



Australian Government

National Archives of Australia

Records Authority
2011/00531286

**The Department of Families,
Housing, Community Services and
Indigenous Affairs**

*Indigenous Affairs Coordination
Indigenous Funding Administration*

December 2011

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INTRODUCTION

The Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) 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 Indigenous Affairs Coordination and Indigenous Funding Administration. It represents a significant commitment on behalf of FaHCSIA to understand, create and manage the records of its activities.

This Authority is based on the identification and analysis of the business of FaHCSIA. 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.

The 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 Authority gives FaHCSIA 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, 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 records authority can be applied to records created in the core businesses of Indigenous Affairs Coordination and Indigenous Funding Administration that are under the control of the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA). Records controlled by other bodies within the portfolio of FaHCSIA cannot be sentenced under this Authority.
3. This records authority is part of a review of disposal authorisation for Commonwealth records of Indigenous specific government activity. It partially supersedes classes in the following RDAs:
 - RDA 509 issued to the Aboriginal & Torres Strait Islander Commission in 1988;
 - RDA 552 issued to the Department of Aboriginal Affairs in 1989;
 - RDA 605 issued to the Department of Aboriginal Affairs in 1989; and
 - RDA 729 issued to the Aboriginal & Torres Strait Islander Commission in 1991.

Further authorisation for the disposal of Indigenous records in the control of bodies other than FaHCSIA is planned.

4. 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; and
 - source records that have been copied.
5. 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 Authority but can be used as a tool to assist in identifying records for destruction together with an agency's Records Authority or Authorities, and with AFDA and AFDA Express. 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
6. 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

applied, providing the records document the same core business. The information must be accessible for the period of time prescribed in this Authority. FaHCSIA will 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.

7. In general, retention requirements indicate a minimum period for retention. FaHCSIA 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 FaHCSIA 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.
8. The application of this authority will be affected by disposal freezes placed by the National Archives. These freezes relate to records affecting the rights and entitlements of Aboriginal and Torres Strait Islander people. While the freeze is in place no records relating to the topic or event may be destroyed. Further information about disposal freezes is available from the National Archives' website at www.naa.gov.au
9. Records which relate to any current or pending legal action, or are subject to a request for access under the Archives Act 1983 or any other relevant Act must not be destroyed until the action has been completed.
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 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.
12. Advice on how to use this Authority is available from the FaHCSIA 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 2011/00531286

Person to whom notice of authorisation is given:

Finn Pratt
Secretary
Department of Families, Housing, Community Services and Indigenous Affairs
Tuggeranong Office Park
Athllon Drive
Greenway ACT 2900

Purpose:

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

Application:

All core business records relating to Indigenous Affairs Coordination, Indigenous Funding Administration.

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 with the consent of the agency currently responsible for the business documented in the records described.

Authorising Officer



Margaret Chalker
Assistant Director-General
Government Information Management
National Archives of Australia

Date of issue:

6 December 2011

INDIGENOUS AFFAIRS COORDINATION

The core business of establishing, coordinating and implementing whole-of-government reform initiatives and high-level policies and programs for the delivery of funded services and initiatives to protect, promote and support Indigenous identity, rights and entitlements. Strategies, initiatives, frameworks, policies and programs are developed and delivered in partnership with other Commonwealth agencies, state and territory governments, Indigenous Australians and with the private and non-government sectors. The core business includes monitoring and review of the performance of government agencies that are accountable for Indigenous reforms and services. High-level policy activities also include support for the establishment of entities such as the National Congress of Australia's First People and the Healing Foundation.

Core business activities undertaken to support the coordination of whole of government policy development, frameworks, strategies and service and program delivery including:

- supporting the establishment and dissolution of entities;
- liaising, consulting and negotiating with stakeholders such as Indigenous communities and mining companies and reporting on outcomes;
- liaising and collaborating on governance arrangements;
- designing and developing policies, frameworks, strategies, programs, services etc;
- negotiating, establishing and reviewing national and bilateral agreements;
- developing plans for delivering cross jurisdictional programs and objectives;
- managing meetings and committees;
- representing the agency on external committees and at meetings;
- providing advice on preparing submissions for initiatives;
- preparing the government's annual Single Indigenous Budget;
- providing policy advice to the Minister, agencies and individuals;
- promoting initiatives;
- preparing and presenting addresses on initiatives; and
- monitoring, evaluating and reviewing outcomes.

Core business activities undertaken to support research initiatives including:

- undertaking strategic planning for Indigenous research and evaluation;
- consulting and coordinating longitudinal studies;
- carrying out research and analysing and interpreting results;
- reporting on results; and
- licensing the purchase of research outcomes and datasets.

The performance of the core business is supported by administrative activities such as:

- making arrangements to support journeys and visits;
- auditing;
- organising conferences, seminars and workshops;
- managing projects;
- developing operational policies and procedures;
- supporting elections; and
- managing risk.

INDIGENOUS AFFAIRS COORDINATION

For funding the delivery of services and programs through grants, use INDIGENOUS FUNDING ADMINISTRATION.

For legal advice received on the interpretation of Indigenous legislation administered by the agency, use AFDA/AFDA Express LEGAL SERVICES.

For the development and amendment of legislation, use AFDA/AFDA Express GOVERNMENT RELATIONS.

For the development of the agency's Reconciliation Action Plan and reporting on its implementation, and for preparing the agency's business plan, use AFDA/AFDA Express STRATEGIC MANAGEMENT.

For producing and disseminating published works, use AFDA/AFDA Express – PUBLICATION.

For managing the acquisition of goods and services, and tendering and contracting arrangements, use AFDA/AFDA Express – PROCUREMENT.

For establishing and managing Indigenous financial accounts for the delivery of program funding, use INDIGENOUS FUNDING ADMINISTRATION.

For records of the administration of the Board of the former Aboriginal and Torres Strait Islander Commission (ATSIC) use GOVERNING BODIES.

For managing the deliberations and administrative activities of advisory bodies established to provide advice on national Indigenous affairs coordination use ADVISORY BODIES.

| Class no | Description of records | Disposal action |
|----------|---|-----------------------------|
| 52183 | <p>The following significant records:</p> <ul style="list-style-type: none"> • final policies, frameworks, strategies and service and program proposals and supporting documentation, for example research, surveys, criteria, feasibility studies, issue and discussion papers, submissions, reports on consultations with Indigenous communities; • advice, reports and submissions made to the Minister or other agencies and submissions received from external stakeholders. Includes the provision and receipt of legal advice; • liaison and consultation with Indigenous communities and individuals, mining companies and other stakeholders. Includes supporting records such as reports and recordings; • final versions of national partnership and bilateral agreements; • final versions of speeches, addresses and statements of the portfolio Minister and senior agency officers in support of Indigenous affairs coordination; • final versions of research and evaluation plan and supporting records such as outcomes from consultations; • final reports, evaluations and reviews of policies, strategies, frameworks and services and programs, for example the Closing the Gap Monitoring Report; • longitudinal studies, research, analysis, interpretations and reports; • high-level meetings, committees and councils where the agency is the Commonwealth's main representative, or plays a leading role or provides the Secretariat, for example, the Council of Australian Governments (COAG); • electoral records for the establishment of national Indigenous coordination bodies; • the establishment and dissolution of entities which have had a major impact on Indigenous affairs coordination; | Retain as national archives |

INDIGENOUS AFFAIRS COORDINATION

| Class no | Description of records | Disposal action |
|-----------------|---|---|
| | <ul style="list-style-type: none">• final versions of unpublished conference papers presented at conferences hosted by the agency;• all Indigenous policy coordination records created before the commencement of ATSIC in March 1990. | |
| 52184 | Records supporting the planning, coordination, collation and submission of the annual single Indigenous budget. | Destroy 10 years after action completed |
| 52185 | Records documenting: <ul style="list-style-type: none">• routine operational administrative tasks supporting the core business; and• Indigenous affairs coordination activities, other than those covered in class 52183 or 52184. | Destroy 7 years after action completed |

INDIGENOUS FUNDING ADMINISTRATION

The core business of managing, administering and coordinating funding grants to enable the delivery of Indigenous initiatives, programs and services. Funding of Indigenous programs is provided in partnership with state and territory governments and Indigenous organisations. It includes the provision of funding to approved organisations for the purchase of land and the development of infrastructure for Indigenous communities. It also includes FaHCSIA generated and controlled records of the Aboriginals Benefit Account.

Note: Funding is provided for communities and organisations, land and native title, leadership, money management, law and human rights, Indigenous engagement and the Northern Territory Emergency Response programs and initiatives.

The core business includes activities undertaken to set up the administration of funds, accounts or schemes, such as:

- developing policies that are specific to the management of a fund, account or scheme;
- developing funding guidelines and criteria;
- promoting the funding program;
- receiving expressions of interests from consultants and establishing a register; and
- receiving and responding to enquiries about funding assistance.

The core business includes activities undertaken to assess and process applications, such as:

- soliciting and assessing applications for grant and funding assistance;
- establishing funding agreements, letters of offer, amended schedules and variations to terms;
- handling complaints about unsuccessful applications;
- managing appeals, including internal consideration; and
- reporting on funding initiatives.

The core business includes activities undertaken to manage and monitor funding arrangements, such as:

- monitoring compliance with funding terms and conditions;
- undertaking investigations of breaches of terms and conditions;
- conducting periodic inspections of mortgage properties and obtaining property valuations;
- receiving progress reports from service providers;
- monitoring briefing notes and minutes of site meetings;
- providing ministerial advice;
- financial monitoring including viability checks;
- fund acquittal;
- managing mining royalty/compensation distributions.

The performance of the core business is supported by administrative activities such as:

- giving and receiving advice;
- arranging trips and visits;
- auditing;
- authorising and delegating;
- managing agency meetings and committees;
- representing the agency on external committees and at meetings; and
- developing operational procedures.

INDIGENOUS FUNDING ADMINISTRATION

For the establishment of high-level policies, frameworks and strategies for programs and services; for establishing and reviewing national and bilateral agreements, and for final reports, evaluations and reviews of funded Indigenous programs and services, use INDIGENOUS AFFAIRS COORDINATION.

For managing tendering and contracting arrangements, use AFDA/AFDA Express – PROCUREMENT.

For paying contractors, use AFDA/AFDA Express – FINANCIAL MANAGEMENT.

For records of the Aboriginals Benefit Account Advisory Committee use ADVISORY BODIES.

| Class no | Description of records | Disposal action |
|----------|---|---|
| 52186 | <p>The following significant records:</p> <ul style="list-style-type: none"> • fund, scheme or account specific policies; • funding guidelines and criteria; • advice provided to the Minister; • reports on consultations with Indigenous communities; • summary records of successful and unsuccessful applications; • final reports on funding programs and projects, including evaluations and reviews; • case records for funding applications and projects documenting projects that have had a significant impact on Indigenous social and economic welfare; • case records for successful and unsuccessful funding applications that were controversial or attracted significant public interest; • support for legal cases and appeals that set a precedent; influenced the development of policies and procedures; or attracted significant media attention or public interest; • all records within the scope of this core business, created before the commencement of ATSIC in March 1990. | Retain as national archives |
| 52187 | Deeds of title for government owned land and caveats on use of land. | Hold as long as Commonwealth has an interest, transfer to new owner on sale |
| 52188 | <p>Records documenting the administration of grants for purchasing land and the development and construction of infrastructure for Indigenous communities. Includes:</p> <ul style="list-style-type: none"> • approved grant applications and supporting documents; • final versions of funding agreements, letters of offer, schedules and variations to terms and conditions; • final versions of progress reports; • briefing notes, minutes of site meetings, financial viability checks; • records of investigations of funding breaches; • internal performance reports; • funding acquittal documents; and • appeal records. <p><i>[For unsuccessful applications, use INDIGENOUS FUNDING ADMINISTRATION – Class 52191]</i></p> | Destroy 75 years after acquittal or abandonment of grant or sale and/or divestment of land and infrastructure |

INDIGENOUS FUNDING ADMINISTRATION

| Class no | Description of records | Disposal action |
|----------|---|--|
| 52189 | Records relating to the management of mining royalties/compensation including deposits, audits, reviews and distribution arrangements for the Aboriginals Benefit Account. <i>[For FaHCSIA generated and controlled records of consultations and negotiations with mining companies regarding royalty payments, use INDIGENOUS AFFAIRS COORDINATION]</i> | Destroy 50 years after the closure of the Account |
| 52190 | Records documenting the administration of all other approved grants. <i>[For unsuccessful applications, use INDIGENOUS FUNDING ADMINISTRATION – Class 52191]</i> | Destroy 10 years after acquittal or defunding of grant |
| 52191 | Records documenting: <ul style="list-style-type: none">• routine operational administrative tasks supporting the core business; and• Indigenous funding administration activities, other than those covered in classes 52186 to 52190. | Destroy 7 years after action completed |