

State Archives and Records Authority of New South Wales

Functional Retention and Disposal Authority: FA418

This authority covers records documenting the function of
Public health

This retention and disposal authority is approved under section 21(2)c of the *State Records Act 1998* following prior approval by the Board of the State Archives and Records Authority of New South Wales in accordance with section 21(3) of the Act.

State Archives and Records Authority of New South Wales

Functional Retention and Disposal Authority

Authority no FA418

SR file no 21/0306

Scope This retention and disposal authority covers records documenting the function of Public health.

Public office Ministry of Health

Approval date 15 November 2021

About the Functional Retention and Disposal Authority

Purpose of the authority

The purpose of this retention and disposal authority is to identify those records created and maintained by NSW public offices which are required as State archives and to provide approval for the destruction of certain other records created and maintained by NSW public offices, after minimum retention periods have been met.

The approval for disposal given by this authority is given under the provisions of the *State Records Act 1998* only and does not override any other obligations of an organisation to retain records.

The retention and disposal of State records

The records retention and disposal practices outlined in this authority are approved under section 21(2)(c) of the *State Records Act 1998 (NSW)*. Part 3 (Protection of State Records) of the Act provides that records are not to be disposed of without the consent of the State Archives and Records Authority of New South Wales (State Archives and Records NSW) with certain defined exceptions. These exceptions include an action of disposal which is positively required by law, or which takes place in accordance with a normal administrative practice (NAP) of which State Archives and Records NSW does not disapprove. Advice on the State Records Act can be obtained from State Archives and Records NSW.

The authority sets out how long the different classes of records generated by an organisation must be kept to meet its legal, operational and other requirements, and whether the records are to be kept as State archives. State Archives and Records NSW reviews and approves organisations' retention and disposal authorities under the *State Records Act*. It is the duty of a public office, in submitting a draft retention and disposal authority for approval, to disclose to State Archives and Records NSW any information which affects the retention of the records covered by the authority.

State Archives and Records NSW's decisions take into account both the administrative requirements of public offices in discharging their functional responsibilities and the potential research use of the records by the NSW Government and the public. One of State Archives and Records NSW's functions is to identify and preserve records as State archives. These are records which document the authority and functions of Government, its decision-making processes and the implementation and outcomes of those decisions, including the nature of their influence and effect on communities and individual lives. Criteria for the identification of State archives are listed in *Building the Archives: Policy on records appraisal and the identification of State archives*. The Policy also explains the roles and responsibilities of State Archives and Records NSW and of public offices in undertaking appraisal processes and disposal activities.

Implementing the authority

This retention and disposal authority covers records controlled by the public office and applies only to the records or classes of records described in the authority. The authority should be implemented as part of the records management program of the organisation. Two primary objectives of this program are to ensure that records are kept for as long as they are of value to the organisation and its stakeholders and to enable the destruction or other disposal of records once they are no longer required for business or operational purposes.

The implementation process entails use of the authority to sentence records. Sentencing is the examination of records in order to identify the disposal class in the authority to which they belong. This process enables the organisation to determine the appropriate retention period and disposal action for the records. For further advice see *Implementing a retention and disposal authority*.

Where the format of records has changed (for example, from paper-based to electronic) this does not prevent the disposal decisions in the authority from being applied to records which perform the same function. The information contained in non paper-based or technology dependant records must be accessible for the periods prescribed in the classes. Where a record is copied, either onto microform or digitally imaged, the original should not be disposed of without authorisation (see the *General Retention and Disposal Authority – Original or source records that have been copied*). Public offices will need to ensure that any software, hardware or documentation required to gain continuing access to technology dependent records is available for the periods prescribed.

Disposal action

Records required as State archives

Records which are to be retained as State archives are identified with the disposal action 'Required as State archives'. Records that are identified as being required as State archives should be stored in controlled environmental conditions and control of these records should be transferred to State Archives and Records NSW when they are no longer in use for official purposes.

The transfer of control of records as State archives may, or may not, involve a change in custodial arrangements. Records can continue to be managed by the public office under a distributed management agreement. Public offices are encouraged to make arrangements with State Archives and Records NSW regarding the management of State archives.

Transferring records identified as State archives and no longer in use for official purposes to State Archives and Records NSW should be a routine and systematic part of a public office's records management program. If the records are more than 25 years old and are still in use for official purposes, then a 'still in use determination' should be made.

Records approved for destruction

Records that have been identified as being approved for destruction may only be destroyed once a public office has ensured that all other requirements for retaining the records are met. Retention periods set down in this authority are *minimum* periods only and a public office should keep records for a longer period if necessary. Reasons for longer retention can include legal requirements, administrative need, government directives and changing social or community expectations. A public office **must not** dispose of any records where the public office is aware of possible legal action (including legal discovery, court cases, formal applications for access) where the records may be required as evidence.

Once all requirements for retention have been met, destruction of records should be carried out in a secure and environmentally sound way. Relevant details of the destruction should be recorded. See *Destruction of records: a practical guide*.

Organisations should review functional retention and disposal authorities regularly to ensure that they remain relevant as the organisation's functions and activities, operating environment and requirements for records change. Retention requirements may change over time. This can occur when:

- business needs or practices change
- new laws, regulations or standards are introduced
- new technology is implemented
- government administration is restructured and functions are moved between entities, or
- unforeseen or new community expectations become apparent.

State Archives and Records NSW recommends that organisations check any functional retention and disposal authorities more than 5 years old to ensure that the retention periods and disposal actions remain relevant.

Regardless of whether a record has been approved for destruction or is required as a State archive, a public office or an officer of a public office **must not** permanently transfer possession or ownership of a State record to any person or organisation without the explicit approval of State Archives and Records NSW.

Administrative change

This retention and disposal authority has been designed to link records to the functions they document rather than to organisational structure. This provides for a stable retention and disposal authority that is less affected by administrative change. The movement of specified functions between branches or units within the public office does not require the authority to be resubmitted to State Archives and Records NSW for approval. However, when functions move from one public office to another the public office that inherits the new function should contact State Archives and Records NSW to discuss use of any existing retention and disposal authority approved for use by a predecessor organisation.

Amendment and review of this authority

State Archives and Records NSW must approve any amendment to this authority. Public offices that use the authority should advise State Archives and Records NSW of any proposed changes or amendments to the authority.

State Archives and Records NSW recommends a review of this authority after five years to establish whether its provisions are still appropriate. Either the public office or State Archives and Records NSW may propose a review of the authority at any other time, particularly in the case of change of administrative arrangements, procedures or to operating environments which are likely to affect the value of the records covered by this authority.

In all cases the process of review will involve consultation between State Archives Records NSW and the public office. If the process of review reveals that this authority requires amendment, the necessary amendments should be made and approved.

Contact Information

State Archives and Records NSW
 PO Box 516
 Kingswood NSW 2747
 Telephone: (02) 9673 1788
 E-mail: govrec@records.nsw.gov.au

Functional Retention and Disposal Authority Public health (Ministry of Health)

Authority number: FA418

Dates of coverage: Open

List of Functions and Activities covered

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Functional Retention and Disposal Authority Public health (Ministry of Health)

Authority number: FA418

Dates of coverage: Open

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1.0.0 PUBLIC HEALTH

The function of managing the public health system. Includes:

- developing clinical policy and setting standards for clinical quality within the health system
- the collection and management of health data
- the collection and analysis of population health data to respond to health problems
- allocation of funding for health programs and services
- planning and implementing health services and programs
- health governance and regulation
- regulation and monitoring private health facilities
- health and medical research.

See General Retention and Disposal Authority *Administrative records* **STRATEGIC MANAGEMENT - Planning** for records relating to workforce planning.

See General Retention and Disposal Authority *Statewide health services* **EDUCATION AND TRAINING** for records relating to the development and provision of clinical and health care services education and training programs.

See General Retention and Disposal Authority *Statewide health services, quality assurance, reporting, education and training* **HEALTH PROMOTION** for records relating to the promotion of consumer and patient awareness of health issues, the management/treatment of certain conditions, and services available.

See General Retention and Disposal Authority *Public health services: patient/client records* for records relating to the management of patient/client care.

See General Retention and Disposal Authority *Public health services: administrative records* for records relating to the administration of patient/client care.

1.1.0 Advice

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

See General Retention and Disposal Authority *Administrative records* **GOVERNMENT RELATIONS - Advice** for records relating to the provision of advice to other government agencies.

Public health

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Dates of coverage: Open

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PUBLIC HEALTH - Advice

1.1.1	Records relating to the provision of advice concerning substantive aspects of the organisation's policies and procedures, functions, obligations, legislation or liabilities where a detailed response has been provided. Includes input into national standards and the development of education for health practitioners, and advice provided to the private health care sector. Includes final versions, opinions and position papers, correspondence etc.	Required as State archives
1.1.2	Records relating to the provision of advice regarding operational matters.	Retain minimum of 7 years after action completed, then destroy

1.2.0 Authorisations

The activities involved in permission to undertake an action related to health services and programs. Includes consents, directions, appointments, approvals and authorisations issued by the secretary or minister.

1.2.1	Records relating to approvals for: <ul style="list-style-type: none">the scheduling of patients for involuntary care under mental health legislationappointments of official visitors to mental health facilities.	Required as State archives
1.2.2	Records relating to: <ul style="list-style-type: none">authorisations of medical practitioners, pharmacists etc. to possess, prescribe, supply or use certain pharmaceuticals and substancesappointment of health inspectors, public health officers, poisons and therapeutic goods analysts, auditors of cooling water systems etc.authorisations to enrol patients in programs such as the Opioid Treatment program. Note: includes exhumation permits. ¹	Retain minimum of 7 years after expiry of approval, then destroy

¹ Note added July 2022.

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PUBLIC HEALTH - Data analysis and management

1.3.0 Data analysis and management

Activities relating to the collection and management of health data. Includes datasets for assisted reproductive technology, abuse and violence, drinking water, epidemiology and surveillance, health planning, health system performance, mental health, notifiable conditions, population health, private health care, and research.

See **PUBLIC HEALTH - Reporting** for final reporting resulting from an analysis using health datasets

See **PUBLIC HEALTH - Planning, policy, procedures & standards** for records relating to the methodology for data collection and analysis.

See **PUBLIC HEALTH - Research & funding** for records relating to analysis and research into the best practice for epidemiology studies

See General Retention and Disposal Authority *Public health services: administrative records* **EPIDEMIOLOGY AND SURVEILLANCE - Data collection** for records relating to the collection and management of data by local health districts, Statutory Health Corporations and Affiliated Health Organisations.

See General Retention and Disposal Authority *Statewide health services* **PERFORMANCE MONITORING AND REPORTING - Reporting** for survey data that is collected and managed by statewide health services such as the Bureau of Health Information for analysis, reporting and future research.

1.3.1	Records of unique survey data that is collected and managed by the organisation for analysis, reporting and future research, e.g. NSW Population Health Survey, Notifiable Conditions Records for Epidemiology and Surveillance, NSW Perinatal Data Collection.	Required as State archives
1.3.2	<p>Data provided by third parties and data collected and managed by the organisation that is not required for ongoing analysis, reporting and future research, or where the raw data is not required long-term as it is compiled or summarised in reports, or where relevant sections of the data are extracted for case management, e.g. contact tracing data in pandemics or disease outbreaks, data for other health systems, survey returns on food safety etc.</p> <p>Note: extracted data that is used for investigations, reports etc. should be managed and retained as part of the relevant activity.</p> <p>Note: some data may be required to be retained for lengthy periods of time to satisfy administrative and reference use, others may have very short retention periods.</p>	Retain until administrative or reference use ceases, then destroy

Public health

Authority number: FA418

Dates of coverage: Open

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PUBLIC HEALTH - Emergency response & incident management

1.4.0 Emergency response & incident management

See **PUBLIC HEALTH - Monitoring and compliance** for records relating to investigations of incidents and emergencies.

See **PUBLIC HEALTH - Planning, policy, procedures & standards** for records relating to planning for emergency management and responding to incidents.

See General Retention and Disposal Authority *Public health services: patient/client records* for records relating to the management of patient records resulting from an emergency.

1.4.1	<p>Records relating the management of emergencies and incidents where the organisation is the lead agency, including:</p> <ul style="list-style-type: none"> • natural disasters and severe weather • man-made emergencies (e.g. a building collapse or major transport accident) • large scale environmental disasters such as pollution of drinking water • infectious diseases/food safety threats • chemical and radiation emergencies. <p>Records include public health alerts and orders, final incident reports, briefings, debriefings, etc.</p>	Required as State archives
1.4.2	<p>Records relating to the management of incidents where there are no deaths or morbidity, but there may be long term health risks such as chemical incidents.</p>	Retain minimum of 85 years after action completed, then destroy
1.4.3	<p>Records relating to the operational management of emergencies and incidents, e.g. routine quarantine notices. Includes:</p> <ul style="list-style-type: none"> • reports • logistics requests and deployment • incident action plans • briefing and discussion notes • situation reports • injury and loss reports 	Retain minimum of 7 years after action completed, then destroy

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PUBLIC HEALTH - Emergency response & incident management

	<ul style="list-style-type: none"> • debriefings. 	
1.4.4	Records relating to the testing of arrangements that will be used during an emergency response. Records include programs, staffing arrangements, the use and supply of equipment, handbooks, training documentation, etc.	Retain minimum of 7 years after action completed, then destroy

1.5.0 Licensing & registration

The activities relating to the licensing of health facilities and services. Includes the licensing of:

- private health care facilities, including overnight and day facilities
- facilities licensed to supply or manufacture drugs of addiction
- anatomy laboratories
- assisted reproductive technology providers.

1.5.1	Summary records of: <ul style="list-style-type: none"> • assisted reproductive technology (ART) providers and clients e.g. ART providers, donor conceived people, donors, parents and siblings of children who are donor conceived and those born through surrogacy arrangements • licensed private health care facilities recording name, location, license type, commencement date and date facility ceased, owners identification, including private facilities licensed under mental health legislation 	Required as State archives
1.5.2	Records relating to applying, granting, amending, renewing, suspending or cancelling licenses (permits, registration, authorised services, certificates). Includes: <ul style="list-style-type: none"> • facilities operating specific types of businesses such as mental health and assisted reproductive technology • individual licences for private health facilities including day procedure centres and private hospitals 	Retain minimum of 20 years after expiry of approval or action completed, then destroy

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PUBLIC HEALTH - Licencing & registration

	<ul style="list-style-type: none">• the provision of private health care services within or proximate to public health care facilities (co-locations)• services such as blood banks, semen banks and mental health care services operated by private health care facilities• clinical practice activities under human tissue, anatomy or other legislation• environmental health activities including substances, place or type of work involving contact with toxic or hazardous materials• manufacture, wholesale, supply, dispensing and use of scheduled drugs and poisons• accreditations for domestic on-site sewage management facilities e.g. septic tanks, collection wells, aerated wastewater treatment systems, greywater treatment systems and composting toilets• approval for methods to treat clinical waste.	
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PUBLIC HEALTH - Monitoring and compliance

1.6.0 Monitoring and compliance

The activities relating to monitoring health facilities and service providers to ensure compliance with the regulations and standards, and the management of complaints about facilities and services. Includes regulation of private health care facilities and the supply and administration of therapeutic goods.

See General Retention and Disposal Authority *Administrative records* **COMMUNITY RELATIONS - Public reaction** for records relating to the handling of public reaction to the organisation's policies or services.

See General Retention and Disposal Authority *Administrative records* **LEGAL SERVICES - Litigation** for records relating to the management of litigation between the organisation and other parties.

See General Retention and Disposal Authority *Public health services: patient/client records* for records relating to the management of complaints by individual facilities

1.6.1	<p>Investigations</p> <p>Records documenting the management of public health investigations:</p> <ul style="list-style-type: none"> • that result in significant changes to policies, procedures, standards and practices • that relate to incidents or disease outbreaks that affect the public health system as a whole • that relate to systemic matters regarding practitioners, hospitals, retailers and wholesalers • relating to private health care facilities and unlicensed facilities where the result is a change to agency policies or procedures. <p>Includes investigations arising out of a complaint or compliance monitoring.</p> <p>Records include: reports, investigations, briefings etc.</p>	Required as State archives
1.6.2	<p>Investigations</p> <p>Records documenting routine and unsubstantiated investigations.</p> <p>Includes investigations arising out of a complaint or compliance monitoring.</p>	Retain minimum of 7 years after action completed, then destroy
1.6.3	<p>Compliance</p>	Retain minimum of 7 years after action

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PUBLIC HEALTH - Monitoring and compliance

	<p>Records relating to inspections and monitoring of public and private health system services, programs and facilities. Includes:</p> <ul style="list-style-type: none"> • records documenting compliance with regulations, legislation, standards or codes, e.g. medicines and drugs • identifying and liaising with unlicensed premises • surveillance of public health to identify communicable and notifiable conditions • inspection of premises such as brothels and venues, skin penetration businesses, child-care facilities, correctional facilities and schools to ensure compliance with standards • individual cases and returns relating to the incidence and significance of notifiable and non-notifiable infectious diseases • environmental health monitoring • drug destructions, inspections of premises where drugs and /or poisons are stored or supplied, reports of lost or stolen drugs. 	completed, then destroy
1.6.4	<p>Complaints</p> <p>Records relating to the management of complaints regarding the health system or breaches of health regulations. Includes complaints about private health care, breaches of environmental laws, breaches of privacy laws, patient care, waiting times, etc. Includes complaints resolved by mediation. Includes records of receipt, investigation and response and summary records facilitating the monitoring and tracking of complaints received and their handling.</p> <p>Note: see above entries where the complaint results in an investigation.</p>	Retain minimum of 7 years after action completed, then destroy

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PUBLIC HEALTH - Planning, policy, procedures & standards

1.7.0 Planning, policy, procedures & standards

Activities associated with formulating ways in which objectives for clinical practices and quality improvement can be achieved through strategic planning and developing policies and procedures. Includes clinical guidelines, clinical risk management, disaster planning management and emergency response and recovery.

See General Retention and Disposal Authority *Administrative records* **STRATEGIC MANAGEMENT - Legislation** for records relating to the development of legislation, including standards.

1.7.1	<p>Records relating to the development and review of strategic plans, policies, guidelines and procedures for the health system. Includes:</p> <ul style="list-style-type: none"> • clinical practices and quality improvement • population and public health • data health management and reporting • disaster management • private health care • research and ethics • public accommodation, such as hotels, hostels, boarding houses • environmental health <p>Includes the final version, drafts with major changes, reports or summaries of submissions and consultation, and the findings of supporting research.</p>	Required as State archives
1.7.2	<p>Records relating to health standards where the organisation is the lead agency or provides substantial input, e.g. the development of standards for quarantine and monitoring quarantine surveillance. Includes; final versions, reports and related research, summaries of consultation undertaken, correspondence etc.</p>	Required as State archives
1.7.3	<p>Records relating to the development of operational plans, policies, guidelines and procedures for the management of the health system.</p>	Retain minimum of 7 years after superseded, then destroy

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Authority number: FA418

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PUBLIC HEALTH - Program and project management

1.8.0 Program and project management

The activities associated with planning, control and co-ordination of health programs and projects.

See General Retention and Disposal Authority *Administrative records* **STRATEGIC MANAGEMENT - Joint ventures** for records relating to joint ventures with other organisations relating to health programs and services.

See General Retention and Disposal Authority *Statewide health services* **HEALTH PROMOTION** for records relating to the promotion of consumer and patient awareness of health issues, the management/treatment of certain conditions, and services available.

1.8.1	<p>Records relating to significant stages in developing, reviewing and implementing programs and projects that:</p> <ul style="list-style-type: none"> • are aimed at addressing systematic issues within NSW health • have long term outcomes for epidemiology and surveillance • demonstrate innovation in addressing public health issues. <p>Includes proposal, business case, implementation plan, risk assessment, reports, stakeholder consultation and project outcomes.</p>	Required as State archives
1.8.2	<p>Records relating to the administration and coordination of routine operational programs and projects, e.g. administration of routine immunisations to school children, and the management of individual projects and product delivery to clients. Records include: applications, reports, etc.</p>	Retain minimum of 7 years after action completed, then destroy

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Authority number: FA418

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PUBLIC HEALTH - Program and

1.9.0 Reporting

The activities associated with initiating or providing a formal response, internally or to external organisations, relating to epidemiology and surveillance, clinical practices and quality improvement, private health care.

1.9.1	<p>Records relating to reporting on the public health system. Includes reports relating to the:</p> <ul style="list-style-type: none">• performance of clinical practices and quality improvement.• performance of the organisation in relation to epidemiology and surveillance• performance of health services and programs, including the response to disease outbreaks or the effective operation of disease prevention measures• incidents and performance of the health system• regulation of private health care. <p>Includes discussion papers, research, final reports etc.</p>	Required as State archives
1.9.2	<p>Ad hoc and routine reporting relating to general administrative matters used to monitor and document recurring activities.</p>	Retain minimum of 7 years after action completed, then destroy

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Authority number: FA418

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PUBLIC HEALTH - Program and project

1.10.0 Research & funding

The activities relating to the:

- provision of funding for research infrastructure, supporting investment in the development and commercialisation of medical devices and related technologies, and funding and administering grants programs within and outside of the public health system
- conducting research into population health etc.

See **PUBLIC HEALTH - Data analysis and management** for records relating to collection and management of data by the organisation.

See **PUBLIC HEALTH - Planning, policy, procedures & standards** for reports on the outcomes of funded projects that inform health policy, procedures and standards, and policies for assessing research priorities, establishment of research standards and methods of research.

See General Retention and Disposal Authority *Administrative records* **COMMITTEES** for records relating to meetings of research committees and expert panels who decide on funding.

See General Retention and Disposal Authority *Administrative records* **FINANCIAL MANAGEMENT - Allocation** for records relating to the allocation of funding of individual health system units within the public system.

See General Retention and Disposal Authority *Administrative records* **GOVERNMENT RELATIONS - Reporting** for reporting to the Minister on research projects.

See General Retention and Disposal Authority *Administrative records* **STRATEGIC MANAGEMENT - Grant funding** for records relating to receipt of grants by the organisation.

See General Retention and Disposal Authority *Administrative records* **STRATEGIC MANAGEMENT - Joint ventures** for records relating to establishment and monitoring of alliances with other organisations regarding health and medical research.

See General Retention and Disposal Authority *Public health services: patient/client records* **RESEARCH** for records relating to the management of clinical research projects involving patients/clients of the public health system.

See General Retention and Disposal Authority *Higher and further education and research* **RESEARCH - Research management** for records relating to ethics committees approvals for research.

1.10.1	Final reports on individual research projects undertaken, financed or commissioned by the organisation that include outcomes of the research project.	Required as State archives
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PUBLIC HEALTH - Program and project

1.10.2	Records relating to successful applications for grants, funding, scholarships etc. for health programs and researchers including applications, agreements, project monitoring, acquittals and reports.	Retain minimum of 7 years after all conditions of the grant have been satisfied, then destroy
1.10.3	Records relating to the administration of research projects funded by the organisation, and operational management of research projects undertaken or commissioned by the organisation, including recruitment of patients and clinicians. Includes: applications, assessments, approvals, progress reports, inspection reports and reports on expenditure.	Retain minimum of 7 years after action completed, then destroy
1.10.4	Records relating to routine administration of grant programs. Includes unsuccessful applications and routine associated correspondence.	Retain minimum of 2 years after action completed, then destroy