

DECEMBER 2019

Notice of a disposal freeze on records relating to children

This disposal freeze is to be read with [Disposal Schedule for Records Relating to Child Abuse \(DA2520\)](#).

STATEMENT

Keep all records that contain the best information about children, services provided to them, and employees that provide the service, until 2029.

PURPOSE

The State Archivist has decided to issue a disposal freeze because of the complexity of identifying records that may be relevant for future disclosures of child abuse. This meets the requirements of recommendation 8.3 of the final report of the Royal Commission into Institutional Responses to Child Sexual Abuse. It also allows for the changes to the *Limitation Act 1974* (Tas), which removed any time limits for people to bring legal action for abuse suffered as a child.

This disposal freeze replaces the one we issued at the beginning of the Royal Commission. It protects the records that might be needed for a Redress Scheme application or legal case.

At present, it is expected that records which may become relevant to future allegations will be those which confirm that a survivor and an alleged offender were in the same place at the same time.

In the time that these records are frozen, we expect that organisations will be able to:

- identify what types of records are most frequently requested
- identify what types of records are most likely to corroborate a complaint or application for redress
- recognise patterns of records being sought or requested
- accommodate the majority of requests for legacy information.

We will review this disposal freeze before the National Redress Scheme ends.

WHO DOES THIS DISPOSAL FREEZE APPLY TO?

This disposal freeze applies to all organisations or agencies (as defined in the *Archives Act 1983* (Tas)) providing services to children. Where these organisations have contracting or outsourcing arrangements with other providers, this disposal freeze applies to these providers.

OFFICE OF THE STATE ARCHIVIST

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 freeze the disposal of the records described in this disposal freeze in accordance with the procedures specified herein.

Ross Latham

State Archivist

This is a living document and we will make minor changes as needed. If you notice anything that needs updating, please let us know.

Document Development History

Version	Date	Comments
4	12/12/2019	Authorised release
3	1/10/2019	Updated formatting and hyperlinks
2	1/06/2019	Updated scope
1	1/12/2018	Initial release

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WHAT YOU NEED TO DO

- Identify records held by your organisation that may be relevant to the National Redress Scheme or any other child abuse investigation. If you are unsure if a record is relevant, it may be safer to keep it until the end of the disposal freeze.
- Consider all aspects of your organisation's services, as some of them may not be a core function for your organisation. For example, school excursions, or school road crossing attendants. You also need to look for any defunct services – for example, many local councils used to run child care centres.
- Determine which records provide the best evidence and focus on protecting these.
- For example, employee work patterns might be kept within a business unit and be hard to trace (eg flexsheets); kept by a central HR department and easy to find (eg leave arrangements); or managed in a property management database that is easily searchable by date, location and employee name (eg swipe card logs). In this instance, the property management database would be the best evidence as it has better search functionality.
- Let your employees and service providers know that they cannot destroy any of these records while the disposal freeze is in place. Remember to include any organisations you have outsourced services, activities and/or functions to, as you retain your recordkeeping responsibilities for these services.
- Keep a register of the records you identify. You can use this information to update your Information Asset Register, to make sure the records are described in your functional disposal schedules, and to keep your business continuity and operational plans accurate. OSA can advise you on how to do this.
- You can destroy temporary hardcopy records that have been digitised if they meet best practice standards. You will need to assess the risk of destroying the original hardcopy records and make sure the digitised records meet the requirements in the Disposal Schedule for Source Records (DA2159). You will also need to discuss your processes with OSA prior to destroying any digitised hardcopy records. See our Approval Process for more information.

HOW THE OFFICE OF THE STATE ARCHIVIST WILL HELP

- We will provide advice to help identify relevant records
- We will maintain a list of possible record types on our website
- Review our Information Management Framework to ensure it aligns with international and Australian standards
- Develop a toolkit for implementing the Royal Commission recordkeeping recommendations.

CONTACT

Please contact us if you have any questions. Email osa@education.tas.gov.au or phone 03 6165 5581.