STATE RECORDS of South Australia

Operational Records Disposal Schedule

Office of the Guardian for Children and Young People, (including Training Centre Visitor, and Child and Young Person's Visitor)

RDS 2021/19 Version 1

Effective Dates: 9 November 2021 to 9 November 2031

This operational records disposal schedule (RDS) authorises disposal of official records (including destruction and transfer of records to State Records custody) as a determination in accordance with section 23(2) of the State Records Act 1997.

RDS No	RDS 2021/19 Version 1
Disposal Schedule Type	Operational Records Disposal Schedule
Agency	Office of the Guardian for Children and Young People, (including Training Centre Visitor, and Child and Young Person's Visitor)
Records Scope	Records documenting the statutory functions associated with three separate roles – Guardian for Children and Young People, Training Centre Visitor, and Child and Young Persons Visitor: • Promote • Advocate • Monitor • Advise Minister • Inquire • Investigate
Records Coverage Dates	August 2004 - ongoing
Effective Dates	9 November 2021 to 9 November 2031
Status	Determined by Director State Records and approved by State Records Council 5 October 2021
Associated RDS	Nil
Associated Document	Use the RDS in conjunction with its RDS Context Statement

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Introduction

Scope

This RDS applies to official records in all formats including (but not limited to) those that were born digital in databases, email systems, office applications, digital cameras and video as well as physical records on film, tape and other analogue media. Any common records of Government Agencies are covered under General Disposal Schedule for State Government Agencies (GDS 30).

This RDS excludes:

- all pre-1901 records. These are permanent in accordance with a motion approved by the State Records Council on 19 February 2008
- records of permanent value already in State Records custody
- destruction of physical records badly damaged by fire, flood, mould, etc, and neglect of physical, digital records which makes them unreadable and inaccessible
- records to be transferred as part of a privatisation or sale to a non-government organisation
- records not adequately covered within the scope of this RDS

If records fall into any of the above exclusions please contact State Records for advice.

Objectives

The purpose of this RDS is to authorise the disposal of records in accordance with the State Records Act 1997 including:

- records of enduring evidential or informational value that cannot be destroyed and must be preserved for future reference (identified as permanent retain as State archives) in accordance with State Records appraisal criteria
- authorising the destruction of records not of enduring evidential or information value (identified as temporary) after they have been retained a minimum period



Relationship to other disposal schedules

The General Disposal Schedule for State Government Agencies in South Australia (GDS 30, as amended) should be used by State Government agencies for common records documenting activities such as HR, financial management, policy and procedures.

Hardcopy source records dating from 1 January 2005 that are converted to digital format (digitised) as part of business processes can be disposed of under General Disposal Schedule 21 (GDS 21) where the conditions outlined in GDS 21 are met.

State Records issue general disposal schedules from time to time to implement disposal freezes, restricting disposal of records which might otherwise be authorised for destruction. To see the latest schedules implementing disposal freezes check State Records website https://archives.sa.gov.au/managing-information/archiving-transfer-and-disposal/desposal/general-disposal-schedules-gds

Interpretation

This RDS establishes minimum periods before temporary value digital and physical records can be legally destroyed and identifies records of permanent value to be transferred to State Records' custody or records of permanent value to be retained in agency.

Status/Disposal action definitions

- Permanent retain as State archives
 The disposal action 'Retain as State archives' is used to identify those records of enduring evidential or informational value that cannot be destroyed and must be preserved for future reference. The permanent retention of these records as State archives has been identified in accordance with the State Records' appraisal criteria. These records are required to be transferred to State Records in accordance with State Records Transfer Standard (as amended).
- Temporary retain for [list specific period of time] then destroy.

 The disposal action 'temporary' is used to identify records not of enduring evidential or informational value. These records are not considered to have continuing value to the agency or the State but must be retained for a minimum period. They can be destroyed after reaching this minimum period, and once any other disposal considerations have been taken into account.

Retain a record of records destroyed under this RDS

Agencies must keep their own record of all records destroyed under this RDS, noting the relevant disposal schedule entry and the authorisation for destruction. Temporary records should only be destroyed with the approval of the CE or delegate in accordance with the Destruction of Official Records Guideline issued by State Records of South Australia.

Compliance with the Determination

Failure to comply with this determination, or any directions in it, falls under Section 17 of the *State Records Act 1997* and may be considered by Ombudsman SA as misconduct or maladministration.

For more information

Refer to State Records sentencing, transfer and destruction guidelines on our website at www.archives.sa.gov.au.



State Records Contact Details

Contact details

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Tel (+61 8) 8204 8786
Email staterecords@sa.gov.au
Web www.archives.sa.gov.au

No	Function/Activity	Description including Records Examples	Status	Disposal Action
1	GUARDIAN FOR CHILDREN & YOUNG PEOPLE	The statutory function relating to the authority of the Guardian for Children and Young People as per s.26 of <i>Children and Young People (Oversight and Advocacy Bodies) Act 2016.</i> Guardianship includes promoting, advocating, monitoring, advising, inquiring, investigating and reporting in support of children and young people in care.		
1.1	Promoting	The activity of promoting the best interest of children and young people under the guardianship, or in the custody, of the Chief Executive (GCYP), those in alternative care at training centres (TCV) or prescribed residential facilities (CYPV). Children and Young People (Oversight and Advocacy Bodies) Act 2016 s.26(1)(a) See GDS 30 v2 (as amended) 12 PUBLICATION – (various activities) for records relating to Being in Care products. See GDS 30 v2 (as amended) 3.8 COMMUNITY RELATIONS – Marketing for records of mascots including Oog and Nunga Oog.		
1.1.1		Records documenting the preparation, variation, review and promotion of the Charter of Rights for Children and Young People in Care. Children and Young People (Safety) Act 2017 Part 4	PERMANENT	Retain as State archives
1.1.2		Records relating to the establishment and maintenance of processes that ensure the participation of children and young people in strategic, policy or systemic practice development or review processes. Records may include artwork, activity responses, notes and meeting transcriptions.	TEMPORARY	Retain 10 years after action completed, then destroy

No	Function/Activity	Description including Records Examples	Status	atus Disposal Action	
		Children and Young People (Oversight and Advocacy Bodies) Act 201 s.27	6,		
1.1.3		Records of the development of materials for children and young people in care, in relation to the Charter or other materials (such how to lodge a complaint).	TEMPO	RARY	Retain 10 years after action completed, then destroy
1.1.4		Facilitative records relating to the abovementioned activities, including Charter Champions and records of endorsing organisa	TEMPO	RARY	Retain 10 years after action completed, then destroy
1.2	Advocating	The activity of acting as an advocate for the interests of children under the guardianship, or in the custody, of the Chief Executive (GCYP) or resident at a training centre (TCV), or other prescribe facility (CYPV), and, in particular, for any such child who has suffered, or is alleged to have suffered, sexual abuse. Children and Young People (Oversight and Advocacy Bodies) Act 201	ed		
		s.26(1)(b)	0		
1.2.1		Records documenting individual client matters received by or referred to OGCYP from first intake to closure of the matter. Recompany include, assessment, correspondence, DCP case manager information, client representations, health records, medical reportance concern referrals, orders, determinations, information from investigations and inquiries, critical incident reports, transition from care plans and other documentation provided by DCP.	ment rts,	RARY	Retain 105 years after date of birth
1.2.2		Records documenting meetings with many government and non government organisations, including Relationships Australia, Ba Care, Youth Court, Education Department etc, in relation to government policies and practices, care arrangements, operation and client matters.	ptist	NENT	Retain as State archives

No	Function/Activity	Description including Records Examples	Status	I	Disposal Action
		See GDS 30 v2 (as amended) 13.14.4 STRATEGIC MANAGEM – Meetings for administrative arrangements.	IENT		
1.2.3		Facilitative records of advocacy meetings and arrangements, including working papers.	TEMPO	DRARY	Retain 10 years after action completed, then destroy
1.3	Monitoring	The activity of monitoring the circumstances of children under the guardianship, or in the custody, of the Chief Executive.	е		
		Children and Young People (Oversight and Advocacy Bodies) Act 201 s.26(1)(c)	6		
1.3.1		Records documenting the official record of the auditing of DCP annual reviews for each client, including notifications of audit schedule, case plans, follow up reviews and reports back to DCF Includes transcriptions of meetings.	PERMA	ANENT	Retain as State archives
1.3.2		Records of auditing visits to residential care facilities including interviews with children and young people that lead to individual advocacy or advocacy on systemic issues.	PERMA	NENT	Retain as State archives
		Records include observations of care, treatment and control, interviews with staff and review of records, reports and recommendations.			
1.3.3		Records of auditing visits to residential care facilities including interviews with children and young people that <u>do not lead</u> to individual advocacy or advocacy on systemic issues.	TEMPO	DRARY	Retain 105 years after date of birth
		Records include observations of care, treatment and control, interviews with staff and review of records, reports and recommendations.			

No	Function/Activity	Description including Records Examples	5	Status		Disposal Action
1.3.4		Records and reports associated with Recommendation 20 of the Royal Commission into Children in State Care 2008 (Mullighan Inquiry), to enable the monitoring (recording, noting and discuss of the management and investigation of allegations of sexual ab through quarterly meetings with other agencies including SAPOLDCP.	ing) use,	PERMAN	ENT	Retain as State archives
1.3.5		Facilitative records relating to the abovementioned activities, including scheduling, planning, and notebooks of records of meetings, transcribed to case notes. May include Annual Review and Advocates' notebooks of enquiries and transcriptions of phocalls that have been entered into Objective, which are processed recorded electronically within a financial year.	one	TEMPOR.	ARY	Retain 10 years after action completed, then destroy
1.4	Advising	The activity of providing advice to the Minister on the quality of to provision of care for children under the guardianship, or in the custody, of the Chief Executive and on whether the children's neare being met. Children and Young People (Oversight and Advocacy Bodies) Act 201 s.26(1)(d)	eeds			
1.4.1		Records of advice and information provided to the Minister (incluinterviews with children and young people), feedback and recommendations from the Guardian regarding systemic reform policy decisions, proposed legislative amendments and Bills that may affect children and young people under the guardianship, of the custody of the Chief Executive.	, t	PERMAN	ENT	Retain as State archives
1.4.2		Facilitative records relating to the abovementioned activities, including scheduling, planning and meeting minutes.		TEMPOR	ARY	Retain 10 years after action completed, then destroy

No	Function/Activity	Description including Records Examples	Status	Disposal Action
1.5	Inquiring	The activity of inquiring into, and provide advice to the Minister in relation to, systemic reform necessary to improve the quality of control of children, in alternative care, (GCYP) and/or treatment control of residents in a training centre (TCV), or a prescribed residential facility (CYPV) and facilities management. Children and Young People (Oversight and Advocacy Bodies) Act 2016 s.26(1)(e)	eare nt or	
1.5.1		Records of inquiring on matters referred from the Minister includi those regarding systemic reforms. Records may include consulta and interviews with children and young people, social workers, experts, specialists and stakeholders.		T Retain as State archives
1.5.2		Facilitative records relating to the abovementioned activities, scheduling, planning and meeting minutes.	TEMPORAR	Y Retain 10 years after action completed, then destroy
1.6	Investigating	The activity of investigating and reporting outcomes to the Ministry on matters referred to the Guardian / Visitor by the Minister. Children and Young People (Oversight and Advocacy Bodies) Act 2016 s.26(1)(f)		
1.6.1		Records of investigating matters referred from the Minister. Incluconsultation, data collection and interviews with children and you people, DCP staff, social workers, experts, specialists and stakeholders.		T Retain as State archives
1.6.2		Facilitative records relating to the abovementioned activities, including scheduling, planning and meeting minutes.	TEMPORAR	Y Retain 10 years after action completed, then destroy

No	Function/Activity	Description including Records Examples	Status	Disposal Action
1.7	Reporting	The activity of reporting to the Minister on the performance of the Guardian's or Training Centre Visitor's or Child and Young Person Visitor's functions or any other matter specified by the Minister. Children and Young People (Oversight and Advocacy Bodies) Act 2016 s.27 & s.28	n's	
1.7.1		Reports submitted to the Minister and tabled in Parliament, publish on OGCYPs website and lodged with National edeposit (NED).	hed PERMANEN	IT Retain as State archives
2	TRAINING CENTRE VISITOR	The statutory function relating to the authority of the Training Centre Visitor under Part 3 of Youth Justice Administration A 2016. The TCV function includes visiting the Training Centre promoting, advocating, monitoring, advising, inquiring, investigating and reporting in support of the residents.	ct	
2.1	Visiting and Inspecting	The activity of conducting visits to residents at training centres (To and other prescribed facilities (CYPV) as required or authorised. Visits also include inspections of the facility itself. Youth Justice Administration Act 2016, Part 3 s.14(1)(a)(b)	OV)	
2.1.1		Records of conversations and interviews with residents and staff, and observations relating to issues or concerns relating to the care treatment and control of each resident. Issues include processes and practices that may impact negatively on the rights and best interests of residents at any part of the Training Centre.	PERMANEN	IT Retain as State archives
2.1.2		Records relating to conducting an inspection of the social and physical environment, including policies and practices that affect residents' rights and entitlements, notes from interviews with residents, operational staff, management, senior Executives and other agencies, and details of on-site interventions and reports to Department of Human Services.	PERMANEN	IT Retain as State archives

No	Function/Activity	Description including Records Examples	Status		Disposal Action
2.1.3		Records of the review and scrutiny of case notes, and unit logs, complaints and feedback, critical incidents, CCTV footage, activitiand procedure logs, relating to the rights and best interests of residents.		MANENT	Retain as State archives
2.1.4		Facilitative records relating to the abovementioned activities, including scheduling, planning and meeting minutes.	TEM	PORARY	Retain 10 years after action completed, then destroy
2.2	Promoting	The activity of promoting the best interest of children and young people under the guardianship, or in the custody, of the Chief Executive (GCYP), those in alternative care at training centres (or prescribed residential facilities (CYPV). Youth Justice Administration Act 2016, Part 3 s.14(1)(c)	TCV)		
2.2.1		Records relating to the establishment and maintenance of proce that encourage individual residents to express their own views a give proper weight to those views under the Act, and pay particulatention to the needs and circumstances of residents who are used the guardianship of the CE of DCP, are Aboriginal or Torres Stratslander or have a physical, psychological or intellectual disability. Records may include artwork, activity responses, notes and meet transcriptions. Youth Justice Administration Act 2016, Part 3 s.14(2)	nd lar nder iit y.	MANENT	Retain as State archives
2.2.2		Facilitative records relating to the abovementioned activities, including scheduling, planning and meeting minutes.	TEM	PORARY	Retain 10 years after action completed, then destroy

No	Function/Activity	Description including Records Examples	Status	Disposal Action
2.3	Advocating	The activity of acting as an advocate for the interests of children under the guardianship, or in the custody, of the Chief Executive, (GCYP) or resident at a training centre (TCV), or other prescribed facility (CYPV), and, in particular, for any such child who has suffered, or is alleged to have suffered, sexual abuse. Youth Justice Administration Act 2016, Part 3 s.14(1)(d)		
2.3.1		Records documenting individual client matters from intake or enquiry, assessment, advocacy, monitoring, case management a planning meetings that lead to individual advocacy or advocacy or systemic issues. Records may include: client representations, correspondence, Dhor DCP case management information, client representations, herecords, medical reports, care concern referrals, orders, determinations, information from investigations and inquiries, criticincident reports and others as provided by DHS or DCP (if the you person in question is also under guardianship of the chief execution DCP).	n HS alth cal ung	Retain as State archives
2.3.2		Records documenting individual client matters from intake or enquiry, assessment, advocacy, monitoring, case management a planning meetings that <u>do not lead</u> to individual advocacy or advocacy on systemic issues. Records may include: client representations, correspondence, Dhor DCP case management information, client representations, he records, medical reports, care concern referrals, orders, determinations, information from investigations and inquiries, criticincident reports and others as provided by DHS or DCP (if the you person in question is also under guardianship of the chief execution DCP).	dS alth cal ung	Retain 105 years after date of birth

No	Function/Activity	Description including Records Examples	Status	Disposal Action
2.3.3		Facilitative records relating to the abovementioned activities, including scheduling, planning and meeting minutes.	TEMPORA	Retain 10 years after action completed, then destroy
2.4	Inquiring	The activity of inquiring into, and provide advice to the Minister in relation to, systemic reform necessary to improve the quality of a provided for children, in alternative care, (GCYP) and/or treatment control of residents in a training centre (TCV), or a prescribed residential facility (CYPV) and facilities management. Youth Justice Administration Act 2016, Part 3 s.14(1)(e)	care	
2.4.1		Records of consultation, including interviews with individual residents, staff, management, DHS or other government staff an Executives, social workers, experts, specialists and stakeholders		ARY Retain 105 years after date of birth
2.4.2		Facilitative records relating to the abovementioned activities, including scheduling, planning and meeting minutes.	TEMPORA	ARY Retain 10 years after action completed, then destroy
2.5	Investigating	The activity of investigating and reporting outcomes to the Minis on matters referred to the Guardian / Visitor by the Minister. Youth Justice Administration Act 2016, Part 3 s.14(1)(a)	ter	
2.5.1		Records of consultation which may include interviews with reside staff and management, other government employees, social workers, experts, specialists and stakeholders.	ents, TEMPORA	ARY Retain 105 years after date of birth
2.5.2		Facilitative records relating to the abovementioned activities, including scheduling, planning and meeting minutes.	TEMPORA	ARY Retain 10 years after action

No	Function/Activity	Description including Records Examples	Status	Disposal Action

				completed, then destroy
2.6	Reporting	The activity of reporting to the Minister on the performance of the Guardian's or Training Centre Visitor's or Child and Young Person's Visitor's functions or any other matter specified by the Minister. Youth Justice Administration Act 2016, Part 3 s.18		
2.6.1		Reports submitted to the Minister and tabled in Parliament, published on OGCYPs website and lodged with National edeposit (NED).	PERMANENT	Retain as State archives
3	CHILD AND YOUNG PERSON'S VISITOR	The statutory function relating to the authority of the Child and Young Person's Visitor under Chapter 9 of the <i>Children and Young People (Safety) Act 2017.</i> Includes visiting prescribed facilities, promoting, advocating, inquiring and reporting in support of the residents.		
3.1	Visiting and Inspecting	The activity of conducting visits to residents at training centres (TCV) and other prescribed facilities (CYPV) as required or authorised. Visits also include inspections of the facility itself. Children and Young People (Safety) Act 2017 Chapter 9 s.118(1)(a)		
3.1.1		Records of meetings and interviews with individual residents and staff, observations arising from inspecting the facility and inquiries about the care, treatment and control of each resident and processes and practices that may impact negatively on the rights and best interests of residents	PERMANENT	Retain as State archives
3.1.2		Records relating to the rights and best interests of residents arising from the review and scrutiny of case notes, and unit logs, complaints and feedback, critical incidents, Missing Person Reports, activity and procedure logs	TEMPORARY	Retain 105 years after date of birth

No	Function/Activity	Description including Records Examples	Status		Disposal Action	
3.1.3		Facilitative records relating to the abovementioned activities, including scheduling, planning and meeting minutes.	TEMPOR	ARY	Retain 10 years after action completed, then destroy	
3.2	Communicating	The activity of communicating with children and young people in prescribed facilities.				
3.2.1		Children and Young People (Safety) Act 2017 Chapter 9 s.118(1)(b) Records of meetings and interviews with individual residents, including transcripts and audio recordings of views and opinions children and young people that may inform advocacy positions, reports or advice to the Minister and other government agencies.		ENT	Retain as State archives	
3.2.2		Facilitative records relating to the abovementioned activities, including scheduling, planning and meeting minutes.	TEMPOR	ARY	Retain 10 years after action completed, then destroy	
3.3	Promoting	The activity of promoting the best interest of children and young people under the guardianship, or in the custody, of the Chief Executive (GCYP), those in alternative care at training centres (Tor prescribed residential facilities (CYPV). Children and Young People (Safety) Act 2017 Chapter 9 s.118(1)(c)	TCV)			
3.3.1		Records relating to the establishment and maintenance of process that encourage children and young people in the facilities to expression their own views and give proper weight to those views under the and pay particular attention to the needs and circumstances of residents who are Aboriginal or Torres Strait Islander or have a physical, psychological or intellectual disability. Records may include artwork, activity responses, notes and meeting transcription.	ess Act,	ENT	Retain as State archives	

No	Function/Activity	Description including Records Examples	Status	[Disposal Action
		Children and Young People (Safety) Act 2017, s.18(2)			
3.3.2		Facilitative records relating to the abovementioned activities, including scheduling, planning and meeting minutes.	TEMPOR	ARY	Retain 10 years after action completed, then destroy
3.4	Advocating	The activity of acting as an advocate for the interests of children under the guardianship, or in the custody, of the Chief Executive, (GCYP) or resident at a training centre (TCV), or other prescribed facility (CYPV), and, in particular, for any such child who has suffered, or is alleged to have suffered, sexual abuse. Children and Young People (Safety) Act 2017, s.18(1)(d)	,		
3.4.1		Records documenting individual client matters received by or referred to OGCYP from first intake to closure of the matter. Recomay include, assessment, correspondence, DCP case management information, client representations, health records, medical reports care concern referrals, orders, determinations, information from investigations and inquiries, critical incident reports, transition from care plans and other documentation provided by DCP.	ent S,	ARY	Retain 105 years after date of birth
3.4.2		Facilitative records relating to the abovementioned activities, including scheduling, planning and meeting minutes.	TEMPOR	ARY	Retain 10 years after action completed, then destroy
3.5	Inquiring	The activity of inquiring into, and provide advice to the Minister in relation to, systemic reform necessary to improve the quality of caprovided for children, in alternative care, (GCYP) and/or treatment control of residents in a training centre (TCV), or a prescribed residential facility (CYPV) and facilities management. Children and Young People (Safety) Act 2017, s.18(1)(e)			

No	Function/Activity	Description including Records Examples	S	Status [Disposal Action	
3.5.1		Records of inquiring about matters referred from the Minister. Records may include consultation, interviews with children and young people, DCP and other facility staff, social workers, exper specialists and stakeholders.	rts,	PERMAN	ENT	Retain as State archives	
3.5.2		Facilitative records relating to the abovementioned activities, including scheduling, planning and meeting minutes.		TEMPORA	ARY	Retain 10 years after action completed, then destroy	
3.6	Reporting	The activity of reporting to the Minister on the performance of the Guardian's or Training Centre Visitor's or Child and Young Persov Visitor's functions or any other matter specified by the Minister. Children and Young People (Safety) Act 2017, s.119					
3.6.1		Reports submitted to the Minister and tabled in Parliament, publion OGCYPs website and lodged with National edeposit (NED).	ished	PERMAN	ENT	Retain as State archives	