

STATE RECORDS

of South Australia

Operational Records Disposal Schedule

Construction Industry Long Service Leave Board, trading as Portable Long Service Leave

RDS 2021/18 Version 1

Effective Dates: 21 October 2021 to 21 October 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 2021/18 Version 1
Disposal Schedule Type	Operational Records Disposal Schedule
Agency	Construction Industry Long Service Leave Board <i>trading as</i> Portable Long Service Leave
Records Scope	Records documenting the function/s of providing Long Service Leave entitlements for workers in the construction industry, regardless of numbers of employers, locations of projects or contracts.
Records Coverage Dates	1976 - ongoing
Effective Dates	21 October 2021 to 21 October 2031
Date presented to SRC	Approved on 10 August 2021
Status	Determined by Director State Records and approved by State Records Council
Associated RDS	RDS 2003/10 Version 1 has now expired
Associated Document	This schedule should be read in conjunction with the 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
- temporary value records registered as series in Archives Search, as these are no longer held by the agency

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/disposal/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.

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 ICAC 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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RDS 2021/18 v1 Construction Industry Long Service Leave Board (the Board) trading as Portable Long Service Leave

No	Function/Activity	Description including Records Examples	Status	Disposal Action
1	SERVICE DAYS MANAGEMENT	The function which includes assessing eligibility to accrue long service leave, including appeals, registration of employers and workers, and the management of claims for accrued entitlements.		
1.1	Registration and Claims	<i>The activities of receiving applications and managing the registration to the scheme, of all eligible entities in the Construction Industry including employers, workers, self-employed volunteers and working directors. Includes employer returns and levies, and managing claims and payments.</i>		
1.1.1		Master records of registrations, from all entities with official details of entity and history of payment to construction workers. <i>Construction Industry Long Service Leave Act 1987 Part 1 s.5; Part 7 s.37a</i>	PERMANENT	Retain as State archives
1.1.2		Master system data required to calculate accumulated long service leave, including employer records, and records of accrued service days for any worker or volunteer. <i>Construction Industry Long Service Leave Act 1987 Part 3 Hard copy files, c1979-2012, Newtech information system-based calculations 2012-ct</i>	TEMPORARY	Retain 100 years after date of birth then destroy
1.1.3		Records of applications, claims and payments including worker service days, determinations of ordinary pay and adjustments. Includes applications from interstate employers of construction workers for exemption from registration and levies, granting and revocations of applications. <i>Construction Industry Long Service Leave Act 1987 Part 7 s.38(2); s.38A</i>	TEMPORARY	Retain 7 years after action completed then destroy

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No	Function/Activity	Description including Records Examples	Status	Disposal Action
1.1.4		Periodical return forms submitted by employers declaring worker remuneration for the prescribed period, including a levy payment (a prescribed percentage of remuneration payment) and any payment arrangements. Includes verification or certification that may be required by the Board. <i>Construction Industry Long Service Leave Act 1987 Part 5 s.26-27</i>	TEMPORARY	Retain 5 years after entry to system then destroy
1.2	Appeals and Conciliation	<i>The activity of managing appeals by workers whose eligibility has been declined.</i>		
1.2.1		Records documenting evidence including missing service requests from the worker, the investigation by the Board for eligibility with the scheme, conciliation and decision. Includes issue of Section 30 notices to employers who fail to respond, dispute resolution through the SA Employment Tribunal and statistical reports. <i>Construction Industry Long Service Leave Act 1987 Part 3; Part 5 s.30; Part 6 s.34</i>	TEMPORARY	Retain 5 years after action completed then destroy
1.3	Scheme Coverage	<i>The activity of managing and developing the definitions of, and coverage for, the long service leave scheme.</i>		
1.3.1		Records documenting consideration of allied industries and awards for inclusion to the scheme. Includes reviews and examinations of employment profiles. <i>Construction Industry Long Service Leave Act 1987 Schedule 1A; Schedule 5.</i>	TEMPORARY	Retain 10 years after action completed then destroy

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No	Function/Activity	Description including Records Examples	Status	Disposal Action
2	INDUSTRY LIAISON	The function of liaising and communicating with clients and the industry nationally. Includes managing industry compliance through conducting audits, inspections and investigations. See also GDS 30.3		
2.1	Audits & Compliance	<i>The activity of ensuring compliance with the legislation by employers and employing organisations by fostering cooperative relationships, visits, services and research in the industry.</i>		
2.1.1		Records documenting metropolitan and regional inspections, including those to check compliance with registration, exemption, wage assessment, random inspections on and off-site worker service and desk audits. <i>Construction Industry Long Service Leave Act 1987 Part 7 s.39</i>	TEMPORARY	Retain 10 years after action completed then destroy
2.1.2		Records of liaison with stakeholders including local government, employer associations, unions and the building industry leaders to source information eg. building approvals, to identify worker activity and maximise compliance.	TEMPORARY	Retain 10 years after action completed then destroy
2.1.3		Records of liaison with apprentice and training institutions, including presentations to students in all trades, and maintaining a relationship with TAFE for statistics of apprentice graduations. Includes data matching for industry knowledge and ABR research.	TEMPORARY	Retain 10 years after action completed then destroy

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No	Function/Activity	Description including Records Examples	Status	Disposal Action
2.3	National Cooperation	<i>The activity of liaising with other states and territories in relation to national issues of coverage, projects, and strategies.</i>		
2.3.1		Records documenting national and state best practice strategy development including working parties and benchmarking. Includes National issues register. <i>Construction Industry Long Service Leave Act 1987 Part 7 s.38</i>	TEMPORARY	Retain 10 years after action completed then destroy
2.3.2		Records of projects and project involvement at state or national level eg. National Cooperation Project.	TEMPORARY	Retain 10 years after action completed then destroy
3	FUND MANAGEMENT	The function of managing the Construction Industry Fund comprising levies and income through strategic investment and actuarial valuation reporting.		
3.1	Investment Management	<i>The activity of directing and managing investments including decisions on investment composition, reviews, accounting, and considerations of risk and liabilities.</i>		
3.1.1		Records documenting investment reviews and reports, including risk management, liquidity, cash flow and scheme accounting for calculating liabilities. <i>Construction Industry Long Service Leave Act 1987 Part 4 s.21; Part 7 s.40;</i>	TEMPORARY	Retain 7 years after action completed then destroy
3.1.2		Formal Actuarial valuation reports following the annual Fund and levy investigation in accordance with the Act. Note: these are reported to the Board and captured in Board papers but also retained	TEMPORARY	Retain records within agency permanently or with CEO approval to destroy

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No	Function/Activity	Description including Records Examples	Status	Disposal Action
		permanently for ease of access. <i>Construction Industry Long Service Leave Act 1987 Part 4 s.24</i>		
3.1.3		Records of managing all investments including shares, cash bonds and unlisted property, including ledger entries in the accounting system and quarterly reports.	TEMPORARY	Retain 7 years after action completed then destroy
3.2	Lending & Borrowing	<i>The activity of obtaining or allocating funds to finance specific purposes.</i>		
3.2.1		Records of loans and borrowings - from the Fund eg. to industries to establish a portable scheme, or to establish a group training scheme; or to the Fund to establish a scheme, or to secure an investment. <i>Construction Industry Long Service Leave Act 1987 Part 4 s.22-23</i>	TEMPORARY	Retain 7 years after action completed then destroy