

TAHO

Tasmanian Archive + Heritage Office

Disposal Schedule for Functional Records of Motor Accidents Insurance Board

Disposal Authorisation No: 2492

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INTRODUCTION

Overview

Archives Legislation

The *Archives Act 1983* stipulates that State and local government organisations must not dispose of records of any type or format without the written approval of the State Archivist.

Disposal of records involves their destruction, their removal from custody of their creating agency, or their transfer to the Tasmanian Archive and Heritage Office.

Schedule elements and arrangement

The administrative functions covered by this schedule are arranged in alphabetical order as function headings. The activities performed under each function are listed in alphabetical order within each function.

- *Reference*

All function and activity headings and disposal classes are allocated a reference number. These reference numbers are used, in conjunction with the schedule number, to identify records in the Tasmanian Archive and Heritage Office disposal documentation. These numbers can also be used by agencies, in the same way, to indicate disposal authorisation in their records control systems, where the records have been registered in these systems.

- *Disposal Classes*

The groups of records that document, and are derived from, the performance of the functions and activities, are listed as disposal classes under each function/activity set.

It should be noted that Disposal Classes have been described in functional terms irrespective of the format or medium in which the records were created.

- *Status*

All disposal classes have either "PERMANENT" or "TEMPORARY" status. Records identified as "PERMANENT" are those that will be transferred to the Archives Office to be retained as State archives. "TEMPORARY" records are those that can be destroyed under the authority of this schedule.

- *Disposal action*

All temporary records identified in this schedule will have a disposal action which specifies the length of time for which the record must be retained, before it can be destroyed under this authorisation.

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Review of the schedule

It is the responsibility of agencies to monitor administrative, legal or regulatory changes which may result in the need to alter disposal class descriptions or disposal actions for records covered by this schedule.

When this occurs, this schedule should not be used to dispose of records and the State Archivist should be informed of the need to revise the schedule. If necessary, the procedures for the disposal of unscheduled records can be used in the interim.

Contacts

Any enquiries relating to this schedule should be directed in writing to the Tasmanian Archive and Heritage Office, 91 Murray Street Hobart, by email, or by phoning 03 6165 5581.

Acknowledgements

The Tasmanian Archive and Heritage Office wishes to acknowledge Kim Butterworth.

Authorisation

Authorisation

Under Section 20 (2) (b) of the Archives Act 1983, I hereby authorise 'relevant authorities' (as defined in Section 3 of that Act) to manage the disposal of the records described in this schedule in accordance with the procedures specified herein.

Ross Latham

State Archivist

Document Development History

Version	Date	Reason	Sections
1.0	24-01-2018	Initial release	All

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Interpretation

Definitions

Permanent records are those that will be transferred to the Tasmanian Archive and Heritage Office to be retained as State Archives. The *Archives Act 1983* establishes 25 years as the maximum required timeframe for the transfer of permanent records, unless an extension of time has been approved by the State Archivist.

Temporary records are those that can be destroyed under the authority of this schedule after a minimum retention period, or once certain requirements have been met.

Coverage

This schedule covers functional records of the Motor Accidents Insurance Board.

This schedule does not cover **pre-1960** records. The disposal of those records should be managed according to the procedures for unscheduled records.

The *Disposal Schedule for Short-term Value Records - DA No. 2158* covers the disposal of short-term value records which are created by most agencies. These documents are usually of a trivial nature or of such short-term value that they do not support or contribute to the business functions of the agency.

Records not covered by these schedules, or other authorised disposal schedules, should be disposed of according to the current Tasmanian Archive and Heritage Office procedures for unscheduled records.

Preservation of records

Section 10 (1) (a) of the *Archives Act 1983* requires agencies to preserve records until they are dealt with under the Act. This places a statutory obligation on agencies to ensure that all records, regardless of format, remain accessible while they are in the custody of the agency.

Permanent Records

All disposal classes of records identified as having '**PERMANENT**' status in this schedule should be transferred to the Tasmanian Archive and Heritage Office 25 years after the date of creation. Agencies may make application to the Tasmanian Archive and Heritage Office for earlier transfer of particular groups of records, and the Tasmanian Archive and Heritage Office may also initiate an earlier transfer arrangement.

Records for transfer should be arranged and described in accordance with any instruction provided by the Tasmanian Archive and Heritage Office.

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Temporary Records

All records identified as having '**TEMPORARY**' status in this schedule will have a disposal action which is the authorised date for destruction. These disposal actions specify minimum retention periods. Temporary records can be kept as long as the agency wishes following expiration of the specified period, but the provisions of the *Archives Act 1983* regarding their proper care and custody will still apply to them.

Frequently the disposal actions will refer to 'after action completed' which means after completion of the transaction to which the records relate. The disposal action 'destroy when reference ceases' authorises the destruction of records when all business needs to refer to the records have ceased.

Destruction of records

The destruction method chosen for records authorised for destruction in this schedule, should be appropriate to the medium in which the record exists. It is the responsibility of the agency to ensure that the identified records are actually destroyed, and that this process is confidential and secure.

The following issues should be considered before destruction of any documents.

Right to Information

Right to Information legislation prescribe rights and processes for access to documents held by government agencies. If a request for access under the legislation has been lodged, all records relevant to the request, regardless of whether they are due for destruction, must be identified and preserved until action on the request and any subsequent reviews are completed.

Personal Information Protection

Personal Information Protection legislation provides appropriate safeguards for government agencies in collecting and handling individual's personal information, creating statutory obligations and a right to make a privacy complaint. If an application is in progress, all records relevant to the application must be identified and preserved until the action and any subsequent actions are completed.

Other Investigations or inquiries

If an investigation or inquiry is in progress, all records relevant to the investigation or inquiry must be identified and preserved until the action and any subsequent actions are completed.

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Records relating to indigenous people

Key recommendations of the *Bringing Them Home Report 1997* relate to the need for the identification, preservation, indexing, management and access to records relating to Indigenous individuals, families and/or communities in accordance with established privacy principles.

Records relating to indigenous families and communities or which document links between indigenous people and localities are not to be destroyed and should be the subject of consultation with the Tasmanian Archive and Heritage Office.

Native Title

If a native title claim is in progress, all documents relevant to the claim must be identified and preserved until the action and any subsequent actions are completed.

Registration of Destruction

Central to the accountability built into the disposal schedules is the requirement that agencies maintain a *Register of Records destroyed*. It is important to recognise that the formal evidential record of destruction is contained in this registration process. The register is to be made available to the State Archivist (or his nominee) on request.

The register must be clearly identified as the *Register of Records Destroyed* (under Section 20 (2) (b) of the *Archives Act 1983*) and should include the name of the agency. The register can be the same used for registering destructions authorised under other disposal schedules. A sample format indicating the required elements for the register and related procedures are available on the Government Information Strategy Unit website.

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No	Function/Activity	Description	Status	Disposal Action
1	ACCIDENT PREVENTION PROGRAMS	<p>The management of the Motor Accidents Insurance Board's accident prevention, injury management and road safety funding programs which includes funding provided by the Injury Prevention and Management Foundation.</p> <p>This function also includes partnering with other organisations/agencies for the development and implementation of accident prevention and road safety initiatives.</p>		
1.1	Funding	<p>Activities associated with receiving and managing applications for accident prevention, injury management and road safety projects, programs, research or sponsorship funding.</p> <p>This includes funding managed and allocated through the Injury Prevention and Management Foundation.</p>		
1.1.1		<p>Records of successful applications for funding. May include:</p> <ul style="list-style-type: none"> • agreements • applications • correspondence • project reports 	Temporary	Destroy 7 years after action completed.

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No	Function/Activity	Description	Status	Disposal Action
<i>ACCIDENT PREVENTION PROGRAMS - Funding</i>				
1.1.2		Records of unsuccessful applications for funding programs. Includes: <ul style="list-style-type: none"> • applications • correspondence 	Temporary	Destroy 3 years after action completed.
1.1.3		Records associated with the establishment of partnerships and relationships with other organisations or agencies to develop, establish and implement accident prevention, injury management and road safety initiatives. Includes: <ul style="list-style-type: none"> • actions plans • agreements • correspondence • memorandum of understanding 	Temporary	Destroy 10 years after action completed.
2	BOARD MANAGEMENT	The function of establishing, managing and administering the Board and its committees. May include: <ul style="list-style-type: none"> • ensuring compliance with relevant legislation • management of nomination, appointment and separation of Board members • administration of meetings of Board and its committees 		

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No	Function/Activity	Description	Status	Disposal Action
<i>BOARD MANAGEMENT - Establishment</i>				
2.1	Establishment	<p>The activities associated with the establishment and ongoing membership of the Board, including the appointment and remuneration of members.</p> <p>See Committees for establishment and appointment of members etc to MAIB committees</p>		
2.1.1		<p>Records relating to the establishment and ongoing membership of the Board, including the appointment and resignation of members, remuneration and terms of reference. May include:</p> <ul style="list-style-type: none"> • appointments • correspondence • director appointments • master set of Board minutes, agendas and papers • resignations • terms of reference 	Permanent	Retain as State Archives
2.1.2		<p>Records documenting unsuccessful nominations for Board membership. May include:</p> <ul style="list-style-type: none"> • correspondence • resumé 	Temporary	Destroy 2 years after action completed.

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No	Function/Activity	Description	Status	Disposal Action
<i>BOARD MANAGEMENT - Establishment</i>				
2.1.3		Records relating to the management of conflict of interest, misconduct or ethical matters. May include: <ul style="list-style-type: none"> • Declarations of interest • Gifts and Benefits registers • Public Interest Disclosures 	Temporary	Destroy 7 years after action completed.
2.2	Meetings	Activities associated with the facilitation and general administration of Board meetings.		
2.2.1		Records relating to the facilitation and administrative arrangements for Board meetings. May include: <ul style="list-style-type: none"> • catering arrangements • meeting arrangements • meeting invitations • room bookings • standing notices 	Temporary	Destroy after reference use ceases.
2.3	Committees	Activities associated with administering and supporting MAIB committees, including establishment, appointment of members, terms of reference, proceedings, minutes, reports, agenda etc. Committees may include:		

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No	Function/Activity	Description	Status	Disposal Action
<i>BOARD MANAGEMENT - Committees</i>				
		<ul style="list-style-type: none"> • Audit Committee • Claims Committee • Charities Committee • Foundation Committee 		
2.3.1		<p>Records relating to the establishment, ongoing membership and operation of the committees. Records may include:</p> <ul style="list-style-type: none"> • documents establishing the committee • final versions of committee minutes and agenda • recommendations • reports presented to the committee • supporting documents 	Permanent	Retain as State Archives
2.3.2		<p>Records relating to the facilitation and administrative arrangements for meetings. May include:</p> <ul style="list-style-type: none"> • catering arrangements • meeting arrangements • meeting invitations 	Temporary	Destroy after reference use ceases.

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No	Function/Activity	Description	Status	Disposal Action
<i>CLAIMS MANAGEMENT</i>				
		<ul style="list-style-type: none"> • room bookings • standing notices 		
3	CLAIMS MANAGEMENT	<p>The function of managing and administering claims received for medical and rehabilitation services and benefits for persons injured in a motor accident in Tasmania, in accordance with the <i>Motor Accidents (Liabilities and Compensation) Act 1973</i> and the <i>Motor Accidents (Liabilities and Compensation) Regulations 2012</i>.</p> <p>The function includes managing service provider panels for legal, rehabilitation, attendant care and investigators / surveillance.</p>		
3.1	Claims	<p>The activities associated with the registration and management of claims received for medical and rehabilitation services and benefits for persons injured in a motor accident. May include:</p> <ul style="list-style-type: none"> • claims for future care • common law claims • general claims 		
3.1.1		Register of summaries of claims as required under the <i>Motor Accidents (Liabilities and Compensation) Act 1973</i> .	Permanent	Retain as State Archives

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No	Function/Activity	Description	Status	Disposal Action
<i>CLAIMS MANAGEMENT - Claims</i>				
3.1.2		<p>Records of claims for lifetime support and ongoing or future care assistance and treatment following a motor accident.</p> <p>This includes records relating to the investigation and review of a claim if there is a dispute or potential fraudulent activities.</p> <p>Records may include:</p> <ul style="list-style-type: none"> • application for Scheduled Benefits Form • claim specific correspondence • housing modifications • investigation reports • legal correspondence • medical records • medical reports • rehabilitation reports • return to work plans • requests for medical reports • reviews 	Temporary	Destroy 25 years after date of death.

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No	Function/Activity	Description	Status	Disposal Action
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CLAIMS MANAGEMENT - Claims

		<ul style="list-style-type: none"> • support needs assessments 		
3.1.3		<p>Records of routine claims for care, assistance and treatment following a motor accident.</p> <p>This includes records relating to the investigation and review of a claim if there is a dispute or potential fraudulent activities as well as claims which have been rejected.</p> <p>Records may include:</p> <ul style="list-style-type: none"> • application for Scheduled Benefits Form • claim specific correspondence • housing modifications • investigation reports • legal correspondence • medical records • medical reports • rehabilitation reports • return to work plans • requests for medical reports 	Temporary	Destroy 25 years after action completed.

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No	Function/Activity	Description	Status	Disposal Action
<i>CLAIMS MANAGEMENT - Incident Notification</i>				
		<ul style="list-style-type: none"> • reviews • support needs assessments 		
3.2	Incident Notification	The activities associated with the receipt and management of motor accident notifications and supporting or supplementary documentation received from external agencies.		
3.2.1		<p>Copies of motor accident notifications and supporting or supplementary documentation received from external agencies.</p> <p>Records may include:</p> <ul style="list-style-type: none"> • licence checks • Notice of Accident forms • registration checks • Traffic Crash Reports <p>SEE Claims for incidents which resulted in claims being lodged</p>	Temporary	Destroy 7 years after action completed.
3.3	Service Provider Management	The activities associated with managing, administering and reviewing the agency's relationship with care, equipment, legal, investigative and treatment service providers.		

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No	Function/Activity	Description	Status	Disposal Action
<i>CLAIMS MANAGEMENT - Service Provider Management</i>				
		See DA2157 Disposal Schedule for Records of Common Administrative Functions for contract and procurement records.		
3.3.1		<p>Records associated with receiving, reviewing and managing complaints in relation to a service provider engaged to provide care, equipment and treatment to claimants.</p> <p>Records may include:</p> <ul style="list-style-type: none"> • correspondence • investigation reports • responses 	Temporary	Destroy 10 years after action completed.
3.3.2		<p>Records associated with reviewing the providers of services to claimants and receiving reports from them.</p> <p>Services may include:</p> <ul style="list-style-type: none"> • care • equipment • treatment <p>Also includes records associated with undertaking projects for the broader review of service provider fees and processes.</p>	Temporary	Destroy 10 years after action completed.

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No	Function/Activity	Description	Status	Disposal Action
<i>GOVERNMENT RELATIONS</i>				
4	GOVERNMENT RELATIONS	The administration of the formal relationship between the Motor Accidents Insurance Board and the State Government of Tasmania, in accordance with the <i>Government Business Enterprises Act 1995</i> for the payment of dividends and the establishment of premiums.		
4.1	Profit Distribution	Activities associated with determining and distributing annual profit dividends.		
4.1.1		Records detailing the determination and distribution of annual profit dividends.	Temporary	Destroy 7 years after action completed.
4.2	Premium Determination	Activities associated with determining, reviewing, approving and implementing annual premiums.		
4.2.1		Records detailing determinations, reviews, approvals and the implementation of annual premiums.	Temporary	Destroy 10 years after action completed.