**Transfer of Ownership and Custody of Records**

|  |  |
| --- | --- |
| **Transferring Function:** | Functions undertaken by staff principally involved in the administration of legislation allocated to the Minister for [*insert portfolio responsibility*]. |
| **Transferring Agency:** | [*insert name of department or agency*] |
| **Receiving Agency:** | [*insert name of department or agency*] |
| **Administrative Change Order** | [*insert information about Administrative Change Order*, e.g. Administrative Order 2019-159, Published 2 April 2019] |
| **Records being transferred:** | Physical records (files and boxes) stored at [*identify storage provider*]  Digital records stored on network storage of [*insert name of department or agency*] |
| **Location of records:** | [*insert street address of physical storage provider and digital storage*] |

1. **Background**
   1. As a result of Administrative Change Orders published on 2 April 2019 (2019-159), staff employed in the *[insert name of department or agency]* who were principally involved in the administration of legislation allocated to the Minister for [*insert portfolio responsibility*] were transferred to the *[insert name of department or agency]*. Organisationally, this related to functions undertaken by staff working within the following areas of the *[insert name of department or agency]*:

**ABC division**

**XYZ division**

* 1. State Records NSW recommends that in times of administrative change, any records relating to a function being transferred should follow the function. This allows the receiving agency to manage the function effectively and with as little disruption as possible.
  2. This document formalises the transfer of physical and digital records affected by this function transfer that are stored at *[insert name of storage provider]* and *[insert name of department or agency]*.
  3. Metadata for these records is stored by *[insert name of department or agency]* within the [*insert name of dataset*] listed in the Table 1.

**Table 1 *[insert name of department or agency]* dataset containing metadata for physical files and digital records transferred to *[insert name of department or agency]*.**

|  |  |
| --- | --- |
| **Dataset Name** | **Dataset ID** |
| *Name of department* | D1 |

* 1. In addition to formalising the above transfer, the document also provides an avenue for both departments to have ongoing access to records that have been transferred, missed or are yet to be identified.

1. **Records out of scope for this document**
   1. This document does not relate to all records affected by this administrative change. Separate documents will be prepared at logical stages for:

**Physical records** identified for transfer located at the following locations:

* Government Records Repository,
* *[insert name of storage provider]*
* *[insert name of storage provider]*
* with staff that have transferred

**Digital records** identified for transfer and registered in the *[insert name of department or agency]* XX dataset *[insert name of dataset and dataset ID]*.

[Include if relevant: There are no identified digital records for transfer in the [insert name of department or agency and name of dataset and dataset ID] which held physical records only].

1. **ABC Division, XYZ Division physical records**

3.1 Table 2 identifies the quantity of physical records located at *[insert location]* and which are to be transferred to *[insert name of department or agency]*.

**Table 2 Number of records identified for transfer**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Business Owner** | **Dataset that records are registered in** | **Boxes** | **Files** | **Supporting Attachment Containing Metadata for identified records** |
| ABC Division | *[name of department dataset]* | 97 | 814 | See Attachment A |
| XYZ Division | *[name of department dataset]* | 156 | 1,325 | See Attachment B |

3.2 *[Insert name of department or agency]* EDRMS team has extracted the metadata associated with the physical records identified in Attachments A and B. This metadata has been provided to the *[insert name of department or agency]* to allow them to recreate the records in their own electronic document and records management system.

1. **ABC Division, XYZ Division digital records**

4.1 Table 3 identifies the quantity of digital records held by *[insert name of department or agency]* and which are to be transferred to *[insert name of department or agency]*. This includes digital records from the EDRMS and records from ABCDE business system.

**Table 3 Number of records identified for transfer**

|  |  |  |  |
| --- | --- | --- | --- |
| **Business Owner** | **Dataset that records are registered in** | **Size (in bytes)** | **Supporting Attachment Containing Index and Metadata for identified records** |
| ABC Division | *[name of department dataset]* | 60GB | See Attachment A |
| XYZ Division | *[name of department dataset]* | 569GB | See Attachment B |

4.2 *[Insert name of department or agency]* EDRMS team has extracted the digital records and metadata associated with the records identified in Attachments A and B. These records and metadata has been provided to *[insert name of department or agency]* to allow them to upload the records in their own electronic document and records management and business systems.

**5. Ongoing access to missed or transferred records**

5.1 In the event that records have been missed, transferred in error, or either the *[insert name of department or agency]* or the *[insert name of department or agency]* require a record believed to be held by the other agency (and it is required to properly administer their functions), either agency may make a written request to the relevant records or information management team from the holding agency to request access.

5.2 If the *[insert name of department or agency]* require access to a record that may have inadvertently been missed in the transfer, the *[insert name of department or agency]* should email [records.management@department???.nsw.gov.au](mailto:records.management@department???.nsw.gov.au) and include the following information:

a) Record Number

b) Record Title

5.3 Timeframes for the delivery of records will be negotiated and agreed between *[insert name of department or agency]* and *[insert name of department or agency]*.

5.4 In the event that costs are likely to be incurred by the agency holding the record for the retrieval or copying of a record, they may make a request for reasonable financial reimbursement. If this does eventuate, reasonable advice must be provided to the other agency as soon as possible before any costs are incurred.

**Authorisation**

|  |  |
| --- | --- |
| ***[insert name of department or agency]*** | |
| The *[insert name of department or agency]* authorises the transfer of custody and ownership of the records listed in Attachments A and B. | |
| Signature: | Signature: |
| Name: | Name: |
| Role: Manager, Records and Information | Role: Chief Information Officer |
| Date: | Date: |
| ***[insert name of department or agency]*** | |
| The *[insert name of department or agency]* accept the custody and ownership of the records listed in Attachments A and B and confirms that listed records have been received by *[insert name of department or agency]*. | |
| Signature: | Signature: |
| Name: | Name: |
| Role: Records Manager | Role: Director, Corporate Services |
| Date: | Date: |

**Source:** *NSW Department of Industry*