



Australian Government

National Archives of Australia

AFDA Express Version 2

2019/00276041

Work Health & Safety

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INTRODUCTION

The National Archives of Australia (National Archives) has developed this records authority to set out the requirements for keeping or destroying records for the general administrative function of Work Health & Safety.

This records authority is based on the identification and analysis of the business of Work Health & Safety. This records authority sets out those records that need to be retained as national archives and specifies the minimum length of time that temporary records need to be kept. This records authority gives agencies permission under the *Archives Act 1983*, for the destruction of the temporary records described after the minimum retention period has expired. Retention periods for these temporary records are based on: an assessment of business needs; broader organisational accountability requirements; and community expectations.

As changes in circumstances may affect future records management requirements, this authority may occasionally be amended by the addition of new classes and the variation of existing classes. The National Archives will notify agencies of any such changes.

APPLICATION OF THIS AUTHORITY

1. This authority supersedes:

- classes 1619-1641, 1643-1679 in the OCCUPATION HEALTH & SAFETY function of the *Administrative Functions Disposal Authority* (2010); and
- classes 20456-20467 in the OCCUPATIONAL HEALTH & SAFETY function of *AFDA Express* (March 2010).

The superseded records classes cannot be used to sentence records after the date of issue of this authority.

2. This authority should be used in conjunction with records authorities issued to agencies for their core business and other General Records Authorities issued by the National Archives.
3. This records authority is to be used to determine how long records must be kept. Records are matched to the relevant core business and records class in the records authority.
 - Where the minimum retention period has expired and the records are not needed for agency business they should be destroyed as authorised in this records authority.
 - Records that have not reached the minimum retention period must be kept until they do.
 - Records that are identified as Retain as National Archives (RNA) are to be transferred to the National Archives of Australia for preservation.
4. The Normal Administrative Practice (NAP) provision of the *Archives Act 1983* gives agencies permission to destroy certain records without formal authorisation. This usually occurs where records are duplicated, facilitative or for short-term use only. NAP does not replace arrangements agreed to in this records authority but can be used as a tool to assist in identifying records for destruction together with this records authority and other records authorities specifically issued to an agency. The National Archives recommends that agencies develop and implement a Normal Administrative Practice policy. Advice and guidance on destroying records as a normal administrative practice and on how to develop an agency NAP policy is available from the National Archives' website at www.naa.gov.au.
5. Records that are reasonably likely to be needed as evidence in a current or future judicial proceeding or are subject to a request for access under the *Archives Act 1983*, the *Freedom of Information Act 1982* or any other relevant Act must not be destroyed until the action has been completed.
6. Records subject to a disposal freeze must not be destroyed until the freeze has been lifted. Further information about disposal freezes and whether they affect the application of this Authority is available from the National Archives website at www.naa.gov.au.
7. Where the method of recording information changes (for example from a manual system to an electronic system, or when information is migrated from one system to a new system) this records authority can still be applied, provided the records document the same core business. The information must be accessible for the period of time prescribed in this records authority. There is a need to maintain continuing access to

the information, including digital information, for the periods prescribed in this records authority or until the information is transferred into the custody of the National Archives.

8. In general, retention requirements indicate a minimum period for retention. Agencies may extend minimum retention periods if there is an administrative need to do so, without further reference to the National Archives. Where an agency believes that its accountability will be substantially compromised because a retention period or periods are not adequate, it should contact the National Archives for review of the retention period.
9. Records coming within 'retain as national archives' classes in this authority have been determined to be part of the archival resources of the Commonwealth under section 3C of the *Archives Act 1983*. The determination of Commonwealth records as archival resources of the Commonwealth obliges agencies to transfer the records to the National Archives when they cease to be current and, in any event, within 15 years of the records coming into existence, under section 27 of the *Archives Act 1983*.
10. Records in the care of agencies should be appropriately stored, managed and preserved. Agencies need to meet this obligation to ensure that the records remain authentic and accessible over time. Under Section 31 of the *Archives Act 1983*, access arrangements are required for records that become available for public access including those records that remain in agency custody.
11. Appropriate arrangements must be made with the National Archives when records are to be transferred into custody. The National Archives accepts for transfer only those records designated as national archives, and in line with an approved transfer schedule.
12. Advice on how to use this Authority is available from your agency's information manager. If there are problems with the application of the Authority that cannot be resolved, please contact the National Archives.

CONTACT INFORMATION

For assistance with this authority or for advice on other records management matters, please contact National Archives' [Agency Service Centre](#).

AUTHORISATION

RECORDS AUTHORITY 2016/00276041

Person to whom notice of authorisation is given:

Heads of Commonwealth institutions under the *Archives Act 1983*.

Purpose:

Authorises arrangements for the disposal of records in accordance with paragraph 24(2)(b) of the *Archives Act 1983*.

Determines records classed as 'Retain as national archives' in this records authority to be part of the archival resources of the Commonwealth under section 3C of the *Archives Act 1983*.

Application:

All records relating to the following general administrative business area: Work Health & Safety.

This authority gives permission for the destruction, retention or transfer to the National Archives of Australia of the records described. This authority will apply only if these actions take place with the consent of the agency responsible for the administrative business documented in the records.

Authorised by

Linda Macfarlane
Assistant Director-General (Acting)
National Archives of Australia

Date of issue:

28 June 2019

WORK HEALTH & SAFETY

The function of implementing and coordinating work health and safety and associated legislation throughout the organisation. Includes safety, occupational hygiene, ergonomic, occupational medicine and first aid measures together with policy, procedural and monitoring matters associated with the organisation's preventive and curative work health and safety (WHS) program. Includes the establishment of committees to investigate and advise on health and safety issues in the workplace.

The **core activities** include:

- managing accidents and incidents involving agency employees, contractors, volunteer workers, and members of the public that occur on the organisation's premises, while undertaking work activities for the organisation, or where the organisation is otherwise deemed to be the responsible entity;
- undertaking work health and safety inspections and investigations, including in relation to alleged or actual incidents of child sexual abuse;
- identifying, assessing and managing risks, including hazardous substance risk assessments;
- providing and receiving advice;
- negotiating, establishing, implementing and managing agreements and contracts, including memoranda of understanding;
- managing appeals and reviews of agency decisions, including appeals against investigator's decisions to a higher authority;
- planning, conducting and facilitating audits, including work health and safety audits conducted either internally or by an external authority;
- establishing, managing and participating in work health and safety related committees, meetings, working groups and other bodies;
- fulfilling compliance requirements, including fiscal, legal, regulatory and quality standards and requirements, including implementing industry and agency standards and codes of practice to support health and safety;
- health promotion and accident prevention to establish and maintain a healthy work environment and safe working practices, including appointing fire wardens, first aid and safety officers;
- health surveillance and monitoring, including undertaking medical examinations;
- provision of first aid treatment to individuals;
- managing agency first aid and work health centres and facilities (eg gymnasiums);
- liaising with and contributing to inquiries into agency work health and safety practices and their performance;
- undertaking research and analysis; and
- managing health and safety representatives, including nominations, elections, appointments and resignations.

The performance of the function is supported by **general activities** such as:

- developing and implementing agency work health and safety policies, procedures, strategies and frameworks;
- planning and reporting;
- delegating powers and authorising actions; and
- evaluating and reviewing.

Cross references to AFDA Express records authority

For managing the acquisition of goods and services to support the work health and safety function, including tendering and contracting-out arrangements, use PROCUREMENT.

For the maintenance of the agency's medical equipment and facilities, use ASSET MANAGEMENT and PROPERTY MANAGEMENT.

For managing financial transactions supporting the work health and safety function, use FINANCIAL MANAGEMENT.

WORK HEALTH & SAFETY

For legal advice supporting work health and safety activities, such as advice on the interpretation of legislation or received in relation to appeals of decisions, use LEGAL SERVICES.

For the production and distribution of agency publications developed in support of work health and safety, such as health promotion advertising material, use PUBLICATION.

For the provision of work health and safety training to staff, managers and health and safety representatives, including training in handling hazardous substances and training of fire wardens, first aid officers and safety officers, use PERSONNEL MANAGEMENT.

For managing allowances to support the work health and safety function, such as first aid, fire and safety officer allowances, use PERSONNEL MANAGEMENT.

For workers compensation insurance and compensation claims of employees, volunteers or work experience workers who have sustained injuries at work, and compensation claims for personal injuries, death or loss or damage to personal property by members of the public where the agency is liable, use COMPENSATION.

For industrial disputes arising in relation to work health and safety inspections or issues, use INDUSTRIAL RELATIONS.

For developing and executing contracts under seal or deeds, including signed joint venture contracts under seal, use CONTRACTS UNDER SEAL/DEEDS.

Cross references to other records authorities

For records relating to children's welfare and other case records where the child is under the care or custody of a Commonwealth Institution, use CHILD SEXUAL ABUSE INCIDENTS AND ALLEGATIONS.

Class no	Description of records	Disposal action
62644	<p>Records documenting:</p> <ul style="list-style-type: none"> work health and safety investigations and inspections relating to alleged or actual incidents of child sexual abuse involving the organisation or the organisation's workforce, contractors, visitors and members of the general public (eg WHS investigation case files and supporting documentation), including cases referred to external authorities and allegations which were not proven. Includes the initiating disclosure, allegation or complaint, accident/incident reports (originals), evidence collected or seized, correspondence, records of interviews conducted, referrals to external bodies, findings, case specific litigation records and legal advice, reports, risk analysis, recommendations, agreements, supporting research and appeals and reviews of decisions. <p><i>[For case records of misconduct investigations into child sexual abuse incidents and allegations relating to members of the organisation's workforce, including employees and volunteer workers, use PERSONNEL MANAGEMENT.</i></p> <p><i>For support, redress and remedial action (including counselling, compensation claims, and mediation) for individuals who have made allegations of child sexual abuse involving the organisation or members of the organisation's workforce, including employees and volunteer workers, contractors, visitors and members of the general public, use COMPENSATION.</i></p> <p><i>For legal advice received that is not specific to a work health and safety investigation or inspection case, use LEGAL SERVICES.</i></p> <p><i>For copies of accident/incident reports that are retained on employees' individual personnel files, use PERSONNEL MANAGEMENT.]</i></p> <ul style="list-style-type: none"> developing and reviewing work health and safety policies, procedures, plans and strategies for addressing the management of child sexual 	Retain as nation archives

WORK HEALTH & SAFETY

Class no	Description of records	Disposal action
	<p>abuse allegations and incidents in agencies that provide care for or services to children (eg residential care, welfare services, training or other educational services) as part of their business activities, including under contractual or outsourcing arrangements. Includes final versions, major drafts, supporting research and results of stakeholder consultations;</p> <ul style="list-style-type: none"> • major internal reviews of work health and safety processes and practices relating to handling child sexual abuse incidents and allegations involving the organisation or the organisation's workforce, contractors, volunteer workers, visitors and members of the general public. Includes final review report, major drafts, recommendations, stakeholder consultations and supporting research; and • receipt and provision of high-level work health and safety advice relating to child sexual abuse incidents and allegations involving agency employees, contractors, volunteer workers, visitors and members of the general public. <p><i>[For advice, briefs and submissions to the portfolio Minister on agency work health and safety matters relating to child sexual abuse incidents and allegations, use EXTERNAL RELATIONS.]</i></p>	
62645	<p>Records documenting medical examinations of agency employees undertaken for health surveillance purposes.</p> <p><i>[For records detailing potential exposure to hazardous substances, including asbestos, or for records detailing that an employee was employed at places identified as containing a hazardous substance, use PERSONNEL MANAGEMENT.]</i></p>	Destroy in the year 2040 or 75 years after date of birth whichever is later
62646	<p>Records documenting:</p> <ul style="list-style-type: none"> • management of hazardous substances as defined by work health and safety legislation, including asbestos. Includes: <ul style="list-style-type: none"> ○ records of environmental monitoring of hazardous substances; ○ hazardous substances register (including asbestos registers), identifying substance properties and details of their condition; ○ risk management records for all hazards including hazardous substances where risk assessments indicate risk to the employees and members of the general public and where health surveillance and/or monitoring of the employees is necessary. Includes risk assessments and action plans; ○ risk registers covering hazard management, including WHS risk registers containing environmental monitoring and health surveillance data; and ○ records of routine inspections of hazardous substances in the workplace, including monitoring of airborne contaminants. <p><i>[For health surveillance of individual employees exposed to hazardous substances, use class 62645.</i></p> <p><i>For inspections to determine the presence of asbestos or other hazardous substances in a building or land, use PROPERTY MANAGEMENT.</i></p> <p><i>For the removal and disposal of asbestos and other hazardous substances from a building or land, use PROPERTY MANAGEMENT.</i></p> <p><i>For recording an employee's potential exposure to hazardous substances,</i></p>	Destroy 75 years after last action

WORK HEALTH & SAFETY

Class no	Description of records	Disposal action
	<p><i>including asbestos, use PERSONNEL MANAGEMENT.]</i></p> <ul style="list-style-type: none"> work health and safety inspections resulting from major accidents or incidents in the workplace (eg accidents causing fatalities, serious injuries or dangerous occurrences). Includes complaints lodged by agencies about the conduct of the investigation by the lead investigative agency (currently Comcare). <p><i>[For routine work health and safety inspections, other than for hazardous substances, use class 62650.]</i></p> <ul style="list-style-type: none"> master set of agency manuals, handbooks, directives etc detailing work health and safety requirements for specific tasks and work procedures where hazards or health risks to employees are identified, other than those covered in class 62644. Includes procedures on the management of hazardous material and safe work method statements. <p><i>[For the master set of work health and safety manuals, handbooks, directives and other procedures relating to the management of child sexual abuse allegations and incidents in agencies that provide care for or services to children as part of their business activities, including under contractual or outsourcing arrangements, use class 62644.]</i></p> <p><i>For master set of other agency manuals, handbooks, directives etc detailing work health and safety procedures, use class 62652.]</i></p>	
62647	<p>Records documenting the development, establishment and review of an agency's asbestos policy. Includes final version, major drafts, policy proposals, stakeholder consultation, and supporting research.</p> <p><i>[For work health and safety policies relating to the management of child sexual abuse allegations and incidents in agencies that provide care for or services to children as part of their business activities, including under contractual or outsourcing arrangements, use class 62644.]</i></p> <p><i>For all other agency work health and safety policies, use class 62652.]</i></p>	Destroy 75 years after removal of asbestos
62648	<p>Record documenting:</p> <ul style="list-style-type: none"> accidents or incidents relating to death, serious personal injury, dangerous occurrences and incapacity to Commonwealth employees and members of the public (eg WHS investigation case files), other than those covered in class 62644. Includes accident/incident reports (originals) and supporting documentation, such as records of monitoring airborne contaminants and safe work method statements. <p><i>[For records documenting alleged or actual incidents of child sexual abuse involving the organisation or members of the organisation's workforce, visitors and members of the general public (eg WHS investigation case files, including original accident/incident reports), use class 62644.]</i></p> <p><i>For records documenting all other accidents or incidents involving Commonwealth employees and members of the public aged over 18 years (such as those relating to minor personal injuries), including original accident/incident reports retained for agency work health and safety assessment purposes, use class 62652.]</i></p> <p><i>For records documenting all other accidents/incidents involving members of the public aged under 18 years (such as those relating to minor personal injuries), including original accident/incident reports, use class 62649.]</i></p> <p><i>For copies of accident/incident reports submitted by an employee that are</i></p>	Destroy 30 years after last action

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Class no	Description of records	Disposal action
	<p><i>retained on individual personnel files, including where an employee is injured but no compensation claim is lodged, use PERSONNEL MANAGEMENT.</i></p> <p><i>For copies of accident/incident reports where a compensation claim has been submitted by a Commonwealth employee or a member of the public, use COMPENSATION.]</i></p> <ul style="list-style-type: none"> • accident registers; • risk management of work health and safety hazards where risk assessments indicate no risk to employees and members of the general public and where no health surveillance and/or monitoring is required. Includes documentation covering each stage of the process, treatment schedules, safe work method statements and action plans. <p><i>[For risk assessments which indicate a risk to employees, use class 62646.]</i></p>	
62649	<p>Records documenting accidents or incidents involving members of the public aged under 18 (eg WHS investigation case files), other than those covered in classes 62644 and 62648. Includes minor personal injuries to members of the public aged under 18 years. Includes accident/incident reports (originals) and supporting documentation.</p> <p><i>[For records documenting alleged or actual incidents of child sexual abuse involving the organisation or the organisation's workforce, visitors and members of the general public (eg WHS investigation case files, including original accident/incident reports), use class 62644.</i></p> <p><i>For records documenting accidents or incidents relating to death, serious personal injury, dangerous occurrences and incapacity involving Commonwealth employees and members of the public, including original accident/incident reports retained for agency work health and safety assessment purposes, use class 62648.</i></p> <p><i>For records documenting all other accidents/incidents involving members of the public aged over 18 years (such as those relating to minor personal injuries), including original accident/incident reports, use class 62652.</i></p> <p><i>For copies of accident/incident reports where a compensation claim has been submitted by a member of the public aged under 18, use COMPENSATION.]</i></p>	Destroy when person reaches 25 years of age, or 7 years after last action whichever is later
62650	<p>Records documenting:</p> <ul style="list-style-type: none"> • inquiries into an agency's work health and safety practices and their performance; <p><i>[For any legal advice provided to support the agency during the inquiry process, use LEGAL SERVICES.]</i></p> <ul style="list-style-type: none"> • routine WHS inspections carried out by Comcare (or equivalent) under a proactive planned investigation program, as part of an agency self-audit program, or as a result of a workplace safety dispute, complaint or incident, other than those inspections covered by classes 62644 and 62646. Includes copies of notices, reports issued and Provisional Improvement Notices (PINS), and complaints about the conduct of the investigation; and <p><i>[For inspections conducted in relation to alleged or actual incidents of child sexual abuse involving the organisation or the organisation's workforce, visitors and members of the general public, use class 62644.</i></p> <p><i>For inspections following a major accident or incident, or routine inspections</i></p>	Destroy 10 years after action completed

WORK HEALTH & SAFETY

Class no	Description of records	Disposal action
	<p><i>of hazardous substances, use class 62646.</i></p> <p><i>For records relating to an industrial dispute undertaken in response to a work health and safety inspection, use INDUSTRIAL RELATIONS.]</i></p> <ul style="list-style-type: none"> • reviews and monitoring of an agency's work health and safety programs and operations. Includes final report, action plan and documents establishing the review. <p><i>[For major internal reviews of work health and safety processes and practices relating to handling child sexual abuse incidents and allegations, use class 62644.]</i></p>	
62651	<p>Records documenting:</p> <ul style="list-style-type: none"> • receipt and provision of advice relating to the work health and safety function; <p><i>[For receiving and providing high-level work health and safety advice relating to child sexual abuse incidents and allegations, use class 62644.</i></p> <p><i>For legal advice on work health and safety matters, use LEGAL SERVICES.]</i></p> <ul style="list-style-type: none"> • appointment of first aid officers, fire wardens and safety officers etc. Includes letter of appointment and details of roles and responsibilities; and • nomination, election or appointment, resignation from and/or termination of a work health and safety representative (formerly an occupational health and safety representative) for a designated work group. Includes documentation on selection, calling for nominations, managing the ballot and results, lists of representatives, and resignation documentation. 	Destroy 3 years after action completed
62652	<p>Records documenting:</p> <ul style="list-style-type: none"> • routine operational administrative tasks supporting the function; and • work health and safety activities, other than those covered in classes 62644 to 62651. <p><i>[For records documenting alleged or actual incidents of child sexual abuse involving the organisation or the organisation's workforce, visitors and members of the general public (eg WHS investigation case files, including original accident/incident reports), use class 62644.</i></p> <p><i>For records documenting accidents or incidents relating to death, serious personal injury, dangerous occurrences and incapacity involving Commonwealth employees and members of the public, including original accident/incident reports retained for agency work health and safety assessment purposes, use class 62648.</i></p> <p><i>For records documenting all other accidents/incidents involving members of the public aged under 18 years (such as those relating to minor personal injuries), including original accident/incident reports, use class 62649.</i></p> <p><i>For copies of accident/incident reports where a compensation claim has been submitted by a Commonwealth employee or a member of the public, use COMPENSATION.</i></p> <p><i>For copies of accident/incident reports submitted by an employee that are retained on individual personnel files, including where an employee is injured but no compensation claim is lodged, use PERSONNEL MANAGEMENT.]</i></p>	Destroy 7 years after action completed