



Australian Government



NATIONAL
ARCHIVES
OF AUSTRALIA

Records Authority

2013/00241702

Comcare

*Work Health and Safety Prevention, Education and
Promotion; Work Health and Safety Regulation*

2013

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INTRODUCTION

Comcare 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 Work Health and Safety Prevention, Education and Promotion; and Work Health and Safety Regulation. It represents a significant commitment on behalf of Comcare to understand, create and manage the records of its activities.

This Authority is based on the identification and analysis of the business of Comcare. 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.

The Authority sets out those records that need to be retained as national archives and specifies the minimum length of time that temporary records need to be kept. This Authority gives Comcare permission under the *Archives Act 1983*, for the destruction of the temporary records described after the minimum retention period has expired. 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 of Australia.

APPLICATION OF THIS AUTHORITY

1. Records Authority 1369 (1998) and 948 (1992) are superseded for the business areas covered by this Authority. Superseded classes cannot be used after the date of issue of this Authority.
2. This Authority should be used in conjunction with the Records Authority 2010/00322036 covering core businesses of Asbestos Related Compensation Claims and Workers' Compensation Claim Management.
3. This Authority is to be used to determine how long records must be kept. Records are matched to the relevant core business and records class in the Authority.
 - Where the minimum retention period has expired and the records are not needed for agency business they should be destroyed as authorised in this Authority.
 - Records that have not reached the minimum retention period must be kept until they do.
 - Records that are identified as Retain as National Archives (RNA) are to be transferred to the National Archives of Australia for preservation.
4. 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;
 - General Records Authority (31) for source (including original) records that have been copied, converted or migrated.
5. The Normal Administrative Practice (NAP) provision of the *Archives Act 1983* 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. 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 www.naa.gov.au.
6. Records that are reasonably likely to be needed as evidence in a current or future judicial proceeding or are subject to a request for access under the *Archives Act 1983*, the *Freedom of Information Act 1982* or any other relevant Act must not be destroyed until the action has been completed.
7. Records subject to a disposal freeze must not be destroyed until the freeze has been lifted. Further information about disposal freezes and whether they affect the application of this Authority is available from the National Archives website at www.naa.gov.au.
8. 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

applied, providing the records document the same core business. The information must be accessible for the period of time prescribed in this Authority. Comcare will need to maintain continuing access to the information, including digital information, for the periods prescribed in this Records Authority or until the information is transferred into the custody of the National Archives.

9. In general, retention requirements indicate a minimum period for retention. Comcare 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 Comcare 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.
10. Records coming within 'Retain as national archives' classes in this Authority have been determined to be part of the archival resources of the Commonwealth under Section 3C of the *Archives Act 1983*. The determination of Commonwealth records as archival resources of the Commonwealth obliges agencies to transfer the records to the National Archives when they cease to be current and, in any event, within 15 years of the records coming into existence, under Section 27 of the *Archives Act 1983*.
11. 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 for public access including those records that remain in agency custody.
12. 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.
13. Advice on how to use this Authority is available from Comcare's 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 the National Archives' Agency Service Centre.

Queen Victoria Terrace
Parkes ACT 2600
PO Box 7425
Canberra Business Centre ACT 2610

Tel: (02) 6212 3610
Fax: (02) 6212 3989
Email: recordkeeping@naa.gov.au
Website: www.naa.gov.au

AUTHORISATION

RECORDS AUTHORITY 2013/00241702

Person to whom notice of authorisation is given:

Mr Paul O'Connor
Chief Executive Officer
Comcare
Level 4, 121 Marcus Clarke Street
Canberra ACT 2600

Purpose:

Authorises arrangements for the disposal of records in accordance with Section 24(2)(b) of the *Archives Act 1983*.

Determines records classed as 'Retain as national archives' in this Records Authority to be part of the archival resources of the Commonwealth under Section 3C of the *Archives Act 1983*.

Application:

All core business records relating to Work Health and Safety Prevention, Education and Promotion; and Work Health and Safety Regulation.

This authority gives permission for the destruction, retention or transfer to the National Archives of Australia of the records described. This authority will apply only with the consent of the agency currently responsible for the business documented in the records described.

Authorised by

David Fricker
Director-General
National Archives of Australia

Date of issue:

16 August 2013

WORK HEALTH AND SAFETY PREVENTION, EDUCATION AND PROMOTION

The core business of designing, developing, managing and evaluating programs, campaigns, strategies, products and services that promote optimal wellbeing and resilience and prevent harm in workplaces.

The **core activities** include:

- developing policies;
- monitoring and analysing the health, safety and wellbeing of workers;
- designing, implementing and reviewing strategies, campaigns and programs;
- developing guidelines, practices and procedures on health, safety and wellbeing topics;
- developing promotional products;
- developing education and training packages;
- delivering training courses;
- managing award schemes (eg Comcare Work Health and Safety Award scheme);
- liaising and consulting with stakeholders; and
- undertaking research.

The performance of the core business is supported by **general activities** such as:

- arranging and attending conferences and forums;
- preparing and delivering speeches;
- providing advice;
- carrying out audits;
- managing committees and meetings;
- planning;
- developing internal operational procedures;
- reviewing and evaluating; and
- reporting.

Cross References

For the publication and distribution of printed material (eg promotional and training material, guidance, advice and newsletters), use PUBLICATION.

For managing media relations, use COMMUNITY RELATIONS.

For financial transactions, use FINANCIAL MANAGEMENT.

For the procurement of goods and services and contract management activities, use PROCUREMENT.

For supporting the strategic and broad systematic administration of the agency (eg managing meetings, developing risk management frameworks), use STRATEGIC MANAGEMENT.

Class no	Description of records	Disposal action
61374	<p>Final versions and supporting development documentation of the following significant work health and safety prevention, education and promotion records:</p> <ul style="list-style-type: none"> • policies; • guidelines, practices, procedures and advice on health, safety and wellbeing topics; • high-level reports evaluating and reviewing strategies, campaigns, 	Retain as national archives

WORK HEALTH AND SAFETY PREVENTION, EDUCATION AND PROMOTION

Class no	Description of records	Disposal action
61374 (cont)	programs and products (eg annual safety award scheme, including lists of winners); <ul style="list-style-type: none">• reports monitoring and analysing workers' health, safety and wellbeing;• reports on research programs;• speeches given by the agency head or high-level staff; and• master set of publications and training materials.	
61375	Records documenting: <ul style="list-style-type: none">• routine operational administrative tasks supporting the core business; and• work health and safety prevention, education and promotion activities, other than those covered in class 61374.	Destroy 10 years after action completed

WORK HEALTH AND SAFETY REGULATION

The core business of administering the legal framework that regulates the health and safety of workers and workplaces covered by the Comcare scheme. Includes developing policies and managing regulatory notifications and authorisations and compliance and enforcement activities.

The **core activities** include:

- developing policies and guidance documents;
- providing and receiving advice and information;
- undertaking liaison and compliance inspections to resolve issues, respond to an incident, complaint or allegation, or support a planned program or campaign and conducting management system and compliance audits;
- managing legal proceedings arising from work health and safety inspections and investigations;
- carrying out enforcement measures eg undertaking investigations, issuing letters of statutory obligation and warning, improvement, prohibition, non-disturbance notices, remedial orders and infringement notices;
- managing regulatory notifications eg workplace incidents or illnesses, hazardous chemicals, abandonment of tanks, pipelines, asbestos removal work, asbestos demolition work and certain other demolition work, respirable asbestos fibre level, lead risk work and removal of worker from lead risk work, and health monitoring reports indicating certain levels of exposure;
- managing regulatory authorisations eg major hazard facility registration and licensing, high risk work licensing and accreditation for assessors of high risk work, asbestos removal licensing, asbestos assessor licensing, use, handling and storage of prohibited or restricted carcinogens, plant registration, plant design registration, plant maintenance and variations, general induction training cards and accreditation of courses and course providers;
- overseeing training of providers;
- delivering presentations to stakeholders and providing manuals and audit tools;
- undertaking workplace resolution activities;
- managing complaints, expressions of discontent and grievances;
- managing appeals and reviews of decisions;
- undertaking surveys, collecting data, analysing and reporting on statistics and carrying out research; and
- ensuring self-insurers meet their work health and safety regulatory obligations.

The performance of the core business is supported by **general activities** such as:

- arranging and attending conferences and forums;
- preparing and delivering speeches;
- establishing and managing agreements;
- delegating powers and authorising actions;
- managing committees and meetings;
- planning;
- developing internal policies and procedures;
- reviewing and evaluating; and
- reporting.

Cross References

For managing asbestos related compensation claims and workers' compensation claims, use Comcare Records Authority 2010/00322036.

For advice to the Minister and agencies, Ministerials, submissions to government inquiries relating to work, health and safety matters and intergovernmental agreements (eg 2008 agreement to harmonise Work Health and Safety laws), use GOVERNMENT RELATIONS.

WORK HEALTH AND SAFETY REGULATION

For a public or an official inquiry into the activities of the agency, use PUBLIC OR OFFICIAL INQUIRIES.

For the payments, fees and penalties, use FINANCIAL MANAGEMENT.

For the procurement of goods and services and contract management activities, use PROCUREMENT.

For the development of legislative instruments (eg Legislation, Regulations, Codes of Practice), use STRATEGIC MANAGEMENT and GOVERNMENT RELATIONS.

For media releases relating to offences and acceptances of Work Health and Safety undertakings, use COMMUNITY RELATIONS.

For supporting the strategic and broad systematic administration of the agency (eg managing meetings, developing risk management frameworks), use STRATEGIC MANAGEMENT.

For the publication and distribution of printed material, use PUBLICATION.

Class no	Description of records	Disposal action
61376	<p>The following significant work, health and safety regulation records documenting:</p> <ul style="list-style-type: none"> • development and review of policies including final versions, major drafts, submissions, supporting reports and research (eg Comcare Regulation Policy); • final versions of guidance documents (eg implementation of Codes of Practice); • high-level internal and external committees where the agency provides the Secretariat, is the Commonwealth's main representative or plays a significant role; • reports and reviews of regulatory practices and procedures that result in changes to legislation and operations; • final research papers, reports and relevant supporting documents on workers' health, safety and wellbeing issues; • final copies of procedures for carrying out regulatory activities eg undertaking inspections and investigations; • de-identified data sets that support major long term research into work, health and safety issues, includes associated information about the data fields (eg data dictionaries); • speeches given by the agency head or high-level staff; • plant and design registrations for heritage value items (eg plant designed for iconic buildings such as those in the Parliamentary Triangle); • appeals and reviews of decisions that set a precedent, lead to changes in practices; • inspections or investigations case files involving fatalities, serious injuries, dangerous occurrences or major property damage; and • agency litigation case files arising from prosecutions under work, health safety legislation where legal precedents are set, or leads to change in legislation or changes to organisational policy, or is controversial, or attracts significant public interest. <p><i>[For managing all other legal activities, use LEGAL SERVICES.]</i></p>	Retain as national archives

WORK HEALTH AND SAFETY REGULATION

Class no	Description of records	Disposal action
61377	Records documenting regulatory activities involving worker exposure to highly dangerous substances eg asbestos, hazardous chemicals and carcinogens. Includes notifications and authorisations and compliance and enforcement activities related to this exposure. <i>[For any activities that result in a claim, use ASBESTOS RELATED COMPENSATION CLAIMS or WORKERS' COMPENSATION CLAIM MANAGEMENT.]</i>	Destroy 80 years after the date of exposure
61378	Records documenting: <ul style="list-style-type: none">• routine operational administrative tasks supporting the core business; and• work health and safety regulation activities, other than those covered in classes 61376 and 61377.	Destroy 10 years after action completed