



Australian Government

National Archives of Australia

Records Authority
Fair Work Ombudsman

Job no 2010/00031012

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INTRODUCTION

Fair Work Ombudsman and the National Archives of Australia have developed this Records Authority to set out the requirements for keeping or destroying records for the core business areas of Compliance Management and Corporate Communications & Knowledge Services. It represents a significant commitment on behalf of Fair Work Ombudsman to understand, create and manage the records of its activities.

This Authority is based on the identification and analysis of the business of the Fair Work Ombudsman. It takes into account the agency's legal and organisational records management requirements, and the interests of stakeholders, the agency and the National Archives of Australia.

This Authority gives Fair Work Ombudsman permission under the *Archives Act 1983*, for the destruction, retention or transfer to the National Archives of Australia of the records described. The Authority sets out those records that need to be retained as national archives and the minimum length of time that temporary records need to be kept. Retention periods for these temporary records are based on: an assessment of business needs; broader organisational accountability requirements; and community expectations, and are approved by the National Archives of Australia on the basis of information provided by the agency.

As changes in circumstances may affect future records management requirements, the periodic review of this Authority is recommended. All amendments must be approved by the National Archives.

APPLICATION OF THIS AUTHORITY

1. This Authority is to be used to sentence records. Sentencing involves the examination of records in order to identify the individual disposal class to which they belong. This process enables sentencers to determine how long records need to be kept. Advice on sentencing is available from the National Archives.
2. This Authority should be used in conjunction with general records authorities such as:
 - the Administrative Functions Disposal Authority (AFDA)) and/or AFDA Express issued by the National Archives to cover business processes and records common to Australian Government agencies;
 - encrypted records;
 - source records that have been copied
3. The Normal Administrative Practice (NAP) provision of the Archives Act 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 Authority but can be used as a tool to assist in identifying records for destruction together with an agency's Record Authority or Authorities, and with AFDA and AFDA Express. The National Archives recommends that agencies develop and implement a Normal Administrative Practice policy to assist in planning and implementing activities to determine whether records should be kept or destroyed. 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
4. 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 Authority can still be used to sentence the records created, providing the records document the same core business. The information must be accessible for the period of time prescribed in this Authority. The Fair Work Ombudsman will need to ensure that any software, hardware or documentation required to enable continuing access to the information is available for the periods prescribed.

5. In general, retention requirements indicate a minimum period for retention. The Fair Work Ombudsman may extend minimum retention periods if it considers that there is an administrative need to do so, without further reference to the National Archives. Where the Fair Work Ombudsman 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.
6. From time to time the National Archives will place a freeze on some groups of records relating to a particular topic or event which has gained prominence or provokes controversy. While the freeze is in place no records relating to the topic or event may be destroyed. 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. 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 to the public currently after twenty years, including those records that remain in agency custody after this time.
8. Appropriate arrangements should 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.
9. Advice on how to use this Authority is available from the Fair Work Ombudsman records 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 recordkeeping matters, please contact National Archives' Agency Service Centre.

Queen Victoria Terrace
Parkes ACT 2600
PO Box 7425
Canberra Mail Centre ACT 2610

Tel: (02) 6212 3610
Fax: (02) 6212 3989
Email: recordkeeping@naa.gov.au
Website: www.naa.gov.au

AUTHORISATION

RECORDS AUTHORITY 2010/00031012

Person to whom notice of authorisation is given:

Mr Nicholas Wilson
Fair Work Ombudsman
GPO Box 9887, Melbourne, 3001

Purpose:

AUTHORISES ARRANGEMENTS FOR THE DISPOSAL OF RECORDS IN ACCORDANCE WITH SECTION 24(2)(b) OF THE ARCHIVES ACT 1983

Application:

Core business of:

- Compliance Management
- Corporate Communications & Knowledge Services

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

Authorising Officer

Date of issue:



23/08/10.

Ross Gibbs
Director-General
National Archives of Australia

COMPLIANCE MANAGEMENT

The core business of managing compliance with workplace relations legislation in order to protect the rights and interests of employees and employers. Includes:

- Management of audits and targeted compliance campaigns;
- Receipt and handling of complaints and claims of alleged breaches of workplace relations laws;
- Handling investigations of breaches from complaints, claims and targeted compliance activities;
- Resolution of complaints and claims through voluntary compliance, the issue of notices and/or legal action; and
- Development of compliance handling policies and procedures and customer service quality assurance reports.

For educational activities such as information sessions, presentations, seminars and workshops held to increase awareness of workplace relations compliance matters, use CORPORATE COMMUNICATIONS & KNOWLEDGE SERVICES.

For the handling of general enquiries regarding compliance with workplace relations legislation that do not lead to monitoring, investigation or enforcement activities, use CORPORATE COMMUNICATIONS & KNOWLEDGE SERVICES.

Class	Description of records	Disposal action
21519 ■■■■■■■■■■	Records documenting the management and handling of investigations into breaches of workplace relations laws that result in litigation. Includes records relating to initial complaints and/or claims, investigation plans, correspondence with and advice to the claimant and employer, records of site visits and inspections, interviews, statements, requests for legal advice, enforcement notices, requests for reconsiderations and reviews of decisions, referrals for legal assistance, subpoenas, discovery orders and records documenting the resolution and/or closure of complaint matters.	Retain as national archives
21520 ■■■■■■■■■■	Records documenting proactive compliance monitoring activities, and the management and handling of breaches of workplace relations laws that do not result in litigation. Includes: <ul style="list-style-type: none"> • records relating to initial complaints and/or claims, investigation plans, correspondence with and advice to the claimant and employer, records of site visits and inspections, interviews, statements, requests for legal advice, enforcement notices, requests for reconsiderations and reviews of decisions, referrals, and records documenting the resolution and/or closure of complaint matters; and • records relating to planned compliance programs and/or targeted campaigns, including inspection plans and lists, inspection advice to clients, requests for information and documentation, copies of relevant client documentation, inspection reports and checklists, records of interviews, notifications of inspection results and internal summary reports of inspection activities. 	Destroy 7 years after last action
21521 ■■■■■■■■■■	Final versions of policies and procedures relating to the Compliance Management core business, such as compliance and client handling policies and procedures.	Destroy 7 years after superseded or obsolete
21522 ■■■■■■■■■■	Final versions of customer service quality assurance reports relating to the Compliance Management core business. Includes statistical reports summarising complaint handling processes, responses, timeliness etc.	Destroy 3 years after last action
21523 ■■■■■■■■■■	Records documenting administration, development work and routine system reporting in relation to the Compliance Management core business. Includes drafts, working documentation, background research, stakeholder review comments, etc. supporting the development of final policies, procedures and reports.	Destroy 6 months after last action

CORPORATE COMMUNICATIONS & KNOWLEDGE SERVICES

The core business of managing internal and external corporate communication channels in order to facilitate access to information, advice, products and resources in relation to workplace relations matters. Includes:

- Handling of customer/client complaints, enquiries, feedback and suggestions;
- Development of policies and procedures supporting corporate communications and knowledge services;
- The dissemination of information via the organisation's contact centres, website and other channels; and
- Management of programs and educational activities offering information, advice and assistance to individuals, industries and associations in relation to workplace relations rights and obligations.

Also includes the development of pay scale summaries and the research, analysis and summarising of data in order to provide technical information, advice and support to internal and external clients.

For raising and maintaining the organisation's public profile, including media relations, organisation of public events and visits, marketing of the organisation's products and services and general enquiries and complaints about the organisation's services, use AFDA COMMUNITY RELATIONS.

For the production and dissemination of published documents such as reports, brochures, pay scale summaries, information statements, declaration forms, legislative interpretations, published advice, directories and newsletters, use AFDA PUBLICATION.

For complaints in relation to potential breaches of workplace relations legislation that lead to compliance monitoring and investigation, use COMPLIANCE MANAGEMENT.



For the management of the organisation's information holdings, including handling freedom of information requests and applications, use AFDA INFORMATION MANAGEMENT.

For the management of government and parliamentary matters, including ministerials, briefing notes, cabinet submissions etc, use AFDA GOVERNMENT RELATIONS.

For the technical maintenance and management of the organisation's website, use AFDA TECHNOLOGY & TELECOMMUNICATIONS.

Class	Description of records	Disposal action
21524 ██████████	Records documenting formal research projects either conducted or commissioned by the organisation or undertaken in collaboration with other organisations relating to workplace agreements or other workplace relations matters that result in major changes to industry policy or procedures, or where longitudinal studies show labour market trends. Includes analyses and interpretation of findings and final research reports.	Retain as national archives
21525 ██████████	Final versions of: <ul style="list-style-type: none"> • policies and procedures relating to the Corporate Communication & Knowledge Services core business, such as complaint and enquiry handling policies and procedures; and • unpublished presentations, speeches, and handouts developed for program seminars, forums and information sessions. 	Destroy 10 years after last action
21526 ██████████	Records documenting educational activities and specific programs such as partnership programs, ambassador programs, industry partnership programs, employer advisory programs, community programs etc. set up to provide workplace relations advice, information and assistance to industries, organisations, associations and individuals. Includes: <ul style="list-style-type: none"> • records relating to the handling of complaints, enquiries and the provision of information and assistance to specific client groups and associations as part of a targeted program; and • marketing plans, advertising campaigns, promotional products (excluding publications) and market research surveys to support programs and educational activities. 	Destroy 10 years after last action

CORPORATE COMMUNICATIONS & KNOWLEDGE SERVICES

Class	Description of records	Disposal action
21527 	<p>Records documenting the handling of complaints and enquiries in relation to workplace relations matters and the conduct of research to support the provision of information to internal and external clients. Includes:</p> <ul style="list-style-type: none"> Records relating to the receipt, documentation and response to customer complaints and enquiries, such as caller identification details, complaint and enquiry logs, response letters and/or notes and scripts for standard response enquiries; Records documenting the monitoring and evaluation of customer services, including quality assurance reports and telephony statistics; Records relating to research carried out either in response to a specific customer enquiry, or to provide a knowledge base to assist frontline staff and management respond to customer complaints, enquiries and requests for information. Includes ad-hoc research reports, statistical reports, knowledge articles, summaries and information sheets, research surveys etc; Records relating to the development of final published pay scale summaries, such as research and interpretations of industrial instruments, liaison and consultations with external bodies, calculations, background documentation and draft versions of pay scale summaries; and Notifications and advice to frontline staff in order to keep frontline staff abreast of current workplace relations matters, and respond to customer complaints, enquiries and requests for information accordingly. Includes internal bulletin boards. 	Destroy 7 years after last action
21528 	<p>Records documenting administration, development work and routine system reporting in relation to the Corporate Communications & Knowledge Services core business. Includes:</p> <ul style="list-style-type: none"> drafts, working documentation, background research, and stakeholder review comments, etc. supporting the development of final policies, procedures, research, presentations and speeches; records relating to venue bookings, catering and other arrangements for seminars, forums, presentations and information sessions; and routine system-generated reports in relation to numbers and types of enquiries received by the organisation. 	Destroy 6 months after last action