



# State Records Act 1997

## Operational Records Disposal Schedule

The Child Death and Serious Injury Review  
Committee (CDISRC)

**RDS 2020/05 Version 1**

Effective Date: 10 November 2020 – 6 October 2030

Approved Date: 6 October 2020



The Child Death and Serious Injury Review Committee (CDSIRC)

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## The Child Death and Serious Injury Review Committee (CDSIRC)

### Preamble

### Purpose of the Schedule

This Operational Records Disposal Schedule (RDS) authorises arrangements for the retention or destruction of records in accordance with Section 23(2) of the *State Records Act 1997*.

### Application of the Schedule

The Child Death and Serious Injury Review Committee (CDSIRC)

**Approved Date: 6 October 2020**

**Effective Date: 10 November 2020 – 6 October 2030**

### Authorisation by State Records

This authorisation applies only to the disposal of the records described in the Schedule.

### State Records' Contact Information

#### State Records of South Australia

GPO Box 464  
ADELAIDE  
South Australia 5001  
Email: [StateRecords@sa.gov.au](mailto:StateRecords@sa.gov.au)

Ph: +61 8 204 8786  
DX: 467 Adelaide

Chair, State Records Council

Director, State Records



## The Child Death and Serious Injury Review Committee (CDSIRC)

# Disposal of Official Records

## Legislation

Section 23(1) of the *State Records Act 1997* states that an agency must not dispose of official records except in accordance with a determination made by the Manager [Director] of State Records with the approval of the State Records Council.

Section 23(2) states:

‘If an agency requests the Manager to make a determination as to the disposal of official records, the Manager must, as soon as practicable:

- (a) with the approval of the [State Records] Council, make a determination requiring or authorising disposal of the records in a specified manner; or
- (b) make a determination requiring delivery of the records into the custody of State Records or retention of the records and later delivery into the custody of State Records.’

The contents of an RDS, once the approval process is complete, constitute a determination within the meaning of the *State Records Act 1997*.

## Functions of the Schedule

An RDS plans the life of these records from the time of their creation to their disposal. It describes the records created and/or controlled by the CDSIRC, the disposal sentence specifying whether they are to be retained as archives or destroyed, and when this should occur.

This Operational Records Disposal Schedule has been prepared in conjunction with staff from The CDSIRC to determine the records which need to be kept because of their long term value and to enable the disposal of records once they are no longer needed for administrative purposes. The assessment of the records takes into account their administrative, legal, evidential, financial, informational and historical values. The appraisal of the records is in accordance with the State Records’ policy as documented in *Appraisal of Official Records – Policy and Objectives* - available from State Records’ website ([www.archives.sa.gov.au](http://www.archives.sa.gov.au)).

The Schedule complements the General Disposal Schedules (GDS) that are issued by State Records to cover housekeeping and other administrative records common to most State Government agencies.

## Using the Schedule

The Schedule applies only to the records described within it.



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### Layout

The Schedule is laid out as follows:

- Item Number:** Numbering in the Schedule is multi level:
- Functions have single numbers (*e.g.* 1.)
  - Activities and/or processes have two-level numbers (*e.g.* 1.1)
  - Disposal classes have three-level numbers (*e.g.* 1.1.1)
- Function:** The general functions are shown in 12 point bold Arial upper case at the start of each section. ( *e.g.* **CHILD DEATH AND SERIOUS INJURY REVIEW COMMITTEE**)
- Activity/Process:** The activities and processes relating to each function are shown in 12 point bold Arial sentence case (*e.g.* **Case Management**).
- Description:** Descriptions are in three levels ranging from broad functions to specific disposal classes:
- definitions of functions are shown at the start of each section in bold (*e.g.* **The function of independently analysing, researching and providing comment on child deaths and serious injuries in South Australia. Includes maintaining a database of child deaths and serious injuries, their circumstances and causes.**)
  - definitions of activities are located adjacent to the activity title in italics *e.g.* *The process of managing and reviewing cases of child serious injuries and deaths.*
  - descriptions of each disposal class are arranged in sequence under the activity definitions.
- Disposal Action:** Disposal actions relate to the disposal classes arranged under the activity descriptions. The status of the class is either PERMANENT or TEMPORARY with a disposal trigger and retention period given for all temporary records.

### Retention Period of the Record

The Schedule is used to sentence records. Sentencing involves applying the record retention periods within the RDS to the records of The CDSIRC. Decisions are made using the Schedule about whether records are to be retained and, if so, for how long, or when they are to be destroyed.



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Retention periods set down in the Schedule are minimum ones and The CDSIRC may extend the retention period of the record if it considers there is an administrative need to do so. Where The CDSIRC wishes to retain records for substantially longer periods it should request that the Schedule be amended to reflect this requirement.

### Custody and Transfer of the Record

#### Permanent Records

Section 19 of the *State Records Act 1997* includes provisions for the transfer of custody of an official record:

- a) when the agency ceases to require access to the record for current administrative purposes or
- b) during the year occurring 15 years after the record came into existence - whichever first occurs

Official records that have been sentenced as permanent, in accordance with an approved disposal schedule, are required to be transferred to State Records.

Agencies with valid reasons to retain permanent records for longer than 15 years should apply in writing to Director [Manager], State Records requesting either a postponement or an exemption from section 19.

It should be noted that postponement or exemption are only granted in exceptional circumstances.

#### Temporary Records

The custody of official records that have been sentenced as temporary is the responsibility of agencies. A policy and standards framework for the management and storage of temporary value official records has been established by State Records as documented in *Records of Temporary Value: Management and Storage: Standard and Guidelines (May 2002)*. The CDSIRC needs to comply with these policy documents - available from State Records' website ([www.archives.sa.gov.au](http://www.archives.sa.gov.au)).

The custody of official records on networks or hard drives is also the responsibility of agencies. The CDSIRC needs to ensure that records in digital format remain accessible to authorised users for the duration of the designated retention period. State Records is, however, currently examining options for the transfer of permanent value digital records in digital form to its custody.

### Destruction of Temporary Records

Temporary records can only be destroyed with the approval of the CE or delegate in





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accordance with the Destruction of Official Records Guideline issued by State Records of South Australia. Failure to comply with this direction falls under Section 17 of the *State Records Act 1997* and may be considered by ICAC as misconduct or maladministration.

Prior to destruction, the following General Disposal Schedules (GDS) need to be consulted:

- ***GDS 16 Impact of Native Title Claims on Disposal of Records*** to ensure records which are relevant to native title claims in South Australia are identified and preserved.
- ***GDS 27 for Records Required for Legal Proceedings or Ex Gratia Applications Relating to Alleged Abuse of Former Children Whilst in State Care*** to ensure the preservation of official records that may relate to the rights and entitlements of the individuals who present a court claim or apply for an ex gratia payment and of the State Government in defending or processing those claims and applications.
- ***GDS 32 for Records of Relevance to the Royal Commission into Institutional Responses to Child Sexual Abuse*** to ensure that records of relevance to the Royal Commission are protected and available for the purposes of the Royal Commission and any subsequent actions involving the South Australian Government as well as for future reference and accountability purposes and to protect the rights and entitlements of stakeholders.
- ***GDS 36 for Records of Relevance in relation to Child Abuse or Alleged Child Abuse*** to ensure that records of relevance are protected and available for any subsequent actions involving the South Australian as well as for future reference and accountability purposes and to protect the rights and entitlements of stakeholders.
- ***GDS 37 for Records of Relevance to the Royal Commission into Aged Care Quality and Safety*** to ensure that records of relevance to the Royal Commission are protected and available for the purposes of the Royal Commission and any subsequent actions involving the South Australian Government as well as for future reference and accountability purposes and to protect the rights and entitlements of stakeholders.
- ***GDS 38 for Records of Relevance to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability*** to ensure that records of relevance to the Royal Commission are protected and available for the purposes of the Royal Commission and any subsequent actions involving the South Australian Government as well as for future reference and accountability purposes and to protect the rights and entitlements of stakeholders.

The CDSIRC must ensure that all destruction is secure and confidential and that a certificate confirming destruction is provided by private contractors.

Standard methods for destruction of paper are shredding, pulping or other means that are environmentally friendly.

Records in digital format must only be destroyed by reformatting or rewriting to ensure that the data and any “pointers” in the system are destroyed. “Delete” instructions do not offer adequate security as data may be restored or recovered.



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The CDSIRC should keep their own record of all records destroyed, noting the relevant disposal authority. Proof of destruction may be required for legal purposes, or in response to FOI applications. When records are destroyed systems that control them should also be updated by inputting destruction dates and relevant disposal authorities.

### Review

State Records' disposal schedules apply for a period of ten years. Either The CDSIRC or State Records may propose a review of the Schedule at an earlier time, in the event of changes to functions or procedures that affect the value of the records covered by the disposal authority. Reviews are especially necessary if there is vast administrative change that affects the currency and use of the records and/or the records are dispersed to other agencies.

The State Records Council needs to approve all amendments to the Schedule. Officers using the Schedule should advise State Records of any necessary changes.



## The Child Death and Serious Injury Review Committee (CDSIRC)

### Context Statement

#### Context of the Agency Covered by the Schedule

##### History and Background

The Child Death and Serious Injury Review Committee (CDSIRC) was established and operated under Cabinet Directions from April 2005. In February 2006 the *Children's Protection Act 1993* was amended to officially establish the CDSIRC and its role. The initiative arose from recommendation 133 of the Robyn Layton's 2003 report, *Our Best Investment: A State Plan to Protect and Advance the Interests of Children*. Recommendation 133 states:

“That a South Australian Child Death and Serious Injury Review Committee be established under specific legislation, modelled on the NSW Child Death Review Team, as a matter of high priority to carry out all future reviews of child deaths and serious injury to children.”

From 2006 until 2010 the CDSIRC reported to the Minister for Families and Communities. Portfolio changes occurred in 2010 and the CDSIRC reported to the Minister for Education and Child Development. Following legislative and machinery of government changes in 2018, the CDSIRC has reported to the Minister for Education. The CDSIRC has always operated as a stand-alone entity, separate to the Department their Minister is responsible for. The CDSIRC currently operates under the *Children and Young People (Oversight and Advocacy Bodies) Act 2016*.

##### Role and Function

The CDSIRC's purpose is to review all child deaths and certain serious injuries. The CDSIRC is mandated to meet at least five times each year in accordance with S33(2) of its legislation. Its principal functions are:

- to review cases in which children die or suffer serious injury with a view to identifying legislative and/or administrative means of preventing similar cases of death or serious injury in the future;
- to make, and monitor the implementation of, recommendations for avoiding preventable child death or serious injury; and
- to maintain a database of child deaths and serious injuries, their circumstances and causes.

The circumstances under which the CDSIRC should review a case are:



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- when there are grounds to suspect that the death or serious injury may be due to abuse or neglect; or
- there are grounds to believe that the death or serious injury might have been prevented by some kind of systematic change; or
- there have been, within three years before the incident resulting in the death or serious injury, a notification to the Department for Child Protection of suspected abuse or neglect of the child, or a member of the child's family; or
- the child was, at the time of the death or serious injury, under the guardianship, or in the custody, of the Minister or was in the custody or detention or in the care of a government agency; or
- the case has been referred to the CDSIRC by the State Coroner.

For every child death, information can be collected from various sources, including:

- Consumer and Business Services, Births, Deaths & Marriages (i.e. peri-natal death certificates),
- Coroner's Office (i.e. post mortem, witness statements, autopsies),
- Public and private hospitals (i.e. discharge summaries) and
- Department for Child Protection (i.e. case files).

A check for contact with child protection services in the past 3 years is also undertaken. When this information is collected, each case undergoes a screening process that results in a decision by the CDSIRC regarding the need for further review. If further review is warranted, the case is referred to a special interest group. This group might request further information from government departments, non-government agencies, regulatory bodies and private practitioners. The Special interest group then provides their findings to the CDSIRC for discussion and approval prior to any further action being taken.

Information about all deaths, whether reviewed or not, are analysed and form part of the statistics about child deaths presented in the Annual Report and the CDSIRC's blog posts.

### Structure Description

In 2019-20 the CDSIRC consisted of between 12-13 members, including the Presiding member. Five staff members (the equivalent of four full-time) provided the secretariat for the CDSIRC: an Executive Officer, two Senior Project Officers, a Senior Statistician and an Administration and Information Officer.



## The Child Death and Serious Injury Review Committee (CDSIRC)

Financial and human resource management support is provided by the Department for Education.

### Predecessor Agencies

There are no predecessor agencies.

### Successor Agencies

There are no successor agencies.

### Legislation

Relevant legislation administered by the CDSIRC

- *Children and Young People (Oversight and Advocacy Bodies) Act 2016*

Relevant legislation NOT administered by the CDSIRC

- *Children and Young People (Safety) Act 2017*
- *Coroners Act 2003*
- *Health Care Act 2008 (Parts 7 and 8)*

## Context of the Records Covered by the Schedule

### Coverage of RDS

This schedule applies to a combination of ongoing and closed records of the CDSIRC.

### Related Series Affected by RDS

There are no related series affected by this RDS.

### Complementary Schedules to RDS

There are no complementary Record Disposal Schedules to use with this RDS.

### Existing Disposal Schedules Superseded by RDS

There are no existing Disposal Schedules superseded by this RDS.

### Records Structure within The CDSIRC

The CDSIRC uses the Electronic Document and Records Management System (EDRMS) (currently Objective) belonging to the Department for Human Services (DHS). This is a



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decentralised service as the CDSIRC is responsible for creating its own files. The Department for Education's (DE) Records Management Unit provides the CDSIRC with advice and guidance on archiving and other records management issues.

An agreement was made between the Department of Education and Child Development (now DE) and Department for Communities and Social Inclusion (now DHS) during the machinery of government (MOG) changes in 2011 that covers both the child death review database and the usage of Objective.

The CDSIRC Secretariat uses the support services of the Records management team at DHS, covered by 2012 MOG arrangements.

The file numbering sequence used by the CDSIRC has not changed and is unique to the CDSIRC.

There are two main types of records:

- case files – created for every case of child death and serious injury; and
- administrative files - which include the general administrative functions of the CDSIRC and the correspondence between stakeholder agencies.

A database (CDR – the child death review database), in accordance with Section 37(1)(c) of the *Children and Young People (Oversight and Advocacy Bodies) Act 2016* is maintained that records the circumstances and causes of any child death and certain cases of serious injury that have occurred within South Australia since 2005.

### Broad Description and Purpose of the Records

Records included in this RDS cover the core function of the CDSIRC, namely, Child Death and Serious Injury Review.

### Functions and Activities Documented by the Records

#### . Child Death & Serious Injury Review

- Case Management
- Monitoring
- Research Project Management

### Arrangement of the Records

Since 2007 case files have been recorded in the EDRMS held on the DHS server. Case files are given the next consecutive number.



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The CDR database (register) is used to record information about the circumstances and causes of death in SA and uses the same numbering as the EDRMS. The CDR database is a custom built windows application, utilising the Microsoft NET 2.0 Framework and SQL Server 2005 database, designed for use in a Microsoft Windows environment.

Prior to the use of the CDR database Epi Info™ was used. Epi Info™ was a public domain suite of interoperable software tools designed for the global community of public health practitioners and researchers. All information was migrated into Objective in 2007.

The following system with the prefix CDSIRC is used for the recording of paper-based case files:

<b>Pattern</b>	NNNN	A	NN	NN
<b>Meaning</b>	Case number – next consecutive number	Type of file ie Master	Part number of type ie part 1 of Master file	Part number of total case files ie part 5 of total number of files
<b>Example</b>	0001	M	01	05

The alpha number can be any of the following:

- M = Master file – contains a summary front sheet identifying the case by name, case number, residential address and cause of death, and includes all information obtained from coronial records.
- H = Department of Health files – individual parts created for hospital case notes received from each locality.
- D = Disability SA - Case notes relating to child.
- F = Families SA - An F file will be created for each instance of the following:
  - Child’s case notes
  - Sibling / half-sibling / step-sibling
  - Parent/Guardian
  - Financial Assistance
  - Psychology
  - Crown Solicitor Correspondence
- E = Department for Education - case notes relating to a child involved in a death or serious injury.



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- C = Courts Administration Authority – information received from each locality. i.e. Family Court of Australia, Magistrates Court of South Australia, Supreme Court of South Australia etc.
- Other - information from any professional associated with the case. i.e. General Practitioner, Private
- R = Review – a file of information associated with a review of that death that has been undertaken by the CDSIRC.

### Non-coronial deaths

Prior to 2007 non-coronial deaths were managed as case files. Since 2007 they have been collated in annual folders. These folders hold paper-based information about non-coronial deaths.

### Group Review Files

Comprised of files associated with the review of more than two deaths (ie a group review) undertaken by the CDSIRC. Individual deaths comprising a group review are identified by their case numbers. These files are managed by name of the review ie Group Review of Deaths caused by Asthma. Maintained from 2005 onwards for these types of reviews.

### Monitoring files

Comprised of files associated with the activities undertaken by the CDSIRC to monitor the implementation of recommendations made in an individual or group review. Numbering and naming is as per file being monitored ie if case file it will have case file number if group review it will have group review file name. Maintained from 2005 onwards for these activities.

Since the beginning of 2018 there has been an increasing reliance on digital record keeping of case files. Since that time:

- All coronial records have been kept as digital case files and a master hard-copy file continues to be created.
- All non-coronial records have been kept as digital case files.
- If an agency, in response to a request for information about a case, provides that information in digital format only, then no corresponding hard-copy is created.
- If an agency in response to a request for information about a coronial case only provides a hard copy of that information, then a hard copy file is created, named and numbered in accordance with the file naming conventions and a digital copy is also created for the digital case file.





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- If an agency in response to a request for information about a non-coronial case only provides a hard copy of that information, this is stored, along with information identifying that case, in the annual folders and a digital copy is also created for the digital case file.

### Requests for records

Prior to 2020 these records were managed and stored in monthly batches.

From 2020 these requests are managed in Objective with the numbering pattern of YYYY/MM/NNNN ie 2020/07/12345

### **Agency Creating the Records**

The CDSIRC that administers the records covered by this RDS also created them.

### **Agency Owning or Controlling the Records**

The CDSIRC that administers the records covered by this RDS also controls or owns them.

### **Date Range of the Records**

Records Date Range: April 2005 to **Ongoing**

### **Volume of the Records**

- Approx 42 meters on site
- Approx 7.5 metres stored with off-site provider
- 30.2 GB (22785 documents) digital storage

### **Special Custody Requirements**

The CDSIRC will retain custody of permanent records to manage access requirements in accordance with legislation and regulations.

### **Special Storage Requirements**

There are no special storage requirements.

### **Issues Not Mentioned Previously**

There are no issues that have not already been mentioned.



## The Child Death and Serious Injury Review Committee (CDSIRC)

### Comments Regarding Disposal Recommendations

#### Permanent Records Rationale

Records deemed to be permanent are those which have ongoing value to the State or are of national significance. The appraisal objectives outlined in State Records ‘*Appraisal of Official Records – Policy and Objectives Guideline v.1.8*’ for identifying records of permanent value relevant to the records covered by this Schedule are:

*Objective 5: To identify and preserve official records that contribute to the protection and well being of the community or provide substantial evidence of the condition of the State, its people and the environment, and the impact of government activities on them.*

Disposal classes of the CDSIRC which meet this objective include:

- 1.1.1 Register of all deaths and certain cases of serious injury.
- 1.3.1 Original research into patterns of causes and factors of child deaths and serious injury including primary research data and final reports.

#### Temporary Records Rationale

Disposal classes of the CDSIRC which require temporary retention include:

- 1.1.2-1.1.4 Records relating to case management of death and serious injury reviews.
- 1.1.5 Requests for information sent to agencies (prior to 2020).
- 1.1.6 These notifications are used to update the CDR database. Once the information has been verified the records are no longer required.
- 1.2.1 All records relating to the monitoring of follow-up actions and recommendations.
- 1.3.2 Supporting documentation of research undertaken by the CDSIRC.

#### Other Disposal Considerations

There are no other considerations for or against the retention or destruction of records affected by this RDS.

#### Disposal Recommendation Effect on Related Records

There are no related records affected by the disposal recommendations in this RDS.



## The Child Death and Serious Injury Review Committee (CDSIRC)

### Alternative Record Formats

This schedule applies to records in all formats.

### Impact on Native Title Claims

The case files of Aboriginal and Torres Strait Islander children and young people may contain information about families and communities that could be relevant to Native Title claims.

### Indigenous Considerations

The determinations within *RDS 2020/05* are consistent with Recommendation 21 of the *National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families*.

The principles outlined in *GDS 16*, relating to Native Title claims, have also been considered in the development of this Schedule.

*RDS 2020/05* meets all cultural, historical, legal and administrative requirements.

All documents considered relevant to native title in South Australia must be checked for actual relevance with the Native Title Section of the Crown Solicitor's Office before being disposed of.



## The Child Death and Serious Injury Review Committee (CDSIRC)

### Scope Note

#### Records Covered by this Schedule

This *RDS* applies to the records of the CDSIRC of South Australia.

#### How to Apply this Schedule

##### Use in conjunction with GDS

This Schedule should be used in conjunction with ***GDS 30***, as amended, or its successor. Cross-references to the ***GDS 30*** are included in this Schedule where appropriate.

To identify records that may be potentially relevant to native title claims, please refer to guideline ***Identifying documents which may be relevant to Native Title*** attached to ***GDS 16***. Where records sentenced for temporary retention are identified as having potential relevance to a native title claim, they need to be retained until 31 December 2024.

To identify records that may be potentially relevant to ***Legal Proceedings or Ex Gratia Applications Relating to Alleged Abuse of Former Children Whilst in State Care***, please refer to ***GDS 27***. Where records sentenced for temporary retention are identified as having potential relevance, they need to be retained until 31 December 2023.

To identify records that may be potentially relevant to the ***Royal Commission into Institutional Responses to Child Sexual Abuse***, please refer to ***GDS 32***. Where records sentenced for temporary retention are identified as having potential relevance, they need to be retained until 31 December 2023.

To identify records in relation to ***Child Abuse or Alleged Child Abuse***, please refer to ***GDS 36***. Where records sentenced for temporary retention are identified as having potential relevance, they need to be retained until 31 December 2023.

To identify records that may be potentially relevant to the ***Royal Commission into Aged Care Quality and Safety***, please refer to ***GDS 37***. Where records sentenced for temporary retention are identified as having potential relevance, they need to be retained until 31 December 2025.

To identify records that may be potentially relevant to the ***Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability***, please refer to ***GDS 38***. Where records sentenced for temporary retention are identified as having potential relevance, they need to be retained until 31 December 2025.

##### Use in conjunction with, or complementary to, other RDS

This RDS does not need to be used in conjunction with any existing RDS.



## The Child Death and Serious Injury Review Committee (CDSIRC)

### Other RDS superseded by RDS

This RDS does not supersede any existing schedules.

### Re-sentencing of records where schedules are superseded or particular entries within a schedule are superseded

In this instance, the re-sentencing of records is not required.

### Records excluded from RDS

There are no records excluded from coverage by this RDS.

### Application to records in all formats

This RDS applies to records in all formats, including databases and other digital records. The CDSIRC is required to ensure that records remain accessible for the duration of designated retention periods.

## Interpretation of the Schedule

### Minimum retention periods

Retention periods for temporary records shown in *RDS* are minimum retention periods for which records need to be retained. It is at the discretion of The CDSIRC as to whether records are kept for longer than the minimum period.

### Acronyms

- DHS - Department of Human Services
- CDSIRC – Child Death and Serious Injury Review Committee
- CDR – the Child Death Review database
- DE – Department for Education

### Definitions of terms specific to RDS

- Coronial death – a death as defined in S3 (1) of the *Coroner's Act 2003* as a 'reportable death':  
*reportable death* means the State death (other than a State death to which subsection (2) applies) of a person—
  - (a) by unexpected, unnatural, unusual, violent or unknown cause; or
  - (b) on an aircraft during a flight, or on a vessel during a voyage; or
  - (c) in custody; or



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- (d) that occurs during or as a result, or within 24 hours, of—
    - (i) the carrying out of a surgical procedure or an invasive medical or diagnostic procedure; or
    - (ii) the administration of an anaesthetic for the purposes of carrying out such a procedure, not being a procedure specified by the regulations to be a procedure to which this paragraph does not apply;
  - (e) that occurs at a place other than a hospital but within 24 hours of—
    - (i) the person having been discharged from a hospital after being an inpatient of the hospital; or
    - (ii) the person having sought emergency treatment at a hospital; or
  - (f) where the person was, at the time of death—
    - (i) a protected person under the *Aged and Infirm Persons' Property Act 1940* or the *Guardianship and Administration Act 1993*; or
    - (ii) in the custody or under the guardianship of the Minister or Chief Executive under the *Children and Young People (Safety) Act 2017*; or
    - (iii) a patient in an approved treatment centre under the *Mental Health Act 1993*; or
    - (iv) a resident of a licensed supported residential facility under the *Supported Residential Facilities Act 1992*; or
    - (v) accommodated in a hospital or other treatment facility for the purposes of being treated for drug addiction; or
  - (g) that occurs in the course or as a result, or within 24 hours, of the person receiving medical treatment to which consent has been given under Part 5 of the *Guardianship and Administration Act 1993* or Part 2A of the *Consent to Medical Treatment and Palliative Care Act 1995*; or
  - (h) where no certificate as to the cause of death<sup>1</sup> has been given to the Registrar of Births, Deaths and Marriages; or
  - (i) that occurs in circumstances prescribed by the regulations;
- Non-coronial death – those deaths where a qualified medical practitioner has submitted a death certificate
  - Serious injury (as per Annual Report 2007-8, p48)
- Serious injury – means an injury, so defined, that:
- a) Endangers the child's life; or
  - b) Results in significant impairment of the child's physical or mental functioning; or



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- c) Causes significant physical pain (or would be expected to cause such pain in a child with the capacity to feel it); or
- d) Results in significant physical disfigurement of the child.

For the purposes of these definitions:

- mental - includes intellectual, cognitive, psychological or emotional impairment or pain - may be temporary or long-term, continuous or intermittent.

## Legal Deposit

Legal deposit refers to statutory provisions that oblige publishers to deposit copies of their publications in libraries in the country in which they are published. Under the Commonwealth *Copyright Act 1968* and various Australian state Acts, a copy of any work published in Australia must be deposited with (a) the National Library of Australia and (b) the appropriate State Library. Legal deposit extends not only to commercial publishers but also to private individuals, clubs, churches, societies and organisations.

In South Australia, one copy of publications produced for external use should be deposited with the State Library and the Parliamentary Library (section 35, *Libraries Act 1982*). Publications include books, newspapers, magazines, journals, pamphlets, maps, plans, charts, printed music, records, cassettes, films, video or audio tapes, computer software CD-ROMS, compact discs and other items made available to the public.

## Records and Litigation

Where The CDSIRC is aware that records may be required for use in litigation, for use in a government enquiry or the consideration of the Ombudsman, the records must not be destroyed. In such circumstances the records must be retained until two years after all cases and enquiries are complete (including appeals) and then have the original retention period applied to the records.

## Pre-1901 Records

All pre-1901 records are required to be **retained permanently** in accordance with a motion approved by the State Records Council on 19 February 2008.

In this instance, this RDS does **NOT** apply to pre-1901 records.



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List of Functions and Activities

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Item No.	FUNCTION Activity / Process	Description / Disposal Class	Disposal Action
<b>1 CHILD DEATH &amp; SERIOUS INJURY REVIEW</b>			
<b>1</b>	<b>CHILD DEATH &amp; SERIOUS INJURY REVIEW</b>	The function of independently analysing, researching and providing comment on child deaths and serious injuries in South Australia. Includes maintaining a database of child deaths and certain cases of serious injury, their circumstances and causes.	
<b>1.1</b>	<b>CASE MANAGEMENT</b>	<i>The process of managing and reviewing cases of child death and serious injury.</i>	
1.1.1	Case Management	Registers of all deaths, and certain cases of serious injury, of children and young people under the age of 18 who normally resided in South Australia or who were in the State at the time of their death or serious injury. Information may include, but is not limited to: <ul style="list-style-type: none"> <li>• Demographic information, i.e. age, gender, residential status, cultural background etc;</li> <li>• Cause of death or serious injury;</li> <li>• Circumstances surrounding the child's death or serious injury;</li> <li>• Internal or external factors relevant to the child, which may have contributed to the circumstances surrounding their death or serious injury;</li> <li>• Details about any relevant investigations or findings.</li> </ul>	<b>PERMANENT</b> Actively manage and migrate to ensure ongoing accessibility for evidentiary and/or historical purposes



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1.1.2	Case Management	Case files relating to deaths and serious injuries. Includes: <ul style="list-style-type: none"><li>• copies of various records obtained from the state coroner</li><li>• copies of records obtained from various agencies</li><li>• information from other agencies</li></ul> See GDS30 2.6.1 for Committee records.	<b>TEMPORARY</b> Destroy 50 years after action completed.
1.1.3	Case Management	Records of non-coronial deaths. Record examples Include: <ul style="list-style-type: none"><li>• Death notice</li><li>• Peri natal death certificate</li><li>• Discharge summary</li><li>• Autopsy report</li></ul>	<b>TEMPORARY</b> Destroy 50 years after action completed.



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1.1.4	Case Management	Records of in-depth individual and group reviews of deaths and serious injuries. Includes: <ul style="list-style-type: none"><li>• A summary of the relevant circumstances of the deaths/serious injury.</li><li>• A discussion of the systemic issues arising from the review of those circumstances.</li><li>• Recommendations that address changes to legislation, policy or practice that, if implemented, could lead to the prevention of death or serious injury in similar circumstances.</li><li>• a copy of that review report</li></ul>	<b>PERMANENT</b>
1.1.5	Case Management	Requests from the CDSIRC for information from relevant agencies or bodies relating to child death or serious injury. Requests may relate to multiple cases.  Note: Responses to these requests are included in case files but not the letter of request.  Note: Closed series as at 31/12/2019. See 1.1.2 for letters held on case file post 1/1/2020.	<b>TEMPORARY</b>  Destroy 25 years after action completed.
1.1.6	Case Management	Notifications of deaths received from Births, Deaths & Marriages.	<b>TEMPORARY</b>  Destroy 25 years after action completed.



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1.2	<b>MONITORING</b>	<i>The activities associated with the monitoring of suggested or agreed upon actions and recommendations made by the CDSIRC to other agencies or departments.</i>	
1.2.1	Monitoring	<p>Records relating to the monitoring of follow-up actions and recommendations implemented by a department or agency. Records include:</p> <ul style="list-style-type: none"> <li>• records of discussions and negotiations with the relevant agencies/departments</li> <li>• records of meetings.</li> </ul>	<p><b>TEMPORARY</b>          Destroy 50 years after action completed.</p>
1.3	<b>RESEARCH PROJECT MANAGEMENT</b>	<i>The activities involved in investigating or enquiring into a subject or area of interest in order to discover facts, trends etc relating to child deaths and serious injuries.</i>	
1.3.1	Research Project Management	Original research into patterns of causes and factors of child deaths and serious injury including primary research data and final reports.	<b>PERMANENT</b>
1.3.2	Research Project Management	<p>Supporting documentation regarding research relating to child death or serious injury performed by the CDSIRC. Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Research plans</li> <li>• Interim reports</li> <li>• Raw data in all formats</li> <li>• Stakeholder submissions</li> <li>• Surveys and/or interview responses</li> <li>• Data collection authorisation forms</li> </ul>	<p><b>TEMPORARY</b>          Destroy 25 years after action completed.</p>



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## **Index to Operational Records Disposal Schedule**

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