

State Archives and Records Authority of New South Wales

Functional Retention and Disposal Authority: FA421

This authority covers records documenting the function of
Sports and active recreation

This 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 Archives and Records Authority of New South Wales in accordance with section 21(3) of the Act.

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Functional Retention and Disposal Authority

Authority no FA421

SR file no 21/0329

Scope

This retention and disposal authority covers records documenting the function of sports and active recreation.

Public office

Office of Sport, Combat Sports Authority of New South Wales and Venues NSW

Approval date

08/12/2021

Issued date

20/12/2021

About the Functional Retention and Disposal Authority

Purpose of the authority

The purpose of this 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 the State Archives and Records Authority of New South Wales (State Archives and Records NSW) 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 Archives and Records NSW does not disapprove. Advice on the State Records Act can be obtained from State Archives and Records NSW.

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. State Archives and Records NSW reviews and approves organisations' retention and disposal authorities under the *State Records Act*. It is the duty of a public office, in submitting a draft retention and disposal authority for approval, to disclose to State Archives and Records NSW any information which affects the retention of the records covered by the authority.

State Archives and Records NSW's decisions take into account both the administrative requirements of public offices in discharging their functional responsibilities and the potential research use of the records by the NSW Government and the public. One of State Archives and Records NSW's 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 Archives and Records NSW and of public offices in undertaking appraisal processes and disposal activities.

Implementing the authority

This 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. For further advice see *Implementing a retention and disposal authority*.

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 the *General Retention and Disposal Authority – Original or source records that have been copied*). 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 Archives and Records NSW 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 Archives and Records NSW regarding the management of State archives.

Transferring records identified as State archives and no longer in use for official purposes to State Archives and Records NSW 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, government directives and changing social or community expectations. A public office **must not** dispose of any records where the public office is aware of possible legal action (including legal discovery, court cases, formal applications for access) 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. See *Destruction of records: a practical guide*.

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 Archives and Records NSW 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 Archives and Records NSW.

Administrative change

This 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 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 Archives and Records NSW for approval. However, when functions move from one public office to another the public office that inherits the new function should contact State Archives and Records NSW to discuss use of any existing retention and disposal authority approved for use by a predecessor organisation.

Amendment and review of this authority

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

State Archives and Records NSW recommends a review of this authority after five years to establish whether its provisions are still appropriate. Either the public office or State Archives and Records NSW may propose a review of the authority at any other time, particularly in the case of change of administrative arrangements, procedures or to operating environments 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 Archives Records NSW 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 Archives and Records NSW
 PO Box 516
 Kingswood NSW 2747
 Telephone: (02) 9673 1788
 E-mail: govrec@records.nsw.gov.au

Functional Retention and Disposal Authority

Sports and active recreation

Authority number: FA421

Dates of coverage: Open

List of Functions and Activities covered
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Function	Activity	Reference	Page
SPORTS AND ACTIVE RECREATION			
	Grants	1.1.0	8
	Industry Registration	1.2.0	9
	Licensing and permits	1.3.0	10
	Policies, procedures and standards	1.4.0	11
	Programs and participation	1.5.0	12
	Sports and entertainment venues	1.6.0	13

Functional Retention and Disposal Authority

Sports and active recreation

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1.0.0 SPORTS AND ACTIVE RECREATION

The function of:

- administering community sport and recreation programs and services
- developing and facilitating policies, strategies, and event opportunities for the sport and active recreation sector
- developing and managing of key stadia and entertainment centres, including its lands and surrounding precincts
- regulating combat sports and combat sports contest, motor sports and motor sports racing grounds.

See General Retention and Disposal Authority *Administrative records (GA28)*

GOVERNING BODIES for records relating to establishment and management of governing bodies such as Venues NSW Board, etc.

See General Retention and Disposal Authority *Administrative records (GA28)*

GOVERNMENT RELATIONS - Advice for records relating to the provision of advice to minister's or other government organisations.

See General Retention and Disposal Authority *Administrative records (GA28)*

PERSONNEL - Misconduct for records relating to the management of instances or allegations of misconduct involving abuse or neglect of children by employees, volunteers etc

See General Retention and Disposal Authority *Administrative records (GA28)*

STRATEGIC MANAGEMENT - Compliance for records relating to the management of allegations of sexual abuse of children by clients, visitors, service providers and members of the public.

See Functional Retention and Disposal Authority *Cultural, recreational and sporting institutions (FA402)* **COMMERCIAL ACTIVITIES** 2.0.0 for records relating to administering and managing commercial activities such as naming rights, sponsorship agreements, leasing, etc.

See Functional Retention and Disposal Authority *Cultural, recreational and sporting institutions (FA402)* **EVENT AND PUBLIC PROGRAM MANAGEMENT** 3.0.0 for records relating to sports and recreation events, education and outreach programs, membership programs, administration of scholarships and awards, etc.

See Functional Retention and Disposal Authority *Cultural, recreational and sporting institutions (FA402)* **FACILITIES AND VENUE MANAGEMENT** 4.0.0 for records relating to the management of sports venues and recreational facilities

See Functional Retention and Disposal Authority *Government and public sector administration, support, coordination and service delivery (FA313)* **STATE INFRASTRUCTURE PROJECTS** 9.0.0 for records relating to the planning and development of State sports infrastructure.

Sports and active recreation

Authority number: FA421

Dates of coverage: Open

No.	Description of records	Disposal action
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SPORTS AND ACTIVE RECREATION - Grants

See General Retention and Disposal Authority *Administrative records (GA28)*

COMMUNITY RELATIONS - Liaison for records relating to liaison activities undertaken with professional associations, professionals in related fields, private sector organisations and community groups that are not joint ventures. Includes collaboration on projects, exchange of information and membership issues

See General Retention and Disposal Authority *Administrative records (GA28)*

COMMUNITY RELATIONS - Enquiries for records relating to requests for and the handling of enquiries regarding routine information about the organisation and its services.

See General Retention and Disposal Authority *Administrative records (GA28)* **LEGAL SERVICES - Advice** for records relating to legal advice obtained from internal or external legal service providers.

See General Retention and Disposal Authority *Administrative records (GA28)*

GOVERNMENT RELATIONS - Inquiries for records relating to the organisation's involvement in an inquiry, including organisation submissions.

See General Retention and Disposal Authority *Administrative records (GA28)* **PROPERTY MANAGEMENT - Construction** for records relating to the planning and development of State sports infrastructure

1.1.0 Grants

The activity of providing funding to sporting organisations and key sector groups for projects to increase participation in sport, improve pathways for athlete, coach and official development, improve sport governance, support participation in international and national sporting events, increase and improve community sports facilities.

Includes provision and administration of grants and subsidies paid to external organisations and individuals.

Also includes the application for and receipt of funds, fund offers, agreements or contracts, release notifications, progress reports and fund acquittals.

See Functional Retention and Disposal Authority *Cultural, recreational and sporting institutions (FA402)* **EVENT & PUBLIC PROGRAM MANAGEMENT - AWARDS** 3.2.0 for activities related to the establishment and granting of awards, prizes, fellowships and scholarships, such as Duke of Edinburgh Awards, Her Sport Her Way Awards and other similar awards

1.1.1	Records of successful grant applications and their administration where the grant relates to: - sports projects or programs of state or regional significance - projects or programs which are part of the NSW Government's priorities	Required as State archives
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Sports and active recreation

Authority number: FA421

Dates of coverage: Open

No.	Description of records	Disposal action
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SPORTS AND ACTIVE RECREATION - Grants

	• NSW state-wide funding • peak bodies for the sport and outdoor recreation sectors and strategic partnerships. Includes: • summary records or registers of grant applications (successful or unsuccessful) where the information or detail is not otherwise documented in the organisation's annual report, committee or panel records or ministerial submissions. • final reports of grants or funding where it leads to the establishment of new and significant programs and events or major upgrade, development or construction of sport facilities, including elite training facilities • recommendations for grant or funding approvals sent to the Minister and records documenting the Minister's or delegated officer's approval or variance of these recommendations.	
1.1.2	Records relating to the administration of grants issued under the various sports and recreation programs which do not lead to the establishment of new and significant programs, services and events for the community. Includes successful, unsuccessful, cancelled or withdrawn grant, funding and scholarship applications, assessment and determination of application, agreements, correspondences, acquittal forms, progress and final evaluation and closing reports, etc.	Retain minimum of 7 years after action completed, then destroy

1.2.0 Industry Registration

Activities associated with the registration of combatants, competitors and industry participants for combat contests under relevant legislation.

1.2.1	Records providing a summary of information or a list of registered combatants, industry participants and promoters.	Required as State archives
1.2.2	Records relating to the registration of combatants and industry participants and promoters.	Retain minimum of 15 years after registration expires, then destroy

Sports and active recreation

Authority number: FA421

Dates of coverage: Open

No.	Description of records	Disposal action
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SPORTS AND ACTIVE RECREATION - Licencing and permits

	For combatants, includes registration papers, medical history, pre- and post-contest medical examinations, suspensions, weigh-in details, judges scores and contest results, appeals, disciplinary action, penalty notices, medical record books, contest records, etc. Includes Coronial reports where applicable and summary records. For industry participants and promoters, includes application records and records relating to combat sports contests permits granted, the appointment of officials and medical practitioners, contest records.	
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1.3.0 Licensing and permits

See General Retention and Disposal Authority *Administrative records* **OCCUPATIONAL HEALTH & SAFETY - Accidents** for records relating to accidents involving members of the public

See General Retention and Disposal Authority *Administrative records* **COMMITTEES** for records relating to the establishment and management of advisory committees

1.3.1	Records providing a summary information or list of licences and permits issued.	Required as State archives
1.3.2	Records relating to the development and implementation of combat sports rules in accordance with the provision of the Act and/or the Regulation. Includes research, stakeholder correspondence, draft reports and final submissions.	Required as State archives
1.3.3	Records relating to the approval, processing and issuing of licences and permits for motor vehicle racing grounds under relevant legislation. Includes application and supporting documentation, licensing summaries, renewals, cancellations, amendments, suspensions and revocations. Also includes records relating to the monitoring of the conduct of contests, competitions and race events/meetings and the inspection of licensed venues or grounds. Includes records such as: • inspector's reports, • notifications to police • notices or letters issued in regard to breaches and infringements.	Retain minimum of 10 years after action completed, then destroy

Sports and active recreation

Authority number: FA421

Dates of coverage: Open

No.	Description of records	Disposal action
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SPORTS AND ACTIVE RECREATION - Licencing and permits

	records providing direction to licence or permit holders, etc.	
1.3.4	Records relating to contests or events resulting in fatalities or to breaches of permit and licence conditions: - of major public interest or controversy - that are precedent setting in nature, or - result in a change of government or departmental policy. Includes applications and supporting documentation for permits and licences, licensing summaries, renewals, cancellations, amendments, suspensions and revocations.	Required as State archives

1.4.0 Policies, procedures and standards

The drafting, developing and implementing of 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 both internal and external sources of authority, rules and instructions.

The activities associated with developing and establishing decisions, directions and precedents which act as a reference for future decision making, as the basis from which the organisation's operating procedures are determined.

1.4.1	Final, approved versions of the organisation's policies relating to the development, delivery and regulation of sport, recreation and competition initiatives across New South Wales and associated correspondence indicating who the policies apply to and responsibilities for their implementation. Includes records relating to the development and implementation of contest rules for combat sports. Includes research, stakeholder correspondence, draft reports and final submissions.	Required as State archives
1.4.2	Records relating to the development of policies and procedures for sports development programs and initiatives. Includes policy proposals, background research, records of consultations or meetings, draft versions of policies containing significant changes or alterations or formally circulated for comment, reports	Retain minimum of 7 years after action completed, then destroy

Sports and active recreation

Authority number: FA421

Dates of coverage: Open

No.	Description of records	Disposal action
-----	------------------------	-----------------

SPORTS AND ACTIVE RECREATION - Licencing and permits

	analysing issues and the outcomes of consultation with stakeholders etc.	
1.4.3	Final, approved versions of manuals, handbooks, directives, etc., detailing procedures regarding the development, delivery and regulation of community sport initiatives across New South Wales and associated correspondence indicating who the procedures apply to and responsibilities for their implementation.	Retain minimum of 10 years after procedures superseded, then destroy

1.5.0 Programs and participation

Activities related to the development, implementation and review of:

- community sports and active recreation programs to promote participation and healthy lifestyles for New South Wales communities, groups and individuals, such as the Active Kids program and school camps, etc.
- sports and coaching excellence programs for the advancement and recognition of state sporting ambassadors.
- projects and programs to enhance performance, participation and innovation in sport and sport capability within New South Wales
- education and training programs to improve knowledge, skills and capacity building of sport in New South Wales.

See Functional Retention and Disposal Authority *Cultural, recreational and sporting institutions (FA402)* **EVENT & PUBLIC PROGRAM MANAGEMENT** 3.0.0 for records relating to the delivery of sports and recreation programs and events. This includes training and education programs in relation to educating organisations and individuals on sport integrity, match fixing, child protection, concussion in sport and drugs in sport, etc.

See Functional Retention and Disposal Authority *Cultural, recreational and sporting institutions (FA402)* **FACILITIES AND VENUE MANAGEMENT - Venue operations** 4.0.0 for records relating to the management of clients of community sport and recreation programs, and residential facilities e.g. sport and recreation and school camps.

See General Retention and Disposal Authority *Administrative records (GA28)* **COMMUNITY RELATIONS - Customer service** for records relating to administrative arrangements for workshops and education programs.

See General Retention and Disposal Authority *Administrative records (GA28)* **COMPENSATION - Claims** for records relating to the management of accidents/incidents involving clients and members of the public of employees.

See General Retention and Disposal Authority *Administrative records (GA28)* **PROPERTY MANAGEMENT - Construction** for records relating to construction, upgrades or renovations and other capital works, of sport and recreation centres

Sports and active recreation

Authority number: FA421

Dates of coverage: Open

No.	Description of records	Disposal action
<i>SPORTS AND ACTIVE RECREATION - Licencing and permits</i>		
1.5.1	Records relating to planning, delivery and evaluation of: - state-wide sport and recreational initiatives and programs, services and facilities - education and support programs for state sporting organisations, state sporting organisations for people with disability, community sports organisations and other stakeholders - state-wide and high-level programs and projects to enhance performance, participation and innovation in sport and sport capability, such as Her Sport Her Way program - state-wide sport strategies, sports facility programs and sports governance capability frameworks. Includes final proposals, major plan drafts, final strategy papers, business cases, submissions, evaluation reports, summaries of stakeholder consultations and supporting research.	Required as State archives
1.5.2	Records relating to planning, delivery and evaluation of local community sport and recreational programs, services and facilities. Includes final proposals, major plan drafts, evaluation reports, business cases and supporting research.	Retain minimum of 7 years after action completed, then destroy
1.5.3	Records relating to the development, preparation and delivery of presentation and workshop materials in relation to educating organisations and individuals on sport integrity, match fixing, child protection, concussion in sport and drugs in sport, etc. Includes handouts, multi-media presentations etc	Retain or minimum of 7 years after course superseded, then destroy
1.5.4	Records relating to the managing the administration and licensing of the Duke of Edinburgh's (DofE) Award in NSW. Includes records such as DofE Award applications, correspondence, determinations, advice, contact details, etc.	Retain minimum of 7 years after expiry or termination of licence, then destroy

1.6.0 Sports and entertainment venues

Activities relating to:

Sports and active recreation

Authority number: FA421

Dates of coverage: Open

No.	Description of records	Disposal action
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SPORTS AND ACTIVE RECREATION - Licencing and permits

- managing publicly-owned sports and entertainment venues, including its lands and surrounding precincts owned and managed by Venues NSW.
- business development opportunities, including commercial activities for key publicly owned sports and entertainment sites in New South Wales

See Functional Retention and Disposal Authority *Cultural, recreational and sporting institutions (FA402)* **COMMERCIAL ACTIVITIES** 2.0.0 for records relating to commercial agreements.

See Functional Retention and Disposal Authority *Government and public sector administration, support, coordination and service delivery (FA313)* **STATE INFRASTRUCTURE PROJECTS** 9.0.0 for records relating to planning and development of sports and entertainment venues, including its land and surrounding precincts owned and managed by Venues NSW.

1.6.1	Records relating to successful bids for securing international sport events or hosting of major events. Includes bidding strategies, bids, negotiations, supporting documents, contracts, submissions, briefings and reports.	Required as State archives
1.6.2	Records relating to the preparation of major sport event bidding proposals. Includes working drafts, comments from consultation and feasibility studies	Retain minimum of 10 years after action completed, then destroy