

Industrial Registry

Retention and Disposal Policy

Version 1.1 | Date Effective: 2 April 2025

1. Purpose

The Industrial Registry is committed to the delivery of high-quality services, economic prosperity and social justice and supports the Industrial Court of Queensland (Court) and the Queensland Industrial Relations Commission (Commission) in the provision of a framework for industrial relations that is fair and balanced.

This policy sets out the foundational principles of recordkeeping regarding the retention and disposal of files and records for the Court, Commission and Industrial Registry in line with:

- relevant legislation that governs recordkeeping requirements;
- relevant Queensland Government policies, procedures, directives and guidelines;
- the *Industrial Relations Tribunals Sector Retention and Disposal Schedule* (IRDS);
- the *Industrial Relations Tribunals Sector Retention and Disposal Schedule Appraisal Log* (Appraisal Log); and
- the Queensland Government *General Retention and Disposal Schedule* (GRDS).

2. Policy Statement

The Industrial Registry recognises the importance of applying a consistent and compliant process and approach to record keeping, including the creation, management, appraisal of Court, Commission and Industrial Registry records and files, as well as the disposal of temporary retention administrative and core business electronic and paper-based files and records.

The Industrial Registry supports records management across all areas of the Registry by:

- assigning formal records management responsibilities to Industrial Registry Officer/s in the role of Records Officer who are responsible for monitoring and supporting the active implementation of this policy;
- providing advice and guidance across all areas to ensure all Members, Associates and Industrial Registry staff are aware of the value of records and information, the importance of accurate recordkeeping, and how this relates to their obligations and responsibilities; and
- fostering a positive, innovative and collaborative recordkeeping culture and supporting strategic goals.

3. Policy Objectives

The aim of this policy is to enable the Industrial Registry to:

- provide a solid foundation for systematically and effectively managing complete and reliable records and information;
- ensure that those records that are most important are actively managed and preserved;
- increase the searchability and accessibility of records and information;
- maintain routine, transparent and timely sentencing and disposal of temporary records; and
- ensure the efficient use of resources.

4. Application

The disposal of **public records**, or classes of public records, is authorised in accordance with s 20 of the *Public Records Act 2023* (the Act).

The Industrial Registrar is the **public authority** in accordance with the Act and has the responsibility for the official records of the Court, Commission and Industrial Registry. The public authority must ensure the safe keeping and preservation of records it controls. The Industrial Registrar may delegate certain responsibilities to an appropriately and directly **authorised delegate** (the Records Officer/s)¹, such as the endorsement of the destruction of records or the transfer of records to Queensland State Archives (QSA)², and these responsibilities cannot be sub-delegated to another Registry Officer. The Industrial Registry and authorised delegates must have regard to this policy in the context of internal controls, financial information management and risk management.

In accordance with s 12 of the Act, the Industrial Registrar must have regard to any relevant standards, policy and guidelines made by the **State Archivist** of QSA. The IRDS and GRDS, approved by the State Archivist, authorises the disposal of case files, core business records and applies to records created in any format (unless otherwise specified). The Industrial Registrar is responsible for the drafting and maintenance of the IRDS.

This policy is to be read in conjunction with relevant legislation, directives, guidelines, IRDS and GRDS.

5. Requirements and Types of Records

5.1 Case Files

A case file includes both a physical or electronic file of a matter filed in the Industrial Registry as an application, appeal or claim made to the Court, Commission or Industrial Registrar. A case file is taken to be the official record of the matter. A case file also includes any exhibits, items marked for identification, and attendance notice material.

The IRDS applies to physical files with the retention period for the physical file of a specific class of record also applying to an electronic file of the same class. The method of disposal, however, would differ. All electronic copies of documents pertaining to case files are stored in "E-Docs" being the shared network data location for the storing of electronic case files. Electronic duplicates of a physical file (such as a backup of the physical file) are not considered to be the official record and therefore this policy would not apply.

5.2 Permanent Records and Legacy Files

Permanent records are those with a permanent retention period which are considered important by the Court, Commission or Industrial Registrar. Permanent records are considered high value records that, for example:

- set legal precedent;
- may be notable for their factual complexity and their contribution in developing law;
- influence government policy or direction;
- result in significant government project or program; and/or
- may result in profound changes to the lives of individuals, families and communities across Queensland.

¹ In accordance with s 27A of the *Acts Interpretation Act 1954* and s 282 of the *Public Sector Act 2022*, noting that sub-delegation is not allowed

² Subject to approval of a **transfer proposal**

The Industrial Registry actively manages permanent records by defining the criteria and processes for identification of these records through the IRDS and appraisal log and formally documenting details of these records.

QSA collects, stores and manages records (including corporate records) of the Court, Commission or Industrial Registry that have **enduring** (archival) **value** and ongoing usefulness or significance to the State of Queensland. These records are made available for present and future generations.

Some records of the Court, Commission and Industrial Registrar for the period 1913 to 2010, known as **Legacy Files**, have been identified as being of enduring value and are held at QSA. These were made permanent records, as approved by the State Archivist, in a blanket approval that forgoes the IRDS. All other records from that period which are not held at QSA have had, or will have, the IRDS applied.

Legacy records to which the IRDS applies includes:

- the President's Advisory Committee from 1997 to 2000;
- the Industrial Relations Advisory Committee from 2003 to 2005;
- Industrial instruments (including agreements) prior to 1 January 2010; and
- other obsolete legislative provisions.

5.3 Corporate/Business Administration Files

The Industrial Registry is also responsible for the management of non-judicial activities of the Court, Commission, Industrial Registrar and Industrial Registry. The IRDS applies to the retention and disposal of records relating to:

- the appointment of tribunal Members³;
- Inquiries⁴;
- Industry panels⁵;
- Policy (including Practice Notes/Directions)⁶; and
- Interagency cooperation⁷.

The IRDS also outlines that the GRDS applies to the retention and disposal of records relating to business administration records such as:

- conflicts of interest;
- contracting;
- delegations of authority;
- enquiries relating to routine and general matters;
- legislation review;
- publication management (including the website); and
- reporting (such as the annual report or statistical reporting).

5.4 Registered Industrial Organisation Files

The Industrial Registrar is responsible for administering certain provisions in relation to Registered Industrial Organisations (RIO) in accordance with Chapter 12 of the *Industrial Relations Act 2016*. The Industrial Registry must keep a register of RIOs and a copy of each RIOs rules.

³ IRDS Disposal Authorisation 2128

⁴ IRDS Disposal Authorisation 2129

⁵ IRDS Disposal Authorisation 2130

⁶ IRDS Disposal Authorisation 2131

⁷ IRDS Disposal Authorisation 2132

The IRDS applies to the retention and disposal of files relating to RIO, including:

- registration/deregistration;
- register of organisations;
- financial accountability;
- elections;
- members, officers, employees of RIOs;
- register of Work Health and Safety (WHS) entry permit holders; and
- Authorised Industrial Officer (AIO) entry permits.

5.5 *Vulnerable Persons*

The Industrial Registry is committed to the proactive protection of vulnerable persons through all governance practices. This includes recordkeeping processes and therefore adopts the disposal authorisations as approved by the State Archivist in the GRDS (disposal authorisation numbers 1558, 1559 and 1560), as well as through conducting risk assessments throughout the sentencing process. The Industrial Registry recognises vulnerable persons to be:

- a child or children; or
- an individual aged 18 years and above who is, or may be, unable to take care of themselves or is unable to protect themselves against harm or exploitation by reason of age, illness, trauma, disability, or any other reason⁸.

It is to be noted though that the Court, Commission and Industrial Registry do not perform any type of investigatory process, as part of the conduct of any matter, with regards to vulnerable persons.

6. Sentencing and Disposal/Destruction

Sentencing records requires the identification of the relevant **record class** in accordance with the GRDS or IRDS and applying the appropriate **disposal action** or preservation process.

Files and records that have not been deemed permanent records must be disposed of in a planned and authorised way in accordance with the IRDS and/or GRDS. The Industrial Registrar is responsible for the development and implementation of a disposal plan, which details disposal decisions and actions, covering the following:

- disposal endorsement, including how internal endorsement is given;
- disposal methods (for both physical *and* digital/electronic files and records); and
- disposal frequency, including specifying how often certain types of records will be disposed of.

All temporary records must be **preserved** until they reach the threshold outlined in the IRDS or GRDS for destruction. Careful consideration should be given to all files during the sentencing process, ensuring to conduct a thorough risk assessment should a file relate to a high profile, emerging or highly contentious issue, or a file or record in relation to a vulnerable person.

When sentencing case files for disposal, the approach is *retention period plus one year*, meaning that a temporary file is destroyed in the year *after* the date of eligibility for destruction.

If one or more disposal class could be applied to the case file or record, then the sentence that has the longer period is applied.

⁸ Adapted from Australian Government Department of Social Services <https://www.communitygrants.gov.au/information/info-grantees/vulnerable-checks-offences>

If a large quantity of files of a similar record class is to be sentenced ("bulk sentencing"), a sample of the record class may be reviewed rather than each individual record, however accurate and informed decision making should take into consideration the quality of information available and the level of risk involved.

A record cannot be destroyed in segments or parts. If a file has multiple components, then the component with the longest retention period will apply to that file. This means that if a file has one component that is eligible for permanent retention, the whole file is taken to be a file eligible for permanent retention.

No further authorisation is required from the State Archivist for records disposed of under the IRDS and the endorsement responsibility lies with the Industrial Registrar (or authorised delegate).

Policy requirement 6 of the *Queensland State Archives Records Governance Policy* outlines that agencies must dispose of records in a planned and authorised way.

Before records are destroyed, the following must be confirmed⁹:

- **disposal authorisation;**
- there is no further business need including Right to Information (RTI) requests or as evidence for current or pending legal action;
- a risk assessment has been conducted; and
- the Industrial Registrar has provided approval.

Disposal must be appropriately documented. Documentation regarding the destruction of records (a Certificate of Destruction) must be kept and must include¹⁰:

- a description of the records and the date range;
- the Industrial Registrar's (or authorised delegate's) endorsement; and
- evidence of the destruction which specifies the method used, location, date and details of who destroyed the records.

The Industrial Registrar may provide a **standing endorsement** for the disposal of a specific set or group of records¹¹.

Records must be destroyed securely and destruction should take place as soon as possible after endorsement and approval. The methods of destruction include:

- shredding, pulping and burning for physical and paper records; and
- **overwriting**, purging, **degaussing** and physical destruction for digital and electronic records and storage media.

A third-party commercial destruction service may be used to destroy records if all destruction processes conducted by the third-party are compliant with the Act. Responsibility for managing and approving disposal practices conducted by a third-party service lies with the Industrial Registrar in accordance with the IRDS and by following the procedures above. A detailed disposal plan and service agreement is to be put in place with all disposal processes clearly understood and followed by the third-party service provider¹².

⁹ Queensland Government *Disposal advice for record managers*

¹⁰ Queensland Government *Disposal advice for record managers*

¹¹ Queensland Government *Disposal advice for record managers*

¹² [Outsourcing arrangements, third party and shared service providers | For government | Queensland Government](#)

7. Human rights in recordkeeping

The Industrial Registry recognises that records should be managed and accessed in a way that protects and promotes human rights, in accordance with the *Human Rights Act 2019*, in that:

- the public has a right to access information kept by public authorities in public records; and
- the disclosure of public records should be facilitated in an equitable and consistent way; and
- the sensitivity of public records declines with the passage of time but it may be contrary to the public interest or otherwise inappropriate to disclose a particular public record due to the sensitivity of information contained in the record.¹³

8. Definitions, references and relating documents

8.1 For the purpose of this policy, the following definitions apply:

Term	Definition
Archival/enduring value	The ongoing usefulness or significance of records, based on the evidential, administrative, financial, legal, informational and historical values that justify the permanent retention of records. These records have enduring value and need to be kept indefinitely.
Authorised delegate	A person or position who has recordkeeping responsibilities delegated to them by the Industrial Registrar e.g. Records Officer
Degaussing	A method of sanitising magnetic media and storage devices involving the application of a strong magnetic field to magnetic media (such as a disk or tape) to randomise the patterns of data.
Disposal action	The combination of the event, the disposal trigger and the retention period listed in the IRDS or GRDS
Disposal authorisation	An authorisation given by the archivist for the disposal of a public record, or class of public record.
Disposal trigger	The event or action from which the disposal date is calculated
GRDS	<i>General Retention and Disposal Schedule</i>
IRDS	<i>Industrial Relations Tribunals Sector Retention and Disposal Schedule</i>
Legacy Files/Permanent record	Records with high or significant archival value, which have enduring value to the people and State of Queensland and cannot be destroyed. Permanent records are usually identified during appraisal and are given the disposal action of 'retain permanently' or 'permanent' in a retention and disposal schedule.
Overwriting	Overwriting is a method of sanitising digital media and storage devices by replacing the data with new, meaningless data.
Preserve	Preservation of a record ensures that it remains unusable, clear and a reliable record during its life.
Public authority	The Industrial Registrar (or other officer as delegated by the Industrial Registrar) has the responsibility for official records of the Court, Commission and Industrial Registry and is considered to be a public authority
Public records	A public record is defined in s 9 of the <i>Public Records Act 2023</i> as: "...information recorded on, in or by using any medium – (i) that is made, received or kept in the course of another public authority carrying out activities for a purpose of the authority, including the exercise of its statutory, administrative or other public responsibilities; and (ii) that evidences the activities, affairs or business of the authority..."

¹³ *Public Records Act 2023*, Schedule 1, Part 2

Term	Definition
Record class	A group of records relating to a similar even that have the same retention period and disposal action in the approved IRDS or GRDS
Standing endorsement	The endorsement of the disposal of a certain set or group of records. The standing endorsement allows for records that have reached the end of their retention period and are covered by the endorsement to be destroyed without seeking further authorisation. A standing endorsement is usually for a set period of time e.g. disposal of records for a specific year
State Archivist	The State Archivist for the Queensland State Archives is appointed and employed under the <i>Public Sector Act 2022</i> .
Transfer proposal	Prior to transferring files/records to QSA, a transfer proposal will need to be submitted to QSA for approval, taking into consideration timeframes, eligibility, condition or packing of records. Other considerations include age, accessibility, significance, demand and risk. If approved, digital records may be transferred also by uploading via the ArchivesGateway.

8.2 References and related legislation, policies, procedures and guidelines

- [Public Records Act 2023](#)
- [Industrial Relations Act 2016](#)
- [Acts Interpretation Act 1954](#)
- [Public Sector Act 2022](#)
- [Right to Information Act 2009](#)
- [Information Privacy Act 2009](#)
- [Industrial Relations Tribunals Sector Retention and Disposal Schedule](#) (16 February 2022)
- [Industrial Relations Tribunals Sector Schedule Appraisal Log](#) (16 February 2022)
- Queensland State Archives [Records Governance Policy](#) (5 December 2024)
- Queensland Government [General Retention and Disposal Schedule](#) (22 December 2023)
- Queensland Government [Implementing the Records governance policy](#) (5 December 2024)
- Queensland Government [Disposal advice for record managers](#) (5 December 2024)
- Queensland Government [Resources and tools for records management](#) (5 December 2024)
- Queensland Government [Information governance policy](#) (v3.0.3) (7 December 2022)
- Queensland State Archives [Recordkeeping maturity assessment tool](#) (5 December 2024)
- Queensland Government [Vulnerable persons records management toolkit](#) (5 December 2024)

9. Contact

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10. Version Control

Version	Amendments	Approved	Date
1.1		M. Shelley, Industrial Registrar.	2 April 2025