



## **Records disposal schedule**

# **Records Disposal Schedule Utilities Regulation Utilities Commission Department of Treasury and Finance**

**Disposal Schedule No. 2017/13**

**August 2017**

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## Preamble

### Introduction

The *Information Act* states that public sector organisations must safeguard their records and must not delete or otherwise dispose of a record unless authorised to do so<sup>1</sup>. Disposal of records is permitted through the use of records disposal schedules and enable regular, planned and authorised disposal of records controlled by an agency.

Records retention decisions are based on:

- the current and future business needs of the organisation
- compliance with legal and governance requirements of the organisation
- the current and future needs of internal and external stakeholders, including the wider community.

Records disposal schedules provide continuing authorisation for the legal disposal of records and are authorised by the records service, archives service and chief executive officer of the public sector organisation responsible for the schedule.

Records disposal schedules apply to records created and maintained in any format, including electronic records, records in business systems, and parts of records.

In the Northern Territory government there are two types of records disposal schedules:

- General records disposal schedules that apply to records common to most or all NT Government public sector organisations ([http://www.nretas.nt.gov.au/knowledge-and-history/ntas/records/records\\_disposal](http://www.nretas.nt.gov.au/knowledge-and-history/ntas/records/records_disposal)), and
- Functional records disposal schedules that apply to records specific to an NT Government public sector organisation or function.

Functional records disposal schedules should be used in conjunction with general records disposal schedules.

### Structure of a Records Disposal Schedule

Records disposal schedules set out minimum requirements for the creation, maintenance, retention or destruction actions to be taken in relation to existing or future records described in each class. Records disposal schedules specify

- a) whether a class of record has temporary or permanent status;
- b) the retention period for a temporary class of record;
- c) authorised disposal actions for a class of record.<sup>2</sup>

Each class of records created by an agency is described using classifications based on business analysis.

Disposal schedules are developed using the functional structure based on the business classification scheme of the *Keyword AAA: A Thesaurus of General Terms* produced by the State Records Authority of NSW and modified for use by NT Government public sector organisations.

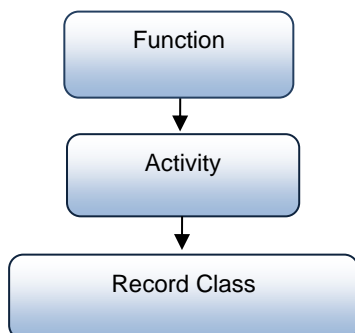
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<sup>1</sup> S.145 *Information Act*

<sup>2</sup> S.136A(3) *Information Act*

Within the schedule, functions are documented as the highest level terms and business activities under the functions, followed by record classes, as shown in diagram 1.

Diagram 1



## Function

The function or keyword is the highest level in the classification scheme in this disposal schedule. The function is indicated at the start of each section and a description (scope note) provided.

## Activity

Activities are the processes or operations that make up the business function. This is the second level in the classification scheme in this disposal schedule. The description (scope note) provides details of the transactions that take place in relation to the activity, for example, REPORTING or POLICY.

## Record Class

A record class is a group of records that relate to the same activity, function or subject and require the same disposal action. The descriptions can relate to one record (such as a register) or a group of records documenting a particular set of business transactions.

## Status and Disposal Action

The appraisal status of a record class is assigned as either permanent or temporary.

**Permanent Records:** Records appraised with permanent status have been identified as archives and must be transferred to the NT Archives Service for their preservation and eventual public access.

The retention period for permanent records is the maximum period before the records must be transferred to the NT Archives Service. Permanent records must be transferred no later than 30 years after creation in accordance with the Information Act, unless exemption has been granted (see Archives Management Standards Transfer of Archives, and Exemption from Compulsory Transfer of Permanent Records to the NT Archives Service). An Application to Transfer Records form must be submitted to the NT Archives Service before records will be accepted for transfer.

**Temporary records:** The retention period for temporary records is the minimum period before the records can legally be destroyed. The retention period is calculated after an event or a disposal trigger such as 'date of action completed', 'date of audit' or 'date of birth'. Destruction should be done following consultation with relevant operational business employees responsible for the records.

Retention periods for temporary records in a records disposal schedule are minimum periods only and agencies may keep records for a longer period if considered necessary for business requirements.

Reasons for longer retention could include,

- administrative need or agency directives,
- legal requirements such as current or pending legal action,
- relevance to an investigation or inquiry which is in progress,
- is subject to an Information Access application, or
- subject to a disposal freeze.

Records created prior to 1 July 1978 must not be disposed of without the authorisation of the NT Archives Service in accordance with Archives Management Standard Records Created Prior to 1978, unless specified in a schedule.

Sentence records with this records disposal schedule using the following five steps:

1. Determine the appropriate function and activity of the records. This can be done by examining an existing record or when creating a new record.
2. Identify the disposal class.
3. From the disposal action in the class, identify the trigger event and a date when the record can be disposed of, alternately, identify that the record is to be retained permanently as archives.
4. If the trigger event has already occurred (such as action is completed), confirm and implement the disposal action.
5. If the trigger event has not occurred (e.g. the record is still in active use), set a review date for the future.

## About this Records Disposal Schedule

### Purpose

The purpose of this Records Disposal Schedule is to enable regular, planned and authorised disposal of records of Utilities Regulation of the Department of Treasury and Finance.

### Scope

Application of this Records Disposal Schedule is mandatory for Utilities Regulation records of the Department of Treasury and Finance.

This Records Disposal Schedule applies to Utilities Regulation records in all formats.

### Responsibility

The Under Treasurer of the Department of Treasury and Finance is responsible for the content and implementation of this Records Disposal Schedule including the provision of advice and training, and for monitoring compliance.

### Authority

This Records Disposal Schedule is authorised in accordance with S. 136B of the *Information Act*.

Disposal Schedule No. 2017/13 was approved by the Director of the NT Archives Service (The Archives Service), Senior Director of ICT Policy and Governance (The Records Service), and the Under Treasurer of the Department of Treasury and Finance on 31 August, 2017 and is effective immediately.

### Regulatory Framework

The regulatory basis for this Records Disposal Schedule is defined in:

- *Electricity Reform Act*
- *Electricity Reform (Administration) Regulations*
- *Electricity Reform (Safety and Technical) Regulations*
- *Electricity Reform (System Control and Market Operator Functions Code) Regulations*
- *Electricity Networks (Third Party Access) Act*
- *Ports Management Act*
- *Ports Management Regulations*
- *Utilities Commission Act*
- *Utilities Commission Regulations*
- *Water Supply and Sewerage Services Act*
- *Water Supply and Sewerage Services Regulations*
- *Information Act*
- NT Government Records Management Standards
- NT Government Archives Management Standards
- Australian Standards AS ISO 15489 Records Management

### Related Documents

This Records Disposal Schedule is to be read in conjunction with:

- NT Government Records Management Standard – Records Disposal
- policies and procedures of the Department of Treasury and Finance
- current authorised disposal schedules for Department of Treasury and Finance

## **Normal Administrative Practice**

Public sector organisations are permitted to dispose of some short term or ephemeral documents under the authority of the Disposal Schedule for Short Term Value Records. These include:

- duplicate (eg information or reference copy)
- obviously unimportant (e.g. telephone message slips)
- of short term facilitative value (e.g. compliment slips)
- a combination of these

The guiding principle is that organisations should be sure that destroying these records will not destroy evidence that might be needed.

Records that have been captured into a recordkeeping system should be destroyed using the Disposal Schedule for Short Term Value Records unless the class of records has been identified in a specific disposal schedule.

## **Notification of Destruction**

Provide formal notification of destruction of all records to the NT Records Service.

Note: In the case of the Disposal Schedule for Records of Short Term Value (Disposal Schedule No. 2003/10), notification is only required for the destruction of records described in Disposal Class No. 1.10.1.

## **Acknowledgement**

The NT Archives Service and the NT Records Service acknowledge that material produced by National Archives of Australia, State Records Authority of New South Wales, State Records of South Australia, Public Records Office of Victoria, Territory Records Office and Standards Australia was used in the development of this schedule.

This work is copyright. Apart from any use as permitted under the Copyright Act 1968, no part may be reproduced by any process without prior written permission of the NT Archives Service. Requests and enquiries concerning reproduction and rights should be directed to the Director, NT Archives Service. The terms in the business classification scheme are based on the Keyword AAA: A Thesaurus of General Terms (Government of New South Wales, 1998), and are produced under a licence agreement between the NT Archives Service and the State Records Authority of New South Wales.



## Compliance Checklist

- Implement a records disposal program to ensure regular appraisal, sentencing, destruction and transfer of all records
- Assign responsibility for the management and application of regular records disposal action using authorised records disposal schedules, to an appropriately skilled records manager who consults with the NT Archives Service and NT Records Service
- Familiarise all employees of the organisation with the authorised records disposal schedules relevant to the organisation's records
- Identify and sentence all records described in this schedule in all formats including electronic records and records in business systems, copies of records and parts of records
- Ensure all copies of temporary records are destroyed in any format (including backups), unless otherwise stated in a disposal schedule
- Apply this records disposal schedule to records in the organisation's records management systems, including systems for the management of paper records, electronic records, or records in any other format
- Apply this records disposal schedule to records in the organisation's business systems, either directly or by linking the business system to a records management system
- Implement quality assurance mechanisms to periodically check that the disposal class originally assigned at the creation of the records is still applicable at the time of sentencing of the record
- Implement review or quality control procedures in recordkeeping systems to ensure disposal actions are implemented correctly
- Identify records that require re-sentencing where a previous disposal schedule has been superseded
- Stop applying sentences from previous schedules that have been revoked or amended
- Retain all records in good order and condition to be available for retrieval during the retention period.
- Identify and update control records so that you can demonstrate what happened to each record, whether paper or electronic
- Implement an appropriate and approved strategy for retention of records of continuing value, eg. preservation in original form, migration to new systems, and conversion to long term medium
- Dispose of all records sentenced according to this schedule in all formats including electronic records and records in business systems, copies of records and parts of records
- Transfer records of permanent value to the NT Archives Service for retention as archives not later than 30 years after creation
- Inactive records can be transferred to offsite service providers providing they have been sentenced
- Destroy time expired temporary records in a secure manner that ensures complete deletion/destruction beyond any possible reconstruction
- Notify the NT Records Service of destruction of all records
- Do not destroy records that are not described in an authorised records disposal schedule.
- Do not destroy any records created prior to 1 July 1978 without specific authorisation from the NT Archives Service

## Disposal Schedule

### 1. Utilities Regulation

The function of providing utilities regulation to declared regulated industries within the Northern Territory. Includes the establishment and management of the Utilities Commission and its advisory committees, providing high level advice to the Minister, determinations of prices of goods and services and other economic regulatory matters, licensing new suppliers, approving industry codes and rules, statutory appointments and reporting as required under the *Utilities Commission Act* and other relevant Acts.

#### 1.1 Advice

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

Class No.	Description of Records	Status and Disposal Action
1.1.1	Records documenting high level advice provided to and from the Minister, other government bodies, other regulators and industry stakeholders in relation to utilities regulation, such as legislative amendments, industry reforms and market development.  Includes ministerials, briefing notes and submissions.	Permanent  Transfer to the NT Archives Service 10 years after action completed
1.1.2	Records documenting routine advice to participants in regulated industries in relation to licencing matters, requirements of the industry codes and rules and determinations.	Temporary  Destroy 7 years after action completed

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### 1.2 Authorisation

The process of seeking and granting permission to undertake requested action.

Class No.	Description of Records	Status and Disposal Action
1.2.1	Records documenting the appointment of the Utilities Commissioner, the Acting Utilities Commissioner and Associate Utilities Commissioner, including re-appointments and resignations as required under the Act.  Includes terms and conditions and ministerials.  May include appointments by the Administrator and suspensions.	Permanent  Transfer to the NT Archives Service 10 years after action completed
1.2.2	Records documenting the delegation of powers and functions by the Utilities Commission to the Associate Utilities Commissioner or any other person as required under the Act.	Permanent  Transfer to the NT Archives Service 10 years after action completed
1.2.3	Records documenting the approval of technical codes by the Utilities Commission developed by industry participants, as required under the relevant legislation, such as trade waste codes and the Network Technical Code.  Includes proposed amendments, and final technical code.	Permanent  Transfer to the NT Archives Service 10 years after action completed
1.2.4	Final versions of access policies as required under the <i>Ports Management Act</i> .	Permanent  Transfer to the NT Archives Service 10 years after action completed
1.2.5	Records documenting the development of access policies as required under the <i>Ports</i>	Temporary  Destroy 5 years after action

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### 1.2 Authorisation

The process of seeking and granting permission to undertake requested action.

Class No.	Description of Records	Status and Disposal Action
	<p><i>Management Act.</i></p> <p>Includes draft access policies and written notices,</p> <p>May include reasons for amendments, written summaries of comments received during consultation.</p>	completed
1.2.6	<p>Records documenting licence applications to the Utilities Commission, such as for the generation of electricity, owning or operating an electricity network and carrying on water supply services and sewerage supply services, including applications that have been refused, lapsed or withdrawn.</p> <p>Includes applications, receipts of prescribed fees, terms and conditions, written notices of decisions, copies of financial, technical and human resources information, receipts of annual licence fees, annual returns, audit reports, and other supporting information.</p> <p>May include transfer of licences, applications for review, notification of appeals and court orders.</p>	<p>Temporary</p> <p>Destroy 10 years after the licence lapses or is cancelled</p>
1.2.7	<p>Records documenting the appointment of authorised officers to assist the Utilities Commission by the Minister in relation to regulated industry services as required under the <i>Electricity Reform Act</i>.</p>	<p>Temporary</p> <p>Destroy 7 years after appointment ends</p>

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### 1.3 Codes and Rules

The activities associated with setting codes and rules for the conduct or operations of regulated industries.

Class No.	Description of Records	Status and Disposal Action
1.3.1	Records documenting the final set of industry codes and rules set by the Utilities Commission relating to the conduct or operations of regulated industries or licenced entities, including variations and revocations as required under the Act.  Includes formal drafts, consultations with the Minister and other industry stakeholders and gazette notices.	Permanent  Transfer to the NT Archives Service 10 years after action completed
1.3.2	Records documenting the development and review of codes and rules by the Utilities Commission.  Includes draft codes and rules, consultancy reports with industry, government bodies and other regulators and ministerials.	Temporary  Destroy 10 years after action completed

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### 1.4 Committees

The activities associated with the management of committees, sub committees, councils, forums working groups, boards and task forces (internal and external, private, community, local, state, national, international, etc.). Includes the committee's establishment, appointment of members, terms of reference, proceedings, minutes, reports, agendas etc.

Class No.	Description of Records	Status and Disposal Action
1.4.1	Records documenting the establishment and management of the Utilities Commission as required under the Act.  Includes agendas, minutes and discussion papers.  May include reports to the Minister of conflicts of interest by members of the Utilities Commission.	Permanent  Transfer to the NT Archives Service 10 years after action completed
1.4.2	Records documenting the establishment and management of advisory committees by the Utilities Commission as required under the Act.  Includes agendas, minutes and discussion papers.	Temporary  Destroy 5 years after action completed

## 1. Utilities Regulation

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### 1.5 Complaints Management

The activities associated with the handling of complaints from members of the public, including the formal receiving, investigating and resolving of complaints.

Class No.	Description of Records	Status and Disposal Action
1.5.1	Records documenting investigations into complaints made to the Utilities Commission in relation to regulated industry services, such as complaints about licensing determinations.  Includes written complaints, final investigation reports to the Minister of results and recommendations.	Temporary  Destroy 15 years after action completed
	Use 10.6 LEGAL SERVICES – LITIGATION for the activities associated with claims that proceed to a lawsuit or other legal proceedings.	

## 1. Utilities Regulation

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### 1.6 Compliance

The activities associated with complying with, or monitoring compliance with, mandatory or optional accountability, fiscal, legal, regulatory or quality standards or requirements. Includes compliance with legislation and with national and international standards.

Class No.	Description of Records	Status and Disposal Action
1.6.1	<p>Records documenting the compliance monitoring of licences by the Utilities Commission as required under relevant Acts.</p> <p>Includes compliance reports, customer contracts, gazette notices, asset management plans, copy of audit reports, copy of annual reports and other reports, financials, notifications of changes to officers, major shareholders and other related correspondence.</p> <p>May include where the Utilities Commission has taken over the operations of a licensee, appointment of operators, written notices and responses, determinations by the Minister and review of determinations and requests to specific persons to give further information.</p> <p>May include applications for reviews made to the Utilities Commission and court orders relating to appeals lodged with the Supreme Court.</p>	<p>Temporary</p> <p>Destroy 15 years after licence has expired or been cancelled</p>



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### 1.7 Control

The activities associated with creating, maintaining and evaluating control mechanisms.

Class No.	Description of Records	Status and Disposal Action
1.7.1	<p>Register of licences and exemptions as required under the <i>Electricity Reform Act</i>.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>- electricity entities current licence applications</li> <li>- electricity current licences on issue</li> <li>- Application details</li> <li>- Licence type</li> <li>- Postal Address</li> <li>- Application Date</li> <li>- terms and conditions</li> <li>- other information</li> </ul>	<p>Permanent</p> <p>Transfer to the NT Archives Service 10 years after action completed</p>
1.7.2	<p>Register of licences and exemptions as required under the <i>Water Supply and Sewerage Services Act</i>.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>- Water and Sewerage current license applications</li> <li>- Water and Sewerage current licences on issues</li> <li>- Licence type</li> <li>- Applicant details</li> <li>- Terms and conditions</li> <li>- exemption types and exemption</li> </ul>	<p>Permanent</p> <p>Transfer to the NT Archives Service 10 years after action completed</p>

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### 1.7 Control

The activities associated with creating, maintaining and evaluating control mechanisms.

Class No.	Description of Records	Status and Disposal Action
	history - other information	

## 1. Utilities Regulation

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### 1.8 Determinations

The activities associated with setting price determinations for goods and services provided by regulated industries.

Class No.	Description of Records	Status and Disposal Action
1.8.1	Records documenting final determinations by the Utilities Commission in relation to prices for goods and services, standards and conditions of service and supply, licensing, market conduct and other economic regulatory matters as required under the Act, including variations and revocations.  Includes licensed entities and other persons, gazette notices and copies of published notices.	Permanent  Transfer to the NT Archives Service 10 years after action completed
1.8.2	Records documenting the development and review of determinations by the Utilities Commission.  Includes draft determinations, consultancy reports with industry, government bodies and other regulators and ministerials.	Temporary  Destroy 10 years after action completed

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### 1.9 Extension Services

The activities involved in planning and developing educational activities and programs which raise awareness and understanding of the broader role of the organisation.

Class No.	Description of Records	Status and Disposal Action
1.9.1	<p>Records documenting the organisation's participation in or mounting of exhibitions, displays, shows to promote or raise awareness in relation to the Utilities Commission of the Northern Territory.</p> <p>Includes briefs and designs and copies of records or information used as part of the extension display.</p>	<p>Temporary</p> <p>Destroy 2 years after action completed</p>

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### 1.10 Inquiries

The activities associated with liaising with bodies carrying out inquiries, and participating in them. Inquiries are investigations carried out by persons or bodies who have been empowered to inquire and report on a subject, such as Royal Commissions, Parliamentary, Ombudsman's and Commissioner's inquiries. Includes the organisation's participation in the inquiry by providing evidence in the form of records, submissions or staff.

Class No.	Description of Records	Status and Disposal Action
1.10.1	<p>Records documenting formal inquiries held by the Utilities Commission as required under the Act in relation to utilities regulation matters.</p> <p>Includes written notices, ministerials, reports to the Minister, consultancy reports, notices of inquiry, terms of reference, final inquiry reports, industry statements and other related correspondence.</p> <p>May include special reports to the Minister.</p>	<p>Permanent</p> <p>Transfer to the NT Archives Service 10 years after action completed</p>

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### 1.11 Reporting

The processes associated with initiating or providing a formal response to a situation or request (either internal, external or as a requirement of corporate policies), and to provide formal statements or findings of the results of an examination or investigation. Includes agenda, briefing, business, discussion papers, proposals, reports, reviews and returns.

Class No.	Description of Records	Status and Disposal Action
1.11.1	Final versions of reports as required under the <i>Utilities Commission Act</i> .	Permanent Transfer to the NT Archives Service 10 years after action completed
1.11.2	Records documenting the development of annual reports in relation to utilities regulation. Includes draft versions, reports and consultation notes.	Temporary Destroy 5 years after action completed

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### 1.12 Reviewing

The activities involved in enquiring into a subject or area of interest in order to discover facts, principles etc. Used to support the development of projects, standards, guidelines etc., and the business activities of the organisation in general. Includes following up enquiries relating to organisational programs, projects, working papers, literature searches, etc.

Class No.	Description of Records	Status and Disposal Action
1.12.1	Final review reports to the Minister from the Utilities Commission into the operations of regulated industries.  Includes formal drafts, briefing notes and ministerials.	Permanent  Transfer to the NT Archives Service 10 years after action completed
1.12.2	Records documenting the development of review reports in relation to utilities regulations.  Includes draft versions, file notes, consultancy reports and consultation notes.	Temporary  Destroy 10 years after action completed