

## State Records Authority of New South Wales

### **Functional Retention and Disposal Authority: FA349**

This authority covers records documenting the function of managing portable long service schemes

Issued to Long Service Corporation

This functional 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 Records Authority of New South Wales in accordance with section 21(3) of the Act.



# State Records Authority of New South Wales

## Functional Retention and Disposal Authority

**Authority no** FA349

**SR file no** 06/0517

**Scope** This functional retention and disposal authority covers records documenting the function of managing portable long service schemes from 1976 onwards.

**Public office** Long Service Corporation

**Approval date**

Jenni Stapleton  
A/Director  
State Records Authority of New South Wales

15/04/2014  
Date

## **About the Functional Retention and Disposal Authority**

### **Purpose of the authority**

The purpose of this functional 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 State Records 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 Records does not disapprove. Advice on the State Records Act can be obtained from State Records.

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. The State Records Authority ('State Records') reviews and approves organisations' retention and disposal authorities under the State Records Act.

This authority is the product of an appraisal process conducted in accordance with State Records' *Standard on the appraisal and disposal of State records*. It is the duty of a public office, in submitting a draft functional retention and disposal authority for approval, to disclose to State Records any information which affects the retention of the records covered by the authority.

State Records' 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 Records' 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 Records and of public offices in undertaking appraisal processes and disposal activities.

## **Implementing the authority**

This functional 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. Advice on sentencing can be obtained from State Records. 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 also the *General Retention and Disposal Authority – Imaged records*). 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 Records 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 Records regarding the management of State archives.

Transferring records identified as State archives and no longer in use for official purposes to State Records' control 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, and government directives. 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 Records 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 Records.

### **Administrative change**

This functional 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 Records for approval.

However, when functions move from one public office to another the public office that inherits the new function should contact State Records to discuss use of any existing retention and disposal authority approved for use by a predecessor organisation.

### **Amendment and review of this authority**

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

State Records recommends a review of this authority after five years to establish whether its provisions are still appropriate. Either the public office or State Records may propose a review of the authority at any other time, particularly in the case of change of administrative arrangements or procedures 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 Records 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 Records  
PO Box 516  
Kingswood NSW 2747  
Telephone: (02) 9673 1788  
E-mail: [govrec@records.nsw.gov.au](mailto:govrec@records.nsw.gov.au)

## Functional Retention and Disposal Authority Long Service Corporation

Authority number: FA349

Dates of coverage: 1976+

<b>List of Functions and Activities covered</b>
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No	Function/Activity	Description	Disposal Action
1.0.0	<b>SCHEME MANAGEMENT</b>	<p>The function of managing portable long service schemes for workers in NSW. This includes schemes for workers in the building and construction and contract cleaning industries. Includes:</p> <ul style="list-style-type: none"> <li>• determining and receiving scheme levy payments, including processing refunds and exemptions</li> <li>• establishing and reviewing agreements and arrangements for the collection of levies and management of scheme operations</li> <li>• registering employers and workers with schemes and recording work performed by eligible workers</li> <li>• processing long service payment claims, and</li> <li>• monitoring compliance with scheme requirements.</li> </ul> <p>See General Retention and Disposal Authority <i>Administrative records</i> <b>COMMITTEES</b> for record relating to the Industry Committee.</p> <p>See General Retention and Disposal Authority <i>Administrative records</i> <b>COMMUNITY RELATIONS - Addresses</b> for records of addresses to external organisations (e.g. TAFE, Master Builders' Association).</p> <p>See General Retention and Disposal Authority <i>Administrative records</i> <b>COMMUNITY RELATIONS - Marketing</b> for records relating to the promotion and marketing of the scheme to industry, workers and the general public.</p> <p>See General Retention and Disposal Authority <i>Administrative records</i> <b>FINANCIAL MANAGEMENT - Accounting</b> for records relating to the processing of payments to workers.</p>	

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No	Function/Activity	Description	Disposal Action
<i>SCHEME MANAGEMENT - Actuarial Reviews &amp; Assessments</i>			
		<p>See General Retention and Disposal Authority <i>Administrative records</i> <b>GOVERNMENT RELATIONS</b> for records documenting reciprocal scheme arrangements with other states.</p> <p>See General Retention and Disposal Authority <i>Administrative records</i> <b>TECHNOLOGY &amp; TELECOMMUNICATIONS</b> for records relating to scheme systems administration (including staff security access).</p>	
1.1.0	<b>Actuarial Reviews &amp; Assessments</b>	<p>The activity associated with carrying out actuarial reviews and assessments to determine the sufficiency of long service scheme funds and/or levy payments.</p> <p>See General Retention and Disposal Authority <i>Administrative records</i> <b>CONTRACTING-OUT</b> for records relating to the out-sourcing of actuarial services.</p> <p>See General Retention and Disposal Authority <i>Administrative records</i> <b>GOVERNMENT RELATIONS - Reporting</b> for records relating to reports of actuarial investigations sent to the Minister.</p>	
1.1.1		Final reports of actuarial assessments and reviews into the sufficiency of long service scheme funds and/or levy payments.	Retain minimum of 7 years after action completed, then destroy
1.1.2		Records documenting the development of final reports of actuarial investigations and reviews into the sufficiency of long service scheme funds and/or levy payments. Includes draft versions of reports, liaison with actuaries, working papers and background documents.	Retain until reference use ceases, then destroy
1.2.0	<b>Advice</b>	<p>The activity associated with receiving or providing advice in response to a formal request.</p> <p>See <b>SCHEME MANAGEMENT - Employer, Tax Agent and Worker</b></p>	

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No	Function/Activity	Description	Disposal Action
<i>SCHEME MANAGEMENT - Advice</i>			
		<p><b>Management</b> where specific advice to employers and/or workers is maintained on the employer/worker case file.</p> <p>See General Retention and Disposal Authority <i>Administrative records PUBLICATION</i> for records relating to the design and production of advisory brochures and guides regarding levy payments.</p>	
1.2.1		Records documenting advice to or from the organisation regarding levy matters. Includes determinations and advice letters to levy payers and approving authorities.	Retain minimum of 15 years after action completed, then destroy
1.2.2		Records relating to the drafting and development of advisory/information brochures, booklets, flyers and fact sheets regarding the operation and management of schemes. Includes final versions.	Retain minimum of 7 years after superseded, then destroy
1.3.0	<b>Agreements</b>	<p>The activity of establishing, negotiating, maintaining and reviewing agreements for the collection of levies.</p> <p>See General Retention and Disposal Authority <i>Administrative records GOVERNMENT RELATIONS - Agreements</i> for national reciprocal agreements with other states and territories regarding the operation and management of schemes.</p>	
1.3.1		Records relating to the establishment, maintenance, review and negotiation of agreements with agencies, government bodies, private certifiers and other approving authorities for the collection of levies as part of the long service schemes.	Retain minimum of 7 years after expiry or termination of agreement, then destroy
1.4.0	<b>Appeals (decisions)</b>	The activity of processing appeals against decisions by application to a higher	

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No	Function/Activity	Description	Disposal Action
<i>SCHEME MANAGEMENT - Appeals (decisions)</i>			
		<p>authority in relation to levy payments.</p> <p>See <b>SCHEME MANAGEMENT - Employer, Tax Agent and Worker Management</b> where appeals are lodged by and/or relate to individual registered employers and workers.</p> <p>See General Retention and Disposal Authority <i>Administrative records</i> <b>COMMITTEES</b> for records relating to appeals heard by the industry committees.</p>	
1.4.1		Records documenting appeals against decisions of the scheme administrator in relation to a long service levy. Includes letters of appeal, investigations, proceedings, decisions, and general correspondence between the Corporation and the appellants.	Retain minimum of 7 years after finalisation of appeal, then destroy
1.5.0	<b>Claim Payment Rates</b>	The activity of calculating and determining rates payable for claims (based on award rates).	
1.5.1		Records documenting the calculation and setting of rates payable for long service payment claims. Includes information relating to award rates applicable for types of work covered by long service schemes, calculations and final award rates.	Retain minimum of 7 years after action completed, then destroy
1.6.0	<b>Compliance Monitoring</b>	<p>The activity of assessing and monitoring compliance with long service scheme obligations.</p> <p>See <b>SCHEME MANAGEMENT - Employer, Tax Agent and Worker Management</b> where compliance monitoring activities relate to an individual registered employer or worker.</p> <p>See General Retention and Disposal Authority <i>Administrative records</i> <b>STRATEGIC MANAGEMENT - Meetings</b> for records relating to inspectors' diaries used to</p>	

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No	Function/Activity	Description	Disposal Action
<i>SCHEME MANAGEMENT - Compliance Monitoring</i>			
		record appointments, meetings etc	
1.6.1		Records relating to levy compliance audits. Includes arrangements to carry out audits, liaison with approving authorities and levy payers, visit itineraries, draft compliance audit reports, background papers and final versions of compliance audit reports. Includes records of visits to Councils concerning levy collection and management issues, and issues raised and comments documented as a result of council visits.	Retain minimum of 15 years after action completed, then destroy
1.6.2		Field books/diaries recording the compliance activities of inspectors.	Retain minimum of 7 years after action completed, then destroy
1.7.0	<b>Employer, Tax Agent and Worker Management</b>	The processes associated with the management and handling of registered scheme participants. This includes individual case management of employers and workers and other scheme participants such as tax agents, etc. Includes registering and maintaining details, assessing and monitoring compliance of employers and tax agents, administering and managing claims for long service payments from employers and workers, handling enquiries, processing appeals, and advising on long service scheme matters.	
1.7.1		Records relating to the management and handling of individual workers registered in the long service scheme. Records may include: <ul style="list-style-type: none"> <li>• registration applications</li> <li>• applications for payment/claims</li> <li>• statutory declarations</li> <li>• records documenting rejections/refusals of service</li> </ul>	Retain minimum of 100 years after date of birth of worker, or 7 years after deceased payment, then destroy

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No	Function/Activity	Description	Disposal Action
<i>SCHEME MANAGEMENT - Employer, Tax Agent and Worker Management</i>			
		<ul style="list-style-type: none"> <li>• cancellation authorities</li> <li>• advisory letters</li> <li>• registration cancellations and suspensions</li> <li>• annual statements</li> <li>• service history records</li> <li>• interstate service information</li> <li>• applications for payment and associated approvals</li> <li>• updates to worker's personal details</li> <li>• updates to worker's service records such as processing applications for medical service credits and backdating service</li> <li>• employer returns</li> <li>• start and end notices, and self-employed certificates</li> <li>• appeal records such as appeal forms, investigations, results and supporting documentation.</li> </ul> <p>Also includes general enquiries and routine correspondence from workers concerning long service scheme matters, and summary information regarding workers held in scheme registers.</p> <p>Note: 'Deceased payment' refers to claim payments made to beneficiaries following the death of a worker.</p>	

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No	Function/Activity	Description	Disposal Action
<i>SCHEME MANAGEMENT - Employer, Tax Agent and Worker Management</i>			
1.7.2		<p>Records relating to the management and handling of individual employers registered in the long service scheme. Records may include:</p> <ul style="list-style-type: none"> <li>• registration applications</li> <li>• arrangements for employer compliance audits</li> <li>• visit itineraries and compliance reports</li> <li>• determinations notices</li> <li>• advisory letters</li> <li>• statutory declarations</li> <li>• employer name changes and supporting documentation</li> <li>• employer removal reports</li> <li>• reminder notices</li> <li>• records of reciprocity payments,</li> <li>• record of employer interviews</li> <li>• employer registration certificate and starter kit</li> <li>• duplicate registrations</li> <li>• ceased trading notices</li> <li>• start and end notices</li> </ul>	<p>Retain minimum of 50 years after action completed, then destroy</p>

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No	Function/Activity	Description	Disposal Action
<i>SCHEME MANAGEMENT - Employer, Tax Agent and Worker Management</i>			
		<ul style="list-style-type: none"> <li>• employer returns</li> <li>• statements of obligation</li> <li>• notices to produce</li> <li>• appeal records such as appeal forms, investigations, results, correspondence and supporting documentation.</li> </ul> <p>Also includes general enquiries, requests for information, routine correspondence from employers concerning long service scheme matters, and summary information regarding employers held in scheme registers.</p>	
1.7.3		<p>Records relating to the management and handling of individual tax agents registered in long service schemes. Records may include:</p> <ul style="list-style-type: none"> <li>• registration applications</li> <li>• arrangements for compliance audits</li> <li>• visit itineraries and compliance reports</li> <li>• advisory audits</li> <li>• statutory declarations</li> <li>• tax agent name changes and supporting documentation</li> <li>• reminder notices</li> <li>• registration activation advices.</li> </ul>	Retain minimum of 7 years after services to client cease, then destroy

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<i>SCHEME MANAGEMENT - Employer, Tax Agent and Worker Management</i>			
		Also includes general enquiries, requests for information and other routine correspondence from tax agents concerning long service scheme matters, and summary information regarding tax agents held in scheme registers.	
1.7.4		Surveys received from scheme participants or approved authorities documenting feedback on the quality and effectiveness of audits and advisory visits.	Retain until final report released, or until no longer required for reference use, then destroy
1.7.5		Records relating to the development of survey template forms, including draft and final versions.	Retain until superseded or no longer required for reference use, then destroy
1.7.6		Exception reports identifying issues or update requirements for registered scheme participants information.	Retain minimum of 2 years after action completed, then destroy
1.8.0	<b>Enquiries</b>	<p>The activity of handling requests for information about long service schemes and their administration.</p> <p>See <b>SCHEME MANAGEMENT - Employer, Tax Agent and Worker Management</b> for enquiries, requests for information and other correspondence relating to an individual employer or worker registered with a scheme.</p> <p>See General Retention and Disposal Authority <i>Administrative records</i> <b>COMMUNITY RELATIONS</b> for records relating to requests for and handling of enquiries regarding routine information about the organisation and its services.</p>	

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No	Function/Activity	Description	Disposal Action
<i>SCHEME MANAGEMENT - Enquiries</i>			
1.8.1		Records relating to enquiries from industry, the general public or approving authorities regarding long service schemes.	Retain minimum of 7 years after action completed, then destroy
1.9.0	<b>Investments</b>	The activity associated with managing fund investments.  See General Retention and Disposal Authority <i>Administrative records</i> <b>GOVERNMENT RELATIONS - Reporting</b> for final versions of investment strategies reported to the Minister.	
1.9.1		Records relating to managing the investment of funds. Includes: <ul style="list-style-type: none"> <li>• investment strategies</li> <li>• investment agreements</li> <li>• investment performance reports and statements</li> <li>• asset consultant reports</li> <li>• liaison with and advice from investment advisors.</li> </ul>	Retain minimum of 7 years after action completed, then destroy
1.10.0	<b>Levy Payments</b>	The activity of calculating and collecting levy payments. Includes refunds, returns, instalments and exemptions.  See <b>SCHEME MANAGEMENT - Employer, Tax Agent and Worker Management</b> for records relating to the payment of claims made by workers.  See General Retention and Disposal Authority <i>Administrative records</i> <b>FINANCIAL MANAGEMENT - Accounting</b> for records relating to the provision of cheques and issuing of receipts.	

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No	Function/Activity	Description	Disposal Action
<i>SCHEME MANAGEMENT - Levy Payments</i>			
1.10.1		Register of levy payments.	Retain minimum of 20 years after date of last entry, then destroy
1.10.2		Records relating to the calculation and collection of levies as part of long service scheme obligations. Records include determinations, applications to pay by instalment, exemptions, levy payment forms, refund applications and associated approvals, returns and statements, as well as supporting documentation and correspondence with levy payers and approving authorities concerning levy payment issues.	Retain minimum of 15 years after levy payment processed, then destroy
1.10.3		Council return templates.	Retain minimum of 2 years after superseded, then destroy
1.11.0	<b>Policies &amp; Procedures</b>	The activity associated with developing and establishing decisions, directions and precedents as well as documenting standard methods of operation for the management of long service schemes. Includes policies, procedures, guidelines, instructions, business rules and directives.	
1.11.1		Final versions of policies supporting the general operating framework of long service schemes. Includes coverage policies and indexes which identify all eligible work classifications covered by long service schemes.	Required as State archives
1.11.2		Records relating to the development of scheme management policies, including draft versions, research documents and working papers.	Retain until reference use ceases, then destroy

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No	Function/Activity	Description	Disposal Action
<i>SCHEME MANAGEMENT - Policies &amp; Procedures</i>			
1.11.3		Records relating to the development of scheme management procedures, guidelines, instructions, business rules and directives. Includes draft versions, working papers, research documents and final versions of procedures.	Retain minimum of 2 years after superseded, then destroy
1.12.0	<b>Reporting</b>	The activity of providing reports on scheme management issues for compliance/statutory purposes. Includes statistical returns and reports to management or government agencies.  See <b>SCHEME MANAGEMENT - Compliance Monitoring</b> for records relating to compliance audit reports and inspectors' field books/diaries.	
1.12.1		Final versions of routine management and statistical reports on the operations of the scheme.	Retain minimum of 5 years after action completed, then destroy
1.12.2		Working papers documenting the development of reports. Includes background material and draft versions of reports.	Retain until reference use ceases, then destroy
1.13.0	<b>Scheme Implementation</b>	The activity of implementing long service schemes.  See General Retention and Disposal Authority <i>Administrative records</i> <b>GOVERNMENT RELATIONS - Submissions</b> for submissions to Cabinet or other government agencies regarding proposals to establish, implement and review long service schemes.  See General Retention and Disposal Authority <i>Administrative records</i> <b>LEGAL SERVICES - Advice</b> for records relating to legal advice regarding the interpretation of legislation.	

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No	Function/Activity	Description	Disposal Action
<i>SCHEME MANAGEMENT - Scheme Implementation</i>			
1.13.1		<p>Records documenting the implementation of long service schemes. Includes:</p> <ul style="list-style-type: none"><li>• research and reviews carried out to determine and establish approaches, practices and systems required to implement and administer schemes</li><li>• liaison with and minutes of meetings and consultations with industry stakeholders</li><li>• implementation progress reports</li><li>• implementation review reports.</li></ul>	Retain minimum of 15 years after action completed, then destroy