



THE UNIVERSITY
of ADELAIDE

Legal Compliance Education and Awareness

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State Records Act 1997

(South Australia)

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seek LIGHT

What does the State Records Act do?

- Provides for the preservation & maintenance of ***official records***
- Ensures agencies & members of the public have prompt & efficient access to official records for research or other purposes
- Promotes the use of best practices in management of official records
- Imposes penalties for the unauthorised destruction of official records

How does the Act apply to the University?

- In accordance with the State Records Act, current official University records must be maintained in good order & condition
- The University must retain official records for the required time period as set out in disposal schedules authorised by the State Records Council
- The University **may only** dispose of official records in accordance with disposal schedules
- The University adopts the State Records Act **best management practices**, which are affirmed by the University [Records Management Policy & Manual](#)
- [State Records](#) conduct audits of the University's [Records Management practices](#)

What is an “official University record”?

- From the University's perspective, a record comprises recorded information in any form (regardless of format) that is:
 - created or received by the University in the course of transacting its business or carrying out its activities; &
 - retained as evidence of that activity or business
- The record might be:
 - *maps & plans*
 - *audio & videotapes*
 - *film & photographs*
 - *an email, letter or memo*
 - *lab book*
 - *set of lecture handouts*
 - *anything else tangible (or reproducible) that shows what the University does, has done, or will be doing*

Examples of official University records

- minutes from a University standing committee meeting
- any interaction with external groups, regulatory agencies or funding bodies
- evidence, whether through email, letter or memo, that you are:
 - making a decision
 - offering advice
 - exercising a University responsibility
- contracts, agreements & other legal documents
- submissions & reports
- payment receipts, invoices, or evidence of a transaction
- any University publication
- student & employee records
- documented changes to policy, procedure or operational methodology

What is NOT considered an official University record?

- transitory or short term items, such as phone messages, notes or compliment slips
- office notices & circulars
- rough working papers &/or calculations created in the preparation of official records (including those in electronic format)
- drafts not intended for further use or reference, **excluding** official version drafts of agreements, submissions & legal documents
- duplicate copies of material retained for reference purposes only
- published material which does not form an integral part of an agency record
- system printouts used to verify or monitor data, or answer ad hoc queries, that are not part of regular reporting procedures & not required for ongoing use
- brochures, catalogues, price lists or unsolicited promotional material received from external sources

Management of official records

- Under the Act, official records must be:
 - created & captured correctly
 - disposed of systematically
 - accessible
 - able to be located & relied upon
- Proper management incorporates:
 - Provision of training to staff
 - Implementation of adequate policies, procedures & practices
 - Implementation of reporting mechanisms
 - Allocation of skilled records management resources

How long do records need to be saved or retained for?

- The University must retain official University records for the required period of time as set out in [disposal schedules](#) authorised by the State Records Council
- Some records must be retained permanently
- Other records may be destroyed after a set period of time.

For Example

- *7 years after the lease expires*
- *1 year after last action completed*
- *5 years after system superseded*
- *45 years after last entry*
- *10 years after a file is closed*

NOTE: If records are saved on TRIM, the responsibility of disposal of the record becomes that of the Records Management Office & there is far less risk of the record being accidentally altered or destroyed by a staff member

Access to University documents

- Anyone may request access to archived University documents as they would those in the custody of State Records, including;
 - *Council & committee minutes*
 - *building plans*
 - *contracts & legal documents*
 - *research papers*
 - *staff & student information*
 - *correspondence & email*
 - *files held on shared drives, laptops & USB sticks*
- Access to University records from someone outside the University, can only be granted by the University's [Freedom of Information](#) Officer [Sue Coppin](#)

What can happen if I don't comply?

Individual Consequences:

- Fines of up to \$10,000 for unauthorised destruction of official University records
- Imprisonment for up to two years for unauthorised alteration of an official record
- A breach of the Act may be considered misconduct actionable under the University's Enterprise Agreement

University Consequences:

- Loss of corporate history
- Unfavourable press to the University & damage to the University's reputation
- Civil & criminal action

University obligations under the Act?

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University obligations under the Act?

- Do not damage, alter or destroy official records unless you have authority from the [Records Management Office](#)
- Periodically archive emails
- Do not remove an official record from the University without written authorisation from the Records Management Office (whether hard or soft-copy)
- Manage the records you create & receive in an accountable manner
 - Aim to use the University's record-keeping system TRIM rather than just your S:drive
 - If your records **have** been captured in TRIM, then disposal will happen automatically & the Records Office will consult with business owners of records before any disposal occurs
 - If your documents are under local departmental custody (ie. saved on the S:drive) and **have not** been captured in TRIM, contact the University Archives for a disposal authorisation request prior to destruction

Additional Resources

- [Sue Coppin](#), Collection Archivist, University Archives, Records & Collections
— 8313 5184
- [University of Adelaide Records Management Policy](#)
- [University Archives, Records & Collections](#)
- [University of Adelaide Enterprise Agreement](#)
- [State Records of South Australia](#)
- [State Records Act 1997 \(SA\)](#)



Disclaimer

The content of this material is intended only to provide a summary & general overview of the *State Records Act* as it applies to the University of Adelaide.

It is not intended to be comprehensive nor does it constitute legal advice.

Please contact *Sue Coppin, Collections Archivist*, or Legal & Risk if you are unsure of your compliance obligations under the Act.