records Act 2002* granting permission to dispose of particular classes of records after a specified period of time. Some records may not be disposed of and must be retained as Territory Archives. The Notifiable Instrument may impose additional conditions.

Records of an Agency

Records in written, electronic or any other form, under the control of an agency or to which it is entitled to control, kept as a record of its activities, whether it was created or received by the agency.

Recordkeeping Systems

Information systems that capture, maintain and provide access to records over time. While the term is often associated with computer software, Recordkeeping Systems also encompass policies, procedures, practices and resources which are applied within an agency to ensure that full and accurate records of business activity are made and kept.

Records Management

The managing of the records of an agency to meet its operational needs and, if appropriate, to allow public access to the records consistent with the *Freedom of Information Act 1989* and for the benefit of future generations. Records management covers but is not limited to the creation, keeping, protection, preservation, storage and disposal of, and access to records of the agency.

Records Management Program

A document which complies with section 16 of the *Territory Records Act 2002* by setting out the means by which an agency will manage its records, and is approved by the agency's Principal Officer.

Source Record

The copy of the record that is being converted into another format (compare converted record). For example, the paper record that is being digitised.

Temporary

Temporary records are not considered of archival value to the Territory and may be destroyed after a minimum period of time. Temporary records are defined in a Records Disposal Schedule, which also sets the minimum retention period.

Territory Archives

Records preserved for the benefit of present and future generations.

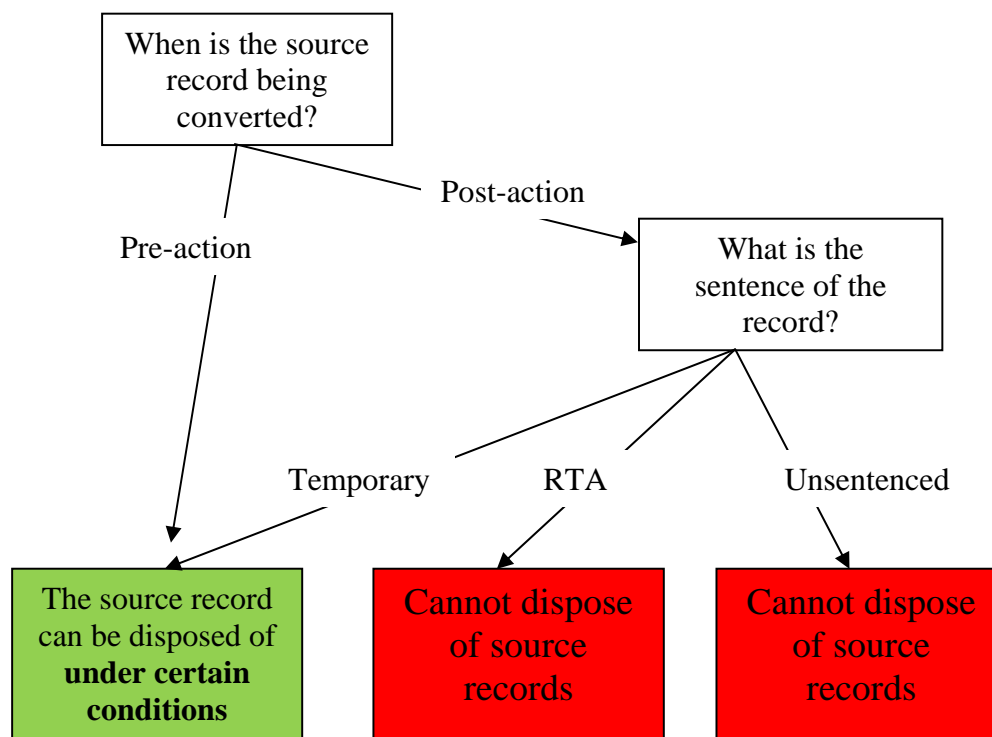
Unsentenced Records

Records that are not covered by a Records Disposal Schedule.

STRUCTURE OF THE DISPOSAL CLASSES

Principle 2 of Territory Records Standard No.9 specifies that converted records will be managed in accordance with the specified disposal classes.

The following chart summarises the decision points in applying the Source Records.



Note that RTA means “Retained as Territory Archives”

The first decision point is whether the conversion occurs pre-action or post-action. If the conversion occurs pre-action, the source record can generally be disposed of (exceptions will be summarised below).

If the conversion occurs post-action, the second decision point concerns the sentence of the record as a whole. If the record is temporary, the source record can generally be disposed of. If the record is to be retained as a Territory archive (RTA), the source record must be retained. If the record is unsentenced, the source record cannot be disposed of under the Source Records RDS, and must be retained.

The Source Records RDS in conjunction with Standard No.9, gives permission to dispose of certain source records after conversion. However, in order to do so, several conditions apply to the source records, the conversion process, and to the subsequent management of the records. These conditions vary very slightly from class to class, but in general are that:

1. A risk assessment has been carried out on the risks an agency incurs in converting the records. It is recommended that agencies gain experience on low risk conversions before attempting large scale high risk conversions.
2. The converted record is a full and accurate copy of the source record.
3. The converted record becomes the official record of the business of the agency; that is, the converted record is used for continuing business purposes.
4. The converted record is managed in a system that is designed to ensure access for the full retention period of the record. The system must satisfy the relevant storage standards.
5. The source record does not have value as a physical artefact.
6. There is no requirement imposed upon the agency by legislation, regulation, government policy/directive, agency policy, standard, or written direction, such as from the Director of Territory Records, that the source record be retained in a specific format.

The source record cannot be disposed of unless all these conditions apply. A discussion of the implications of each of these conditions can be found in the Guideline for Records Management Number 9 – Records Digitisation and Conversion.

RECORDS DISPOSAL SCHEDULE

Post-action conversion (continued)

These classes apply to any source record that has been converted from one format **after** it has been actioned by an officer in the agency.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
GE2.GE1.003 ■■■■■■■■■■■■■■■■■■■■	Unsentenced source records Source records converted post-action but that are not covered by a Records Disposal Schedule.	Cannot dispose of source records

Pre-action conversion

These classes apply to any source record that has been converted from one format **before** it has been actioned by an officer in the agency.

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
GE2.GE2.001 ■■■■■■■■■■■■■■■■■■■■	Pre-action conversion Any source record that: a) has been converted from one format to another before it has been actioned by an officer in the agency; and b) <i>satisfies all of the following conditions.</i> 1. An assessment has been carried out on the risks an agency incurs in converting the records. (It is recommended that agencies gain experience with low risk conversions before attempting large scale high risk conversions.) 2. A full and accurate copy of the source record has been created. 3. The converted record has become the official record of the business of the agency. 4. The converted record is managed in a system that is designed to ensure access for the full retention period of the record. The system must satisfy the relevant storage standards. 5. The source record does not have value as a physical artefact. 6. There is no requirement imposed upon the agency by legislation, regulation, government policy/directive, agency policy, standard, or written direction that the source record be retained in a specific format.	Dispose of the source record after quality assurance procedures have been completed. Source records must be retained after conversion for a sufficient time to ensure detection of any problem in the quality assurance process, so that it is possible to easily re-convert the record if a problem is detected or if the officer actioning the record requires access to the original record. Electronic source records must be maintained in a readable and accessible format pending disposal.