



**Responsible Public Authority: Department of Justice and Attorney-General**

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### **Scope of Retention and Disposal Schedule**

Core business records of the Queensland Workplace Rights Office including the Queensland Workplace Rights Ombudsman relating to the provision of advice on workplace rights and obligations, and the investigation of matters of alleged unfair, unlawful or inappropriate workplace actions.

This Schedule is to be used in conjunction with the *General Retention and Disposal Schedule for Administrative Records (GRDS)*.

References to repealed legislation within this Schedule may be taken to be a reference to current legislation if the context permits.

In the event of an administrative change, or the transfer of a function from one public authority to another, this retention and disposal schedule will continue to apply to the records covered by the schedule. For further advice on the currency of approved retention and disposal schedules following administrative change, please contact Agency Services at Queensland State Archives on (07) 3131 7777.

### **Record Formats**

This Schedule applies to records created in all formats, unless otherwise specified in the class description. This includes, but is not limited to, records in business systems, maps, plans, photographs, motion picture and records created using web 2.0 media.

### **Authority**

Authorisation for the disposal of public records is given under s.26 of the *Public Records Act 2002* (the Act).

No further authorisation is required from the State Archivist for records disposed of under this schedule. However, the disposal of all public records must be endorsed by the public authority's Chief Executive Officer, or authorised delegate, in accordance with *Information Standard 31: Retention and Disposal of Public Records*, and recorded in the public authority's disposal log.

Public records that are not covered by an approved retention and disposal schedule cannot be disposed of by a public authority.

Disposal of public records not covered by an approved retention and disposal schedule is a contravention of s.13 of the Act.



## Revocation of previously issued disposal authorities

Any previously issued disposal authority which covers disposal classes described in this retention and disposal schedule is revoked. The Department of Justice and Attorney-General should take measures to withdraw revoked disposal authorities from circulation.

Public records sentenced under revoked retention and disposal schedules should be re-sentenced prior to disposal.

For further advice on the currency of approved retention and disposal schedules, please contact Agency Services at Queensland State Archives on (07) 3131 7777.

## Retention of records

All of the retention periods in this schedule are the minimum period for which the sentenced records must be maintained. Public records cannot be disposed of prior to the expiration of the appropriate retention period. However, there is no requirement for public records to be destroyed at the expiration of a minimum retention period.

Public records must be retained for longer if:

- (i) the public record is or may be needed in evidence in a judicial proceeding, including any reasonably possible judicial proceeding
- (ii) the public records may be obtained by a party to litigation under the relevant Rules of Court, whether or not the State is a party to that litigation
- (iii) the public record must be retained pursuant to the *Evidence Act 1977*
- (iv) there is a current disposal freeze in relation to the public record, or
- (iv) there is any other law or policy requiring that the public record be retained.

This list is not exhaustive.

Public records which deal with the financial, legal or proprietary rights of the State of Queensland or a State related Body or Agency regarding another legal entity and any public record which relates to the financial, legal or proprietary rights of a party other than the State are potentially within the category of public records to which particular care should be given prior to disposal.

Records which are subject to a Right to Information application are to be retained for the period specified in section 9 – INFORMATION MANAGEMENT of the [General Retention and Disposal Schedule for Administrative Records](#) in addition to their required retention period according to an approved retention and disposal schedule. The two periods run concurrently, and may result in a longer required retention period overall. This is in order to cover all appeal and review processes. Even though the records subject to an application may be ready for disposal according to an approved retention and disposal schedule at the time of the Right to Information application, the additional Right to Information retention requirements must still be applied. See section 9 – INFORMATION MANAGEMENT of the [General Retention and Disposal Schedule for Administrative Records](#) for records of Right to Information applications.



The disposal of public records should be documented in accordance with the requirements of *Information Standard 31: Retention and Disposal of Public Records*.

For further advice on the retention and disposal of public records under an approved retention and disposal schedule, please refer to the Queensland State Archives website or contact Agency Services at Queensland State Archives on (07) 3131 7777.

### **Transfer of public records to Queensland State Archives**

Records covered by a class with the disposal action of 'Retain permanently' should be transferred to Queensland State Archives with the approval of the State Archivist. Records covered by a class with the disposal action of 'Retain permanently by the Department of the Premier and Cabinet' are not eligible for transfer to Queensland State Archives unless re-appraised and assigned a disposal action of 'Retain permanently'.

Agencies are required to submit a transfer proposal containing details of the records under consideration for transfer. Queensland State Archives will assess the transfer proposal before formal approval to transfer is issued. Please refer to the guideline on [Transferring Public Records to Queensland State Archives](#) available from the Queensland State Archives' website. The State Archivist reserves the right to revise any previous decisions made with regard to the appraisal and transfer of records. Contact Agency Services at Queensland State Archives on (07) 3131 7777 for further details.



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## 1. WORKPLACE RIGHTS

*The function of protecting the rights of Queensland workers as outlined under section 8A of the Industrial Relations Act 1999.*

Reference	Description of Records	Status	Disposal Action
1.1	<b>ADVICE</b> <i>The activities associated with the provision and receipt of advice by the Queensland Workplace Rights Office about industrial relations and other work-related matters.</i>		
1.1.1	<b>Advice – Ministerial</b> Records relating to advice provided to the Minister on Queensland workplace matters.	Permanent	Retain permanently.
1.1.2	<b>Enquiries</b> Records relating to requests for advice received from Queensland employees, employers and peak bodies which do not result in an investigation. Includes enquiries which are: <ul style="list-style-type: none"><li>received through the Workplace Rights Hotline</li><li>received through email, letters or fax</li><li>referred to another entity with powers to deal with the matter.</li></ul> <i>For records relating to enquiries which trigger investigations see section 1.3 of this Schedule.</i>	Temporary	Retain for 7 years after last action.
1.2	<b>INFORMATION AND AWARENESS</b> <i>The activities associated with informing, educating and promoting workplace rights to target groups. Includes promotion of workplace rights through the development of Codes of Practice and the provision of independent, strategic advice and responses to issues affecting industrial relations in Queensland.</i> <i>Also includes undertaking research on issues affecting workplace relations, developing publications and responding to local, national and international initiatives impacting on the rights of vulnerable workers.</i>		



Reference	Description of Records	Status	Disposal Action
1.2.1	<p><b>Training and awareness - master copies of training material</b></p> <p>Master copies of training and awareness tools and materials, for example, educational kits, audio visual presentations and speaking notes.</p>	Temporary	Retain for 10 years after last action.
1.2.3	<p><b>Training and awareness - event management</b></p> <p>Records relating to arrangements for awareness raising events. Includes bookings and attendance lists, engagement of speakers, catering and venue bookings.</p> <p><i>See the General Retention and Disposal Schedule for Administrative Records for records relating to the payment of invoices and other financial transactions.</i></p>	Temporary	Retain for 2 after last action.
1.2.4	<p><b>Codes of practice and agency policies and guidelines - master copies</b></p> <p>Master set of Codes of Practice and other guidance products issued by the Queensland Workplace Rights Office.</p> <p><i>See the General Retention and Disposal Schedule for Administrative Records for legal deposit requirements for published material.</i></p>	Permanent	Retain permanently.
1.2.5	<p><b>Policies and guidance products - development records</b></p> <p>Records relating to the development of Codes of Practice and other guidance products issued by the Queensland Workplace Rights Office including drafts and records of stakeholder consultation.</p>	Temporary	Retain for 10 years after last action.
1.2.6	<p><b>Media releases – master copies</b></p> <p>Master set of media releases issued by the Workplace Rights Office.</p>	Permanent	Retain permanently.



Reference	Description of Records	Status	Disposal Action
1.3	<b>INVESTIGATIONS</b> <i>The activities associated with investigations performed by the Queensland Workplace Rights Office in relation to potentially unlawful, unfair or inappropriate industrial relations and other work-related matters in Queensland, and investigations initiated by the Minister into the impact of any aspect of industrial relations and other work-related matters affecting Queenslanders</i>		
1.3.1	<b>Case files</b> Records of investigations into work-related matters performed by the Queensland Workplace Rights Office. Records may include, but are not limited to: <ul style="list-style-type: none"><li>• public submissions and statements of witnesses</li><li>• significant draft reports</li><li>• final reports</li><li>• outcome summaries prepared for publication</li><li>• records of consultation</li><li>• research records.</li></ul>	Permanent	Retain permanently.