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State Records
of South Australia



Destruction of Official Records - Agency Approval Process

Guideline and Checklist

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Introduction

The requirement for agencies to notify State Records of the pending destruction of official records through the completion of an Intention to Destroy Records Report (ITDRR) ceased on 30 June 2015.

Following consultation with stakeholders State Records has replaced this requirement with an agency-based approval process.

This guideline has been prepared to assist agencies meet legislative and business requirements concerning the approval processes that should occur as a minimum when destroying official records.

Purpose

This guideline should be adopted by both state and local government agencies to ensure a rigorous destruction approval process. The guideline documents agency obligations against the *State Records Act 1997*, (the State Records Act) and the *Adequate Records Management Standard* (the Standard).

This guideline provides practical guidance for agencies in the approval process for the destruction of official records. It includes factors to consider prior to seeking approval to destroy and the internal authorisation or approval process to follow in obtaining approval to destroy records.

This guideline is applicable to both state and local government employees undertaking the destruction of records. The guideline extends to include contracted staff or consultants undertaking destruction of official records on behalf of an agency.

Scope

This guideline provides practical advice on the destruction of hard copy and electronic official records.

Records of an ephemeral nature that can be destroyed under Normal Administrative Practices (NAP) are excluded from this guideline.

Related Documents/References

- *State Records Act 1997*
- Related documents, including General Disposal Schedules (GDS) can be located on State Records of South Australia website at Service for Government - [Disposal](#)
- [Adequate Records Management Standard v3 \(Outcome 6\)](#)
- [Adequate Records Management Resourcing – Guideline and Toolkit v2](#)
- [Resentencing of Records – Guideline v1.3](#)
- [Recordkeeping Advice Sheet \(RK043\) Management of Hybrid Files](#)
- [Recordkeeping Advice Sheet \(RK048\) Adequate Records Management – Resourcing](#)
- [Recordkeeping Advice Sheet \(RK051\) Adequate Records Management – Disposal](#)

- [Recordkeeping Advice Sheet \(RK054\) Implementing a Records Disposal Program](#)

For access to your agency's records disposal schedule, (RDS) or to confirm whether a current schedule exists for your agency, please contact the agency's Records Manager Government Recordkeeping Services at srsarecordsmanagement@sa.gov.au.

Legislative Responsibility

Section 3 (1) of the State Records Act defines disposal of an official record as:

- the destruction or abandonment of a record
- undertaking any action that results in the inability to reproduce the whole or part of the information contained within a record and
- transfer of the ownership of a record or to sell a record.

Section 23 of the State Records Act allows for the disposal of official records in accordance with determinations made by the Manager [Director] of State Records. These determinations take the form of disposal schedules. They include:

- General Disposal Schedules (GDS) for general administrative records
- Records Disposal Schedules (RDS) for agency operational records
- Transfer of Ownership and Custody Schedules (TOCS)

Agency Responsibility

The approval for the destruction of official records is the responsibility of agencies. Agencies are not required to forward an ITDRR to State Records for approval to destroy official records.

Agencies are responsible for ensuring that official records are retained in accordance with an approved and current disposal schedule and in line with defined business requirements.

State Records recommends that agencies implement an internal destruction authorisation process. This should be incorporated within the agency's corporate disposal program. It is recommended that the destruction authorisation should reside with the Chief Executive or a delegate of the agency.

Stages of Approval to Destroy Process

Stage 1: Checklist

Ensure that the requirements set out in Attachment 1 have been met including the listing of records to be destroyed.

If any of the checklist requirements set out in Attachment 1 have not been met, the records cannot be destroyed. Advice regarding these records should be sought from the agency's Records Manager or Government Recordkeeping Services, State Records at srsarecordsmanagement@sa.gov.au

Stage 2: Approval

If the checklist requirements have been met, seek approval from authorised staff within the agency. See Attachment 2 (sample).

Stage 3: Destruction

Once approval by the authorising officer/s is received the records can be destroyed. Destruction of official records must be confidential and secure. Electronic records must be deleted by an appropriately authorised system administrator to ensure records being deleted are rendered inaccessible.

Post Destruction

Agency destruction reports and the authorising officer's subsequent approval must be retained in line with GDS 30 (State Government) (as amended) or GDS 20 (Local Government) (as amended). The destruction of records should also be recorded as destroyed in the agency recordkeeping system, business system or Electronic Document and Records Management System.

The authorised destruction reports are the agency's evidence that legal destruction has taken place and will support the agency's response under Freedom of Information, a discovery order, legal case, Government Inquiry or Commission regarding the availability of official records.

Once the records have been destroyed it is important that the agency retains evidence that confidential destruction has occurred. This may take the form of the confidential certificate of destruction provided by the destruction service provider or confirmation of internal confidential destruction.

Attachment 1 - Approval Process Checklist

Before Destruction

The following checklist details the minimum requirements to consider in seeking authorisation to destroy official records from within an agency. Agencies will need to customise this process according to their specific records management, legal and business requirements.

Completed	Activity
	Verify official records have been sentenced appropriately by an approved current disposal schedule (either GDS or RDS).
	Verify records are due for destruction
	Verify records due for destruction have been listed on the agency's internal destruction report (see attachment 3) or identified in the agency EDRMS
	Confirm records are not required for any additional length of time as determined by agency legislation or policies; as evidence for any current discovery process or legal case, inquest, FOI application, Government Inquiry or Commission; or for further business purposes.
	Confirmation has been obtained from appropriate business units within the agency that the records are no longer required for business purposes
	Records have been assessed against: <ul style="list-style-type: none"> • GDS 16 and in no way relate to Native Title issues; • GDS 27 and do not relate to the Alleged Abuse of Former Children Whilst in State Care; • GDS 32 and do not contain information relevant to the Royal Commission into Institutional Responses to Child Sexual Abuse.
	Confirm records do not relate to Recommendation 21 of the <i>National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families</i> .
	Confirm that records are NOT: <ul style="list-style-type: none"> • Subject to a disposal freeze • Dated pre-1901 • Older than 50 years • Damaged beyond repair, totally destroyed by an incident or rendered inaccessible by an incident or technological obsolescence.
	Confirm that GDS 21 Certification has been acquired before destroying source records that have been digitised

Attachment 2 – Destruction Approval Memo (Sample) and Destruction Report (Sample)

Internal Approval Memo	
To:	
Position:	
From:	
Position:	
Subject:	
Date:	
<p>Attached is a list of records due for destruction.</p> <p>These records have been assessed for destruction against the Checklist located at Attachment 1.</p> <p>Please check the list and confirm that your area has no ongoing business or legal need to retain the record for an extended retention period.</p> <p>Please sign the form below to indicate your approval to destroy the records listed.</p>	
Approvals Required From:	
Business Unit:	Name: _____ Signature: _____
Records Manager:	Name: _____ Signature: _____
Legal Officer:	Name: _____ Signature: _____
FOI Officer	Name: _____ Signature: _____
CEO/Approved Delegate	Name: _____ Signature: _____ Date: _____

