

Australian Capital Territory

# **Territory Records (Records Disposal Schedule – Human Rights Protection & Promotion Records) Approval 2026 (No 1)**

**Notifiable instrument NI2026-78**

made under the

**Territory Records Act 2002, s 19 (Approval of schedules for the disposal of records)**

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## **1 Name of instrument**

This instrument is the Territory Records (Records Disposal Schedule – Human Rights Protection & Promotion) Approval 2026 (No 1).

## **2 Commencement**

This instrument commences on the day after notification.

## **3 Approval**

I approve the Records Disposal Schedule – Human Rights Protection & Promotion.

## **4 Revocation**

This instrument revokes Territory Records (Records Disposal Schedule – Human Rights and Discrimination Records) Approval 2004 (No 1) NI2004-335.

Danielle Wickman  
Director of Territory Records  
11 February 2026

# Territory Records Disposal Schedule (RDS)

Authorised under s.19 of the *Territory Records Act 2002* for the disposal of  
Human Rights Protection & Promotion Records



## Contents

Territory Records Disposal Schedule (RDS) .....	2
INTRODUCTION .....	4
HUMAN RIGHTS PROTECTION & PROMOTION .....	6
<b>Advice</b> .....	<b>6</b>
<b>Committees</b> .....	<b>7</b>
<b>Complaints</b> .....	<b>8</b>
<b>Court Interventions</b> .....	<b>9</b>
<b>Customer Service</b> .....	<b>10</b>
<b>Exemptions</b> .....	<b>10</b>
<b>Liaison &amp; Meetings</b> .....	<b>11</b>
<b>Monitoring &amp; Oversight</b> .....	<b>11</b>
<b>Policies &amp; Procedures</b> .....	<b>12</b>
<b>Submissions</b> .....	<b>12</b>
<b>Training &amp; Development</b> .....	<b>13</b>
RELATED LEGISLATION .....	15
DEFINITIONS .....	16

## INTRODUCTION

The *Records Disposal Schedule – Human Rights Protection & Promotion* is the official authority for the disposal of these ACT Government Records.

It is one of a series of Whole of Government Records Disposal Schedules authorised by the Director of Territory Records in accordance with the provisions of the *Territory Records Act 2002* to support appropriate retention and disposal of records created in the course of ACT Government business.

Records Disposal Schedules define the minimum period records should be kept (retention periods) and specifies whether, upon expiry of the retention periods, the records may be destroyed or are required as Territory Archives.

## Using this schedule

This Records Disposal Schedule covers all records related to the function Human Rights Protection & Promotion applies to records created in any format, unless otherwise specified in the *Description of Records*. It also applies to records created or maintained by consultants, contractors and other third parties undertaking the function on behalf of ACT Government agencies.

## Authority

The Director of Territory Records, in consultation with stakeholders and the Territory Records Advisory Council has approved this Records Disposal Schedule for use.

Officers using this Records Disposal Schedule should apply it with caution. The authorisations for disposal are given in terms of the *Territory Records Act 2002* only. Officers must not dispose of Records in contravention of this Records Disposal Schedule or other requirements under the *Territory Records Act 2002*, including any other applicable Records Disposal Schedule or approved Records Management Program.

**Agencies must take appropriate steps to meet the prerequisites for disposal in this and other applicable Records Disposal Schedules, including to ascertain whether disposal is prohibited, for example where the Records relate to any reasonably foreseeable legal action or current Records Disposal Freeze, or are of intrinsic or enduring value.**

This Records Disposal Schedule will remain in force until a new schedule revokes it or the Director of Territory Records withdraws it from use.

## Disposal

When the approved retention period of records has been reached and there is no other business need to keep them, appropriate arrangements for their destruction should be made in accordance with the agency's Records Management Program (s16 (4)) and appropriately documented in accordance with *Standard and Guidelines for Records and Information Governance*: <https://www.territoryrecords.act.gov.au/standards>.

Transitory and short-term records are not required to be captured into a recordkeeping application and do not require formal destruction documentation. For further information on disposing of these records refer to the advice *Assess - Normal Administrative Practice*:

[https://www.territoryrecords.act.gov.au/\\_data/assets/pdf\\_file/0007/1218391/Assess-Normal-Administrative-Practice-NAP-2024-002.pdf](https://www.territoryrecords.act.gov.au/_data/assets/pdf_file/0007/1218391/Assess-Normal-Administrative-Practice-NAP-2024-002.pdf).

## Support and Assistance

Enquiries about this schedule or recordkeeping should be directed to your agency's Records Manager. If further assistance is required, including suggestions for amendments or alterations to the RDS, please contact the Territory Records Office.

## HUMAN RIGHTS PROTECTION & PROMOTION

The function of protecting and promoting human rights in the ACT by receiving and investigating complaints made under human rights laws; overseeing, monitoring and advising on ACT Government compliance with human rights; reviewing the effect of ACT laws on human rights; providing advice and submissions on laws and policies affecting human rights, intervening in court and tribunal cases that raise human rights issues; and raising awareness and understanding of human rights in the ACT community.

*[For the establishment, management and meetings of boards, councils and committees set up to oversee, direct or manage the operations of the agency, use STRATEGY & GOVERNANCE.*

*For managing relationships with the media, including issuing media releases, use GOVERNMENT & STAKEHOLDER RELATIONS – Media Relations*

*For delegations of power and authorisations to agency staff to authorise administrative action relating to the human rights protection and promotion function, use STRATEGY & GOVERNANCE - Authorisation & Delegation.]*

<b>Advice</b>		
<p>The activities associated with offering opinions by or to the agency as to an action or judgment. Includes the process of advising.</p> <p><i>[For formal submissions prepared by the agency, including those prepared in the agency's role to review legislation and policy for human rights compatibility, in response to specific requests from government (e.g. seeking comment on draft legislation, policy or discussion papers, or as input to inquiries), use HUMAN RIGHTS PROTECTION &amp; PROMOTION – Submissions.]</i></p>		
<b>Disposal Reference</b>	<b>Description of Records</b>	<b>Retention Period &amp; Trigger</b>
204.005.001	Advice prepared by the agency which relates to matters that are deemed significant, controversial, or have far-reaching implications for human rights. This may include advice given on high-level policies, legislation, public-wide issues and reforms. Includes draft advice where the draft was provided in lieu of final advice.	Retain as Territory Archives
204.005.002	Advice on matters considered routine or operational.	Destroy 5 years after action completed
204.005.003	Records documenting the preparation of advice, including: <ul style="list-style-type: none"> <li>• background research;</li> </ul>	Destroy 2 years after last action

	<ul style="list-style-type: none"> <li>• substantive draft letters or briefs, unless the draft was provided in lieu of final advice; and</li> <li>• internal feedback and liaison.</li> </ul>	
<p><b>Committees</b></p> <p>The activities associated with the establishment, appointment of members, terms of reference, proceedings, minutes of meetings, reports, agendas, etc. of committees and task forces.</p> <p><i>[For the establishment, management and meetings of boards, councils and committees set up to oversee, direct or manage the operations of the agency, use STRATEGY &amp; GOVERNANCE - Planning.]</i></p>		
<b>Disposal Reference</b>	<b>Description of Records</b>	<b>Retention Period &amp; Trigger</b>
204.020.001	<p>Records documenting high-level external or internal committees, taskforces or similar working groups set up to provide independent advice, strategic planning, coordination or decision-making, or oversee operations and matters relating to the protection and promotion of human rights, and where the agency provides the chair, secretariat, or is the Territory's main representative. Includes:</p> <ul style="list-style-type: none"> <li>• documents establishing the committee;</li> <li>• terms of reference;</li> <li>• appointment of members; and</li> <li>• final version of minutes, reports, recommendations, discussion papers or other meeting papers.</li> </ul>	Retain as Territory Archives
204.020.002	<p>Records documenting other external or internal committees, taskforces or similar groups set up to consider routine or operational matters, or where the agency is not the chair, secretariat, or the Territory's main representative. Includes:</p> <ul style="list-style-type: none"> <li>• documents establishing the committee;</li> <li>• terms of reference;</li> <li>• appointment of members; and</li> <li>• final version of minutes, reports, recommendations, discussion papers or other meeting papers.</li> </ul>	Destroy 5 years after last action
204.020.003	<p>Records of working papers and administration of committees, taskforces or similar groups. Includes:</p> <ul style="list-style-type: none"> <li>• agendas;</li> <li>• notices of meetings;</li> </ul>	Destroy 1 year after last action

	<ul style="list-style-type: none"> <li>• substantive draft reports and meeting papers; and</li> <li>• venue and facility bookings and arrangements.</li> </ul>	
<p><b>Complaints</b></p> <p>The activity of receiving and handling complaints made under human rights laws, including complaints about discrimination, breaches of human rights, and complaints between users and providers of prescribed services.</p> <p><i>[For the establishment, management and meetings of boards, councils and committees set up to oversee, direct or manage the operations of the agency, use CORPORATE GOVERNANCE.]</i></p>		
<b>Disposal Reference</b>	<b>Description of Records</b>	<b>Retention Period &amp; Trigger</b>
204.445.001	<p>Records documenting the receipt and handling of complaints deemed significant or controversial, such as those which result in significant actions, raise serious public health or safety concerns, or which otherwise have far-reaching implications for human rights. Includes:</p> <ul style="list-style-type: none"> <li>• complaints received;</li> <li>• liaison and correspondence with parties to the complaint;</li> <li>• referrals to external bodies; and</li> <li>• closure letters/final reports.</li> </ul>	Retain as Territory Archives
204.445.002	Final prohibition or condition orders, including associated registers and public statements issued.	Retain as Territory Archives
204.445.003	<p>Summary records documenting complaints handled by the agency. Summary details include:</p> <ul style="list-style-type: none"> <li>• complaint identifier;</li> <li>• complaint type and jurisdiction;</li> <li>• date complaint received;</li> <li>• complainant personal details;</li> <li>• summary of the complaint and issues raised; and</li> <li>• closure outcome.</li> </ul>	Destroy 7 years after last action
204.445.004	Records documenting the receipt and handling of all other complaints, including those that are withdrawn, not	Destroy 2 years

	<p>investigated, or assessed as being out of jurisdiction. Includes:</p> <ul style="list-style-type: none"> <li>• complaints received;</li> <li>• liaison and correspondence with parties to the complaint;</li> <li>• minutes, notes and agreements from conciliation conferences;</li> <li>• referrals to external bodies; and</li> <li>• closure letters/final reports.</li> </ul>	after last action
204.445.005	Copies of medical or health records received in support of a complaint.	Destroy 2 years after closure of the matter
<p><b>Court Interventions</b></p> <p>The activities associated with managing notifications about and involvement in court or tribunal proceedings that raise human rights issues.</p>		
<b>Disposal Reference</b>	<b>Description of Records</b>	<b>Retention Period &amp; Trigger</b>
204.447.001	<p>Records documenting notifications about, and involvement in, court proceedings that raise human rights issues.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>• notifications received about cases;</li> <li>• decisions on whether or not to intervene;</li> <li>• applications to intervene and supporting affidavits;</li> <li>• submissions and other documents lodged;</li> <li>• briefs to legal counsel; and</li> <li>• internal liaison and meetings relating to the case.</li> </ul> <p>Includes matters notified where the agency does not intervene and matters where the agency decides to intervene but proceedings are settled prior to any intervention.</p>	Destroy 7 years after last action

**Customer Service**

The activities associated with planning, providing and monitoring services to customers. Includes developing customer service plans and charters, receiving and responding to enquiries, requests, complaints and feedback about the agency's services, and monitoring and evaluating the suitability and performance of services to customers.

*[For the receipt and handling of human rights complaints, use HUMAN RIGHTS PROTECTION & PROMOTION – Complaints.]*

Disposal Reference	Description of Records	Retention Period & Trigger
204.030.001	Records documenting the planning, delivery, monitoring, evaluation and management of customer services to the agency's clients, including: <ul style="list-style-type: none"> <li>• customer service plans;</li> <li>• service charters;</li> <li>• customer feedback and suggestions;</li> <li>• receipt and response to enquiries and requests for information;</li> <li>• distribution of general information or greetings to customers, such as general mail outs;</li> <li>• customer surveys; and</li> <li>• reports monitoring recurring customer service activities and operations.</li> </ul>	Destroy 2 years after last action

**Exemptions**

The activities associated with receiving and processing applications or requests for exemption from provisions of legislation, regulations or other requirements.

Disposal Reference	Description of Records	Retention Period & Trigger
204.449.001	Records documenting the receipt and processing of applications or requests for exemption, either granted or refused. Includes: <ul style="list-style-type: none"> <li>• applications;</li> <li>• liaison with parties;</li> <li>• draft exemptions;</li> <li>• final exemption notices issued; and</li> <li>• records relating to requests for a review of a decisions.</li> </ul>	Destroy 2 years after last action

<b>Liaison &amp; Meetings</b>		
The activities associated with maintaining general contact with internal or external stakeholders through routine liaison and/or meetings for the purposes of collaborating on matters or sharing informal advice and information.		
<b>Disposal Reference</b>	<b>Description of Records</b>	<b>Retention Period &amp; Trigger</b>
204.444.001	Records documenting liaison and meetings with internal teams, partner agencies or other stakeholders for the purpose of discussing routine operational matters, providing updates, or sharing general information and advice relating to human rights issues or matters. Includes minutes, agenda and papers of meetings held.	Destroy 2 years after last action
<b>Monitoring &amp; Oversight</b>		
The activities associated with monitoring and overseeing services provided to children, young people and adults who reside in or rely on services provided in or by government and non-government facilities, to ensure government and non-government service providers are meeting their statutory responsibilities; ensure the protection and wellbeing of individuals; and identify concerns or issues where a person's rights may be at risk.		
Includes monitoring compliance through the conduct of inspections and visits of services and facilities and review of documents obtained or received by in accordance with legislative requirements.		
Includes inspections of places of detention under the ACT National Preventative Mechanism.		
<i>[For the receipt and handling of human rights complaints, use HUMAN RIGHTS PROTECTION &amp; PROMOTION – Complaints.]</i>		
<b>Disposal Reference</b>	<b>Description of Records</b>	<b>Retention Period &amp; Trigger</b>
204.446.001	Reports outlining findings and recommendations from visits and inspections of government and non-government facilities that identify serious actual or potential human rights risks or violations, are considered of major public interest, or otherwise have significant or far-reaching implications for service providers, the community, or human rights matters broadly.	Retain as Territory Archives
204.446.002	Reports outlining findings and recommendations from visits and inspections of government and non-government facilities that are considered routine or operational in nature.	Destroy 5 years after last action
204.446.003	Records documenting the conduct of visits and inspections, including: <ul style="list-style-type: none"> <li>• arrangements to conduct visits and inspections;</li> </ul>	Destroy 2 years after last action

	<ul style="list-style-type: none"> <li>• visit/inspection plans and schedules; and</li> <li>• notes from meetings, interviews of observations.</li> </ul>	
<p><b>Policies &amp; Procedures</b></p> <p>The activities associated with drafting, developing and implementing policies, procedures and guidelines establishing decisions, directions, precedents and standard methods of operating which act as a reference for future decision making, and maintaining their currency over time. Includes guidelines devised by other internal and external sources of authority, rules and instructions.</p>		
<b>Disposal Reference</b>	<b>Description of Records</b>	<b>Retention Period &amp; Trigger</b>
204.273.001	Internal operational policies and procedures relating to human rights matters or issues dealt with by the agency. Includes major drafts and final versions.	Destroy 5 years after last action
204.273.002	Working papers relating to the development of routine or internal operational policies and procedures, including major drafts and feedback.	Destroy 1 year after last action
<p><b>Submissions</b></p> <p>The preparation and submission of a formal statement (e.g. business case, statistics, etc.) supporting a case or opinion held by the agency which is submitted to another agency or organisation, or within the agency, for the purpose of either gain or support.</p> <p><i>[Note: Includes submissions in response to specific requests from government seeking comment on draft legislation, policy or discussion papers; submissions providing input to government inquiries; and submissions and letters expressing the agency's concern or support for a particular matter.]</i></p>		
<b>Disposal Reference</b>	<b>Description of Records</b>	<b>Retention Period &amp; Trigger</b>
204.102.001	<p>Submissions prepared by the agency which provide detailed commentary on matters that are deemed significant, controversial, or have far-reaching implications for human rights. Includes:</p> <ul style="list-style-type: none"> <li>• final submissions;</li> <li>• submission summaries;</li> <li>• substantive draft submissions circulated for internal review;</li> <li>• internal feedback and liaison.</li> </ul>	Retain as Territory Archives

204.102.002	<p>Submissions prepared by the agency which provide commentary on matters considered routine or operational.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>• final submissions;</li> <li>• submission summaries;</li> <li>• substantive draft submissions circulated for internal review;</li> <li>• internal feedback and liaison.</li> </ul> <p>Also includes submissions where the agency provides a nil response.</p>	Destroy 5 years after last action
<p><b>Training &amp; Development</b></p> <p>The activities associated with all aspects of managing and providing training and development or education and awareness sessions to an organisation's staff or to other organisations, industry or the community.</p> <p><i>[For the development and delivery of training to agency staff, volunteers, graduates or others under specific study or employment schemes, use HUMAN RESOURCES - Training &amp; Development.]</i></p>		
Disposal Reference	Description of Records	Retention Period & Trigger
204.277.001	Final version of publications or significant resources that provide detailed and comprehensive guidance to the ACT community on current or emerging discrimination and human rights issues.	Retain as Territory Archives
204.277.002	<p>Summary records of education and training events delivered by the agency. Including details of:</p> <ul style="list-style-type: none"> <li>• event type and name;</li> <li>• date held; and</li> <li>• client (if applicable).</li> </ul>	Destroy 2 years after last action
204.277.003	<p>Records documenting the administration of all education and training programs and activities. Includes:</p> <ul style="list-style-type: none"> <li>• training or event schedules;</li> <li>• substantive draft materials and resources;</li> <li>• requests for education sessions, workshops, presentations or similar events;</li> <li>• liaison with event organisers;</li> <li>• bookings and arrangements (e.g. venue, facilities, equipment, catering); and</li> </ul>	Destroy 2 years after last action

	<ul style="list-style-type: none"><li>• evaluation and feedback forms.</li></ul>	
204.277.004	Final version of all other materials and resources (e.g. presentations, handouts, posters, flyers, guides, toolkits, videos, frequently asked questions etc.) developed to inform, educate and promote awareness about discrimination and human rights issues.	Destroy when superseded or no longer in use

## RELATED LEGISLATION

The following legislation is related to the records classes covered by this Records Disposal Schedule:

*ACT Civil and Administration Tribunal Act 2008*

*Adoption Act 1993*

*Births, Deaths and Marriages Registration Act 1997*

*Children and Young People Act 2008*

*Corrections Management Act 2007*

*Disability Inclusion Act 2024*

*Disability Services Act 1991*

*Discrimination Act 1991*

*Freedom of Information Act 2016*

*Health Practitioner Regulation National Law (ACT)*

*Health Records (Privacy and Access) Act 1997*

*Human Rights Act 2004*

*Human Rights Commission Act 2005*

*Mental Health (Secure Facilities) Act 2016*

*Mental Health Act 2015*

*Official Visitor Act 2012*

*Residential Tenancies Act 1997*

*Retirement Villages Act 2012*

*Territory Records Act 2002*

*Veterinary Practice Act 2018*

**Note:** *The above list may not be exhaustive, it is the responsibility of the officers using this Records Disposal Schedule to follow all applicable legislation, regardless of whether it is listed above.*

## DEFINITIONS

### Agency

The Executive, an ACT Court, the Legislative Assembly Secretariat, an administrative unit, a Board of Inquiry, a Judicial or Royal Commission, any other prescribed authority, or an entity declared under the regulations of the *Territory Records Act 2002* to be an agency.

### Appraisal

The process of evaluating business activities to:

- determine which records need to be captured;
- determine how long the records need to be kept to meet business needs; and
- meet the requirements of organisational accountability and community expectations.

### Business Classification Scheme

A hierarchical scheme for identifying and defining the functions, activities and transactions an agency performs in the conduct of its business, and the relationships between them.

### Principal Officer

The Chief Executive of an administrative unit, or its equivalent in other types of agencies.

### Records

Information created, received, and maintained as evidence and information by an organisation or person, in pursuance of legal obligations or in the transition of business. This recorded information must be maintained or managed by the agency to provide evidence of their business activities. Records can be in written, electronic or any other form.

### Records of an Agency

Records, in writing, electronic or any other form, under the control of an agency or to which it is entitled to control, kept as a record of its activities, whether it was created or received by the agency.

### Records Disposal Schedule

A document approved by the Director of Territory Records, which sets out the types of records an agency must make and how long they must be kept.

### Records Management Program

A document that complies with Section 16 of the *Territory Records Act 2002* by setting out the means by which an agency will manage its records, and is approved by the agency's Principal Officer.

**Recordkeeping Systems**

Information systems that capture, maintain and provide access to records over time. While the term is often associated with computer software, Recordkeeping Systems also encompass policies, procedures, practices and resources that are applied within an agency to ensure that full and accurate records of business activity are made and kept.

**Scope Note**

An explanation of terms used in describing the records and the context in which they were made and used.

**Sentencing**

The process of applying appraisal decisions to individual records by determining the part of a Records Disposal Schedule that applies to the record and assigning a retention period consistent with that part.

**Territory Archives**

Records preserved for the benefit of present and future generations.