

"PT-4"



## Legislative Assembly

# Disposal of Members' Records

Information for members and electorate office staff regarding the **disposal of members' records**

### Introduction

Throughout their parliamentary career, Members of Parliament will work with and acquire a large number of records. These records remain the private property of the Member and it is their responsibility to manage and securely dispose of the records.

Due to storage limitations, Members are discouraged from sending their records to the Parliament for storage or archiving purposes.

The following information seeks to provide Members and electorate office staff with advice on how to dispose of a Member's records when the records are either no longer required or at the end of the Member's parliamentary career.

### What is a record

A record is information created, received and/or maintained by the Member and their electorate office staff in the course of their parliamentary duties. Records can exist in various forms, including paper, digital (such as files or email), photographic, video and/or audio.

### What types of records do Members hold

Records held by Members may include:

- parliamentary related records i.e. copies of speeches made in Parliament, copies of questions on notice, briefing notes and parliamentary committee papers;
- copies of correspondence with constituents and correspondence to Ministers making representations on behalf of constituents;
- research and reference material;
- party records;
- claims for Members' entitlements
- electorate office records covering issues related to office procedures, finance and staffing.

### When to dispose of records

Records should be disposed of when they are no longer required for either day-to-day administrative purposes or when the Member leaves Parliament. As a general rule, if you expect to refer to a document more than twice in the next 12 months, retain the record in your office, otherwise consider disposing of the record.

The exception is records concerning Members' Entitlements. These records must be retained by the Member for several years. Further information is detailed below.

When a Member leaves Parliament they may, at their own discretion, and in consultation with the incoming Member, choose to provide all or part of their records to the incoming Member.

## How to dispose of records

As Members retain ownership of the records they create it is their responsibility to ensure the records are securely disposed.

To dispose of records securely, Members can arrange for a document shredding company to attend their electorate office and have them remove and destroy records either on-site or off-site.

Details of document shredding companies are available from Electorate Office Services.

The cost of this service is payable by the Member out of their Logistic Support Allowance (LSA).

For records retained by the Member, it is their personal responsibility to ensure that such records are safely and securely stored.

Members who have also served in a ministerial capacity should ensure that all State papers, including Cabinet documents and policy related communications related to their portfolio of responsibility, are handled in accordance with State record keeping and retention obligations, policies and practices. Further information for records of ministers is in the General Disposal Authority for records of a Minister's Office (GDA 13).

Essentially government records go back to the agency, Cabinet records go back to the Cabinet Office, and for constituent records they can choose from the options detailed in this document.

## Members' Entitlements records

Members must retain records concerning their entitlements and claims for reimbursement.

As all entitlements provided by the Parliamentary Remuneration Tribunal are subject to audit, Members must retain their records for a period of twelve months, regardless of whether the Member is a sitting or former Member of the Legislative Assembly.

As a minimum, Members should retain copies of all their claim forms and supporting documents including tax invoices and copies of publications.

Where a Member has claimed Sydney Allowance or Electorate to Sydney travel they should also retain records or other relevant proof that clearly document the occasions they stayed in Sydney in connection with their Parliamentary duties.

Where a Member has decided not to contest an election, their records should be removed from the electorate office and stored in a secure location. This should be completed prior to an election.

Where a Member is not returned following an election, arrangements should be made to remove all their records and store them in a secure location within one week of an election taking place.

This will ensure Members are able to comply with requests from Parliament's internal and/or external auditors. Members are also reminded the Audit Office completes an audit of Members' Entitlements throughout the year and reports on its audit results to Parliament.

## Referral to Parliamentary Archives of historically significant items

A small collection of significant records, photos and other items are held within the Parliamentary Archives. Items in the collection are typically associated with key events in the history of the Parliament such as significant government, electoral or democratic reforms, or which otherwise provide special insight into the relationship between the people of NSW and their elected representatives.

If you believe you have individual records, photos or other items which qualify for inclusion in the collection, please contact the Manager, Records and Archives.



## Outgoing Members - Information on managing electronic records

For outgoing members, you have the option to have all your office data permanently deleted from your parliamentary computers and the parliamentary network, or you may wish to transfer your electorate office email account and all files stored on the network to the incoming member for your electorate.

You may also request a copy of your personal Outlook email account and files stored on the network to be exported and provided to you on a portable storage device. If you do not provide any instruction to IT Services within 14 days of your last official day as a member, all your office data will be permanently deleted after consultation with the Clerk.

For more information or to communicate your instructions, contact the IT Service Desk at: [DPS.ITServiceDesk@parliament.nsw.gov.au](mailto:DPS.ITServiceDesk@parliament.nsw.gov.au) or by telephone 9230 2339.

### Related Policies and Guidelines

*Annual Report and Determination of the Parliamentary Remuneration Tribunal dated 11 June 2014*

*Privacy Guidelines, Electorate Offices*

*Privacy and Personal Information Protection Act 1998*

### Further information

Further information is available from the:

- Office of the Clerk of the Legislative Assembly
- Director, Corporate Services
- Manager, Members' Entitlements
- Manager, Records & Archives
- Information and Privacy Commission



