



Australian Government

National Archives of Australia

Records Authority

2019/00457762

Department of Defence

Defence Youth and Cadets

2020



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INTRODUCTION

The Department of Defence (Defence) 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 Defence Youth and Cadets. It represents a significant commitment on behalf of Defence to understand, create and manage the records of its activities.

This authority is based on the identification and analysis of the business of Defence. It takes into account the agency's legal and organisational information management requirements, and the interests of stakeholders, the agency and the National Archives.

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 Defence 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 on the basis of information provided by the agency.

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

APPLICATION OF THIS AUTHORITY

1. In Australian Defence Force (ADF) policy, the terms child, young person, youth and minor are equivalent and interchangeable. The National Archives of Australia defines the term 'child' as anyone being below the legal age of majority in Australia, which is 18 years of age. This records authority will employ the term 'youth' to represent all listed related terms.
2. 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 Defence 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' are to be transferred to the National Archives for preservation.
3. This authority should be used in conjunction with general records authorities such as:
 - the AFDA Express Version 2 issued by the National Archives to cover business processes and records common to Australian Government agencies; and
 - General Records Authority (31) - Destruction of source or original records after digitisation, conversion or migration (2015).
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 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 Express Version 2. The National Archives recommends that agencies develop and implement a NAP policy. Advice and guidance on destroying records as a normal administrative practice and on how to develop a 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 an analogue system to a digital 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. Defence 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.
 8. In general, retention requirements indicate a minimum period for retention. Defence 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 Defence 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 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. Records created digitally after 1 January 2016 can be transferred in digital formats only.
 12. Advice on how to use this authority is available from the Defence 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 information management matters, please contact National Archives' [Agency Service Centre](#).

AUTHORISATION

RECORDS AUTHORITY 2019/00457762

Person to whom notice of authorisation is given:

Greg Moriarty
Secretary
Department of Defence
Russell Offices
Canberra ACT 2600

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 Defence Youth and Cadets

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



Jason McGuire
A/g Assistant Director-General, Government Data and Policy
National Archives of Australia

Date of Issue: 19 August 2020

DEFENCE YOUTH AND CADETS

The core business of Defence managing contact, engagement and interaction with youth in a variety of ways, both in Australia and overseas

The recognised contexts in which Defence as a Commonwealth agency experiences contact, engagement and interaction applicable to youths includes:

- Defence Youth Programs, which include but are not limited to:
 - service of ADF members (generally whilst in the training stage as an officer cadet or enlisted recruit) and employment of Australian Public Service (APS) personnel under the age of 18);
 - ADF Cadets;
 - Defence Work Experience Program;
 - Training Ship Young Endeavour.
- contact with children and young people during domestic and international operations, as well as other activities such as Defence exercises, public events, Defence recruiting activity and managing Defence interaction with public institutions conducting programs that contact children and youths.

The management of contact, engagement and interaction with youths is acknowledged as a unique arrangement within Defence, and accordingly in the context of the administration of all related records. Not only are ADF and APS personnel directly involved, but also other stakeholders are considered to hold direct involvement; such as approved volunteer non-Defence adults and youths who participate in the recognised described contexts.

The **core** activities include:

- developing and implementing Defence youth programs;
- recruiting and managing volunteer adults in Defence youth programs;
- accepting and managing youths in Defence youth programs;
- conducting investigations and inquiries into actual or alleged instances of sexual abuse of youths;
- addressing disclosures, allegations and complaints and providing remedial action for individuals who have made allegations of sexual abuse;
- provision of care or welfare services to youths;
- youth training applicable to Defence; and
- youth safety incident management.

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

- developing and implementing policies, directives, strategies, procedures and other guidance material such as handbooks and manuals;
- planning and reporting;
- providing and receiving advice;
- delegating powers and authorising actions;
- planning, conducting and facilitating audits;
- receiving and handling complaints;
- evaluating and reviewing;
- managing risks;
- developing and managing agreements and arrangements;

- managing committees, groups, boards and forums;
- undertaking compliance and monitoring; and liaising and coordinating.

Cross references to other Defence records authorities

For strategic agreements and arrangements, use STRATEGY AND ADVICE.

For advice, briefs and submissions to Defence leadership, use STRATEGY AND ADVICE.

For statutory appointed independent reviews of Defence unrelated to engagement, interaction and contact with youth matters, use MILITARY JUSTICE AND LEGAL SERVICES.

For Defence inquiries into non-youth safety incidents specific to Defence contact, engagement and interaction with youth, use MILITARY JUSTICE AND LEGAL SERVICES.

For Defence investigations into non-youth safety incidents specific to Defence contact, engagement and interaction with youth, use MILITARY POLICE.

For candidates successfully enlisted or appointed into the ADF, use PERSONNEL, HEALTH AND WELFARE.

For the induction and exiting of ADF personnel participating in Defence contact, engagement and interaction with youth, use PERSONNEL, HEALTH AND WELFARE.

For ADF personnel enlisted as minors and attaining the age of 18, use PERSONNEL, HEALTH AND WELFARE.

For the planning and management of military training of youths in the Cadet Organisation and the ADF, use DEFENCE TRAINING.

For reporting involving Defence contact, engagement and interaction with youth whilst on operations, use DEFENCE OPERATIONS.

Cross references to AFDA Express Version 2

For control records including information about the destruction of records, use TECHNOLOGY AND INFORMATION MANAGEMENT.

For records that relate to common audit activities not related to Defence contact, engagement and interaction with youth, use FINANCIAL MANAGEMENT.

For managing Defence youth and cadets grant funds, use FINANCIAL MANAGEMENT.

For risk management not specifically linked to youth safety, use WORK HEALTH & SAFETY.

For the induction and exiting of APS personnel participating in Defence contact, engagement and interaction with youth, use PERSONNEL MANAGEMENT.

CLASSES

Class no	Description of records	Disposal action
62705	<p>Records documenting:</p> <ul style="list-style-type: none"> • High-level committees, groups, boards and forums, including establishment documentation, agenda, final versions of minutes, recommendations, reports and tabled papers; • developing, establishing, implementing and reviewing high level policies, directives, governance, strategies and programs related to Defence engagement with youth. Includes final versions, major drafts, stakeholder consultations and supporting research, as well as interim policies and directives; • reporting to Government on Defence engagement, interaction and contact with youth; • summary participation records relating to ADF Cadets and youth programs, such as CadetNet; • developing and reviewing policies, plans, strategies and other guidance material relating to sexual abuse incidents and allegations involving youths. Includes final version, major drafts, supporting research and results of stakeholder consultations; • activities relating to sexual abuse disclosures, allegations or complaints involving youths, including: <ul style="list-style-type: none"> ○ investigation and inquiry case records relating to alleged sexual abuse incidents, including cases referred to external law enforcement agencies and allegations that were not proven. Includes the initiating allegation or complaint, evidence collected or seized, records of interviews conducted, records of legal proceedings, supporting research and appeals and reviews of decisions; ○ actions taken to address allegations and cases of sexual abuse and related matters (e.g. treatment, personnel, counselling or discipline records, records of review actions and decisions by external authorities); and ○ support, redress and remedial action for individuals who have made allegations of sexual abuse (e.g. counselling, mediation and related medical records). • master set of training materials relating to sexual abuse incidents and allegations; • major internal reviews relating to the process of handling of sexual abuse incidents and allegations. Includes final review report, major drafts, recommendations, stakeholder consultations and supporting research; • reviews specific to Defence engagement, interaction and contact with 	Retain as national archives

Class no	Description of records	Disposal action
	<p>youth, including final review report, major drafts, recommendations, stakeholder consultations and supporting research; and</p> <ul style="list-style-type: none"> • receipt or provision of high-level advice relating to sexual abuse incidents and allegations received from or provided to government agencies or other bodies, including advice provided as part of investigations and inquiries. <p><i>[For advice, briefs and submissions to the portfolio Minister relating to sexual abuse incidents and allegations, use STRATEGY AND ADVICE]</i></p>	
62706	<p>Records documenting:</p> <ul style="list-style-type: none"> • receipt and provision of authoritative advice, including legal, regulatory, training, workplace health and safety, and intelligence and security advice; • development and implementation of agreements and arrangements; • manuals, handbooks and procedures; • significant liaison (such as Direct Liaison Authorisations) and coordination within Defence with other Australian agencies, international agencies, other forces and other nations; • conduct of risk management activities; • personnel administration activities recruiting or selecting volunteer adult candidates seeking to participate in programs involving Defence engagement, interaction and contact with youth, including: <ul style="list-style-type: none"> ○ receiving initial enquiries and providing initial information to adult candidates; ○ case managing through the appropriate vetting activities and processes an adult candidate; ○ testing and assessing adult candidates against accepted standards, policies and guidelines in order to determine the candidate's suitability to progress through the selection process; ○ selecting and approving for participation the adult candidate; ○ determining non-selection of an adult candidate; • processing and vetting declarations to enable adult volunteers to comply with applicable State and Territory legislation pertaining to working with children; • management of induction and exit of adult volunteers participating in Defence youth programs; • managing and administering discipline of approved adults involved in Defence youth programs; 	Destroy 100 years after action completed

Class no	Description of records	Disposal action
	<ul style="list-style-type: none"> • managing and coordinating a youth safety governance regime across Defence youth programs, and any instance of Defence engagement, interaction and contact with youth; • managing, monitoring and reporting matters relating to Defence youth programs, where the individual youth have recognised special (court ordered or parent/guardian) requirements; • planning, managing and implementing appropriate protections for minors relating to Defence youth programs or any instance of Defence engagement, interaction and contact with youth; • operating, maintaining and administering attendance registers relevant to Defence engagement, interaction and contact with youth activities or events; • planning and management of appropriate training programs specific to ADF Cadets and other Defence youth training; • managing youth safety incidents of neglect or harm involving Defence contact, engagement and interaction with youth, other than those covered in RNA class; • actions taken to address youth safety incidents of neglect or harm involving Defence contact, engagement and interaction with youth, other than those covered in RNA class; • referring a youth safety incident specific to Defence contact, engagement and interaction with youth to a higher authority; • submitting a mandatory report as required by legislation to an applicable higher authority specific to suspected cases of child abuse within Defence; • internal level personnel incident reporting applicable to Defence contact, engagement and interaction with youth; • reporting on Defence contact, engagement and interaction with youth whilst on other Defence related activities such as Defence exercises, public events, Defence recruiting activity and managing public institutions; and • developing and reviewing policies, plans, strategies, procedures and other guidance material relating to sexual abuse incidents and allegations involving youths, other than those covered in class 62705. Includes final versions, major drafts, supporting research and results of stakeholder consultations. 	

Class no	Description of records	Disposal action
62707	<p>To allow for delayed disclosure of sexual abuse by survivors and take account of limitation periods for civil action for sexual abuse, the following records documenting:</p> <ul style="list-style-type: none"> • all youth case records (cadet files) including welfare records, where the youth is under the care or custody of Defence, or receives services directly from Defence in exercising its responsibility for youths or otherwise carries out youth-related work (i.e. where the contact with a youth is direct and part of a person's duties). <p><i>[Excludes investigation and inquiry case records covered in 62705.]</i></p>	Destroy 100 years after date of birth or 100 years after action completed, whichever is sooner
62708	<p>Records documenting:</p> <ul style="list-style-type: none"> • all activities associated with managing sexual abuse incidents and allegations involving youths, other than those covered in classes 62705-62707. 	Destroy 45 years after action completed
62709	<p>Records documenting:</p> <ul style="list-style-type: none"> • external audit final reports (e.g. conducted by an external authority such as the Australian National Audit Office) where the audit report is qualified by the Auditor-General; • non-compliant audit reports and supporting documentation of an internal or external financial audit where: <ul style="list-style-type: none"> ○ the audit report is qualified by the Auditor-General; and ○ there are major or significant changes to current practices; • compliance certification with specified standards and specifications; and • managing any complaint submitted to the chain of command specific to Defence engagement, interaction and contact with youth. 	Destroy 25 years after action completed
62729	<p>Records documenting:</p> <ul style="list-style-type: none"> • final internal audit reports (e.g. conducted by an external commercial auditing bodies contracted by the organisation to undertake an audit, or internally within the organisation); • all internal level reporting used to develop and inform higher level reports <i>[Excludes reporting to government]</i>; and • master-copies of marketing and media material developed relevant to Defence youth programs. 	Destroy 10 years after action completed
62730	<p>Records documenting:</p> <ul style="list-style-type: none"> • compliant audit reports and supporting documentation of an internal or external financial audit where: <ul style="list-style-type: none"> ○ the audit report has been accepted by the Auditor-General; and ○ there are no changes or only minor or routine changes to current practices; 	Destroy 7 years after action completed

Class no	Description of records	Disposal action
	<ul style="list-style-type: none"> • general compliance activities, including compliance certificates and requirements information; • planning, managing and administering welfare support to approved adults participating in Defence youth programs; • unsuccessful adult volunteer candidate psychological assessments; • name identified records relating to managing compensation and rehabilitation claims specific to approved adults participating in Defence youth programs; • the management of non-public monies; • operating and maintaining routine administrative registers; and • planning, approval and execution of specific marketing campaigns and initiatives relevant to Defence youth programs. 	
62731	Records documenting: <ul style="list-style-type: none"> • receipt and provision of generalist advice, such as responding to requests for advice from school-based cadet units relating to programs and the administration of students. 	Destroy 5 years after action completed
62732	Records documenting: <ul style="list-style-type: none"> • routine administrative tasks supporting the core business; and • Defence Youth and Cadets activities other than those covered in classes 62705–62709 and 62729-62731. 	Destroy 3 years after action completed