



## **Records disposal schedule**

# **Records Disposal Schedule Mental Health Services Department of Health**

**Disposal Schedule No. 2015/8**

**July 2015**

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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.

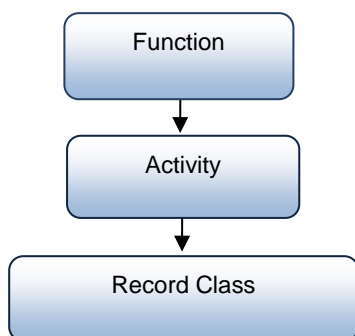
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<sup>1</sup> S.145 *Information Act*

<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 the Mental Health Services of the Department of Health.

### Scope

Application of this Records Disposal Schedule is mandatory for the Mental Health Services records of the Department of Health.

This Records Disposal Schedule applies to the Mental Health Services records in all formats.

### Responsibility

The Chief Executive of the Department of Health 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. 2015/8 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 Chief Executive of the Department of Health on 03 July 2015 and is effective immediately.

### Re-sentencing Records

This records disposal schedule supersedes class 1.1.1 of 2002/1 Disposal Schedule for Patient Records of Northern Territory Public Hospitals and Community Health Services in relation to mental health patients only.

### Regulatory Framework

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

- *Mental Health and Related Services Act*
- *Information Act*
- NT Government Records Management Standards
- NT Government Archives Management Standards
- Australian Standards AS ISO 15489:2002-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 Health
- current authorised disposal schedules for Department of Health

## **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.



<b>Compliance Checklist</b>			
<input type="checkbox"/>	Implement a records disposal program to ensure regular appraisal, sentencing, destruction and transfer of all records	<input type="checkbox"/>	Stop applying sentences from previous schedules that have been revoked or amended
<input type="checkbox"/>	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	<input type="checkbox"/>	Retain all records in good order and condition to be available for retrieval during the retention period.
		<input type="checkbox"/>	Identify and update control records so that you can demonstrate what happened to each record, whether paper or electronic
<input type="checkbox"/>	Familiarise all employees of the organisation with the authorised records disposal schedules relevant to the organisation's records	<input type="checkbox"/>	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
<input type="checkbox"/>	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	<input type="checkbox"/>	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
<input type="checkbox"/>	Ensure all copies of temporary records are destroyed in any format (including backups), unless otherwise stated in a disposal schedule	<input type="checkbox"/>	Transfer records of permanent value to the NT Archives Service for retention as archives not later than 30 years after creation
<input type="checkbox"/>	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	<input type="checkbox"/>	Inactive records can be transferred to offsite service providers providing they have been sentenced
<input type="checkbox"/>	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	<input type="checkbox"/>	Destroy time expired temporary records in a secure manner that ensures complete deletion/destruction beyond any possible reconstruction
<input type="checkbox"/>	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	<input type="checkbox"/>	Notify the NT Records Service of destruction of all records
<input type="checkbox"/>	Implement review or quality control procedures in recordkeeping systems to ensure disposal actions are implemented correctly	<input type="checkbox"/>	Do not destroy records that are not described in an authorised records disposal schedule.
<input type="checkbox"/>	Identify records that require re-sentencing where a previous disposal schedule has been superseded	<input type="checkbox"/>	Do not destroy any records created prior to 1 July 1978 without specific authorisation from the NT Archives Service

## Disposal Schedule

### 1. Mental Health Services

The function of providing care, treatment and protection of people with a mental illness within the Northern Territory community. Includes the promotion and handling of complaints under the *Mental Health and Related Services Act*.

#### 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 formal advice to and from the Minister, other government bodies and industry in relation to mental health services such as legislation and deaths of clients.	Permanent Transfer to the NT Archives Service 10 years after action completed
1.1.2	Records documenting routine advice given to members of the public on application processes, eligibility requirements, rights and responsibilities.	Temporary Destroy 3 years after action completed

## 1. Mental Health Services

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### 1.2 Agreements

The processes associated with the establishment, maintenance, review and negotiation of agreements. Include formal agreements and/or exchange of letters between parties, as well as informal agreements.

Class No.	Description of Records	Status and Disposal Action
1.2.1	Records documenting the establishment, negotiation, maintenance and review of major agreements with other government bodies and non-government bodies in relation to mental health services such as the Commonwealth and the Royal Darwin Hospital.  Includes memoranda of understanding.	Permanent  Transfer to the NT Archives Service 10 years after action completed
1.2.2	Records documenting the establishment, negotiation, maintenance and review of minor agreements in relation to mental health services with government bodies or organisations.  Includes draft agreements and other related correspondence.	Temporary  Destroy 7 years after expiry or termination of agreement

## 1. Mental Health Services

The function of providing care, treatment and protection of people with a mental illness within the Northern Territory community. Includes the promotion and handling of complaints under the *Mental Health and Related Services Act*.

### 1.3 Authorisation

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

Class No.	Description of Records	Status and Disposal Action
1.3.1	<p>Records documenting delegation of powers and functions under the Act to authorised persons by the Minister, Chief Executive Office (CEO) Chief Health Officer, or the Commissioner of Correctional Services.</p> <p>Includes written notices and legal instruments.</p>	<p>Permanent</p> <p>Transfer to the NT Archives Service 10 years after action completed</p>
1.3.2	<p>Records documenting approval given to the following:</p> <ul style="list-style-type: none"> <li>- treatment facilities</li> <li>- treatment agencies</li> <li>- persons in charge of approved treatment facilities and agencies</li> <li>- premises to perform electroconvulsive therapy</li> <li>- authorised psychiatric practitioners</li> <li>- designated mental health practitioners</li> <li>- authorised officers such as the Director of Psychiatry</li> </ul> <p>Includes gazette notices, recommendations by the CEO, written applications, receipts, qualifications of persons authorised, annual returns and other supporting documentation.</p>	<p>Permanent</p> <p>Transfer to the NT Archives Service 10 years after action completed</p>

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### 1.3 Authorisation

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

Class No.	Description of Records	Status and Disposal Action
1.3.3	<p>Records documenting applications in relation to mental health services that have been refused, such as:</p> <ul style="list-style-type: none"> <li>- treatment facilities</li> <li>- treatment agencies</li> <li>- persons in charge of approved treatment facilities and agencies</li> <li>- premises to perform electroconvulsive therapy</li> <li>- authorised psychiatric practitioners</li> <li>- designated mental health practitioners</li> <li>- authorised officers such as the Director of Psychiatry</li> </ul> <p>Includes original applications, written notices of decisions and other supporting documentation.</p>	<p>Temporary Destroy 5 years after action completed</p>
1.3.4	<p>Records documenting approved applications to access records under the Act such as from the Police, Court or Public Guardians.</p> <p>Includes applications, conditions and other related correspondence.</p>	<p>Temporary Destroy 7 years after action completed</p>
1.3.5	<p>Records documenting applications to access records under the Act that have been refused.</p> <p>Includes written applications and related correspondence.</p>	<p>Temporary Destroy 5 years after action completed</p>

## 1. Mental Health Services

The function of providing care, treatment and protection of people with a mental illness within the Northern Territory community. Includes the promotion and handling of complaints under the *Mental Health and Related Services Act*.

### 1.4 Clinical Services

The activities associated with providing medical observation and medical treatment of patients, including the use of materials and equipment for the purpose of caring for a sick person.

Class No.	Description of Records	Status and Disposal Action
1.4.1	Records documenting significant or unique collections of psychiatric and mental health care patient records that have been identified as having research value.	Permanent Transfer to the NT Archives Service 10 years after action completed
1.4.2	Records documenting random samples of 1 in 100 individual patient records must be taken for the purposes of research for mental health services purposes.	Permanent Retain in organisation
1.4.3	Records documenting involuntary admission of persons including prisoners, to an approved treatment facility or a hospital, or in the community due to a mental illness, mental disturbance or complex cognitive impairment, including revoked recommendations and treatment of persons of Aboriginal and Torres Strait Islander background.  Includes recommendations by a medical practitioner, psychiatric practitioner or designated mental health practitioner for a psychiatric examination to take place, ongoing review examination notes, notifications to person's carer, legal guardian, treatment management plans, discharge forms, discharge plans.  May include written reports to the Tribunal, interim community management orders, reviews of community management orders, suspended community management orders, notifications to the principal community visitor or Tribunal, applications for Tribunal orders and Tribunal decisions, appointments of psychiatric case manager, leave of absence certificates, and financial protection orders.	Temporary Destroy 50 years after date of last discharge

## 1. Mental Health Services

The function of providing care, treatment and protection of people with a mental illness within the Northern Territory community. Includes the promotion and handling of complaints under the *Mental Health and Related Services Act*.

### 1.4 Clinical Services

The activities associated with providing medical observation and medical treatment of patients, including the use of materials and equipment for the purpose of caring for a sick person.

Class No.	Description of Records	Status and Disposal Action
	May also include intergovernmental agreements for individuals with the Minister of another state or Territory and copies of interstate transfer orders approved by the CEO, non-custodian orders and dismissal of charge reports to the Court from the Chief Health Officer and other supporting medical profession reports.	
1.4.4	Records documenting approved persons who apply to be admitted to an approved treatment facility as a voluntary patient under the Act.  Includes written consents, examination notes and discharge forms.  May also include parental consent where the person is under 18 years of age, applications to the Tribunal to determine persons capacity, admission where persons remain as a voluntary patient, involuntary admission to the Commissioner of Correctional Services and leave of absence certificates.	Temporary  Destroy 30 years after date of last discharge
1.4.5	Records documenting persons who apply to be admitted to an approved treatment facility as a voluntary patient who have been refused by a medical practitioner or psychiatric practitioner.  Includes written consents, examination notes and written decisions with explanations of the grounds of the decision.	Temporary  Destroy 5 years after action completed
1.4.6	Records documenting requests for assessment of persons for the purpose of determining whether he or she or another person, is in need of treatment under the Act that has been declined.	Temporary  Destroy 5 years after action completed

## 1. Mental Health Services

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### 1.4 Clinical Services

The activities associated with providing medical observation and medical treatment of patients, including the use of materials and equipment for the purpose of caring for a sick person.

Class No.	Description of Records	Status and Disposal Action
	Includes requests for assessments by a medical practitioner, authorised psychiatric practitioner or a designated mental health practitioner.	



## 1. Mental Health Services

The function of providing care, treatment and protection of people with a mental illness within the Northern Territory community. Includes the promotion and handling of complaints under the *Mental Health and Related Services Act*.

### 1.5 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
1.5.1	<p>Records documenting major investigations into persons that are suspected of breaching the Act, such as persons using certain treatments and measures on persons with a mental illness, mental disturbance or complex cognitive impairment such as mechanical restraints, sterilisation, seclusion and coma therapy.</p> <p>Includes investigation reports, witness statements, photos, video footage, approvals of use and other supporting documents.</p> <p>May include copies of formal investigations by the Office of the Coroner into the treatment and care of mental health patients that may have caused or contributed to the death of a person.</p>	<p>Permanent</p> <p>Transfer to the NT Archives Service 10 years after action completed</p>
1.5.2	<p>Records documenting investigations into internal complaints in relation to mental health services where a person is being treated at an approved treatment facility.</p> <p>Includes investigation reports, witness statements, and file notes.</p> <p>May include notifications to the CEO and police, ministerial and other related correspondence.</p>	<p>Temporary</p> <p>Destroy 15 years after action completed</p>
	<p>Use Administrative Functions of the Northern Territory Government 2013/5 – 11.7 Discipline for the activities associated with investigations into employees for misconduct.</p>	

## 1. Mental Health Services

The function of providing care, treatment and protection of people with a mental illness within the Northern Territory community. Includes the promotion and handling of complaints under the *Mental Health and Related Services Act*.

### 1.6 Control

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

Class No.	Description of Records	Status and Disposal Action
1.6.1	Registers in relation to mental health services such as: <ul style="list-style-type: none"> <li>- Designated mental health practitioners</li> <li>- Approved psychiatrist practitioners</li> <li>- Mental health patients that have received treatment</li> </ul>	Permanent Retain in organisation (manage and migrate data to new platform during system upgrades)

## 1. Mental Health Services

The function of providing care, treatment and protection of people with a mental illness within the Northern Territory community. Includes the promotion and handling of complaints under the *Mental Health and Related Services Act*.

### 1.7 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
1.7.1	<p>Records documenting the promotion of awareness of mental health services in the Northern Territory, including information sessions, networking events, public events and presentations.</p> <p>Includes background research, briefs and designs, copies of handouts and brochures.</p>	<p>Temporary</p> <p>Destroy 7 years after action completed</p>

## 1. Mental Health Services

The function of providing care, treatment and protection of people with a mental illness within the Northern Territory community. Includes the promotion and handling of complaints under the *Mental Health and Related Services Act*.

### 1.8 Policy

The activities associated with developing and establishing decisions, directions and precedents which act as a reference for future decision making, as the basis from which the organisation's operating procedures are determined.

Class No.	Description of Records	Status and Disposal Action
1.8.1	Master set of policies in relation to mental health services such as Clinical Documentation Policy, Emergency Procedures, and Clinical Handovers.	Permanent Transfer to the NT Archives Service 10 years after action completed
1.8.2	Records documenting the development of policies in relation to mental health services.  Includes draft policies, research, copies of legal opinions, results of consultations and other supporting documents.	Temporary Destroy 7 years after policy is superseded

## 1. Mental Health Services

The function of providing care, treatment and protection of people with a mental illness within the Northern Territory community. Includes the promotion and handling of complaints under the *Mental Health and Related Services Act*.

### 1.9 Procedures

Standard methods of operating laid down by an organisation according to formulated policy.

Class No.	Description of Records	Status and Disposal Action
1.9.1	Master set of standard operating procedures in relation to mental health services.	Permanent Transfer to the NT Archives Service 10 years after action completed
1.9.2	Records documenting the development of the standard operating procedures in relation to mental health services.	Temporary Destroy 7 years after procedure is superseded