

General Disposal Schedule 37

Records of Relevance in relation to the Royal Commission into Aged Care Quality and Safety

Effective from 11 June 2019 to 31 December 2025

Version 1

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Approval for the commencement of this schedule

State Records Act 1997

Government of South Australia

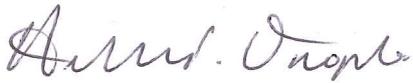
General Disposal Schedule No. 37, Version 1

for

Records of Relevance in relation to the Royal Commission into Aged Care Quality and Safety

Effective 11 June 2019 until 31 December 2025

Approved By



Helen Onopko

Chair, State Records Council



Simon Froude

Director, State Records

Scope

GDS 37 places an immediate disposal freeze on any records relating to the Royal Commission into Aged Care Quality and Safety.

GDS 37 applies to official records in any format of State Government agencies, Local Government and Universities and any other entities captured by the definition of 'agency' under the State Records Act 1997.

Agencies need to apply GDS 37 in addition to other relevant general and operational records disposal schedules (RDS).

GDS 37 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 37 is to ensure that records relating to the Royal Commission into Aged Care Quality and Safety are protected and available.

In order to achieve its aim, GDS 37 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 2025 (and for any additional period that may be determined by a review).

Implementation

GDS 37 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 37 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 37 Version 1 is effective from 11 June 2019 until 31 December 2025, retention is subject to a review at that date.

GDS 37 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 37 in association with other General Disposal Schedules and the agency's RDS.

Record Formats

GDS 37 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 37 and the disposal freeze that it imposes;
- sentence records against GDS 37 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 37;
- 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 2025, set by GDS 37, 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 37 will need to be borne by the South Australian Government agencies affected.

Disposal Determination

Item No.	Description (Disposal Class)	Disposal Action
1.	Records of relevance relating to the terms of reference of the Royal Commission into Aged Care Quality and Safety. (see attached Terms of Reference – Appendix 1)	Retain until at least 31 December 2025, and for any additional period determined by a review.

Further Information

For changes or updates to GDS 37, please contact Information Governance, State Records on (08) 8204 8786 or email staterecords@sa.gov.au.

Contact details

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Appendix 1.

The terms of reference (listed below) for the Royal Commission are included in the Letters Patent, which the Administrator of the Government of the Commonwealth of Australia signed on 6 December 2018.

- a. the quality of aged care services provided to Australians, the extent to which those services meet the needs of the people accessing them, the extent of substandard care being provided, including mistreatment and all forms of abuse, the causes of any systemic failures, and any actions that should be taken in response;
- b. how best to deliver aged care services to:
 - i. people with disabilities residing in aged care facilities, including younger people; and
 - ii. the increasing number of Australians living with dementia, having regard to the importance of dementia care for the future of aged care services;
- c. the future challenges and opportunities for delivering accessible, affordable and high quality aged care services in Australia, including:
 - i. in the context of changing demographics and preferences, in particular people's desire to remain living at home as they age; and
 - ii. in remote, rural and regional Australia;
- d. what the Australian Government, aged care industry, Australian families and the wider community can do to strengthen the system of aged care services to ensure that the services provided are of high quality and safe;
- e. how to ensure that aged care services are person-centred, including through allowing people to exercise greater choice, control and independence in relation to their care, and improving engagement with families and carers on care-related matters;
- f. how best to deliver aged care services in a sustainable way, including through innovative models of care, increased use of technology, and investment in the aged care workforce and capital infrastructure;
- g. any matter reasonably incidental to a matter referred to in paragraphs (a) to (f) or that [the Commissioners] believe is reasonably relevant to the inquiry.