

Australian Capital Territory

Territory Records (Records Disposal Schedule – Public Health Protection Records) Approval 2016 (No 1)

Notifiable instrument NI2016—423

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 – Public Health Protection Records) Approval 2016 (No 1)

2. Commencement

This instrument commences on the day after notification.

3. Approval

I approve the Records Disposal Schedule – Public Health Protection Records.

Danielle Wickman
Director of Territory Records
29 July 2016



Records Disposal Schedule

Public Health Protection Records

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INTRODUCTION

The *Records Disposal Schedule - Public Health Protection Records* is the official authority for the disposal of these ACT Government Records.

It is one of a series of Whole of Government Records Disposal Schedules authorised by the Director of Territory Records in accordance with the provisions of the *Territory Records Act 2002*. It is used in conjunction with other Territory Records Disposal Schedules.

PURPOSE

The purpose of this Records Disposal Schedule is to provide for the authorised disposal of records created or maintained by 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.

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 Records Disposal Schedule 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 WHOLE OF GOVERNMENT THESAURUS

A Records Disposal Schedule generally specifies retention periods. That is, how long records are to be retained by the agency before being destroyed or retained as Territory Archives.

Retention periods set down in this schedule are minimum periods only and an agency may keep records for a longer period if considered necessary for business requirements. Reasons for longer retention could include legal requirements, administrative need or agency directives. **An agency must take all reasonable steps to ensure that no legal action is contemplated in relation to its records and 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.**

The *Records Disposal Schedule - Public Health Protection Records* has a hierarchical structure that reflects its arrangements according to functions and activities, rather than by subject, and this also reflects a close relationship to the Whole of Government Thesaurus. The Records Disposal Schedule is designed to be applicable to all records relating to the function described in this schedule regardless of titling conventions used, so that records, which have not been classified and titled using the terminology represented by this Records Disposal Schedule, may still be sentenced with relative ease.

Whole of Government Thesaurus

The Whole of Government Thesaurus is a controlled vocabulary of terms designed for use in the classifying, titling and indexing of records on creation.

The Whole of Government Thesaurus has been developed on the basis of the former Territory Version of Keyword AAA (TVKAAA) (2010). In the Whole of Government Thesaurus all functions are considered to be functions performed by the ACT Government and have been included following consultation with stakeholder agencies and after consideration by the Territory Records Office (TRO) via a formal approval process.

The Whole of Government Thesaurus is mandated by the Director of Territory Records for use by all ACT Government agencies as part of classifying and titling of their paper and electronic records. See also *Records Advice No.28 Functional directories on shared drives*.

The disposal actions listed in this Records Disposal Schedule were determined through the process of appraisal in accordance with *Territory Records Office Standard for Records Management No.2 - Appraisal*. Appraisal is based upon the same type of analysis of business activity employed in the classification scheme used in the Whole of Government Thesaurus. Essentially, appraisal involves attaching record retention periods and disposal decisions (and even records creation requirements and rules) to the same classification scheme.

GUIDELINES FOR USE

Coverage of authority

The *Records Disposal Schedule - Public Health Protection Records*:

- covers all records related to the function;
- is intended to be used in conjunction with other Territory Whole of Government Records Disposal Schedules;
- specifies the minimum period records should be kept (retention periods)
- specifies whether, upon the expiry of the retention periods, the records may be destroyed or are required as Territory Archives; and
- is applicable to records created and maintained in any format, including electronic or formats such as microfiche.

Layout of the schedule

This Records Disposal Schedule begins with an introduction incorporating definitions and the business classification scheme. Then each of the functions and activity disposal sets or 'disposal classes' relating to the functions are described. These are followed by a composite list of classes designated 'Retain as Territory Archives'. The functions and activity disposal sets show the following details:

Function.

This is the broad level business function and is displayed in bold capital letters at the top of each page. It is the highest level in the business classification scheme. It is followed by the scope note, which provides definitions of the function and a collective view of the business activities that make that function unique.

Activity.

Activities are the processes or operations that make up the business function. They are set in bold and italics below the function statement. This is the second level of the business classification scheme. The scope of the activity encompasses all of the transactions that take place in relation to the activity. Activities can relate to many functions with the scope notes covering all of these relationships (e.g., the activity 'Policy' is linked to all of the functions). However, each function and activity set represents a unique unit.

Entry No.

This is the disposal class number allocated based on the function and activity set and the class number of the record. The barcode is the same as the Entry No. and may be used in an automated recordkeeping system.

Description of Records.

This is the description of the records documenting the business function, activity and transactions. The descriptions can relate to one record such as a register or a group of records documenting a particular set of transactions.

Disposal Action.

This is the minimum period a record must be kept for and is the trigger event from which the disposal date can be calculated.

FORMAT OF RECORD

This Records Disposal Schedule is applicable to any record that performs the function prescribed, irrespective of format. Records may include:

- cards;
- registers;
- files;
- microfilm;
- COM (computer output microfiche);
- electronic records, including various electronic media, and
- any other formats.

Electronic records

Refers to records created, communicated and maintained by means of electronic equipment. Information could be maintained/stored in a number of ways - on the database (the main database, or a special archives database); on magnetic media; on optical disks; or on separate hardcopy (paper, COM).

Electronic records must be readily accessible for the length of the specified retention period. Routine treatment (such as wiping, updating, alterations or re-recording) does not constitute disposal.

DESTRUCTION OF RECORDS

When the approved disposal date for the destruction of records has been reached, appropriate arrangements for their 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

The following legislation is related to the records classes covered by this Records Disposal Schedule:

Coroners Act 1997

Criminal Code 2002

Drugs of Dependence Act 1989, except section 123 and section 140

Epidemiological Studies (Confidentiality) Act 1992

Evidence (Miscellaneous Provisions) Act 1991

Evidence Act 2011

Freedom of Information Act 1989

Food Act 2001

Health Act 1993

Health Records (Privacy and Access) Act 1997

Information Privacy Act 2014

Intoxicated People (Care and Protection) Act 1994

Medicines, Poisons and Therapeutic Goods Act 2008

Public Health Act 1997

Radiation Protection Act 2006

Road Transport (Alcohol and Drugs) Act 1977

Smoke-Free Public Places Act 2003

Supervised Injecting Place Trial Act 1999, except section 7, section 8 and section 13

Territory Records Act 2002

Tobacco Act 1927

DEFINITIONS

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.

Appraisal

The process of evaluating business activities to:

- determine which records need to be created and captured;
- determine how long the records need to be kept to meet business needs; and
- meet the requirements of organisational accountability and community expectations.

Business Classification Scheme

A hierarchical scheme for identifying and defining the functions, activities and transactions an agency performs in the conduct of its business, and the relationships between them.

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 transition 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 of an Agency

Records, in writing, 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.

Records Disposal Schedule

A document approved by the Director of Territory Records, which sets out the types of records an agency must make and how long they must be kept.

Records Management Program

A document that 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.

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 that are applied within an agency to ensure that full and accurate records of business activity are made and kept.

Scope Note

An explanation of terms used in describing the records and the context in which they were made and used.

Sentencing

The process of applying appraisal decisions to individual records by determining the part of a Records Disposal Schedule that applies to the record and assigning a retention period consistent with that part.

Territory Archives

Records preserved for the benefit of present and future generations.

BUSINESS CLASSIFICATION SCHEME

PUBLIC HEALTH PROTECTION

The function of managing risks to public health through regulation, scientific analysis, and the implementation of strategies for the prevention of, and timely response to, public health risks and events. This function includes regulatory and policy activities relating to food safety, communicable disease control, environmental health, health emergency management, pharmaceutical products and radiation sources. Regulatory activities involve licensing and registration of services, activities, persons or equipment that can affect public health, inspections and audits, disease surveillance, and the provision of advice and guidance materials. Also includes monitoring, reporting and policy development in regard to public health issues, the use of radiation sources, pharmaceutical drugs and poisons and the control of tobacco products and smoking. Analytical scientific services associated with risks to the health of the public are also included in this function, such as the monitoring of air quality and the testing of food and water (potable and recreational), scientific services for coronial matters, and matters pertaining to police requests and investigations, such as illicit drug analysis.

[For programs and health services for the population, strategic health care planning and programs and strategies for controlling disease outbreaks, use POPULATION HEALTH CARE MANAGEMENT AND CONTROL.]

Advice

The activities associated with offering formal opinions and advice as to an action, judgement or topic. Includes legal advice, legislative drafting advice, publishing and public access to legislation advice and formal advices required by legislation.

Agreements

The processes associated with the establishment, maintenance, review and negotiation of agreements. Includes records associated with preparing agreements/contracts and settling those agreements/contracts. Includes contracts, memoranda of understanding (MOU), deeds, leases, licences and mortgages.

Analytical testing

The activities associated with providing analytical services to support forensic, toxicological, chemical and microbiological investigations.

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 an agency, company or other organisation in a specified period. Includes food safety program audits, compliance audits, financial audits, operational audits, recordkeeping audits, skills audits, system audits and quality assurance audits.

Authorisation

The process of delegating power to authorise an action and the seeking and granting permission to undertake a requested action.

Committees

The activities associated with the establishment, appointment of members, terms of reference, proceedings, minutes of meetings, reports, agendas, etc. of committees and task forces.

Compliance

The activities associated with complying with mandatory or optional accountability, fiscal, legal, regulatory or quality standards or requirements. Includes compliance with legislation and with national and international standards, such as the ISO 9000 series.

Contracting out

The activities involved in managing the performance of work or the provision of goods and services by an external contractor, vendor or consultant, or by using external bureau services. Includes outsourcing.

Customer Service

The activities associated with the planning, monitoring and evaluation of services provided to customers by the agency.

Disposal

The activities associated with the disposal of government assets, including vehicles, equipment and property, and materials, specimens or samples used or collected for environmental, toxicology, forensic chemistry or microbiology purposes no longer required, by sale, auction, transfer, destruction, decommissioning or other means. Includes disposal plans, assessments and investigations, approvals, disposal agreements and arrangements and destruction or transfer of semi-active and inactive records and information.

Enforcement

The activities associated with ensuring organisations, businesses and industries adherence to mandatory accountability, fiscal, legal, regulatory or quality standards or requirements and corrective measures taken to rectify non-compliance. Includes compliance with legislation and with ACT, national and international standards.

Enquiries

The activities associated with handling requests for information about the agency and its services, programs and activities.

Evaluation

The process of determining the suitability of potential or existing programs, items of equipment, systems or services in relation to meeting the needs of the given situation. Includes systems analysis and ongoing monitoring.

Fees and Charges Determination

The activities associated with determining fees and charges.

Inspections

The process of official examinations of facilities, equipment and items, to ensure compliance with agreed standards and objectives. Includes the activities involved in a formal search, examination and/or scrutiny undertaken as result of a complaint, an observation, a breach or non-compliance. Includes evidence collected, produced documents, photographs, statements, notes, decisions and final reports.

Joint ventures

The activities involved in managing joint operations between the agency and other agencies, or with the government, where there is a contract, joint contribution of funds and/or time. Includes private sector ventures with public sector organisations, and co-research or collaboration between inter-departmental units, departments or agencies.

Liaison

The activities associated with maintaining regular general contact between the agency and professional associations, professionals in related fields, other private sector organisations and community groups. Includes sharing informal advice and discussions, membership of professional associations and collaborating on projects that are not joint ventures.

Policies & Procedures

The activities associated with drafting, developing and implementing policies, procedures, and guidelines establishing decisions, directions, precedents and standard methods of operating which act as a reference for future decision making, and maintaining their currency over time. Includes guidelines devised by both internal and external sources of authority, rules and instructions.

RECORDS DISPOSAL SCHEDULE

RETAIN AS TERRITORY ARCHIVES

PUBLIC HEALTH PROTECTION

The function of managing risks to public health through regulation, scientific analysis, and the implementation of strategies for the prevention of, and timely response to, public health risks and events. This function includes regulatory and policy activities relating to food safety, communicable disease control, environmental health, health emergency management, pharmaceutical products, radiation sources. Regulatory activities involves licensing and registration of services, activities, persons or equipment that can affect public health, inspections and audits, disease surveillance, and the provision of advice and guidance materials. Also includes monitoring, reporting and policy development in regard to public health issues, the use of radiation sources, pharmaceutical drugs and poisons and the control of tobacco products and smoking. Analytical scientific services associated with risks to the health of the public are also included in this function, such as the monitoring of air quality and the testing of food and water (potable and recreational), scientific services for coronial matters, and matters pertaining to police requests and investigations, such as illicit drug analysis.

[For programs and health services for the population, strategic health care planning and programs and strategies for controlling disease outbreaks, use POPULATION HEALTH CARE MANAGEMENT AND CONTROL.]

Advice

The activities associated with offering opinions as to an action or judgement. Includes the process of advising.

[For the provision of advice to the Minister or Chief Minister, use GOVERNMENT RELATIONS - Advice.

For legal advice, use LEGAL SERVICES - Advice.]

<i>Entry No.</i>	<i>Description of Records</i>	<i>Disposal Action</i>
028.005.001 ■■■■■■■■■■■■■■■■■■■■	Records documenting the receipt and provision of advice that resulted in major changes to policy, procedures or to the operations of the agency. Includes advice relating to food safety, radiation safety, environmental health, communicable disease and immunisation issues and other public health protection monitoring and regulatory services matters.	Retain as Territory Archives

