State Records Authority of New South Wales

Functional Retention and Disposal Authority: FA246

This authority covers records documenting the function of building professionals accreditation and regulation

Issued to Building Professionals Board

This functional retention and disposal authority is approved under section 21(2)c of the State Records Act 1998 following prior approval by the Board of the State Records Authority of New South Wales in accordance with section 21(3) of the Act.
## State Records Authority of New South Wales
### Functional Retention and Disposal Authority

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<th>Authority no</th>
<th>FA246</th>
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<tr>
<td>SR file no</td>
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### Scope
This functional retention and disposal authority covers records documenting the function of building professionals accreditation and regulation from 1998 onwards.

### Public office
Building Professionals Board

### Approval date
9/11/2007

David Roberts  
Date  
Director  
State Records Authority of New South Wales
About the Functional Retention and Disposal Authority

Purpose of the authority

The purpose of this functional retention and disposal authority is to identify those records created and maintained by NSW public offices which are required as State archives and to provide approval for the destruction of certain other records created and maintained by NSW public offices, after minimum retention periods have been met.

The approval for disposal given by this authority is given under the provisions of the State Records Act 1998 only and does not override any other obligations of an organisation to retain records.

The retention and disposal of State records

The records retention and disposal practices outlined in this authority are approved under section 21 (2)(c) of the State Records Act 1998 (NSW). Part 3 (Protection of State Records) of the Act provides that records are not to be disposed of without the consent of State Records with certain defined exceptions. These exceptions include an action of disposal which is positively required by law, or which takes place in accordance with a normal administrative practice (NAP) of which State Records does not disapprove. Advice on the State Records Act can be obtained from State Records.

The authority sets out how long the different classes of records generated by an organisation must be kept to meet its legal, operational and other requirements, and whether the records are to be kept as State archives. The State Records Authority ('State Records') reviews and approves organisations' retention and disposal authorities under the State Records Act 1998.

This authority is the product of an appraisal process conducted in accordance with State Records’ Standard on the appraisal and disposal of State records. It is the duty of a public office, in submitting a draft functional retention and disposal authority for approval, to disclose to State Records any information which affects the retention of the records covered by the authority.

State Records’ decisions take into account both the administrative requirements of the public office in discharging its functional responsibilities and the potential research use of the records by the NSW Government and the public. One of State Records’ functions is to identify and preserve records as State archives. These are records which document the authority and functions of Government, its decision-making processes and the implementation and outcomes of those decisions, including the nature of their influence and effect on communities and individual lives. Criteria for the identification of State archives are listed in Building the Archives: Policy on records appraisal and the...
identification of State archives. The Policy also explains the roles and responsibilities of State Records and of public offices in undertaking appraisal processes and disposal activities.

Implementing the authority

This functional retention and disposal authority covers records controlled by the public office and applies only to the records or classes of records described in the authority. The authority should be implemented as part of the records management program of the organisation. Two primary objectives of this program are to ensure that records are kept for as long as they are of value to the organisation and its stakeholders and to enable the destruction or other disposal of records once they are no longer required for business or operational purposes.

The implementation process entails use of the authority to sentence records. Sentencing is the examination of records in order to identify the disposal class in the authority to which they belong. This process enables the organisation to determine the appropriate retention period and disposal action for the records. Advice on sentencing can be obtained from State Records.

Where the format of records has changed (for example, from paper-based to electronic) this does not prevent the disposal decisions in the authority from being applied to records which perform the same function. The information contained in non paper-based or technology dependant records must be accessible for the periods prescribed in the classes. Where a record is copied, either onto microform or digitally imaged, the original should not be disposed of without authorisation (see also the General Retention and Disposal Authority – Imaged records). Public offices will need to ensure that any software, hardware or documentation required to gain continuing access to technology dependent records is available for the periods prescribed.

Disposal action

Records required as State archives

Records which are to be retained as State archives are identified with the disposal action 'Required as State archives'. Records that are identified as being required as State archives should be stored in controlled environmental conditions and control of these records should be transferred to State Records when they are no longer in use for official purposes.

The transfer of control of records as State archives may, or may not, involve a change in custodial arrangements. Records can continue to be managed by the public office under a distributed management agreement. Public offices are encouraged to make arrangements with State Records regarding the management of State archives.

Transferring records identified as State archives and no longer in use for official purposes to State Records' control should be a routine and systematic part of a public office's records management program. If the records are more than 25 years old and are still in use for official purposes, then a 'still in use determination' should be made.
**Records approved for destruction**

Records that have been identified as being approved for destruction may only be destroyed once a public office has ensured that all other requirements for retaining the records are met. Retention periods set down in this authority are minimum periods only and a public office should keep records for a longer period if necessary. Reasons for longer retention can include legal requirements, administrative need, and government directives. A public office **must not** dispose of any records where the public office is aware of possible legal action (including legal discovery, court cases, FOI requests) where the records may be required as evidence. Once all requirements for retention have been met, destruction of records should be carried out in a secure and environmentally sound way. Relevant details of the destruction should be recorded.

Organisations should review functional retention and disposal authorities regularly to ensure that they remain relevant as the organisation’s functions and activities, operating environment and requirements for records change. Retention requirements may change over time. This can occur when:

- business needs or practices change
- new laws, regulations or standards are introduced
- new technology is implemented
- government administration is restructured and functions are moved between entities, or
- unforeseen or new community expectations become apparent.

State Records recommends that organisations check any functional retention and disposal authorities more than 5 years old to ensure that the retention periods and disposal actions remain relevant.

Regardless of whether a record has been approved for destruction or is required as a State archive, a public office or an officer of a public office must not permanently transfer possession or ownership of a State record to any person or organisation without the explicit approval of State Records.

**Custody**

The custody column in the functional retention and disposal authority is designed to assist public offices in identifying storage requirements or transfer arrangements for records identified as State archives (ie with a Disposal action of ‘Required as State archives’). The directions in this column are recommendations only and are **not** mandatory. The type of information may include directions on how long records should be retained in the office and how long they should be kept in off-site, off-line or secondary storage prior to their transfer as State archives. A recommendation to retain records in the organisation for more than 25 years does not imply that a **still in use determination** (see Part 4, Section 28 of the State Records Act 1998) or that a distributed management agreement (see Part 4, Section 30 of the State Records Act 1998)
has been approved by State Records. Advice on arrangements for managing and transferring State archives can be obtained from State Records.

**Administrative change**

This functional retention and disposal authority has been designed to link records to the functions they document rather than to organisational structure. This provides for a stable functional retention and disposal authority that is less affected by administrative change. The movement of specified functions between branches or units within the public office does not require the authority to be resubmitted to State Records for approval. However, when functions move from one public office to another the public office that inherits the new function should contact State Records to discuss use of any existing functional retention and disposal authority approved for use by a predecessor organisation.

**Amendment and review of this authority**

State Records must approve any amendment to this authority. Public offices that use the authority should advise State Records of any proposed changes or amendments to the authority.

State Records recommends a review of this authority after five years to establish whether its provisions are still appropriate. Either the public office or State Records may propose a review of the authority at any other time, particularly in the case of change of administrative arrangements or procedures which are likely to affect the value of the records covered by this authority.

In all cases the process of review will involve consultation between State Records and the public office. If the process of review reveals that this authority requires amendment, the necessary amendments should be made and approved.

**Contact Information**

State Records  
PO Box 516 Kingswood NSW 2747  
Telephone: (02) 8247 8627  
Facsimile: (02) 8247 8626  
E-mail: [govrec@records.nsw.gov.au](mailto:govrec@records.nsw.gov.au)
### Functional Retention and Disposal Authority
**Building professionals accreditation and regulation (Building Professionals Board)**

**Authority no:** FA246  
**Dates of coverage:** 1998+

#### List of Functions and Activities covered

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<th>Activity</th>
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<td></td>
<td>Accreditation</td>
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</tr>
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<td>Advice</td>
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<td></td>
<td>Reporting</td>
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</table>
| 1.0.0 | **BUILDING PROFESSIONALS MANAGEMENT** | The function of accrediting private certifiers to issue certificates for building and subdivision, managing complaints against certifiers and investigating and monitoring certifiers and local councils in regards to their certification work.  

See *General Retention and Disposal Authority – Administrative Records – GOVERNING BODIES* for records relating to the establishment, administration and meetings of the Building Professionals Board and any sub-committees of the Board.  

See *General Retention and Disposal Authority – Administrative Records – LEGAL SERVICES – Litigation* for records of appeals to another authority, such as a court or tribunal, against accreditation decisions of the Board. |  |  |
| 1.1.0 | **Accreditation** | The activities associated with managing applications and issuing accreditation to private certifiers to issue construction, occupation, subdivision, compliance and complying developing certificates. Includes re-accreditation.  

See *General Retention and Disposal Authority – Administrative Records – COMMITTEES* for records of the former State Assessment Committee and other advisory committees established to assist the Board. |  |  |
| 1.1.1 |  | Records relating to the receipt, assessment and approval of applications for accreditation of private certifiers. Records include accredited certifier's file containing individual's accreditation history.  

[Retain minimum of 22 years after last date of accreditation, then] |  |  |

* see *About the functional retention and disposal authority*
# Building professionals accreditation and regulation

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<tbody>
<tr>
<td>1.1.2</td>
<td>Records relating to the receipt, assessment and notification of unsuccessful applications for private certifier accreditation. Records include application, supporting documentation and notification of determination.</td>
<td>Retain minimum of 11 years after refusal of application, then destroy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1.3</td>
<td>Accreditation register maintained by agency and recording details of accredited private certifiers.</td>
<td>Retain in agency</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1.4</td>
<td>Records relating to individual accreditation bodies, documenting all activities between the organisation and accreditation bodies, such as Engineers Australia, Planning Institute of Australia and Professional Surveyors Occupation Association. Records include correspondence relating to accreditation, and complaints and disciplinary actions previously handled by the organisations.</td>
<td>Retain minimum of 22 years after accreditation body has its authority to accredit certifiers withdrawn, then destroy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.2.0</td>
<td>Advice</td>
<td>The activities associated with offering and receiving opinions and advice to the Board, public and other agencies relating to certification and accreditation.</td>
<td></td>
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</table>

See General Retention and Disposal Authority – Administrative Records – GOVERNMENT RELATIONS – Advice for records relating to other advice provided to the Minister and government organisations.

See General Retention and Disposal Authority – Administrative Records – LEGAL SERVICES – Advice for records relating to legal advice provided to or by the organisation.

* see About the functional retention and disposal authority
# Building professionals accreditation and regulation

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<tr>
<td>1.2.1</td>
<td></td>
<td>Master set of practice notes, circulars and bulletins issued as guidance and advice relating to accreditation, disciplinary processes, certification etc.</td>
<td>Required as State archives</td>
<td>Retain in office minimum of 10 years, then transfer to State Records.</td>
</tr>
</tbody>
</table>
| 1.2.2 |                   | Records relating to the development and review of practice notes, circulars and bulletins issued as guidance and advice relating to accreditation, disciplinary processes, certification, etc. Records include:  
• background research  
• draft versions containing significant changes or formally circulated for comment  
• records of consultations.                                                                                                                                                                                                                                                                                                                                | Retain minimum of 10 years after action completed, then destroy |                                                            |
| 1.2.3 |                   | Records relating to the receipt and provision of advice relating to certification and accreditation to and from accredited certifiers, other accreditation agencies and the public. Records include requests for advice and responses.                                                                                                                                                                                                                                                                   | Retain minimum of 10 years after last action, then destroy |                                                            |
| 1.3.0 | **Complaint Management** | The activities associated with handling complaints regarding building certifiers.  
See BUILDING PROFESSIONALS MANAGEMENT – Disciplinary Action for records of disciplinary action taken against accredited certifiers following complaint investigations.  
See General Retention and Disposal Authority – Administrative Records – COMMITTEES for records of the former Complaints Review Committee.                                                                                                                                                                                                                     |                         |                                                            |
| 1.3.1 |                   | Register of complaints relating to accredited certifiers.                                                                                                                                                                                                                                                                                                                                                                                                                         | Required as State archives | Retain in office minimum of 10 years                      |

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<td>years after last entry, then transfer to State Records.</td>
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<tr>
<td>1.3.2</td>
<td>Records relating to the receipt of complaints regarding certifiers, investigation of complaint and action taken to provide a response to the complainant. Records include: • complaint • photographs and supporting documents relating to the complaint • investigation into complaint • recommendations • response.</td>
<td>Retain minimum of 10 years after last action, then destroy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.4.0</td>
<td>Disciplinary Action</td>
<td>The activities associated with taking disciplinary action against certifiers who have breached the law or acted dishonestly or fraudulently.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.4.1</td>
<td>Register of disciplinary action taken against accredited certifiers.</td>
<td>Required as State archives</td>
<td>Retain in office minimum of 10 years after last entry, then transfer to State Records.</td>
<td></td>
</tr>
<tr>
<td>1.4.2</td>
<td>Records relating to the issue of orders, penalty notices, conditions etc. on an accredited certifier following recommendations for disciplinary action.</td>
<td>Retain minimum of 10 years after last action, then destroy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.5.0</td>
<td>Education and Training</td>
<td>The activities associated with developing and providing education and training services regarding building certifiers and certification work.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.5.1</td>
<td>Master set of training presentation notes and handouts for</td>
<td>Retain minimum of</td>
<td></td>
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## Building professionals accreditation and regulation

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<tr>
<td></td>
<td></td>
<td>courses run by the agency to increase understanding and awareness of issues and activities associated with building certifiers and certification work.</td>
<td>7 years after last action, then destroy</td>
<td></td>
</tr>
<tr>
<td>1.5.2</td>
<td></td>
<td>Records relating to the development and evaluation of training material. Records include research and background information, major drafts and evaluation reports.</td>
<td>Retain minimum of 2 years after last action, then destroy</td>
<td></td>
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</tbody>
</table>
| 1.5.3 | | Records relating to administrative arrangements for conducting training courses or attendance at workshops, seminars, etc. Records include:  
- records of applications  
- attendance records  
- venue bookings  
- catering arrangements  
- records of equipment hire. | Retain until administrative or reference use ceases, then destroy | |
| 1.6.0 | **Investigations** | The activities involved in monitoring or investigating certifiers or certifying authorities such as local councils to ensure they perform their work and activities according to professional practices and standards.  
See BUILDING PROFESSIONALS MANAGEMENT – Disciplinary Action for records of disciplinary action taken against accredited certifiers following investigations. | Retain minimum of 10 years after last action, then destroy | |
| 1.6.1 | | Record relating to monitoring and investigating the conduct of accredited certifiers and councils to ensure their work and activities comply with professional practices and standards. Records include:  
- monitoring schedules  
- background information  
- interviews and site visit notes  
- photographs | Retain minimum of 10 years after last action, then destroy | |

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| 1.6.2 | Records relating to the investigation of professional misconduct or unsatisfactory professional conduct of an accredited certifier or certified authority. Records include:  
- request for investigation  
- background information  
- interviews and site visit notes  
- photographs  
- investigation report. | Retain minimum of 10 years after last action, then destroy | | |
| 1.6.3 | Records relating to the referral of an investigation case relating to building certification to another agency for further action. Records include referral documentation and investigation brief. | Retain minimum of 5 years after last action, then destroy | | |
| 1.7.0 | **Policy**  
The activities associated with developing and establishing policies relating to building certification and certifier accreditation. | | | |
| 1.7.1 | Code of conduct for accredited certifiers developed by the organisation. | Required as State archives  
Retain in office minimum of 10 years, then transfer to State Records. | | |
| 1.7.2 | Records relating to the development and review of codes of conduct for accredited certifiers. Records include:  
- background research  
- records of consultations  
- reports analysing issues and the outcomes of consultation with stakeholders  
- draft versions of codes of conduct containing significant changes or formally circulated for comment. | Retain minimum 7 years after action completed, then destroy | | |

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<td>1.7.3</td>
<td>Final, approved policies relating to building certification and certifier accreditation. Includes policies covering the management of complaints and disciplinary action against certifiers, investigating and monitoring processes and the provision of training services.</td>
<td>Required as State archives</td>
<td>Retain in office minimum of 10 years, then transfer to State Records.</td>
<td></td>
</tr>
</tbody>
</table>
| 1.7.4 | Records relating to the development and review of policies regarding building certification and certifier accreditation. Records include:  
- policy proposals  
- background research  
- records of consultations  
- draft versions of policies containing significant changes or formally circulated for comment. | Retain minimum of 3 years after action completed, then destroy |
| 1.8.0 | Procedures | The activities associated with developing and establishing internal procedures relating to building certification and certifier accreditation. |
| 1.8.1 | Master set of procedures relating to the building certification and certifier accreditation. Includes procedures covering the management of complaints and disciplinary action against certifiers, investigating and monitoring processes and the provision of training services. | Retain minimum of 10 years after procedures superseded, then destroy |
| 1.8.2 | Records relating to the development and review of procedures regarding building certification and certifier accreditation. Records include:  
- background research | Retain minimum of 1 year after action completed, then |

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<tbody>
<tr>
<td>1.9.0</td>
<td>Reporting</td>
<td>The activities associated with developing reports relating to building professionals management activities and processes.</td>
<td>destroy</td>
<td></td>
</tr>
<tr>
<td>1.9.1</td>
<td>Final versions of internal reports or reports made to external bodies relating to building certification and certifier accreditation that contain detailed recommendations and initiatives concerning policies, procedures or long term plans of the agency.</td>
<td>Required as State archives</td>
<td>Retain in office minimum of 10 years, then transfer to State Records.</td>
<td></td>
</tr>
<tr>
<td>1.9.2</td>
<td>Records relating to the development of internal reports or reports made to external bodies relating to building certification and certifier accreditation that contain detailed recommendations and initiatives concerning policies, procedures or long term plans of the agency. Records include: • background research • draft versions of reports containing significant changes or formally circulated for comment.</td>
<td>Retain minimum of 6 years after last action, then destroy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.9.3</td>
<td>Final versions of internal reports or reports made to external bodies relating to building certification and certifier accreditation that do not contain detailed recommendations or initiatives concerning policies, procedures or long term plans of the agency. Includes routine statistical and periodic reports on activities and processes.</td>
<td>Retain minimum of 5 years after last action, then destroy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.9.4</td>
<td>Records relating to the development of internal reports or reports made to external bodies relating to building certification and certifier accreditation that do not contain</td>
<td>Retain until administrative or reference use</td>
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|    |                   | detailed recommendation or initiatives. Records include:  
  |                   | • Background research  
  |                   | • Draft versions of reports containing significant changes or  
  |                   | formally circulated for comment. | ceases, then destroy |
| 1.10.0 | **Reviewing** | The activities involved in re-evaluating or re-examining  
  |                   | accreditation processes, schemes etc. | |
| 1.10.1 | | Records relating to reviews of processes, schemes etc.  
  |                   | relating to building certification and certifier accreditation  
  |                   | which impact on policy or procedures, or create intense  
  |                   | public or media interest. Records include establishment of  
  |                   | review, final report and recommendations. | Required as State archives  
  |                   | Retain in office minimum of 10 years, then transfer  
  |                   | to State Records. |
| 1.10.2 | | Records relating to reviews of processes etc. relating to  
  |                   | building certification and certifier accreditation which do **not**  
  |                   | impact on policy or procedures, and do **not** create intense  
  |                   | public or media interest. Records include establishment of  
  |                   | review, final report and recommendations. | Retain minimum of 7 years after last action, then destroy |

* see *About the functional retention and disposal authority*