State Archives and Records Authority of New South Wales

Functional Retention and Disposal Authority: FA402

This authority covers records documenting the function of Cultural, recreational and sporting institutions

This retention and disposal authority is approved under section 21(2)c of the *State Records Act 1998* following prior approval by the Board of the State Archives and Records Authority of New South Wales in accordance with section 21(3) of the Act.



About the Functional Retention and Disposal Authority

Purpose of the authority

The purpose of this retention and disposal authority is to identify those records created and maintained by NSW public offices which are required as State archives and to provide approval for the destruction of certain other records created and maintained by NSW public offices, after minimum retention periods have been met.

The approval for disposal given by this authority is given under the provisions of the *State Records Act 1998* only and does not override any other obligations of an organisation to retain records.

The retention and disposal of State records

The records retention and disposal practices outlined in this authority are approved under section 21(2)(c) of the *State Records Act 1998 (NSW)*. Part 3 (Protection of State Records) of the Act provides that records are not to be disposed of without the consent of the State Archives and Records Authority of New South Wales (State Archives and Records NSW) with certain defined exceptions. These exceptions include an action of disposal which is positively required by law, or which takes place in accordance with a normal administrative practice (NAP) of which State Archives and Records NSW does not disapprove. Advice on the State Records Act can be obtained from State Archives and Records NSW.

The authority sets out how long the different classes of records generated by an organisation must be kept to meet its legal, operational and other requirements, and whether the records are to be kept as State archives. State Archives and Records NSW reviews and approves organisations' retention and disposal authorities under the *State Records Act*. It is the duty of a public office, in submitting a draft retention and disposal authority for approval, to disclose to State Archives and Records NSW any information which affects the retention of the records covered by the authority.

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Where the format of records has changed (for example, from paper-based to electronic) this does not prevent the disposal decisions in the authority from being applied to records which perform the same function. The information contained in non paper-based or technology dependant records must be accessible for the periods prescribed in the classes. Where a record is copied, either onto microform or digitally imaged, the original should not be disposed of without authorisation (see the *General Retention and Disposal Authority – Original or source records that have been copied*). Public offices will need to ensure that any software, hardware or documentation required to gain continuing access to technology dependent records is available for the periods prescribed.

Disposal action

Records required as State archives

Records which are to be retained as State archives are identified with the disposal action 'Required as State archives'. Records that are identified as being required as State archives should be stored in controlled environmental conditions and control of these records should be transferred to State Archives and Records NSW when they are no longer in use for official purposes.

The transfer of control of records as State archives may, or may not, involve a change in custodial arrangements. Records can continue to be managed by the public office under a distributed management agreement. Public offices are encouraged to make arrangements with State Archives and Records NSW regarding the management of State archives.

Transferring records identified as State archives and no longer in use for official purposes to State Archives and Records NSW should be a routine and systematic part of a public office's records management program. If the records are more than 25 years old and are still in use for official purposes, then a 'still in use determination' should be made.

Records approved for destruction

Records that have been identified as being approved for destruction may only be destroyed once a public office has ensured that all other requirements for retaining the records are met. Retention periods set down in this authority are *minimum* periods only and a public office should keep records for a longer period if necessary. Reasons for longer retention can include legal requirements, administrative need, government directives and changing social or community expectations. A public office *must not* dispose of any records where the public office is aware of possible legal action (including legal discovery, court cases, formal applications for access) where the records may be required as evidence.

Once all requirements for retention have been met, destruction of records should be carried out in a secure and environmentally sound way. Relevant details of the destruction should be recorded. See *Destruction of records: a practical guide.*

Organisations should review functional retention and disposal authorities regularly to

environment and requirements for records change. Retention requirements may change over time. This can occur when:

business needs or practices change

new laws, regulations or standards are introduced

new technology is implemented

government administration is restructured and functions are moved between entities, or

unforeseen or new community expectations become apparent.

State Archives and Records NSW recommends that organisations check any functional retention and disposal authorities more than 5 years old to ensure that the retention periods and disposal actions remain relevant.

Regardless of whether a record has been approved for destruction or is required as a State archive, a public office or an officer of a public office *must not* permanently transfer possession or ownership of a State record to any person or organisation without the explicit approval of State Archives and Records NSW.

Administrative change

This retention and disposal authority has been designed to link records to the functions they document rather than to organisational structure. This provides for a stable retention and disposal authority that is less affected by administrative change. The movement of specified functions between branches or units within the public office does not require the authority to be resubmitted to State Archives and Records NSW for approval. However, when functions move from one public office to another the public office that inherits the new function should contact State Archives and Records NSW to discuss use of any existing retention and disposal authority approved for use by a predecessor organisation.

Amendment and review of this authority

State Archives and Records NSW must approve any amendment to this authority. Public offices that use the authority should advise State Archives and Records NSW of any proposed changes or amendments to the authority.

State Archives and Records NSW recommends a review of this authority after five years to establish whether its provisions are still appropriate. Either the public office or State Archives and Records NSW may propose a review of the authority at any other time, particularly in the case of change of administrative arrangements, procedures or to operating environments which are likely to affect the value of the records covered by this authority.

In all cases the process of review will involve consultation between State Archives Records NSW and the public office. If the process of review reveals that this authority requires amendment, the necessary amendments should be made and approved.

Contact Information

State Archives and Records NSW PO Box 516 Kingswood NSW 2747 Telephone: (02) 9673 1788

E-mail: <u>govrec@records.nsw.gov.au</u>

Authority number: FA402 Dates of coverage: Open

No.	Description of records	Disposal action
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COLLECTIONS MANAGEMENT- Access and use

maintenance and review of agreements regarding ownership rights or use of intellectual property, e.g. agreements to invest copyright in another author, person or organisation.

1.1.1	Records relating to the registration of clients and subscribers who wish to use or have access to the collection. Includes the issue of readers tickets and cards, the management of breaches of regulations, etc.	Retain minimum of 7 years after action completed, then destroy
1.1.2	Records relating to requests for, the provision of access to, and the use of collection material. Includes: the grant or refusal of requests requests for retrieval of items and copying services requests and declarations relating to the copying, reproduction or publication of material from the collection receipt of and responses to enquiries, transcripts of online chat reference enquiry sessions etc. Note: certain records relating to the management or administration of copyright may be subject to retention requirements specified in applicable Copyright Acts and regulations.	Retain until return of item or administrative or reference use ceases, then destroy

1.2.0 Acquisition, disposal & control

The activity of acquiring, disposing of and managing collection items.

See COLLECTIONS MANAGEMENT - Inventory, Movement & Storage for control records for general or reference library collections.

1.2.1	Records documenting the holdings of State significant/unique cultural, heritage, scientific or research collections. Includes:	Required as State archives
	records relating to the acquisition, disposal and de-accessioning of collection items, such as proposals, recommendations, approvals, agreements etc.	
	reports detailing the provenance, history, significance and value of items	
	liaison, correspondence, advice and notifications with key stakeholders	
	summary registration, catalogue or descriptive details of collection holdings and items	
	summary details of the history of the use, condition or damage to the items and any major	

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No. Description of records Disposal action
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COLLECTIONS MANAGEMENT- Acquisition, disposal & control

	conservation treatment	
	final versions of major intellectual control products developed and issued e.g. collection guides.	
	Note: acquisition or disposal of items can be through collection, sale, auction, purchase, transfer, return, donation, gift, bequest or other means.	
1.2.2	Records relating to offers or the proposed acquisition of items or objects that are either not accepted or not proceeded with. Includes:	Retain minimum of 5 years after action completed, then
	offers or acquisition proposals	destroy
	records relating to the assessment, appraisal and valuation of items	
	records documenting decisions to not proceed with acquisitions or accept donations.	
1.2.3	Records documenting the acquisition, disposal and cancellation of resources and subscriptions for general/public library or reference collections through purchase, subscription, government and legal deposit, etc. Includes correspondence regarding the sending and receipting of items for government and legal deposit as required by legislation. Includes liaison with suppliers.	Retain minimum of 7 years after action completed, then destroy

1.3.0 Advice

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

See COLLECTIONS MANAGEMENT - Acquisition, disposal & control for records relating to advice provided about individual collection items.

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No. Description of records Disposal ac	action
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COLLECTIONS MANAGEMENT- Agreements

1.4.1	Records documenting the negotiation, establishment, management and review of agreements supporting or concerning the management, care, access and use of collection items. Includes agreements for the provision or use of or access to collection and information services.	Retain minimum of 7 years after expiry or termination of agreement, then destroy
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1.5.0 Conservation & preservation

The activity of preserving cultural collections.

See General Retention and Disposal Authority *Administrative records* COMMUNITY RELATIONS - Enquiries for records relating to the management of routine enquiries from the public or another organisation about preservation matters.

1.5.1	Records documenting the conservation, restoration or preservation treatment of individual collection items. Includes: damage, assessment and condition reports treatment recommendations, reports and	Retain until item is disposed of, then destroy
	accompanying photographs.	
1.5.2	Records relating to the management or conduct of conservation activities and processes for the collection as a whole e.g. reformatting projects, reboxing and rehousing projects, the monitoring of environmental conditions such as light exposure, relative humidity, temperature, pollutants, etc., and conservation surveys and assessments of the condition of the collection or specific components of it.	Retain until no longer required for operational or reference purposes, then destroy

1.6.0 Inventory, Movement & Storage

The activities associated with the management of movement and location of collection items.

See COLLECTIONS MANAGEMENT - Acquisition, disposal & control for records relating to reporting on missing collection items where this is part of the history of the item.

1.6.1	Records documenting the movement and tracking of collection items, including records of inventories and stocktakes, transport or relocation arrangements, searches for missing items etc. Includes control records for general/public library or reference collections such as shelf lists, catalogues etc.	Retain until administrative or reference use ceases, then destroy
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1.7.0 Loans

The activities associated with the loan of collection items.

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No. Description of records Disposal action

COMMERCIAL ACTIVITIES

2.0.0 COMMERCIAL ACTIVITIES

The function of administering and managing the provision of services on a commercial basis.

See EVENT & PUBLIC PROGRAM MANAGEMENT for records relating to events and public programs.

See FACILITIES AND VENUE MANAGEMENT for records relating to commercial use of venues and facilities.

See General Retention and Disposal Authority Administrative records COMMUNITY RELATIONS - Marketing for records relating to the development and promotion of products, services, venues and facilities, including promotional material and merchandise.

See General Retention and Disposal Authority Administrative records PROPERTY MANAGEMENT - Leasing-out for records relating to leasing out of retail, food and beverage outlets etc

2.0.1 Records relating to the management of commercial ventures and services. Includes the provision of consultancies and other professional services.

Includes:

expressions of interest and tenders

negotiations, contracts, agreements and other formal arrangements regarding provision of services, commercial ventures, use of intellectual property, etc.

records relating to provision of products and services.

Retain minimum of 7 years after provision of services ceases or minimum of 7 years after all terms and conditions of contract are

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No. Description of records Disposa	sal action
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EVENT & PUBLIC PROGRAM MANAGEMENT- Authorisation

3.1.1

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No.	Description of records	Disposal action
INO.	Description of records	Disposal action

EVENT & PUBLIC PROGRAM MANAGEMENT- Events and public programs

events and evaluation forms or surveys providing feedback on the organisations services, events, programs or other activities.

See General Retention and Disposal Authority *Administrative records* COMMUNITY RELATIONS - Visits for records relating to the management of tours and visits to the organisation by members of the public, school groups, etc.

See General Retention and Disposal Authority *Administrative records* CONTRACTING-OUT for agreements with service providers, consultants, etc. to support development, delivery or staging of events, exhibitions, public programs, etc.

See General Retention and Disposal Authority Administrative records GOVERNMENT RELATIONS - Advice for records relating to the provision of advice to the Minister or other government organisations concerning the management of events, exhibitions, public programs, productions, etc.

See General Retention and Disposal Authority Administrative records LEGAL SERVICES - Advice for records relating to the receipt of legal advice concerning the management of events, exhibitions, productions and public programs.

See General Retention and Disposal Authority Administrative records PROPERTY MANAGEMENT - Construction and Security for records relating to the design and installation of temporary equipment and structures, and security for events

See General Retention and Disposal Authority Administrative records PROPERTY MANAGEMENT - Leasing-out for records relating to the hire or use of the organisation's facilities or property for events such as conferences, lectures, filming, private functions, etc.

See General Retention and Disposal Authority Administrative records PUBLICATION - Intellectual property for records relating to applications to reproduce copyrighted material for display or publication.

See General Retention and Disposal Authority *Administrative records* PUBLICATION - Production for records relating to the production of exhibition catalogues.

See General Retention and Disposal Authority Administrative records STRATEGIC MANAGEMENT - Agreements and Intellectual Property for agreements regarding ownership rights or use of intellectual property and copyrighted material and for records relating to the registration of intellectual property, such as logos, etc.

See General Retention and Disposal Authority Administrative records STRATEGIC MANAGEMENT - Planning for records relating to planning for events and public programs.

3.3.1 Key records relating to exhibitions, events, productions and delivery of public programs. Includes:

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No. Description of records	Disposal action
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EVENT & PUBLIC PROGRAM MANAGEMENT- Events and public programs

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No.	Description of records	Disposal action
FACILITIE	S AND VENUE MANAGEMENT- Enforcement	
	etc. governing the usage of and conduct at venues and facilities, within grounds etc. Records include infringement notices and associated correspondence and documentation.	completed, then destroy

4.2.0 Planning

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

See General Retention and Disposal Authority Administrative records PROPERTY MANAGEMENT - Planning for records relating to the development and review of conservation plans and plans to support the management of venues and facilities, such as usage, access and environmental management plans.

4.2.1 Records relating to the development and review of plans of management for sporting, recreational and cultural sites, venues, facilities and parklands. Records include:

final, approved versions of site, venue and facilities management plans and strategies

background research

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No.	Description of records	Disposal action
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FACILITIES AND VENUE MANAGEMENT- Venue operations

of facilities and equipment, e.g. pool water testing, gym equipment safety inspection, etc.

See General Retention and Disposal Authority Administrative records FINANCIAL MANAGEMENT - Accounting for records relating to the processing of booking and other client payments.

See General Retention and Disposal Authority Administrative records FINANCIAL MANAGEMENT - Policy for records relating to the setting of fees and charges for usage and hire of venues and facilities.

See General Retention and Disposal Authority Administrative records PERSONNEL - Misconduct for records relating to the management of instances or allegations of misconduct involving abuse or neglect of children by employees, volunteers etc

See General Retention and Disposal Authority Administrative records PERSONNEL - Recruitment for records relating to the recruitment and management of facility staff, e.g. swimming and gym instructors, etc.

See General Retention and Disposal Authority *Administrative records* PROPERTY MANAGEMENT - Leasing-out for records relating to the establishment and negotiation of usage agreements on a commercial basis.

See General Retention and Disposal Authority Administrative records PROPERTY MANAGEMENT - Leasing-out for records relating to the usage and hire of venues and facilities by the public.

See General Retention and Disposal Authority *Administrative records* STRATEGIC MANAGEMENT - Compliance

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No. Description of records	Disposal action
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FACILITIES AND VENUE MANAGEMENT- Venue operations

	classes and other regular activities at venues and facilities, e.g. swimming classes, gym classes, etc. Records include daily operations checklists, class timetables, bookings for equipment, classes etc.	1 year after action completed, then destroy
4.3.3	Records relating to the management of reservations for residential accommodation at centres. Includes bookings, confirmations, cancellations etc	Retain minimum of 7 years after action completed, then destroy
4.3.4	Records relating to the management of attendance by minors at residential facilities e.g. sport and recreation camps. Includes enrolment details, permissions, authorisations and attendance records for staff and participants.	Retain minimum of 75 years after action completed, then destroy
4.3.5	Records relating to reporting on and the review of venue and facilities usage and the provision and coordination of sporting, recreational and cultural activities. Includes statistical reports detailing the usage of venues and facilities. Records include:	Retain minimum of 5 years after action completed, then destroy
	final, approved versions of reports	
	significant drafts	
	background research.	