



Preparation and Approval Process for an RDS - External Stakeholder/Historian Consultation

Why is consultation with an external stakeholder/historian on my agency's RDS important?

An operational Records Disposal Schedule (RDS) authorises the disposal of official records in accordance with section 23 of the *State Records Act 1997*. An RDS identifies which records are of temporary value only and therefore can be destroyed after certain retention periods. An RDS also identifies those records that have enduring value beyond the current business needs of an agency and are therefore considered of permanent value to the State. Such records may document the rights of South Australian citizens, the legal obligations of South Australian agencies, the actions taken by agencies to implement government policies, and the impact of the policies of the Government on South Australian citizens.

Consequently, in the development of an RDS, both an agency's and the wider community's interests in the records should be taken into consideration.

Is my agency required to consult with an external stakeholder/historian?

No, it is not compulsory for an agency to consult with an external stakeholder or historian. However, it is strongly recommended that obtaining an expert opinion from an external stakeholder or historian contributes to the quality of an RDS and assists the State Records Council in its deliberations when approving a schedule.

When does my agency need to consult?

Consultation with an external stakeholder/historian needs to occur prior to an RDS being submitted to the Internal Disposal Meeting of State Records for endorsement and the State Records Council for formal approval.

Who is an appropriate external stakeholder/historian?

The external stakeholder (eg academic, retired professional, etc) or historian needs to:

- be able to provide impartial comment and be independent from the agency submitting the RDS and
- have conducted research in the subject areas to which the records covered by the RDS relate and/or
- have sufficient understanding of the functions and activities of the relevant agency.

If the agency wishes to consult a historian either the History Trust of South Australia (HTSA) or the Association of Professional Historians (APH) may be able to recommend a person with the appropriate experience and/or knowledge.

Is a cost involved in consulting with an external stakeholder/historian?

Some external stakeholders/historians may provide comments free of charge. Others, however, will charge a fee. It is recommended that the 'scale of fees for professional historians' set by the Australian Council of Professional Historians Associations (<http://www.historians.org.au>) be used as the benchmark for negotiating a rate. The cost of consultation will vary depending on the size and complexity of an RDS. However, as an example, a four hour consultation, based on the scale of fees, would cost between \$267.00-\$435.00 (+GST). The cost of consultation with a stakeholder/historian is to be borne by the agency.

What does my agency provide to the external stakeholder/historian as part of the consultation process?

The agency needs to provide the external stakeholder/historian with a copy of the Context Statement, Scope Note and Schedule Body sections of its RDS.

In forwarding the 'Schedule Body' the agency should provide this as an electronic version in landscape orientation (as opposed to portrait) with a new column inserted to the right of the 'Disposal Action' column. The new column should be labelled 'Stakeholder Comments'.

In some instances an external stakeholder/historian may wish to see a sample of the records being covered by a proposed RDS. Agencies are encouraged to meet this request.

What does the external stakeholder/historian need to provide back to my agency?

In responding to an RDS, the external stakeholder/historian needs to advise whether they agree or disagree with the disposal actions being proposed in the schedule body.

If the external stakeholder/historian agrees with an RDS as provided to them and therefore requests no change they need to give a written response (letter, fax or email) to this effect to the agency.

If they disagree with any disposal action/s they need to provide an explanation of why and provide alternative disposal action/s that they consider appropriate. Such comments need to be incorporated into the reformatted landscape version of the 'Schedule Body' forwarded by the agency to them utilising the 'Stakeholder Comments' column. This should then be returned to the agency in electronic format. The agency is then responsible for forwarding the external stakeholder's/ historian's comments, along with the complete RDS, to State Records for consideration at an internal disposal meeting prior to submission for approval to the State Records Council.

Ultimately the role of an external stakeholder or historian is not to provide an in-depth analysis but to provide, based on their knowledge and/or experience, a view on the historical significance of records within a particular schedule.

What if an external stakeholder/historian disagrees with elements of my agency's RDS?

Where an external stakeholder/historian disagrees with certain disposal actions within an RDS, the agency can choose to make changes based on that stakeholder/historian feedback. If the agency chooses not to incorporate recommended changes by the stakeholder/historian an explanation by the agency of why needs to be included in the Covering Minute of the RDS submitted to State Records for endorsement and the State Records Council for approval. Where the agency and an external stakeholder/historian have a differing of opinion regarding the RDS' disposal actions, the State Records Council takes into consideration both views as part of its deliberations.

Who makes the ultimate decision about what the final disposal actions will be for my agency's RDS?

Ultimately the State Records Council makes a decision on whether changes need to be made to your agency's RDS. In most instances where minor changes are required the State Records Council will approve an RDS at the first submission, subject to the necessary amendments being agreed to and made.

Is an external stakeholder/historian liable for their comments on an RDS?

In providing comment to an agency on their RDS, an external stakeholder/ historian is not attached with any civil liability for their opinion or views in the event that a disposal determination is later queried in a legal forum. Comments from an external stakeholder or historian are primarily for the information of the agency developing an RDS and the State Records Council. Comments from an external stakeholder or historian are not readily available to the general public.

What else does my agency need to know about the RDS development and approval process?

For further information from State Records about the preparation and approval process for operational Records Disposal Schedules within South Australia refer to:

- The State Records Internal Disposal Meeting - *Recordkeeping Advice 18*
- What to Expect at a Meeting of the State Records Council - *Recordkeeping Advice 20*
- What Happens After a State Records Council Meeting? - *Recordkeeping Advice 19*
- Supplementary Issues to Remember when Preparing a Records Disposal Schedule – *Recordkeeping Advice 29*
- Functional Records Disposal Schedule Template and Instructions.

Further information

For further advice regarding the consultation process for a RDS please contact:

Chair, Internal Disposal Meeting

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State Records' information sheets and training programme are available from the State Records website: <http://www.archives.sa.gov.au>