

# STATE RECORDS

of South Australia

## Management of Records in a Minister's Office during Caretaker, and post-Election Periods

This advice sheet provides guidance concerning the management and custody of Ministers' Office records during caretaker and post-election periods.

Records created or received by a Minister or a Minister's Office in the conduct of business are official records and must be managed in accordance with the *State Records Act 1997* (SR Act).

Remember, official records can be in any format. Digital records can be held in many different systems such as (but not limited to) databases, messaging applications, social media and websites.

### Ministers' office records

For the purposes of this advice sheet, State Records has defined Ministers' Office records as:

- » A Minister's portfolio records
- » Cabinet records, and
- » Agency (portfolio) records.

Records created and received by a Minister's Office are also subject to the *Freedom of Information Act 1991* (FOI Act) and PC012 Information Privacy Principles Instruction.

Ministers' Offices must use General Disposal Schedule 50 version 1 (GDS 50 v1) to sentence their operational records and General Disposal Schedule 30 version 2 (GDS 30 v2) to sentence their administrative records.

### Records of Assistant Ministers

All records created or received in a person's capacity as Assistant Minister/Parliamentary Secretary are official records under the SR Act and subject to the FOI Act. Records created or held in that capacity should be regarded as the records of the Minister to which the Assistant Minister/Parliamentary Secretary is/was attached.

### Private records

A Minister may accumulate private or personal records during their term of office. Records created or received by a Minister in their capacity as a Member of Parliament, as a member of a political party or as a private citizen are not official records for the purposes of the SR Act.

These records should be maintained outside of the office's recordkeeping system and managed and disposed of at the discretion of the Minister. They may include electoral and political party matters, including leadership, constituency matters and party organisation, caucus affairs and political appointments.

### Minister's portfolio records

Official records required for ongoing business should be retained within the Minister's Office until the outcome of the election is known.

Official records not required for ongoing business should be sentenced and disposed of appropriately (for example, destroyed or transferred to State Records or an Approved Service Provider (ASP)). Transfers of physical permanent value records to State Records will be prioritised during the caretaker period.

Where a Minister's Office is unable to resource sentencing prior to an election, unsentenced records can be boxed, listed and stored at an ASP, with a State Records exemption – see 'Approval to store unsentenced records with an ASP' form on the State Records webpage: [Postponement and Exemptions for Transfer | State Records of South Australia](#). Applications received from Minister's Offices during the caretaker period will be given priority.

Digital records will need to be retained by agencies within EDRMS or business systems. Email, social media, and mobile phone accounts allocated to, or controlled by, Ministers, their offices, and ministerial staff are likely to contain official records. These accounts remain government property, and as such the records held in these systems need to be managed appropriately in accordance with the SR Act.

Accounts cannot be deleted until all official records have been saved into an appropriate recordkeeping system.

Ensure FOI Officers have access to all official records during and after caretaker period if required to process FOI applications.

### Cabinet records

Cabinet document originals, copies, and drafts in digital and physical formats should be returned to the custody of the chief executive of the portfolio agency for storage until the result of the election is known.

As outlined in the Guide to [Caretaker Conventions and Pre-Election Practices 2025](#):

*“Successive governments have accepted the convention that ministers should not seek access to documents recording the deliberations of ministers in previous governments, particularly to Cabinet documents. For this reason, at the beginning of the caretaker period, all Cabinet documents – including originals, copies, and drafts in both electronic form and hard copy – should be returned to the custody of chief executives for storage until the result of the election is known.*

*Each chief executive should advise the Director, Cabinet Office, when they have accounted for all Cabinet documents and have ensured that the documents are securely stored.*

*Ministers' offices must not retain copies of Cabinet documents during the caretaker period. Additionally, Shrike access will be removed from ministerial office staff when the caretaker period begins. If the government is returned, chief executives will return Cabinet records to the appropriate office, ensuring that ministers have the information necessary to resume their portfolio duties and ministerial staff will have their Shrike access restored. If the government is not returned, it is the responsibility of chief executives to store or dispose of Cabinet documents in accordance with the State Records Act 1997.”*

### Agency (portfolio) records

At the beginning of the caretaker period, agency (portfolio) records should be returned to the responsible agency's records management unit if they are no longer required for current business use. Records required for current business during the caretaker should be retained.

Minister's Offices and the relevant department should establish an agreement concerning the movement and management of digital and physical records, both prior to the election and after the outcome of the election is known.

## Obligations following an election – no change in Government

Where the outcome of the election results in no change to government or a Minister's responsibility, the following applies:

### Minister's portfolio records

The records continue to be managed and maintained by the returned Minister's Office.

### Cabinet records

Cabinet records should be sent back to the Minister's Office by the chief executive if the records are still needed for business purposes. The Minister's Office is then responsible for the Cabinet records until the next election. The Cabinet records that are not required should be sentenced and managed accordingly by the responsible agency.

### Agency (portfolio) records

Agency records that were retained by a Minister's Office during the caretaker period may be retained post-election if still needed for current business or returned to the responsible agency.

## Obligations following an election – change in Government

Where the outcome of an election results in a change to government or a Minister's responsibility, the following applies:

### Minister's portfolio records

These records become the responsibility of the incoming Minister responsible for the same portfolio.

The new Minister's Office becomes the 'agency responsible' for all records transferred by their predecessors (either digitally, or physically to State Records or an ASP). The new Minister's Office is responsible for ongoing costs associated with the management of these records and for determining and providing access to these records.

It is important to note that successive governments have accepted the convention (see [Caretaker Conventions and Pre-Election Practices 2025](#)) that Minister's and their staff do not access these records other than to ensure business continuity. The incoming Minister's statutory right of access to those records for business continuity purposes must be recognised and upheld, and through other policy frameworks. Consideration should be given to the establishment of administrative arrangements for managing access to Minister's records in line with this convention.

The outgoing Minister's Office needs to prepare records for transfer to the incoming Minister.

### Cabinet records

It is the responsibility of the chief executive (or the portfolio agency on their behalf) to transfer permanent physical Cabinet records directly to the custody of State Records, as per the Department of the Premier and Cabinet caretaker conventions. Agencies must retain the permanent digital Cabinet records in lieu of a State Digital Archive.

Minister's Offices seeking access to Cabinet records of their predecessor/s need to contact Cabinet Office.

### Agency (portfolio) records

Any records retained by a Minister's Office during the caretaker period must be returned to the responsible agency unless required to be retained post-election if still needed for current business purposes.

For further records management advice contact [staterecords@sa.gov.au](mailto:staterecords@sa.gov.au).

For further advice see:

- » [Managing Information in Minister's Offices Handbook](#)
- » [FOI and Administrative Change, Caretaker Periods and Elections](#)
- » [Managing Official Records During Administrative Change Guideline](#)
- » [Administrative Change, Caretaker Periods and Elections](#) webpage

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