

Disposal of corporate records

Department of Health Guideline

QH-GDL-467-2:2020

1. Statement

The *Public Records Act 2002* prohibits the disposal of records without the permission of the State Archivist. Records must be retained for a minimum period of time in accordance with a State Archivist approved disposal authority and any disposal of records must be approved by the Chief Executive (or an approved delegate) of the public authority.

This guideline may be used to assist staff within the Department of Health (the Department) to meet recordkeeping obligations in relation to the disposal of records. It provides guidance on reviewing records prior to disposal, obtaining appropriate authorisation, and processes for the destruction of the records and retention of documentation that provides evidence of lawful disposal of the records. It is part of the [Corporate Records Management Policy Framework](#) which exists to ensure records are made, kept, and where possible, disposed appropriately.

This guideline is tailored to approved recordkeeping systems. Some aspects of this guideline may not be applicable to business systems that have limited recordkeeping functionality. If you require further assistance, please contact Corporate Information Management (CIM) .

In this guideline, disposal has the same meaning as ‘disposal’ in the *Public Records Act 2002*, namely:

disposal, of a record, includes –

- a) destroying or damaging the record, or a part of it; or
- b) abandoning, transferring, donating, giving away or selling the record, or part of it

2. Scope

This guideline applies to all employees, contractors and consultants working within, or for, the Department. It applies to:

- corporate records – it does not include clinical records.
- all formats (physical and digital) regardless of the system in which they are maintained.

Compliance with this guideline is not mandatory, but sound reasoning must exist for departing from the recommended principles within a guideline.

This guideline may be adopted, or re-branded, for use by Hospital and Health Services (HHS) or statutory bodies.

3. Requirements

3.1. Sentencing Records



Sentencing is the process of identifying an appropriate disposal class for records in a Queensland State Archivist approved retention and disposal schedule (R&DS) and applying the disposal action specified. Sentencing typically occurs at the time of creation of the record.

To ensure records are sentenced correctly the following actions should be taken:

3.1.1. Assess the record to understand the subject and purpose of the record

3.1.2. Check for an appropriate class of records in a State Archivist approved R&DS.

Checks to apply when sentencing records	Yes	No
Is there a disposal class that adequately describes the records in a Queensland State Archivist approved R&DS?	<input type="checkbox"/>	<input type="checkbox"/>
Is the R&DS (or disposal class) approved for use by Queensland Health? Includes: <ul style="list-style-type: none"> • General Retention and Disposal Schedules. • Queensland Health agency or sector schedules. • Classes from other agency/sector schedules with explicit approval. 	<input type="checkbox"/>	<input type="checkbox"/>
Is the R&DS (or disposal class) the latest version? <ul style="list-style-type: none"> • Check the schedule hasn't been rescinded or superseded and that you're looking at the most recent version. 	<input type="checkbox"/>	<input type="checkbox"/>
Is the R&DS less than 5 years old? <ul style="list-style-type: none"> • If a schedule is over 5 years old, it may be used with caution. 	<input type="checkbox"/>	<input type="checkbox"/>

If you selected YES to all of the above, then you can proceed with sentencing the records.

If you need any advice about the currency or use of a retention and disposal schedule, please contact Corporate Information Management (CIM) for advice.

3.1.3. Enter the sentence details into the approved recordkeeping system or approved business system and onto any physical container (e.g. file folder or box) holding the records. For adequate identification, the following information should be captured:

Sentence details to be captured		
Element of Schedule	Before 1 September 2016	Since 1 September 2016
Disposal Schedule	QDAN 249 v.7	GRDS
Reference Number	Ref 6.1.1	1001
Disposal Action	Retain for 7 years after last action	7 years after business action complete
<p>From 1 September 2016, Queensland State Archives commenced approval of disposal authorisation to individual classes of records (rather than to an entire retention and disposal schedule). Prior to 1 September 2016, approved retention and disposal schedules were assigned a Queensland Disposal Authority Number (QDAN) with approved iterations controlled through version numbering.</p>		

Example of *Advice – other* from the QSA General Retention and Disposal Schedule (GRDS)

3.1.4. Determine the disposal due date and enter into the approved recordkeeping system or approved business system and onto any physical container.

The disposal due date may be determined by the Disposal Action ‘Trigger’ which is the event from which a retention period commences (e.g. after business action complete). If a trigger is unlikely to occur automatically, a review date may be set manually (e.g. in 10 years) to enable a review to occur.

3.2. Review Records

Reviewing records is the process of checking the accuracy of the original sentence and/or if there is any change that requires the records to be retained for longer.

3.2.1. Generate a list of records due for disposal (a ‘Disposal Log’). This should include:

- the disposal action due date has expired.
- the status of the record is not marked ‘destroyed’.
- the records belong to a single series or business owner.

Refer to **Appendix 1 – Disposal Log**. This log is used to list records due for disposal and to record the approval/non-approval to proceed with disposal.

3.2.2. Check the original sentencing of the record:

Checks to apply when reviewing records	Yes	No
Is the original sentence an appropriate match considering the subject and purpose of the record? <ul style="list-style-type: none">if the record has mixed content, it should be sentenced to the class with the longest retention period?	<input type="checkbox"/>	<input type="checkbox"/>
Is the R&DS still current and available for use by Queensland Health? <ul style="list-style-type: none">make sure the schedule / class has not been rescinded or superseded and is still available for use by Queensland Health	<input type="checkbox"/>	<input type="checkbox"/>
Is the disposal class the same as when the records were originally sentenced? <ul style="list-style-type: none">check if there is any change to the disposal authority, description of the records covered or retention timeframe. Check the schedule hasn't been rescinded or superseded and that you're looking at the most recent version.	<input type="checkbox"/>	<input type="checkbox"/>
Are the records free from any other reason that would prevent disposal or extend the retention period? <ul style="list-style-type: none">check the records are not covered by a disposal freeze, and there is no insurance, legal or other reason requiring the record to be retained for longer.	<input type="checkbox"/>	<input type="checkbox"/>

Any changes to the original sentence are to be updated in the recordkeeping or business system and on any physical file folder or box containing the records. Any records required to be retained for longer (that are not yet due for disposal) are to be removed from the disposal log. Information on determining the value of records is available in the Queensland State Archives Appraisal Statement.

3.3. Approval to Dispose Records

The disposal of records requires appropriate checks and approvals to be obtained before the final authorisation to dispose records can be obtained.

- 3.3.1 Email the disposal log to the relevant business areas to assess and endorse, or reject endorsement, for the disposal of the records. Business areas should consider any requirements to extend retention (e.g. legal case, insurance claim, disposal freeze etc.)

Refer to **Appendix 1 – Disposal Log** and to **Appendix 2 – Request to assess corporate records due for disposal**. This email template may be used to request the assessment of records for additional retention prior to disposal.

3.3.2 For any records not endorsed for disposal:

- update the sentence details into the approved recordkeeping system or approved business system and onto any container (e.g. file folder or box) holding the records.
- remove the records from the disposal log.

3.3.3 Complete a **Disposal Authorisation Form** and obtain relevant Data/Application Custodian authorisation. Then email the form and final disposal log to Records-Corporate@health.qld.gov.au before any disposal action is undertaken.

3.4. Dispose the Records

The actual disposal of records includes processes for the destruction or transfer of the records as well as documentation certifying the destruction or transfer.

- 3.4.1. Once the disposal has been approved by the authorised delegate, dispose of records using an appropriate disposal method relevant to the information security level of the content of the records as determined by [Information Security Policy Framework](#).
- 3.4.2. Enter the date disposed into the disposal log.
- 3.4.3. Generate and complete a 'Certificate of Destruction' as proof of disposal.

Refer to **Appendix 3 – Certificate of Destruction**. This certificate of destruction template may be used as proof of disposal.

- 3.4.4. Update the metadata of the records that have been disposed in the approved recordkeeping system or approved business system. This includes:
 - disposition = destroyed
 - date sentenced = the date the records are destroyed.

3.4.5. Capture the disposal information as a record into your approved recordkeeping system or approved business system. Information to be captured includes:

- **assessment of records due for disposal for ongoing retention.** Email responses, including attachments, to the requests sent to the Business Owner to assess the records due for disposal for any ongoing retention requirements.
- **final approval to dispose records.** Email approval from appropriate Executive Director authorising the disposal of the records.
- **completed disposal log.** The final version of the disposal log including the sentence date
- **certificate of destruction.**

3.5. Permanent Transfer of Records

The permanent transfer of records may occur during machinery of government change, where the administration of a function of an agency is transferred to another government agency. These changes typically occur as a result of new legislation, a reshuffle of Ministerial portfolios, a change of government or a merger of two or more agencies.

When a machinery of government change occurs, records relating to the function being transferred are transferred with the function.

3.5.1 The permanent transfer of corporate records into or out of the Department of Health is to be coordinated by CIM. Coordination includes:

- a brief to the Director-General seeking approval to transfer the records
- an export of all recordkeeping metadata of records being transferred or received by the Department
- communication with Queensland State Archives (QSA) to update the 'responsible agency' details for any records held in storage at the State Archives
- transfer of contractual arrangements with commercial storage providers

4. Legislation

4.1. Queensland Government Legislation

- *Electronic Transactions (Queensland) Act 2001*
- *Evidence Act 1977*
- *Financial Accountability Act 2009*
- *Financial and Performance Management Standard 2019*
- *Hospital and Health Boards Act 2011*
- *Public Health Act 2005*
- *Information Privacy Act 2009*
- *Public Records Act 2002*
- *Public Service Act 2008*
- *Right to Information Act 2009*

4.2. Queensland Government Policies and Standards:

- Information Access and Use Policy (IS33)
- Information Asset Custodianship Policy (IS44)
- Information Security Policy (IS18)
 - Queensland Government Information Security Classification Framework
- Queensland Recordkeeping Metadata Standard and Guideline
- Records Governance Policy
 - Records Governance Policy – Implementation Guideline

5. Supporting documents

5.1. Corporate Records Management Policy Framework:

- Corporate Records Management Policy
- Corporate Records Roles and Responsibilities Standard
- Creation of Corporate Records Standard
- Use of Corporate Records Standard
- Digitisation Disposal of Corporate Records Standard
- Disposal of Corporate Records Standard
- Identification and Creation of Corporate Records Guideline
- Data Entry and Naming of Corporate Records Guideline

- Disposal of Corporate Records Guideline (this document)

5.2. Other Related Documents:

- Clinical Records Management Policy
 - Retention and Disposal of Clinical Records Standard
 - Health Sector (Clinical Records) Retention and Disposal Schedule
- Code of Conduct for the Queensland Public Service
- Data and Application Custodianship Policy
 - Data and Application Custodianship Standard
 - Data and Application Custodianship Roles and Responsibilities
- Information Security Policy
 - Information Security Standard
 - Information Security Roles and Responsibilities Standard
 - ICT Physical Access Security Standard
- Instrument of Delegation for the *Public Records Act 2002*
- QSA – Retention and Disposal Schedules

6. Definitions

Term	Definition
Application Custodian	<p>A position designated with overall accountability and responsibility for decision making in relation to the ongoing development, management, compliance, care and maintenance of an application to support business needs.</p> <p>See also: <i>Data Custodian; Approved Business System</i></p>
Approved Business System	<p>An approved business system (for the purpose of recordkeeping) is a system that has been assigned a Data Custodian and/or Application Custodian in accordance with the Data and Application Custodianship Policy.</p> <p>Custodians are responsible for understanding, managing and controlling risks associated with applications and the collections of data held within these applications. They are also responsible for ensuring that legal, regulatory, policy, standards and other business requirements of the application continue to be met.</p> <p>See also: <i>Application Custodian; Data Custodian</i></p>
Appraisal	<p>The process of evaluating business activities and records to determine which records need to be captured and how long those records need to be kept to meet business needs, accountability requirements and community expectations. Also refers to the act of assessing the records to determine whether there is any need to retain the record for an extended period for business reference or legal requirements.</p>
Chief Executive	<p>The Executive Officer means the Director-General, Queensland Health, who has ownership of all Queensland Health records, and is responsible for records in the custody of the Department of Health.</p> <p>The Chief Executives of the Hospital and Health Services (HHSs) are responsible for the custody and disposal of records in their HHS.</p>
Clinical Records	<p>A collection of data and information gathered or generated to record the clinical care and health status of an individual or group. Also referred to as a health record, medical record or healthcare record. Refer Clinical Records Management Policy (QH-POL-280:2014).</p> <p>See also: <i>Corporate Records</i></p>
Corporate Records	<p>Records that provide evidence of administrative and non-clinical functions of the Department (e.g. executive correspondence, finance, human resource, legal, research, scientific, cancer screening etc.).</p> <p>See also: <i>Clinical Records</i></p>

Term	Definition
Corporate Records Management	The application of efficient and systematic controls for the creation, receipt, maintenance, use and disposal of Corporate Records.
Data Custodian	<p>A position designated with overall accountability and responsibility for decision making in relation to the data set, data collection and / or application allocated and the ongoing capture, compliance, development, management, care and maintenance of data to support business needs.</p> <p>See also: <i>Application Custodian; Approved Business System</i></p>
Digital Records	<p>Records created, communicated and/or maintained by means of electronic or computer technology, including both 'born digital' records and records that have been digitised.</p> <p>See also: <i>Physical Records</i></p>
Disposal	<p>In this standard, disposal has the same meaning as 'disposal' in the <i>Public Records Act 2002</i>, namely:</p> <p><i>disposal, of a record, includes—</i></p> <ul style="list-style-type: none"> a) <i>destroying, or damaging the records, or part of it; or</i> b) <i>abandoning, transferring, donating, giving away or selling the record, or part of it.</i> <p>Records disposal includes the following activities.</p> <ul style="list-style-type: none"> • Destroy: complete and irreversible physical erasure of the record, ensuring it cannot be reconstituted, recreated or reconstructed. • Transfer: permanent transfer to another public authority because of a machinery-of-government change. • Sell: records cannot be sold, except if an agency or function is sold or privatised (i.e. under a machinery-of-government change). • Donate: giving records to a museum or historical society must be authorised by the State Archivist. • Loss or damage: because of a disaster or other circumstances beyond your agency's control, such as contamination. • Abandon: neglect, which can lead to loss or damage to records, is a form of disposal. • Amend: unauthorised changing of a record by addition, deletion, revision or obliteration of information, particularly if it modifies the meaning or intent of the record's content or renders it unusable.
Disposal Action	A description of the minimum retention period for the records and the event (the trigger) from which the retention period starts. For example, retain for seven (7) years after last action.

Term	Definition
Disposal Class	Groups of records performing or recording similar transactions and therefore having the same retention period and disposal action.
Disposal Freeze	An authority that temporarily freezes the disposal of public records relating to a specific topic or event, including records that have a temporary disposal status under an approved Retention and Disposal Schedule. Generally, these freezes relate to a particular issue that has created significant or substantial public interest.
File	An organised aggregation of records grouped and managed as a discrete object because they deal with the same activity or transaction.
Functional Records	Records that are created by an agency to help carry out its unique business role. The functions and their associated records are specific to the agency, as opposed to administrative records that document activities common to all agencies. See also: <i>Corporate Records; Clinical Records</i>
Physical Records	A record that is tangible and takes up physical space (e.g. paper, photographs or index cards) See also: <i>Digital Records</i>
Queensland State Archives (QSA)	Office established under the <i>Public Records Act 2002</i> responsible for the development and promotion of effective methods, procedures, and systems for making, managing, keeping, storing, disposing of, preserving and using public records.
Record	Record has the same meaning as 'record' in the <i>Public Records Act 2002</i> , namely: Recorded information created or received by an entity in the transaction of business or the conduct of affairs that provides evidence of the business or affairs and includes: <ul style="list-style-type: none"> a) anything on which there is writing; b) anything on which there are marks, figures, symbols or perforations having a meaning for persons, including persons qualified to interpret them; c) anything from which sounds, images or writings can be reproduced with or without the aid of anything else; or d) a map, plan, drawing or photograph

Term	Definition
Recordkeeping	<p>The making and maintaining of complete, accurate and reliable evidence of business transactions in the form of recorded information.</p> <p>Recordkeeping includes:</p> <ul style="list-style-type: none"> • the creation of records in the course of business activity • the means to ensure the creation of adequate records • the design, establishment and operation of recordkeeping systems • the management of records used in business and as archives.
Recordkeeping System	A system capable of capturing, maintaining and providing access to records over time.
Records Management	Field of management responsible for the efficient and systematic control of the creation, receipt, maintenance, use and disposal of records, including processes for capturing and maintaining evidence of and information about business activities and transactions in the form of records.
Retention and Disposal Schedule (R&DS)	A document issued by the State Archivist authorising the disposal of public records. It defines the temporary or permanent status, retention periods, disposal triggers and consequent disposal actions authorised for classes of records described in it.
Retention Period	The minimum period of time that records need to be retained before disposal.
Sentencing	The process of identifying the disposal class a record belongs to and applying the disposal action specified in the relevant R&DS to the record. Sentencing is the implementation of decisions made during appraisal.
Series	<p>A group of records that form a set because they relate to the same business activity and are created in the course of performing that particular activity. Usually a series is made up of records with the same provenance and which belong together because:</p> <ul style="list-style-type: none"> • they are part of a discernible filing system (alphabetical, numerical, chronological or a combination of these) • they have been kept together because they result from the same activity • they are of similar formats and relate to a particular function

Version Control

Version	Date	Comments
v1.0	6 April 2020	<i>New guideline</i>
v1.1	20 October 2021	<i>Approved. Minor amendments (updated references to legislation, standards and policies).</i>

Business area contact

Corporate Information Management is responsible for the strategic direction and support of the Corporate Records Management function of the Department. Please refer any corporate records management queries, or feedback to:

Corporate Information Management Unit

Risk, Assurance and Information Management Branch

Corporate Services Division

Department of Health

Phone: (07) 3082 0582

Email: Records-Corporate@health.qld.gov.au

QHEPS: <https://qheps.health.qld.gov.au/csd/business/records-and-information-management>

Appendix 1 – Disposal Log

This form is used to review the retention period applied to records and obtain business endorsement to dispose of records after minimum periods have expired.

Disposal Log instructions									
File numbers (if applicable)	Description of Contents	Disposal Authority		Disposal Action Due	Business endorsement			Non endorsement notes	Date Sentenced
		Schedule	Ref No.		e.g. Legal	e.g. Insurance	Bus. Owner		
F-12345/1	Information Management – Compliance – Compliance with legislation or standards – 2009 Occupational Health and Safety Compliance Survey	QDAN249 v.7 GRDS	14.4.2 1019	01/01/2017	✓	✓	✗	Still required for business use. Review in 5 years	N/A
F-99250	Information Management – Compliance – Compliance with legislation or standards – 2009 IS40: Recordkeeping Compliance Self-Assessment	QDAN249 v.1 GRDS	12.1.1 1019	01/01/2013 01/01/2017	✓	✓	✓		

1. Enter details of records due for disposal into the disposal log (by series/business owner).
2. Review the 'disposal authority' and 'disposal action due' details. If there is any change:
 - update the record
 - update the metadata in the recordkeeping system
 - update the disposal log.
3. Remove records no longer eligible for disposal from the disposal log.
4. Email the disposal log for assessment of the records for ongoing retention as per [Request to assess Corporate Records due for disposal](#) (Appendix 2).
5. Consolidate results of assessment into a single disposal log.
6. For records requiring additional retention:
 - update the record
 - update the metadata in the recordkeeping system
 - remove the record from the disposal log.
7. Email the final disposal log to the relevant Executive Director to obtain final approval for the destruction of the records.
8. Upon receiving final approval for the destruction of the records, destroy the records as per [Dispose the Records](#) (Section 4) and ensure you:
 - update the date sentenced (i.e. date destroyed) in the disposal log
 - update the metadata in the recordkeeping system (date sentenced and disposition = destroyed)
 - capture the record destruction documentation (the email providing final approval to destroy the records, the final disposal log, and any evidence of destruction (as per ref 1131 of the GRDS) into the recordkeeping system.

Appendix 2 – Request to assess Corporate Records due for disposal

Email

From: < Your Team Mailbox >
To: < DoH Business Owner >
Cc: Records-Corporate@health.qld.gov.au
Subject: Request to assess Corporate Records due for disposal

Hello,

Please find attached a disposal log listing records that have met their minimum retention period under an appropriate State Archivist approved Retention & Disposal Schedule.

The records are required to be assessed prior to disposal to ensure there is no reason for them to be kept beyond the minimum retention period. In this regard, I request your assistance to assess the records:

Business Owner:	Assess and identify any records required for ongoing business use, including records that you consider a high risk of legal action or subject to a compensation claim.
Other relevant business area:	Identify if the records have, or are currently, the subject of an enquiry or matter which may require them to be retained for longer.

Please use the attached spreadsheet to indicate the recommended action (to approve or not approve the disposal) for each record. For those records where the recommended action is to not approve the disposal, please note the reason for non-approval and a date for the next review.

Upon receipt of the disposal log from each of the above listed business areas, a consolidated list of records approved for disposal will be sent to the authorised delegate seeking final approval to dispose of the records.

Could you please complete and return the updated disposal log no later than one month from receipt of this email.

Thank you for your cooperation and assistance.

< signature block >

Appendix 3 – Certificate of Destruction



I hereby certify that the records identified in the attached disposal log have been destroyed in accordance with the Department of Health Disposal of Corporate Records Standard.

Series/Business Owner:	
Method of Destruction:	
Date of Destruction:	

Name (Print): _____

Position Title: _____

Business Unit: _____

Signature: _____

Witness Name (Print): _____

Signature: _____