



# State Records Office Guideline

## **Records Retention and Disposal Instructions**

An Information Management Guideline  
for State Organizations

October 2013

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## Glossary

**Disposal** – means the final decision which determines whether records will be archived or destroyed.

Disposal can also mean the *process* of implementing an approved disposal authority.

**Disposal Authority** – means the legal instrument under which State records can be disposed.

*See also section 4 of this Guideline for further information on the types of Disposal Authorities that are used in State government.*

**Organization** – See *State organization*.

**Record** – means any record of information however recorded, and includes:

- any thing on which there is writing or Braille;
- a map, plan, diagram or graph;
- a drawing, pictorial or graphic work or photograph;
- any thing on which there are figures, marks, perforations or symbols having a meaning for persons qualified to interpret them;
- any thing from which images, sounds or writing can be reproduced with or without the aid of anything else; or
- any thing on which information has been stored or recorded, either mechanically, magnetically or electronically.

**Recordkeeping Plan** – means the plan of State organizations which sets out the matters about which State records are to be created and kept by each State organization.

**Retention** – means the minimum period State records must be kept prior to their disposal.

**State archives** – for the purposes of this Guideline, means State records that have been identified in disposal authorities for permanent retention.

**State organization** – means a parliamentary department or a government organization.

**State record** – means a parliamentary record or a government record.

## **1. Purpose**

The purpose of this guideline is to provide instruction to State organizations in the proper retention and disposal of their records.

This guideline is to be consulted whenever any records disposal is being considered or conducted. Such disposal could be part of a formal or regular disposal program or may be conducted on an ad hoc basis.

## **2. Background**

State organizations create, receive and maintain a variety of records to fulfil statutory, business and accountability requirements. Each organization has and operates a Recordkeeping Plan approved by the State Records Commission. The Plan comprises one or more documents which, when assessed as a whole, provides an accurate reflection of the organization's recordkeeping program.

The records retention and disposal component of the Recordkeeping Plan requires the organization to retain and dispose of its records in accordance with an approved disposal authority.

State organizations are to use this guideline in conjunction with the relevant disposal authority that applies to their organization, for the proper retention and disposal of State records.

## **3. Scope**

This guideline applies to all State organizations in Western Australia.

It is imperative that the matters addressed in this guideline are considered and addressed **before** any disposal – particularly the destruction of records – takes place.

## **4. Disposal Authorities**

Each State organization is to retain and dispose of its records in accordance with an approved disposal authority.

A disposal authority can take the form of:

- A Retention and Disposal Schedule (R&D) covering a State organization's core business records.
- A Sector Disposal Authority (SDA) covering the core business records of a group of State organizations (a sector), which is typically produced by the State Records Office.

- The *General Disposal Authority for State Government Information* (GDASG) covering records of common activities across State government, which is produced by the State Records Office for State government agency use only.
- The *General Disposal Authority for Local Government Records* (GDALG) covering records common to most Local government authorities in Western Australia, which is produced by the State Records Office for Local government agency use only.
- The *General Disposal Authority for Source Records* (GDAS) enabling the legal destruction of source records that have been successfully digitised in accordance with the GDAS. This GDA may be applied by State and Local government organizations.

Other disposal authorities can include, as required and depending on circumstances, Ad Hoc Disposal Authorities and Disposal Lists.

## **5. Legislation**

The retention and disposal of State records falls primarily under the provisions of the *State Records Act 2000*.

Legislation particularly relevant to an organization, such as legislation establishing an organization or legislation administered by an organization, is identified or addressed in each organization's Recordkeeping Plan. Such legislation typically sets out organization functions and responsibilities, and other matters about which records are to be created by the organization.

Other legislation that stipulates recordkeeping requirements includes, but is not limited to:

- *Criminal Code Act 1913*
- *Electronic Transactions Act 2011*
- *Evidence Act 1906*
- *Financial Management Act 2006*
- *Freedom of Information Act 1992*
- *Limitation Act 2005*
- *Public Sector Management Act 1994*

## **6. Freedom of Information**

The *Freedom of Information Act 1992* (FOI Act) prescribes rights and procedures for access to documents held by State organizations. If a request for access under the FOI Act has been lodged, all records relevant to the request must be identified and preserved until action on the request and on any subsequent reviews by the Information Commissioner or the Supreme Court are completed. This applies regardless of whether the records in question are due for destruction.

FOI requests that have been identified as State archives must contain copies of the records that were the subject of the requests.

## 7. Investigations and Inquiries

If an Investigation or Inquiry is in progress (or likely or imminent), all records relevant to the Investigation or Inquiry must be identified and preserved until the action and any subsequent actions are completed.

## 8. Publications Produced by Government Agencies

Currently, *Premier's Circular No. 2003/17: Requirements for Western Australian Government Publications and Library Collections* requires that:

*“Copies of all publications produced by public sector agencies and statutory authorities are to be deposited with the State Library of Western Australia and the National Library of Australia.”*

Copies of organization publications are to be sent to the State Library of Western Australia and the National Library of Australia in accordance with Premier's Circular 2003/17 and State Library of Western Australia guidelines.

The *Legal Deposit Act 2012* was assented to on 21 May 2012, but is yet to be fully proclaimed. The *Legal Deposit Act 2012* is an Act to facilitate the preservation of the State's published documentary heritage by requiring the deposit with the State Librarian of copies of certain published material, and authorising the State Librarian to require that certain material published on the Internet be deposited with the State Librarian.

Once the *Legal Deposit Act 2012* is fully proclaimed with the associated Regulations, it is expected that Premier's Circular 2003/17 will be rescinded.

## 9. Records Relating to Aboriginal People

Section 76 of the *State Records Act 2000* requires that:

*“If a State record contains information about -*  
*(a) Aboriginal cultural material or an Aboriginal site..., or*  
*(b) any other matter relating to the heritage of Aboriginal Australians.*  
*these decisions must not be made unless Aboriginal bodies concerned with that information have been consulted about the decision –*  
*(a) a decision on whether the records will be a State archive;*  
*(b) if the record is not a State archive, a decision as to the retention period for the record.”*

Section 76 of the *State Records Act 2000* also addresses requirements for *restricted access* decisions that may apply to State archives containing information about Aboriginal Australians or their culture.

Should an organization identify original records which fall within the scope of section 76, the organization is to consult the State Records Office.

## **10. Records Formats**

### **Digital records**

A digital / electronic record is any record communicated and/or maintained by means of electronic equipment along with associated metadata that provides integrity for and meaning to the record.

Digital records must be appraised in the same way as hard-copy records and are subject to the provisions of disposal authorities in the same way as paper files, cards, microforms, etc. This principle applies to digital records in both structured form (e.g. databases, business systems, etc.) and unstructured form (e.g. office documents, email, etc.).

With the frequent introduction of new hardware and software, as well as the fragility of many digital storage media, special care must be taken to ensure the preservation of the digital records for as long as they are required. Organizations are responsible for ensuring that digital records are accessible for the full retention period and for managing the migration process to new hardware and software platforms whenever these are upgraded. If digital records have archival value, individual organizations are responsible for maintaining those records so that they will be accessible for all time.

Organizations are to make sure that processes are in place (such as agency policies and procedures) to ensure the integrity of digital records / data and to regulate the retention and disposal of such records / data in accordance with the subject or transaction to which the records / data relates.

Organizations are to also ensure that processes are in place so that government records stored on mobile devices (e.g. laptops, tablets, etc.) or external storage devices (e.g. USB drives, external hard drives, etc.) are captured into the organization's corporate recordkeeping system, unless such records are deemed Ephemeral records under the *General Disposal Authority for Government Records*.

Digital records must be managed in accordance with *SRC Standard 8 – Digital Recordkeeping* which is available on the State Records Office website.

State archives in digital format must be retained by the agency in accordance with *Public Records Policy: 8 – Policy for the ongoing management of electronic records designated as having archival value*, until the State Records Office advises otherwise.

If there is no facility in place to manage information held in digital form (such as no electronic recordkeeping system) then digital records are to be managed as hard copy records (i.e. printed out as necessary) and attached to appropriate files.

### **Websites (Internet, Intranet and Extranet)**

Most organizations create and maintain websites (internet, intranet and extranet sites), which can contain informational and/or transactional web pages. Organizations are to identify the components of websites and ensure that processes are in place to capture and maintain relevant records and associated metadata for as long as they are required, as well as providing adequate audit trails.

The information on an organization's website, or made available through the organization's website, needs to be maintained as authentic, reliable and tamper-proof records. The length of time such information needs to be retained depends upon the type of record and its context. There is no single retention period that can be applied for all web records, as retention periods differ according to different business needs. Content from an organization's website (or intranet / extranet) should be managed according to the function and activity that the content documents, using the relevant agency-specific or general disposal authority.

Various methods may be employed, in accordance with the type of records as well as the nature of the website, for capturing and preserving web-based resources and records of web-based activity. These include, but are not limited to:

- retaining web records in the organization's content management system if the system provides recordkeeping functionality;
- automated or manual capture of web pages into a recordkeeping system such as an electronic document records management system (EDRMS);
- full or partial 'snapshots' of the organization's website, copied at regular intervals or with each significant change made to the site, and maintained as a replica;
- maintaining a log of changes to the website.

### **Social Media**

Many organizations use social media applications to communicate with internal and external clients. Such technologies include blogs, instant messaging services, file sharing applications, collaborative tools and wikis, and social networking applications like Twitter, Facebook, etc.

Organizations must be aware that records created or received on these applications in the course of business are State records which must be managed and disposed of in accordance with legislative requirements.

The capability to capture and preserve records must be considered when social media applications, or similar, are being used or proposed for use within an organization. Such applications must be integrated with recordkeeping programs



to ensure that business records are captured. As per website records, the retention and disposal of records generated through social media applications should be determined according to the function and activity that the content documents.

### **Photographs and Audiovisual**

Audiovisual records (including photographs, videotapes, films and audiotapes) are to be treated in the same manner as any other record format, and are to be sentenced in accordance with the function and activity to which they relate.

The content of audiovisual material must be identifiable. For example, people, places, events and dates depicted in photographs must be identified as far as possible. If the content cannot be identified, the organization is to consult with the State Records Office.

A photograph, cassette tape or other audiovisual record should be viewed as part of a larger set of records, that is, those records that document why it was taken and how it was used. Disposition of audiovisual material must be consistent with these records.

Organizations should note that correct handling and care of audiovisual materials is necessary to preserve them for as long as they are required. The State Records Office may be contacted for advice on protecting and handling the various formats.

## **11. Reproductions of Records**

Section 16(5) of the *State Records Act 2000* provides that a Recordkeeping Plan may provide for a government record to be reproduced in another form, and for the destruction of a government record if a reproduction of it is being kept, even though the destruction occurs at a time when the record would otherwise not be able to be lawfully destroyed.

The *General Disposal Authority for Source Records* (GDAS) authorises, under certain conditions, the destruction of original hardcopy records (the source records) that have been successfully digitized. Source records must be digitized in accordance with the digitization specifications set out within the GDAS. The digitised record must then be retained for the period specified in the relevant disposal authority. An organization's digitization program (policies, procedures, processes) is to be fully documented in its Recordkeeping Plan.

For further information see the *General Disposal Authority for Source Records* available on the State Records Office website.

## 12. Records Identified as State Archives

The State Records Office is currently unable to accept custody of State archives from government agencies due to lack of suitable storage space/infrastructure. Organizations are required to maintain archival material until such time that the State Records Office can accommodate them. Organizations must continue to identify any records in their Retention and Disposal Schedules that are State archives and stipulate their retention period within the agency.

## 13. Archives Not Transferred to the State Records Office

Section 32(1) of the Act requires that organizations must transfer their records identified as State archives to the State Records Office when the archives become 25 years old, unless otherwise specified in their approved Recordkeeping Plan.

Organizations are to consult with the State Records Office if they intend to retain custody of archival records for longer than 25 years. If it is agreed that certain State archives are not to be transferred, an organization is to identify these archives in its Recordkeeping Plan or its Retention and Disposal Schedule (as applicable), including the reasons for not transferring, whether they will be transferred at another time or will never be transferred to the State Records Office. The State Records Commission is the approving body for applications for the non-transfer of State archives.

State archives that organizations wish to retain custody of for longer than 25 years must be maintained in storage that meets the requirements of *SRC Standard 7 – Storage of State archives retained by State organizations through an approved Recordkeeping Plan*

For further information see *SRC Standard 5 – Compulsory Transfer of Archives*; and *SRC Standard 7 – Storage of State archives retained by State organizations through an approved Recordkeeping Plan* available on the State Records Office website.

## 14. Restricted Access Archives

A restricted access archive is “a State archive that is a government record and to which access is restricted until it is of a certain age”.

Organizations are to consult with the State Records Office if restricted access to State archives is being considered. If it is determined that certain categories of State archives are to be restricted, an organization is to identify these archives in its Retention and Disposal Schedule, including the reasons for restriction and the period of restriction. The State Records Commission is the approving body for restricted access applications.

For further information see *SRC Standard 4 – Restricted Access Archives* available on the State Records Office website.

## **15. Retaining State Records for Longer Periods**

Organizations may wish to retain temporary records for longer than the stated minimum retention periods set out in approved disposal authorities, either for administrative convenience or to provide a particular service to their clientele. Temporary records may be retained for longer periods without reference to the State Records Office. If such decisions are taken, the organization should document why the longer retention periods were adopted.

See section 13 in these Instructions for information about retaining State archives.

## **16. Significance of Records**

The value of records can change over time. In assessing records that have reached their minimum retention period and are due for destruction, officers should consider those that may have ongoing business or historical value, for possible further retention or archiving. Records that appear to be of interest as archival records should be referred to the State Records Office for review and evaluation.

## **17. Responsibility for Disposal of State Records**

Before any records are destroyed or transferred to the State Records Office they will be reviewed by the agency Records Manager (or equivalent position), Corporate Services Manager and the Chief Executive Officer (or delegate) and authorised for destruction or transfer by the CEO (or authorised delegate).

A record of destroyed records and, where destruction is performed by an external contractor, certificates of destruction, provided by the contractor to the organization's authorised officer, will be retained in accordance with the *General Disposal Authority for State Government Information*.

## **18. Recommended Methods of Destruction**

The destruction of State records must be done completely so that no information is retrievable.

### **Hard copy records**

Hard copy (paper) records are to be destroyed by shredding, pulping or trommelling.

Burning is not a recommended method of destruction, and should **only** be considered if there are no other destruction facilities available to the organization,

particularly in remote or regional areas. Records should only be burned in accordance with appropriate environmental guidelines and local burning restrictions, and organizations should employ appropriate processes (e.g. use of incinerators) to ensure that records are completely destroyed.

Burying of State records is **not** an acceptable method of destruction.

### **Digital records**

Electronic records should be destroyed either by physical destruction of the storage medium (e.g. cutting, smashing, or pulverising) or by such methods as digital file shredding. Rewriting, degaussing and reformatting can be used to scramble data which makes recovery more difficult, but organizations must be aware that data can still be retrieved after applying these methods. The use of the “delete” function in software packages is **not** sufficient to destroy electronic records stored on media such as floppy disks, hard disks and rewritable optical disks, as the information may still be recovered.

For more information see *SRO Guideline – Sanitizing of Hard Discs and Magnetic Media* available on the State Records Office website.

### **Microform and Tape records**

If records are stored on microform, film or tape (audio or video), the storage medium should be physically destroyed, or the information overwritten, so that no information is retrievable. Shredding, cutting or chemical recycling are appropriate methods of destroying such records.

## **19. State Records with Differing Retention Periods or with Mixed Dispositions**

Where files contain records with differing retention periods, the complete file must be retained for the longest retention period stated in an approved disposal authority, in order to comply with statutory requirements. For example, if a file contains successful applications and unsuccessful applications for grant funding (with, for example, retention periods of six and two years respectively), then the entire file must be retained for six years.

In instances where temporary and archival value records are kept on the same file, the complete file must be archived.

**Important Note: In both cases, individual pages/documents must NOT be culled (removed) from files.**