

# Office of the Integrity Commissioner Retention and Disposal Schedule

Responsible public authority: Office of the Integrity Commissioner

Queensland Disposal Authority Number (QDAN)	629	Version	3
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## Scope of Retention and Disposal Schedule

This Schedule covers the core business records of the Office of the Integrity Commissioner, including the provision of independent advice to Queensland Government public officials on potential conflicts of interest, and other ethics and integrity issues in accordance with the *Integrity Act 2009*. It also covers records relating to the registration of lobbyists.

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References to repealed legislation within this Schedule may be taken to be a reference to current legislation if the context permits.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

## Queensland State Archives

Department of Science, Information Technology, Innovation and the Arts



## 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 Office of the Integrity Commissioner should take measures to withdraw revoked disposal authorities from circulation. This includes, but is not limited to:

- QDAN 629 v.2 issued 29 November 2010.

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) 3131777.

## 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
- v. 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.

### **Records created before 1950**

Records described in QDAN 629 v.3 that were created before 1950 should be referred to Queensland State Archives for further appraisal before any disposal action is taken by the public authority. For further advice please refer to the Public Records Brief: *Management of Public Records Created Before 1950* which is available from the Queensland State Archives' website.

### **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 Office of the Integrity Commissioner 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.

**Revision history**

<b>QDAN</b>	<b>Date of approval</b>	<b>Extent of revision</b>
QDAN 629 v.1	20/08/2007	Approved schedule.
QDAN 629 v.2	29/11/2010	Schedule updated to reflect changes to the <i>Integrity Act 2009</i> .
QDAN 629 v.3	22/11/2013	Schedule updated to reflect minor changes to the <i>Integrity Act 2009</i> .

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# 1. INTEGRITY MANAGEMENT

The function of managing requests for, and responses to, advice concerning potential conflicts of interest and other ethics and integrity issues from the Premier, Ministers of the Crown, Assistant Ministers (formerly Parliamentary Secretaries), the Leader of the Opposition, Chief Executive Officers (CEO) and other designated persons, in accordance with the Integrity Act 2009.

See the General Retention and Disposal Schedule for Administrative Records (GRDS), available from the Queensland State Archives' website at [www.archives.qld.gov.au](http://www.archives.qld.gov.au) for records relating to the Commissioner's involvement in external committees and presentations/speeches on ethic/conflicts of interest issues.

Reference	Description of records	Status	Disposal action
1.1	<p><b>ADVICE</b></p> <p><i>The activity of offering opinions by the Office of the Integrity Commissioner as to conflict of interest issues and other ethics and integrity issues associated with an action or judgement. Includes the process of advising.</i></p> <p><i>Also includes the provision of advice concerning ethical/conflict of interest issues in relation to draft legislation, policies and procedures.</i></p> <p><i>See the General Retention and Disposal Schedule for Administrative Records for records relating to all other advice.</i></p>		
1.1.1	<p><b><i>Ethics and integrity issues – specific government officials</i></b></p> <p>Records relating to advice provided to specific government officials on issues concerning ethics and integrity in accordance with sections 16 – 20 of the <i>Integrity Act 2009</i>.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• requests for advice from: <ul style="list-style-type: none"> <li>○ the Premier</li> <li>○ Ministers of the Crown</li> <li>○ Assistant Ministers (formerly Parliamentary Secretaries)</li> <li>○ the Leader of the Opposition</li> <li>○ Chief Executive Officers</li> </ul> </li> <li>• information supplied with the request</li> </ul>	Permanent	Retain permanently.

Reference	Description of records	Status	Disposal action
	<ul style="list-style-type: none"> <li>• advice provided by the Commissioner</li> <li>• reports, any legal advice received by the Integrity Commissioner relating to a matter, notes of discussions, briefing notes/papers and associated correspondence.</li> </ul>		
1.1.2	<p><b><i>Ethics and integrity issues – designated persons</i></b></p> <p>Records relating to advice provided to designated persons on issues concerning ethics and integrity in accordance with section 15 of the <i>Integrity Act 2009</i>.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• requests for advice</li> <li>• information supplied with the request</li> <li>• authorisations from the Chief Executive Officer of the department, public service office or government entity to seek advice, in accordance with section 15(3) of the <i>Integrity Act 2009</i></li> <li>• further information provided at the request of the Commissioner</li> <li>• advice provided by the Commissioner</li> <li>• reports, any legal advice received by the Integrity Commissioner relating to a matter, notes of discussions, briefing notes/papers and associated correspondence.</li> </ul>	Permanent	Retain permanently.
1.1.3	<p><b><i>Interests issues – members of the Legislative Assembly</i></b></p> <p>Records relating to advice provided to Members of the Legislative Assembly on interests issues in accordance with section 22 of the <i>Integrity Act 2009</i>.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• meeting and advice requests</li> <li>• information supplied with the request</li> <li>• advice provided by the Commissioner</li> <li>• reports, any legal advice received by the Integrity Commissioner relating to a matter, notes of discussions, briefing notes/papers and associated correspondence.</li> </ul>	Permanent	Retain permanently.

Reference	Description of records	Status	Disposal action
1.1.4	<p><b><i>Ethics and integrity issues – advice refused</i></b></p> <p>Records relating to requests for advice from designated persons on issues concerning ethics and integrity where the Integrity Commissioner refused to provide advice in accordance with section 21(4) of the <i>Integrity Act 2009</i>.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• requests for advice</li> <li>• information supplied with the request</li> <li>• authorisations from the Chief Executive Officer of the department, public service office or government entity, in accordance with section 15(3) of the <i>Integrity Act 2009</i></li> <li>• further information provided at the request of the Commissioner</li> <li>• Integrity Commissioner’s written reasons for refusing to give the advice</li> <li>• reports, any legal advice received by the Integrity Commissioner relating to a matter, notes of discussions, briefing notes/papers and associated</li> <li>• correspondence.</li> </ul>	Temporary	Retain for 10 years after last action.
1.1.5	<p><b><i>Interests issues – advice refused</i></b></p> <p>Records relating to requests for advice from Members of the Legislative Assembly on interests issues where the Integrity Commissioner refused to provide advice in accordance with section 23(4) of the <i>Integrity Act 2009</i>.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• requests for advice</li> <li>• information supplied with the request</li> <li>• further information provided at the request of the Commissioner</li> <li>• written reasons for refusing to give the advice</li> </ul>	Temporary	Retain for 10 years after last action.



Reference	Description of records	Status	Disposal action
	<ul style="list-style-type: none"> <li>• reports, any legal advice received by the Integrity Commissioner relating to a matter, notes of discussions, briefing notes/papers and associated correspondence.</li> </ul>		
1.1.6	<p><b><i>Ethics and integrity issues – disclosure</i></b></p> <p>Records relating to the disclosure of a relevant document concerning an ethics or integrity issue to a designated person or specific government official in accordance with the <i>Integrity Act 2009</i>.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• disclosure requests from: <ul style="list-style-type: none"> <li>○ the Premier</li> <li>○ Ministers of the Crown</li> <li>○ Assistant Ministers (formerly Parliamentary Secretaries)</li> <li>○ the Leader of the Opposition</li> <li>○ Chief Executive Officers</li> <li>○ designated persons</li> </ul> </li> <li>• any material identified as a relevant document in accordance with the <i>Integrity Act 2009</i></li> <li>• written advice to a designated officer relating to the disclosure</li> <li>• advice received from a designated officer.</li> </ul>	Temporary	Retain for 10 years after last action.
1.1.7	<p><b><i>Interests issues – disclosure</i></b></p> <p>Records relating to the disclosure of a relevant document concerning an interests issue to a member of the Legislative Assembly, the Premier or the Leader of the Opposition in accordance with the <i>Integrity Act 2009</i>.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• disclosure requests</li> <li>• any material identified as a relevant document in accordance with the <i>Integrity Act</i></li> </ul>	Temporary	Retain for 10 years after last action.

Reference	Description of records	Status	Disposal action
	<p>2009</p> <ul style="list-style-type: none"> <li>• written advice to the member of the Legislative Assembly</li> <li>• advice received from a member of the Legislative Assembly.</li> </ul>		
1.1.8	<p><b><i>Outside jurisdiction – designated persons</i></b></p> <p>Records relating to requests for advice from designated persons or specific government officials which are outside the jurisdiction of the Integrity Commissioner.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• requests for advice from: <ul style="list-style-type: none"> <li>○ the Premier</li> <li>○ Ministers of the Crown</li> <li>○ Assistant Ministers (formerly Parliamentary Secretaries)</li> <li>○ the Leader of the Opposition</li> <li>○ Chief Executive Officers</li> <li>○ designated persons</li> </ul> </li> <li>• further information provided at the request of the Commissioner</li> <li>• written advice of outcome of request.</li> </ul> <p><i>See the General Retention and Disposal Schedule for Administrative Records (GRDS) for records relating to general advice.</i></p>	Temporary	Retain for 10 years after last action.
1.1.9	<p><b><i>Outside jurisdiction – non-designated persons</i></b></p> <p>Records relating to requests for advice from non-designated persons, which are outside the jurisdiction of the Integrity Commissioner.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• requests for advice</li> <li>• further information provided at the request of the Commissioner</li> </ul>	Temporary	Retain for 5 years after last action.

Reference	Description of records	Status	Disposal action
	<ul style="list-style-type: none"> <li>written advice of outcome of request.</li> </ul> <p><i>See the General Retention and Disposal Schedule for Administrative Records (GRDS) for records relating to general advice.</i></p>		
1.2	<p><b>CHIEF EXECUTIVE INTERESTS</b></p> <p><i>The activity of disclosing and recording Chief Executive pecuniary and non-pecuniary interests.</i></p>		
1.2.1	<p><b><i>Declarations of interest</i></b></p> <p>Records relating to declarations of pecuniary or non-pecuniary interest for statutory office holders and Chief Executive Officers' which are submitted to the Commissioner in accordance with the <i>Integrity Act 2009</i> and the <i>Public Service Act 2008</i>.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>statements of pecuniary or non-pecuniary interests</li> <li>revised statements of pecuniary or non-pecuniary interests</li> <li>written notification that statement provided to relevant Minister.</li> </ul>	Temporary	Retain for 10 years after last action.
1.3	<p><b>MEETINGS</b></p> <p><i>The activity of facilitating or attending gatherings, conferences, meetings or working groups to discuss ethical matters and conflicts of interest with interested individuals/groups and to raise public awareness of commissioner's functions. Includes meetings with interstate or overseas personnel.</i></p>		
1.3.1	<p><b><i>Commissioner's meetings</i></b></p> <p>Records relating to meetings between the Commissioner and other individuals/groups interested in ethics and integrity issues, including the Commissioner's counterparts from other jurisdictions.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>agendas</li> <li>addresses</li> </ul>	Temporary	Retain for 3 years after last action.

Reference	Description of records	Status	Disposal action
	<ul style="list-style-type: none"> <li>• presentations</li> <li>• meeting notes.</li> </ul>		
1.4	<p><b>NOMINATIONS</b>  <i>The activity of nominating persons as designated persons in accordance with the Integrity Act 2009.</i></p>		
1.4.1	<p><b><i>Designated persons nominations</i></b>  Records relating to nominations of designated persons received by the Integrity Commissioner from Ministers of the Crown or Assistant Ministers (formerly Parliamentary Secretaries).  Includes ministerial nominations of:</p> <ul style="list-style-type: none"> <li>• Chief Executive Officers of government entities or senior executive equivalent employed in government entities in accordance with section 12(e) of the <i>Integrity Act 2009</i></li> <li>• persons, or persons within a class of persons, in accordance with section 12 (h) of the <i>Integrity Act 2009</i>.</li> </ul>	Temporary	Retain for 10 years after nomination has been revoked.

## 2. LOBBYIST MANAGEMENT

*The function of managing the regulation of lobbying activities relevant for state or local governments in accordance with the Integrity Act 2009.*

Reference	Description of records	Status	Disposal action
2.1	<p><b>REGISTRATION</b></p> <p><i>The activity of registering lobbyists including the maintenance and publication of the register of lobbyists.</i></p>		
2.1.1	<p><b>Register</b></p> <p>Register of registered lobbyists maintained in accordance with section 49 of the <i>Integrity Act 2009</i>.</p>	Temporary	Retain for 10 years after last action.
2.1.2	<p><b>Applications to register - successful</b></p> <p>Records relating to the successful registration of lobbyists by the Integrity Commissioner in accordance with the <i>Integrity Act 2009</i>, including cancellations and amendments to the registration.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• applications for registration</li> <li>• statutory declarations</li> <li>• further information provided at the request of the Commissioner</li> <li>• advice of decision to register</li> <li>• show cause notices</li> <li>• notice of decision to cancel registration</li> <li>• warning notices</li> <li>• notice of suspension of registration.</li> </ul>	Temporary	Retain for 10 years after registration cancelled.

Reference	Description of records	Status	Disposal action
2.1.3	<p><b><i>Applications to register - refused</i></b></p> <p>Records relating to applications for the registration of lobbyists that are refused by the Integrity Commissioner in accordance with section 60 of the <i>Integrity Act 2009</i>.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• applications for registration</li> <li>• statutory declarations</li> <li>• further information provided at the request of the Commissioner</li> <li>• show cause notices</li> <li>• responses to show cause notices</li> <li>• advice of decision not to register.</li> </ul>	Temporary	Retain for 5 years after last action.
2.1.4	<p><b><i>Lobbyist information</i></b></p> <p>Records relating to the provision of information about a lobbyist or lobbyist activity given to the Commissioner in accordance with the <i>Integrity Act 2009</i>.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• copies or extracts of lobbyist registers</li> <li>• information about unregistered lobbyists.</li> </ul>	Temporary	Retain for 10 years after last action.
2.2	<p><b>CODE OF CONDUCT</b></p> <p><i>The activity of developing and approving a code of conduct for lobbyists.</i></p>		
2.2.1	<p><b><i>Code of conduct – approved</i></b></p> <p>Final approved version of the lobbyists code of conduct developed in accordance with section 68 of the <i>Integrity Act 2009</i>.</p>	Permanent	Retain permanently.

Reference	Description of records	Status	Disposal action
2.2.2	<p><b><i>Code of conduct – development</i></b></p> <p>Records relating to the development of a lobbyists code of conduct in accordance with section 68 of the <i>Integrity Act 2009</i>.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"><li>• records of consultation.</li></ul>	Temporary	Retain for 5 years after code superseded.

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*Note: References to GRDS in the index refer to the General Retention and Disposal Schedule for Administrative Records (GRDS).*

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