

PURPOSE

To ensure that records (Documented Information) are established, maintained, that records remain legible, private, readily identifiable and retrievable, and to define the controls for identification, storage, protection, retrieval, archival, retention periods and disposal of records of MADEC Australia (MADEC).

SCOPE

This procedure includes all records (hard copy & electronic, internal & external) which are used to provide conformity of the effective operation of the Integrated Management System.

RESPONSIBILITIES

The Quality Manager has overall responsibility for ensuring that this procedure is implemented. Senior Managers or delegates and all staff members have responsibility for ensuring that this procedure and related work instructions are adhered to.

PROCEDURE

1 - IDENTIFICATION OF RECORDS

All records are identified in a variety of ways and according to their function. All client files will be identified by name, ID number (including payroll number for staff) and date of birth. Individuals have the option of using their Student/jobseeker number when identifying them where relevant.

2 - STORAGE AND PROTECTION OF RECORDS

Records (hard copy & electronic) are all stored securely to ensure confidentiality of the information in accordance with relevant Privacy Legislation. Records containing sensitive information e.g. Police Checks/medical information in a secure electronic information secure system. Hard copies are only kept in limited circumstances with the storage conditions protecting against the possibility of damage by fire, water, dust or other conditions which may render them illegible. Information Communication System procedures protect electronic records from loss or damage.

If hard copy records are transferred between sites they must be placed in a securely locked vessel i.e. locked bag, vehicle to protect from misuse, interference, and loss, and from unauthorised access, modification or disclosure. Electronic records are password protected and back-ups are performed (refer [IT Disaster Recovery Plan](#))

3 – PRIVACY AND CONFIDENTIALITY

MADEC and its staff have a responsibility to maintain the privacy and security of client/student and staff information. Client/student information includes all enrolment records, registers and materials and knowledge communicated verbally which pertains to the service provided to any client/student refer: [Privacy Policy](#)

Confidentiality is strictly observed by staff at all times. A Confidentiality Deed is signed by all staff members on commencement of employment. Education is provided to staff on a regular basis through newsletter articles. A breach of confidentiality is considered gross misconduct.

Any unsolicited personal information received will be destroyed immediately by the staff member who receives this.

4 – RETENTION AND ARCHIVE

Hard copy & electronic records in current use are stored in a manner which permits ease of retrieval. Storage may be alphabetically, by date, by location/area, or other suitable identification which facilitates retrieval. Documents that are sensitive are not kept for longer than it is required (this is to minimize the risk of undesirable disclosure).

Each Site Manager is responsible for keeping a register and authorising timely disposal of all client/student records (hard copy). Retention periods for Education and Training, and Employment Services records are contained in Attachment A.

Education and Training Records are kept either within MADEC's electronic Student Management System or in hard copy files at MADEC sites. All hard copy files are archived using MADEC's Student File Archiving Register and numbered and stored accordingly. The register allows for archived files to be tracked at all times and obtained as required.

All certificate documents must be retained for a period of 30 years. This is managed through the annual National AVETMISS upload of data and in the Student Management System. Students as of January 2015 can access their transcript through the USI registry.

As of 1 July 2015, all employment services files will be kept on the electronic systems Bridge. All signed documentation is uploaded and then the hard copy destroyed.

Custodians of records are responsible for retention of records in accordance with legislative and governmental guidelines relevant to their areas e.g. Chief Financial Officer is responsible for all finance records.

5 – DISPOSAL/DISTRUCTION

This section does not include hard copy records where electronic records of the same document are held. Records are disposed of in accordance with the relevant state records requirements i.e. Public Records Office of Victoria and/or State Records of South Australia. Shredding is the preferable destruction method at point of use.

Each Department/Site Manager is to notify the Quality Manager at least two weeks before records are planned to be destroyed to check for any legal proceedings that may be pending. No records associated with legal matters can be destroyed and will be kept permanently in archives, as it is an offence under The Crimes (Document Destruction) Act 2006 for organisations to destroy documents that they know are reasonably likely to be required in a future legal proceeding.

Where destruction is contracted out, a certificate of destruction including details of the records destroyed and appropriate authorisation must be obtained and retained by site.

6 - NOTIFIABLE DATA BREACHES SCHEME

All providers, and the organisations or agencies they share information with, must comply with the requirements of the Notifiable Data Breaches (NDB) scheme (at <https://www.oaic.gov.au/privacy-law/privacy-act/notifiable-data-breaches-scheme>) in the event of an 'eligible data breach' involving personal information.

Under the NDB scheme, Providers incurring a privacy breach involving personal information must undertake a reasonable and prompt assessment and investigation, and then notify affected individuals and the Office of the Australian Information Commissioner (OAIC) where an 'eligible data breach' is found to have occurred. The Department must also be informed of the breach in accordance with section 3.3.1-Reporting Requirements and provided with copies of any notifications.

Further information about the NDB scheme and guidance for undertaking an assessment of a privacy breach (to determine whether it is considered an 'eligible data breach'), is available from the OAIC website (at <http://www.oaic.gov.au/privacy-law/privacy-act/notifiable-data-breaches-scheme>).

The NDB scheme does not vary the obligation of providers to immediately notify the Department and manage any actual or suspected breach of privacy involving personal information. This includes notifying the Department of breaches that do not qualify as an eligible data breach under the NDB scheme. See section 3.3.1 for Reporting Requirements

7 - REPORTING UNAUTHORISED ACCESS, DAMAGED, DESTROYED, LOST OR STOLEN RECORDS – Employment Services only

Providers must report all incidents involving unauthorised access, damaged, destroyed, lost or stolen Records to the Department as follows:

- notify the relevant Account Manager or Departmental employee using Part 1 of Attachment A: Provider Privacy Incident Report no later than the Business Day after the incident;
- report any incidents involving stolen Records to the police immediately; and
- prepare a detailed report of the incident using the Provider Privacy Incident Report (contained in the Records Management Instructions, including details as appropriate to the incident and submit this detailed report to the Account Manager as soon as possible and, in any case, within 30 calendar days of the incident. NB: If this report cannot be submitted within 30 days, advice must be provided to the Department explaining the delay.

CUSTODIAN – Quality Manager

REFERENCES

ISO 9001, 7.5.3 Control of documented information
jobactive – Records Management Instructions Guidelines
Public Record Office Victoria
State Records Act, 1997 (SA)

ATTACHMENT A

EDUCATION AND TRAINING

* Any Records pertaining to students funded under South Australian Funding will be kept for the lifetime of the contract and at least three (3) years after the later of the Expiry Date of the Head Agreement or the Service Agreement Expiry Date or such longer period required by law. Any Records pertaining to students under the Victorian VET Funding will be kept for the length of the contract or such longer period required by law. Any records for FFS students will be kept as per the below table as required by the law. Contract Authority to destroy must be obtained by the National Manager prior to destruction of any Education and Training documents.

<u>Function / Activity</u>	<u>Record Type</u>	<u>Examples</u>	<u>Retention Period</u>
Education and Training – Student Administration	Assessment/Attendance Records (Apprentice and Trainee)	Assessment Records, Assignments, test/exam Attendance Rolls Monitoring Visit Forms Employment Documentation	Destroy 7 years after last entry
	Assessment/Attendance Records (non-Apprentice and Trainee)	Assessment Records, Assignments, test/exam Attendance Rolls Site Visit Monitoring Placement Documentation	Destroy 2 years after last entry.
	Course or Subject Application and Selection documents	Application forms, references, supporting documentation prior learning results. Interview results.	1 year following date of submission
	Enrolment – Registration of student undertaking courses or subjects	Enrolment Form Enrolment Variation Withdrawals Exemptions / credits / Recognition of Prior Learning (RPL) LLN test Results Pre-training Review Education Support Plan Any Funding Specific Forms Prior Academic Transcripts Assessment Cover Sheets File Checklists Training Plans/Schedules	Destroy 7 years following year of enrolment
	Final Results	Summary of final results to be awarded for each component of study (Vettrak - electronic records). Certificates, Statement of Results and SOA's	Permanent
	Incident Reporting and/or Grievances	Reports, incident forms, statements, interview notes, incident summaries Complaint forms, Correspondence	Destroy 15 years following date of incident / decision.
	Scholarship Application/ Selection process – Successful Applicants	IYLP Scholarship Application forms	Destroy 7 years following completion of delivery of scholarship
	Scholarship Application/ Selection process – Unsuccessful Applicants	IYLP Scholarship Application forms	Destroy 1 year following date of decision.
	Student details / variation	Personal Details Variation Form Student ID card forms	Destroy when administrate use is concluded.

	AQF certificate documentation	All Certificate documents including Statements of Attainment	30 years
Education and Training – Teaching	Curriculum Development	Working papers, course proposals, unapproved curriculum, draft subject outlines	3 years
	Curriculum Approval	Working papers, course proposals, unapproved curriculum, draft subject outlines, Training and Assessment Strategies	Permanent
	Curriculum Review	Course proposals and/or alterations presented for approval or accreditation, Supporting documentation.	3 years
	Course Management	Timetables, venue rosters, Teaching loads / allocations, working papers, feedback forms.	Destroy when administrative use is concluded

WORKFORCE AUSTRALIA / JOBACTIVE

Entry	Description of Records as outlined under the RA	Includes but is not limited to	Disposal action
20184	Records documenting accidents or incidents to Participants engaged in employment services programs, including all relevant Records associated with that Participant.	<ul style="list-style-type: none"> • Incident/accident information • Potential legal action/fraud Records • Customer feedback register • Risk assessments • Other related documentation. 	Destroy 6 years after last action [unless legal action or litigation is underway, in which case the Records must be retained for 7 years after the matter is resolved].
20186	'Records documenting the processing of project business proposals from participants for assistance under self-employment program schemes, including the assessment of applications, the monitoring and mentoring of participants and records documenting the payment of fees to the providers of these services.'	<ul style="list-style-type: none"> • Documentary Evidence as detailed in the Documentary Evidence Guidelines • Job Plans • Documentary Evidence as required to verify Job Seeker Classification Instruments • Activity agreements • Employment Fund Records • Training credits information • Proposed NEIS business plans • Monitoring/mentoring information • All placement information • Activity attendance records • Records relating to the provision of Services and support to Participants • Checks, such as police checks or working with vulnerable people checks • Activity Host Agreements • Other related documentation 	Destroy 3 years after last action

Entry	Description of Records as outlined under the RA	Includes but is not limited to	Disposal action
20195	Records documenting the successful proposals for all Work Experience activities. Includes receipt, assessment and notification to applicants, project work plans, proposals, outcomes, milestones, performance indicators and successful requests for review of a decision.	<ul style="list-style-type: none"> • Documentary Evidence as detailed in the Documentary Evidence Guidelines • Job Plans • Documentary Evidence as required to verify Job Seeker Classification Instruments • Activity agreements • Employment Fund Records • Training credits information • Proposed NEIS business plans • Monitoring/mentoring information • All placement information • Activity attendance records • Records relating to the provision of Services and support to Participants • Checks, such as police checks or working with vulnerable people checks • Activity Host Agreements • Other related documentation 	Destroy 3 years after last action
20199	Records documenting the provision of employment services	<ul style="list-style-type: none"> • Documentary Evidence as detailed in the Documentary Evidence Guidelines • Job Plans • Documentary Evidence as required to verify Job Seeker Classification Instruments • Activity agreements • Employment Fund Records • Training credits information • Proposed NEIS business plans • Monitoring/mentoring information • All placement information • Activity attendance records • Records relating to the provision of Services and support to Participants • Checks, such as police checks or working with vulnerable people checks • Activity Host Agreements • Other related documentation 	Destroy 3 years after last action

DISABILITY EMPLOYMENT SERVICES

IMPORTANT NOTICE:

The National Archives of Australia (NAA) have issued a disposal freeze, effective from 21 June 2019 and will be in force until further notice from the NAA. The freeze applies to Disability Employment Services records in all formats, including but not limited to paper files, documents and records created digitally and suspends permission to destroy any records as permitted under the DES Deed and associated guidelines.

Priority Records

Priority Records are specified in Table 1 below. All Priority Records require the utmost attention to ensure access as required by the department. In addition to the retention policy below, where there is potential for any legal action, Records must be retained until the matter is resolved.

Table 1: Priority Records

Entry	Description of Records	Includes but is not limited to	Disposal action
20184	Records documenting accidents or incidents to participants engaged in employment services programs, including all relevant records associated with that participant.	<ul style="list-style-type: none"> ▪ Incident / accident information ▪ Potential legal action / fraud Records ▪ Customer Feedback Register ▪ Risk assessments ▪ Other related documentation 	Refer 'Important Notice' above – Disposal Freeze in effect from 01/07/2019 – until further notice.
20185	Register of complaints about pre-employment and employment services, including any and associated documentation.		
20192	Records documenting the services provided to participants engaged in community, voluntary and work experience projects.		

General Services Records

This category encompasses Records involving the provision of employment Services to Participants. However, if there is any indication that a Record may be required in relation to legal action, the Record must be re-categorised as a Priority Record and managed accordingly.

Table 2: General Services Records

Entry	Description of Records	Includes but is not limited to	Disposal action
20186	Records documenting the processing of project business proposals from participants for assistance under self-employment program schemes, including the assessment of applications, the monitoring and mentoring of participants and records documenting the payment of fees to the providers of these services.	<ul style="list-style-type: none"> ▪ Employment Pathway Plans ▪ Activity agreements ▪ Proposed NEIS business plans ▪ Monitoring / mentoring information ▪ Non-work experience placement / service ▪ Services and support provided to the Participant ▪ Criminal records check and other background checks ▪ Other related documentation 	Refer 'Important Notice' above – Disposal Freeze in effect from 01/07/2019 – until further notice.
20195	Records documenting the successful proposals for all Work Experience activities. Includes receipt, assessment and notification to applicants, project work plans, proposals, outcomes, milestones, performance indicators and successful requests for review of a decision.		
20199	Records documenting the provision of employment services, other than work experience or limited services.		