

Australian Government

National Archives of Australia

Records Authority

National Offshore Petroleum Safety Authority

Job no 2010/00359181

23 August 2010

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INTRODUCTION

The National Offshore Petroleum Safety Authority (NOPSA) and the National Archives of Australia have developed this Records Authority to set out the requirements for keeping or destroying records for the core business areas of Industry Relations and Promotion, Interagency Co-ordination and Relations, Regulatory Data Management and Regulatory Operations. It represents a significant commitment on behalf of NOPSA to understand, create and manage the records of its activities.

This Authority is based on the identification and analysis of the business of NOPSA. It takes into account the agency's legal and organisational records management requirements, and the interests of stakeholders, the agency and the National Archives of Australia.

This Authority gives NOPSA permission under the *Archives Act 1983*, for the destruction, retention or transfer to the National Archives of Australia of the records described. The Authority sets out those records that need to be retained as national archives and the minimum length of time that temporary records need to be kept. Retention periods for these temporary records are based on: an assessment of business needs; broader organisational accountability requirements; and community expectations, and are approved by the National Archives of Australia on the basis of information provided by the agency.

As changes in circumstances may affect future records management requirements, the periodic review of this Authority is recommended. All amendments must be approved by the National Archives.

APPLICATION OF THIS AUTHORITY

1. This Authority is to be used to sentence records. Sentencing involves the examination of records in order to identify the individual disposal class to which they belong. This process enables sentencers to determine how long records need to be kept. Advice on sentencing is available from the National Archives.

2. This Authority should be used in conjunction with general records authorities such as:

- the Administrative Functions Disposal Authority (AFDA) and/or AFDA Express issued by the National Archives to cover business processes and records common to Australian Government agencies;
- encrypted records;
- source records that have been copied.

3. The Normal Administrative Practice (NAP) provision of the Archives Act gives agencies permission to destroy certain records without formal authorisation. This usually occurs where records are duplicated, facilitative or for short-term use only. NAP does not replace arrangements agreed to in this Authority but can be used as a tool to assist in identifying records for destruction together with an agency's Records Authority or Authorities, and with AFDA and AFDA Express. The National Archives recommends that agencies develop and implement a Normal Administrative Practice policy to assist in planning and implementing activities to determine whether records should be kept or destroyed. Advice and guidance on destroying records as a normal administrative practice and on how to develop an agency NAP policy is available from the National Archives' website at <u>www.naa.gov.au</u>.

4. Where the method of recording information changes (for example from a manual system to an electronic system, or when information is migrated from one system to a new system) this Authority can still be used to sentence the records created, providing the records document the same core business. The information must be accessible for the period of time prescribed in this Authority. NOPSA will need to ensure that any software, hardware or documentation required to enable continuing access to the information is available for the periods prescribed.

5. In general, retention requirements indicate a minimum period for retention. NOPSA may extend minimum retention periods if it considers that there is an administrative need to do so, without further reference to the National Archives. Where NOPSA believes that its accountability will be substantially compromised because a retention period or periods are not adequate, it should contact the National Archives for review of the retention period.

6. From time to time the National Archives will place a freeze on some groups of records relating to a particular topic or event which has gained prominence or provokes controversy. While the freeze is in place no records relating to the topic or event may be destroyed. Further information about disposal freezes and whether they affect the application of this Authority is available from the National Archives website at <u>www.naa.gov.au</u>.

7. Records in the care of agencies should be appropriately stored, managed and preserved. Agencies need to meet this obligation to ensure that the records remain authentic and accessible over time. Under Section 31 of the *Archives Act 1983*, access arrangements are required for records that become available to the public currently after twenty years, including those records that remain in agency custody after this time.

8. Appropriate arrangements should be made with the National Archives when records are to be transferred into custody. The National Archives accepts for transfer only those records designated as national archives.

9. Advice on how to use this Authority is available from the NOPSA records manager. If there are problems with the application of the Authority that cannot be resolved, please contact the National Archives.

CONTACT INFORMATION

For assistance with this authority or for advice on other records management matters, please contact National Archives' Agency Service Centre.

Queen Victoria Terrace Parkes ACT 2600 PO Box 7425 Canberra Mail Centre ACT 2610 Tel: (02) 6212 3610 Fax: (02) 6212 3989 Email: <u>recordkeeping@naa.gov.au</u> Website: <u>www.naa.gov.au</u>

AUTHORISATION

RECORDS AUTHORITY 2010/00359181

Person to whom r authorisation is g	Chief Executive Officer
Purpose:	AUTHORISES ARRANGEMENTS FOR THE DISPOSAL OF RECORDS IN ACCORDANCE WITH SECTION 24(2)(b) OF THE ARCHIVES ACT 1983
Application:	Core businesses of: * Industry Relations and Promotion * Interagency Coordination and Relations * Regulatory Data Management * Regulatory Operations

This authorisation gives permission for the destruction, retention or transfer to the National Archives of Australia of the records described. The authority will apply only if these actions take place with the consent of the agency responsible for the core business documented in the records.

Authorising Officer

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Ross Gibbs Director-General National Archives of Australia

Date of issue:

23/08/10.

INDUSTRY RELATIONS AND PROMOTION

The business of promoting the occupational health and safety of persons engaged in offshore petroleum operations and management of the agency's relations with the broader offshore petroleum industry.

The tasks associated with supporting industry relations and promotion include:

- maintaining relationships with industry groups, unions and professional associations, including formal memberships;
- raising of awareness of occupational health and safety in the offshore petroleum industry through presentations, events, conferences, exhibitions, joint ventures, focus areas and visits;
- input into the development by third-parties of national and international standards, plans, agreements, guidelines and policy governing health and safety for the offshore petroleum industry including both consultation with the industry and the agency's participation in consultative working groups and forums;
- all other promotional activities directly related to the offshore petroleum industry in Australia, including the development and provision of generic advice, industry briefings, industry working groups and production of guidance material to assist the implementation of best practice;
- promotion of the role of health and safety representatives in the industry including organisation of events, accreditation for training providers, provision of training and the maintenance of regular general contact with the group as a whole; and
- formal reporting back to the industry on the agency's performance and effectiveness as well as on broad industry trends and performance in relation to occupational health and safety issues.

For managing acquisition, tendering and contracting-out arrangements supporting industry relations and promotion, use PROCUREMENT.

For tasks associated with regulating health and safety in relation to the Australian offshore petroleum industry, use REGULATORY OPERATIONS.

For tasks associated with key government stakeholders, such as the portfolio Minister, designated authorities and other agencies with petroleum or safety responsibilities, use INTERAGENCY CO-ORDINATION AND RELATIONS.

Class No Description of records

21710

The following significant records:

- library of photographs collected during regulatory activities for use in agency publications;
- final versions of all industry relations and promotion policies;
- final versions of agency publications produced for the promotion of health and safety within the offshore petroleum industry. Includes final versions of advice published by the agency for the use of all industry stakeholders and the public (eg Safety Case Guidance Notes, Guidelines, Safety Alerts, CEOs Newsletter);
- records of all committees involving key industry stakeholders (eg NOPSA Liaison Group, the Health and Safety Representative (HSR) Forum Steering Committee);
- development of focus areas and programmes to promote and improve occupational health and safety and promote the implementation of best practice in the offshore petroleum industry. Includes national programmes, themed audits, priority topics and related development of areas of focused regulatory attention; and
- addresses presented by the portfolio minister or agency head at occasions specifically related to the agency's key industry stakeholders.

Disposal action Retain as national archives

INDUSTRY RELATIONS AND PROMOTION

Class No Description of records

21711 Records documenting the tasks associated with Industry Relations and Promotion:

- nomination, appointment and resignation from and / or termination of agency representatives in industry organisations;
- granting of certification as a health and safety representative training provider to external organisations;
- final versions of plans formulated to support the management of industry relations and promotion activities and records documenting their development;
- master set of agency manuals, handbooks, directives etc detailing procedures supporting the industry relations and promotion function;
- development of all industry relations and promotion policies and agency procedures, excluding final versions of policies;
- receipt and provision of feedback regarding the agency's functions received from the offshore petroleum industry;
- participation of agency staff in training courses for the offshore petroleum industry, such as training for Health and Safety Representatives;
- final versions of minutes and supporting documents tabled at internal and external meetings held to support the industry relations and promotion function. Includes meetings with external stakeholders on the cost effectiveness of the agency;
- formal advice received or provided by the agency to the offshore petroleum industry on a whole of industry basis, including records documenting development of advice and industry consultation during development of advice. Excludes final versions of published advice;
- final versions of reports supporting industry relations and promotion, and working papers documenting their development, excluding those reports covered by class 21694; and
- agency involvement in the development of occupational health and safety standards by other bodies for the offshore petroleum industry.

[For final versions of advice that is published and distributed for the use of all industry stakeholders and the public, use INDUSTRY RELATIONS AND PROMOTION - 21710.]

 21712
 Final versions and working papers documenting development of joint ventures, agreements or contracts in support of industry relations and promotion. Excludes agreements and contracts relating to the procurement of goods and services in support of industry relations and promotion.
 Destruction

21713 Records documenting:

- routine operational administrative tasks supporting the core business; and
- industry relations and promotion activities, other than those covered in classes 21710, 21711 and 21712.

Disposal action

Destroy 10 years after last action

Destroy 7 years after last action

Destroy 5 years after last action

INTERAGENCY CO-ORDINATION AND RELATIONS

The business of facilitating co-ordination between and cooperation with key government stakeholders, specifically, the Ministerial Council on Minerals and Petroleum Resources (or its successor), designated authorities under the relevant legislation, other safety regulators and agencies with petroleum or safety functions as well as international or regional government bodies that have petroleum and/or safety functions.

The tasks associated with supporting interagency co-ordination and relations include:

- receiving and providing advice on issues, trends, policies, programs and so on of interest to the offshore petroleum industry;
- the creation of memoranda of understanding and other agreements;
- formal meetings and liaison activities;
- participation on national inter-agency and international committees and working groups;
- attendance and organisation of conferences and hosting of visits by officials from other petroleum safety agencies; and
- formal reporting to the Ministerial Council on Minerals and Petroleum Resources (or its equivalent), the Portfolio Minister and Department as well as designated authorities under the relevant legislation.

For managing acquisition, tendering and contracting-out arrangements supporting interagency coordination and relations, use PROCUREMENT.

For promotional activities involving industry stakeholders, such as trade associations, unions, professional organisations etc. use INDUSTRY RELATIONS AND PROMOTION.

For tasks associated with regulating health and safety in relation to the Australian offshore petroleum industry, use REGULATORY OPERATIONS.

For the administration and operation of the NOPSA Advisory Board, use ADVISORY BODIES.

For managing media relations and issuing agency produced media releases, use COMMUNITY RELATIONS.

For ceremonies, celebrations or other major occasions, use COMMUNITY RELATIONS.

Class No Description of records

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21694	 The following significant records documenting: external high level interagency committees where the agency provides the secretariat, is the Commonwealth's main representative, or plays a significant role;
	• signed agreements and their negotiation, establishment, maintenance and review; including joint venture agreements or contracts, of major significance to the agency and the Commonwealth or involving key government stakeholders (eg service level agreements and memoranda of understanding
	 submissions and their development made to the agency's responsible Minister or members of the relevant ministerial council on issues directly relating to the agency's functions or

or concerning controversial issues with far reaching social, economic and international implications. Includes submissions made to formal reviews required under the agency's enabling legislation (eg Triennial Independent Review);

- final versions of the agency's interagency co-ordination and relations policies;
- the agency's contribution and involvement in an inquiry directly relating to its functions;
- addresses presented by the portfolio Minister or agency head at occasions specifically related to the agency's key government stakeholders:

Class 21694 continued on next page

Disposal action

Retain as national archives

INTERAGENCY CO-ORDINATION AND RELATIONS

Class No **Description of records** 21694 responses to approaches received by the portfolio Minister (cont) ('Ministerials') or members of the relevant ministerial council from peak industry bodies, leading community interest groups, recognised influential stakeholders and individuals concerning issues of a contentious nature which are of major significance to the agency and/or the community at large; preparation and passage of legislation through Parliament in other Australian jurisdictions with direct impact on the operations of the agency; formal reports made on the agency's core businesses; and advice provided by the agency to the portfolio Minister and other key government stakeholders on controversial public issues with far reaching social, economic and international implications relating to the functional responsibilities of the agency. Includes working papers documenting the development of advice. [For Cabinet submissions and related documents, use GOVERNMENT RELATIONS. For the receipt or provision of advice regarding the preparation and passage of the agency's legislation through Parliament, use LEGAL SERVICES.] 21695 Records documenting the tasks associated with Interagency Coordination and Relations: final versions of contracts, joint ventures or agreements that are low level or routine. Includes records documenting their negotiation, establishment, maintenance and review. Excludes agreements and contracts relating to the procurement of goods and services; and development of all interagency co-ordination and relations policies and agency procedures. Records documenting the tasks associated with Interagency Co-21696 ordination and Relations: master set of agency manuals, handbooks, directives etc detailing procedures supporting the interagency co-ordination and relations function. Includes procedures for preparing materials for a particular Minister; inquiries with no direct relation to the agency's functions where the agency made a substantial contribution; visits to the agency made by agency heads, or records documenting the agency's head visiting other agencies; and final version of agency submissions and supporting documents to the NOPSA Advisory Board. [For visits to the agency by royalty and Heads of State, use **GOVERNMENT RELATIONS.**] 21697 Records documenting: routine operational administrative tasks supporting the core • business; and

• interagency co-ordination and relations activities, other than those covered in classes 21694, 21695 and 21696.

Disposal action

Retain as national archives

Destroy 10 years after agreement, policy or procedure expires, is suspended or has been superseded

Destroy 10 years after last action

Destroy 5 years after last action

REGULATORY DATA MANAGEMENT

The business of collecting, analysing and managing data collected as part of the agency's regulatory activities or as reported to it by duty holders and other bodies.

The tasks associated with regulatory data management include:

- processing and analysing data collected and received under the agency's enabling legislation as well as the data collections themselves;
- management of operator monthly incident reports and monthly summaries including pursuing late submissions, deriving data for use in other material and quality checking to ensure data integrity;
- implementation of standards and measures to improve data quality and usefulness; and,
- maintenance and development of various systems used to capture and manipulate data and the production of regular as well as ad hoc data products, such as charts, tables and so on, based on the collected data.

For managing acquisition, tendering and contracting-out arrangements supporting regulatory data management, use PROCUREMENT.

Class No 21689	 Description of records The following significant records: final versions of the agency's regulatory data management policies; and collections of data managed by the agency and collected by it either through its regulatory activities or reported to it under the relevant legislation. Includes deriving data for use in other material, such as from the timesheet system and the regulatory management system. 	Disposal action Retain as national archives
21690	 Records documenting the tasks associated with Regulatory Data Management: receipt and provision of advice relating to regulatory data management, including advice provided by consultants; implementation of plans, policies, strategies, standards, procedures and instructions formulated to support regulatory data management. Includes monitoring implementation activities, the introduction of new software to a wide audience, and the implementation of standards and measures to improve data quality and usefulness; final copies of formal internal and external reports supporting regulatory data management; reviews of agency programs and operations supporting regulatory data management; acquired collections of data from external organisations that have been created, captured and managed by those organisations that the agency obtains for use in comparative exercises and similar activities. Excludes data collected by the agency itself as part of its regulatory activities or reported to it under the relevant legislation; detailed research carried out to support regulatory data management; and manipulation and analysis of raw data collected by the agency, includes products of this manipulation and analysis such as charts, tables and other data products. 	Destroy 10 years after last action
21691	Final version of agreements and records documenting their negotiation, establishment, maintenance and review made covering the regulatory data management. Excludes agreements relating to the procurement of goods and services in support of regulatory data management.	Destroy 7 years after completion or other termination of contract or agreement

REGULATORY DATA MANAGEMENT

Class No Description of records

21692 Records documenting the tasks associated with Regulatory Data Management:

master set of agency manuals, handbooks, directives etc detailing procedures supporting regulatory data management;
 development of specifications, control mechanisms, business rules, configuration settings, quality standards and so on. Includes changes to characteristics of registered facilities and operators; and
 development, modification and maintenance of specific applications to meet business needs which go into production.

21693 Records documenting:

- routine operational administrative tasks supporting the function; and
- regulatory data management activities, other than those covered in classes 21689 to 21692.

Disposal action

Destroy 5 years after procedure, mechanism, specification or system is defunct or superseded.

Destroy 5 years after action completed

REGULATORY OPERATIONS

The business of regulating health and safety in relation to the offshore petroleum industry in Australian offshore waters and securing duty holder compliance with the relevant legislation.

The tasks associated with regulatory operations include:

- appointment and authorisation of inspectors;
- registration and de-registration of operators;
- acceptance and rejection of documents submitted under the relevant legislation as well as the assessment of requests for exemption from the provisions of the listed occupational health and safety laws;
- inspection and audit of onshore management and offshore operations of duty holders;
- receipt of and response to complaints and accident and dangerous occurrence notifications and reports including investigation and the management of an incident notification system and a communications emergency team;
- ensuring compliance with relevant legislation through enforcement action, the collection and management of evidence;
- management of appeals against enforcement actions; and
- regular, ongoing advice and liaison with duty-holders on an individual basis.

For managing acquisition, tendering and contracting-out arrangements supporting, use PROCUREMENT.

For promotional activities targeted at a whole of industry level; or broad interactions with the whole petroleum industry, such as trade associations, unions, professional organisations etc, use INDUSTRY RELATIONS AND PROMOTION.

For tasks associated with key government stakeholders, such as the portfolio Minister, designated authorities and other agencies with petroleum or safety responsibilities, use INTERAGENCY CO-ORDINATION AND RELATIONS.

Class No Description of records

21698

The following significant records documenting:

- implementation of recommendations for change by external parties that result in changes to the agency's operation in the area of Regulatory Operations, such as reviews required by the agency's enabling legislation, other external inquiry recommendations or recommendations from the relevant ministerial council;
 - assessment of non compliance with occupational health and safety (OHS) laws which result in a recommendation to prosecute an individual or company issued to the Commonwealth Director of Public Prosecutions (CDPP) or other agency. Includes the prosecution of an individual or company that is initiated through an external request for prosecution lodged with the agency;
 - appeals made to the central arbitration or determining body against a decision or an order where: the agency is a major participant in the negotiations; the outcome sets a precedent; the outcome leads to a change in policy; the appeal relates to issues of national significance; the appeal relates to issues of considerable public interest or controversy; or, the outcome results in appeals to the Federal or High Court;
 - investigation of complaints, accidents, dangerous occurrences or other potential non-compliance with occupational health and safety (OHS) laws that: result in a recommendation to prosecute; attract considerable public interest or controversy; set a precedent; lead to a change in policy; relate to issues of national significance; or, result in appeals to the Federal or High Court. Includes investigations run jointly with other government agencies;

Class 21698 continued on next page

Disposal action Retain as national archives

REGULATORY OPERATIONS

Class No 21698 (cont)	 Description of records formal Register of Operators for all parties as required by the listed occupational health and safety (OHS) laws; final versions of the agency's regulatory operations policies; and submission and assessment of scopes of validation, safety cases, pipeline safety management plans, diving safety management systems, diving project plans or their equivalent; revisions to those and the agency's records of assessment of the same, where the relevant facility, pipeline or similar is the first of its kind or comprised a highly unique or innovative design (eg floating LNG technology); is a facility listed on the National Critical Infrastructure List; was at some point in its history the subject of a major investigation that resulted: in a recommendation to prosecute, attracted considerable public interest or controversy, involved a fatality or was otherwise of registering interesting in the total the desemption in the total the operation. 	Disposal action Retain as national archives
21699	 major significance; or, relates to the decommissioning stage in the life of the facility. Records documenting the investigation of complaints, accidents or dangerous occurrences that involve exposure or likely exposure of individuals to delayed onset illnesses, diseases or poisons (eg asbestos or radiation poisoning). Includes investigations run jointly with other government agencies. 	Destroy 75 years after last action
21700	 Records documenting the tasks associated with Regulatory Operations: investigation of accidents and dangerous occurrences or potential non-compliance with occupational health and safety (OHS) laws that involve substantial investment of agency resources and which <u>do not</u>: result in a recommendation to prosecute; attract considerable public interest or controversy; set a precedent; result in a change in policy; or result in appeals. Includes investigations run jointly with other government agencies; registers, charts and checklists used to manage the implementation of regulatory activity. Includes registers published on the agency's public website; and projects undertaken to support Regulatory Operations and to improve regulatory processes (eg projects to establish Basic Facility Information Sheets, Accident Reporting etc.). Includes all records associated with the project. 	Destroy 20 years after last action
21701	Master set of agency manuals, handbooks, directives etc detailing procedures supporting the regulatory operations function and records of the management of changes to those documents.	Destroy 10 years after procedure is superseded
21702	 Records documenting the tasks associated with Regulatory Operations: submission and provision of advice on field development plans or their equivalent; management of the relationship between the agency and individual duty holders, including provision of advice, information sharing, liaison meetings, and other activities undertaken to maintain regular general contact between the two bodies; 	Destroy 10 years after last action

Class 21702 continued on next page

REGULATORY OPERATIONS

Class No **Description of records**

21702 (cont)

- agency activities with respect to the workplace arrangements for a duty holder and health and safety representatives (HSRs);
- assessment of potential non compliance with listed occupational health and safety (OHS) laws that:
 - do not result in any compliance action being taken 0
 - result in administrative compliance action, such as advice. 0 warnings, or issue of notices (eg improvement or prohibition notices)
- receipt of requests for the agency to institute proceedings against a responsible party which are confirmed as inappropriate or are otherwise not proceeded with;
- issue of a notice of intention to withdraw the agency's formal acceptance of a Safety Case, Diving Safety Management System, Pipeline Safety Management Plan or equivalent document;
- formal deregistration of operators by the agency, excluding records documenting the formal deregistration of operators at the request of a valid external party covered by class 21709;
- assessment of requests for exemption from obligations imposed by the listed occupational health and safety (OHS) laws in relation to specific operations at a facility that are not granted. Includes assessment of requests to operate outside the accepted safety case or equivalent document;
- post-implementation reviews, including the collation of "lessons learned" from regulatory operations activities;
- planned inspections or audits, including joint inspections undertaken with other safety regulators;
- overall management of evidence collected by the agency. Includes the establishment and implementation of specifications and requirements for evidence storage, control and access, including moving locations and regular audits of the evidence collection process as a whole;
- investigations of accidents and dangerous occurrences or • potential non-compliance with occupational health and safety (OHS) laws, excluding those already covered by classes 21698 to 21700;
- inspector notebooks recording routine activities of agency staff;
- development of the agency's regulatory operations policies and procedures.

[For inspector notebooks used for only one investigation, use the class relevant to that investigation.]

21703	Records documenting the assessment of the suitability of nominated operators where the nomination is accepted.	Destroy 7 years after operator is deregistered for that facility
21704	Records documenting the assessment of requests for and grants of exemption from obligations imposed by the listed occupational health and safety (OHS) laws in relation to specific operations at a facility. Includes records documenting the registration of exemptions on the Federal Register of Legislative Instruments.	Destroy 7 years after exemption has lapsed, been cancelled or otherwise terminated
21705	Records documenting the appointment and authorisation of persons as occupational health and safety (OHS) inspectors under the agency's legislation.	Destroy 7 years after inspector has ceased in the role

Disposal action

Destroy 10 years after last action

REGULATORY OPERATIONS

Class No 21706	 Description of records Records documenting the submission to, and assessment by, the agency of scopes of validation, safety cases, pipeline safety management plans, diving safety management systems, diving project plans or their equivalent and revisions to the same, where: the facility is not a first of its kind or comprised a highly unique or innovative design (eg floating LNG technology); the facility is not listed on the National Critical Infrastructure List; the facility was not at some point in its history the subject of a major investigation that resulted in a recommendation to prosecute, attracted considerable public interest or controversy, involved a fatality or was otherwise of major significance; the assessment does not relate to the decommissioning 	Disposal action Destroy 5 years after acceptance of the next 5 year revision of the base document or 5 years after the facility is decommissioned, abandoned or out of the agency's jurisdiction; whichever is sooner
21707	stage in the life of the facility. Records documenting the biennial review of the Register of Operators.	Destroy 5 years after the next review is completed
21708	Records documenting the creation, issue and management of identity cards for occupational health and safety (OHS) inspectors as well as the identity cards themselves.	Destroy 3 years after inspector finishes in the role
21709	 Records documenting: routine operational administrative tasks supporting the core business; and regulatory operations activities, other than those covered in classes 21698 to 21708. 	Destroy 5 years after last action