

General Disposal Schedule 36

Records of Relevance in relation to Child Abuse or Alleged Child Abuse

Effective from 15 August 2018 to 31 December 2023
Version 1

Table of Contents

Approval for the commencement of this schedule	3
Scope.....	4
Objectives	4
Implementation	4
Updates/Amendments	5
Previous Disposal Schedules Revoked	5
Complementary Disposal Schedules	5
Record Formats	5
Access Responsibilities	5
Actions Required of Agencies	6
Disposal Determination.....	6
Further Information	7
Contact details	7

© 2018 - 2023 Government of South Australia

This Disposal Schedule may be copied for use by South Australian Government Agencies and Local Government Authorities and for reasonable study or research purposes. No part of this Disposal Schedule may be reproduced or distributed for profit or gain or for any other purpose without the written permission of the Manager [Director] of State Records of South Australia.

The Terms and Scope Notes in the Schedule Body may include terms and relationships that have been taken from Keyword AAA: A Thesaurus of General Terms (© State Records Authority of New South Wales, 1995 and 1998), and are reproduced under a licence agreement between State Records of South Australia and the State Records Authority of New South Wales.

Approval for the commencement of this schedule

State Records Act 1997

Government of South Australia

General Disposal Schedule No. 36, Version 1

for

Records of Relevance in relation to Child Abuse or Alleged Child Abuse

Effective 15 August 2018 until 31 December 2023

Approved By



Chair, State Records Council



Director, State Records

Scope

GDS 36 places an immediate disposal freeze on any records relating to child sexual abuse that has occurred or is alleged to have occurred.

GDS 36 applies to official records in any format of South Australian Government agencies. This includes State Government agencies, Local Government and Universities.

Agencies need to apply GDS 36 in addition to other relevant general and operational records disposal schedules (RDS).

GDS 36 does not affect records that have been sentenced as permanent under another disposal schedule.

Penalties for the unauthorised destruction of records is specified in various legislation, including the *State Records Act 1997* and the *Royal Commission Act 1902*.

Objectives

The purpose of GDS 36 is to ensure that records relating to child sexual abuse that has occurred or is alleged to have occurred are protected and available.

In order to achieve its aim, GDS 36 is suspending authorisation to destroy any relevant records that could otherwise be legally destroyed under current disposal schedules determined by State Records and approved by the State Records Council.

Records identified as relevant must be retained until 31 December 2023 (and for any additional period that may be determined by a review).

Implementation

GDS 36 is issued under the *State Records Act 1997*.

The *State Records Act 1997* (the Act) was proclaimed in October 1997 to provide for the preservation and management of official records. GDS 36 is issued as a determination under Section 23 of the Act.

Section 23 of the *State Records Act 1997* states that no official records may be disposed of without a determination made by the Director [Manager], State Records and approved by the State Records Council.

Any modification of the Schedule by end users is not permitted. Changes can only be made with the approval of State Records and the State Records Council.

Updates/Amendments

GDS 36 Version 1 is effective from 15 August 2018 until 31 December 2023, retention is subject to a review at that date.

GDS 36 may be reviewed earlier by State Records or the State Records Council. Amendments approved by the State Records Council may be issued during this period.

Previous Disposal Schedules Revoked

Nil.

Complementary Disposal Schedules

A South Australian Government agency needs to use GDS 36 in association with other General Disposal Schedules and the agency's operational records disposal schedule/s. There may be some overlap between records protected by GDS 32 and GDS 27 and South Australian Government agencies must comply with both disposal schedules.

Record Formats

GDS 36 applies to records in any format.

Access Responsibilities

A South Australian Government agency needs to ensure that official records, irrespective of format, will remain accessible for the duration of the designated retention period. By "accessible" it is meant that the information contained within a record remains readable for the life of the record.

Actions Required of Agencies

South Australian Government agencies need to:

- ensure that staff responsible for records management are informed of GDS 36 and the disposal freeze that it imposes;
- sentence records against GDS 36 in addition to other relevant disposal schedules, e.g. GDS 30, GDS 20, GDS 32, GDS 27 and any RDS relevant to the agency;
- check if they or their approved service provider for records storage have any records due or overdue for destruction that come within the scope of GDS 36;
- withhold from destruction any temporary value records identified as relevant;
- retain the records for the duration of the disposal freeze, i.e. at least until 31 December 2023, set by GDS 36, or until further notice.

The sentencing of records affected by the disposal freeze can continue. However, the records must be set aside and retained for the period of the disposal freeze. The records need to be retained by the agency – they will not be accepted for transfer to State Records.

The processing and storage costs arising from the implementation of GDS 36 will need to be borne by the South Australian Government agencies affected.

Disposal Determination

Item No.	Description (Disposal Class)	Disposal Action
1.	Records relating to child sexual abuse that has occurred.	Retain until at least 31 December 2023, and for any additional period determined by a review.
2.	Records relating to child sexual abuse that is alleged to have occurred.	Retain until at least 31 December 2023, and for any additional period determined by a review.

Further Information

For changes or updates to GDS 36, please contact Information Governance, State Records on (08) 8204 8786 or email staterecords@sa.gov.au.

Contact details

Level 17, 45 Pirie Street

ADELAIDE SA 5000

GPO Box 464

ADELAIDE SA 5000

Tel (+61 8) 8204 8786

Email staterecords@sa.gov.au

Web www.archives.sa.gov.au