



Records Authority
2013/00571571

Veterans' Review Board
Case Management

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2015

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INTRODUCTION

The Veterans' Review Board (VRB) 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 area of Case Management. It represents a significant commitment on behalf of the VRB to understand, create and manage the records of its activities.

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

APPLICATION OF THIS AUTHORITY

1. This Authority supersedes Records Authorities S491 (1988) and S535 (1988). The superseded records authorities cannot be used by the VRB after the date of issue of this Authority.
2. This Authority should be used in conjunction with the Tribunals Records Authority 2011/00681744 covering Tribunal External Relations and Tribunal Management and Statutory Appointments.
3. This 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 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 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. 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;
 - General Records Authority 24 – Records Relating to Data Matching Exercises; and
 - General Records Authority 31 for source (including original) records that have been copied, converted or migrated.
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. 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.
7. 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.

8. 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. The VRB 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.
9. In general, retention requirements indicate a minimum period for retention. The VRB 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 VRB 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.
10. 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*.
11. 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.
12. 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.
13. Advice on how to use this Authority is available from the VRB's 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 records management matters, please contact the National Archives' Agency Service Centre.

Queen Victoria Terrace

Parkes ACT 2600

PO Box 7425

Canberra Business Centre ACT 2610

Tel: (02) 6212 3610

Fax: (02) 6212 3989

Email: recordkeeping@naa.gov.au

Website: www.naa.gov.au

AUTHORISATION

RECORDS AUTHORITY 2013/00571571

Person to whom notice of authorisation is given:

Mr Doug Humphreys
Principal Member
Veterans' Review Board
Principal Registry
L2, Building B Centennial Plaza
280 Elizabeth Street
Surry Hills NSW 2000

Purpose:

Authorises arrangements for the disposal of records in accordance with Section 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 core business records relating to Case Management.

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.

Authorised by

David Fricker
Director-General
National Archives of Australia

Date of issue:

21 April 2015

CASE MANAGEMENT

The core business of conducting independent merits review of decisions made under the Veterans' Entitlements Act 1986, the Military Rehabilitation and Compensation (consequential and transitional provisions) Act 2004 and the Military Rehabilitation and Compensation Act 2004, including managing and determining cases and conducting appeal hearings.

The **core activities** include:

- handling enquiries;
- receipt and initial assessment of applications;
- monitoring of case progress;
- research or investigation undertaken during operations;
- arranging and conducting mediation, arbitration, adjournments, conferences (including pre-hearing conferences) and/or hearings;
- providing advice to applicants;
- arranging legal, security or interpreter services;
- issuing of summonses or notices to produce;
- taking evidence and/or witness statements;
- managing requests and receipt of reports or submissions from DVA, the applicant or a representative;
- case related communication with DVA, the applicant or a representative (prompted by the 'certificate of readiness');
- establishing and managing internal committees related to individual cases;
- referral to higher appeal bodies;
- finalisation of applications including notifying applicants and other stakeholders and publication of decisions and reasons, includes dismissed, lapsed and withdrawn cases; and
- development and dissemination of policies, procedures and guidelines.

Cross References

For records relating to managing relationships with other tribunals, government and community stakeholders, including the provision of advice, use Tribunal Records Authority 2011/00681744 – TRIBUNAL EXTERNAL RELATIONS.

For records relating to establishing and managing the administration of the tribunal, including the appointment and terms and conditions of statutory appointees, and the development of tribunal policies, procedures and guidelines, use Tribunal Records Authority 2011/00681744 – TRIBUNAL MANAGEMENT AND STATUTORY APPOINTMENTS.

Class no	Description of records	Disposal action
61462	<p>The following significant records:</p> <ul style="list-style-type: none"> • cases appealed to the Federal or High Court such as, Repatriation Commission v Deledio [1998] FCA 391; (1998) 83 FCR 82 or cases which are controversial, create intense media interest, result in major changes to policy, procedure or legislation, or have far-reaching corporate, social, economic, environmental, national or international implications (eg the 'Young' case later heard by the United Nations Human Rights Committee), including transcripts of hearings; • final versions of policies relating to case management; • master set/register of Board decisions; and • master version of agency publications. 	Retain as national archives

CASE MANAGEMENT

Class no	Description of records	Disposal action
61463	Case files where the application has been dismissed or has lapsed.	Destroy 25 years after action completed
61464	Audio, video or other digital recordings of proceedings.	Destroy 2 years after action completed
61465	Records documenting: <ul style="list-style-type: none">• routine operational administrative tasks supporting the core business; and• case management activities other than those covered in classes 61462 to 61464.	Destroy 7 years after action completed