



DEPARTMENT OF
AGRICULTURE AND RURAL DEVELOPMENT

RECORDS DISPOSAL POLICY

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Recommended:

[Signature]
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Maisela, RJ

Date

(Head of Department)

Approved:

[Signature]
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05/10/16
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Honourable Member of Executive Council

Date

Mapula Mokaba-Phukwana (MPL)

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1. Acronyms and abbreviations

DIO	Deputy Information Officer
HOD	Head of Department
LDARD	Limpopo Department of Agriculture and Rural Development
MEC	Member of Executive Council
MISS	Minimum Information Security Standards
PAIA	Promotion of Access to Information Act

2. Executive summary

The Records Disposal Policy deals with all matters regarding the disposal of records – since there are different timelines for the disposal of different types of documents and this is a matter that need to be done with the utmost care. The extensive list of definitions explain the various terms used within the policy and the principles for disposal as well as the moving of records are attended to in the policy. The various roles and responsibilities are explained as well as the relation of this policy to other Departmental Policies.

3. Introduction

Records Management is responsible for providing records management services within the Department.

The aim of this policy framework is to provide a policy directive in terms of disposal of records as part of efficient and effective records management in the Department. Implementation of an effective systematic disposal programme enables the Department to dispose of its records regularly either by transferring the archival records to an archives repository or by disposing of the non-archival records when they are no longer required for administrative, legal or other functional purposes.

According to Section 13 (2) of the Limpopo Archives Act, no public records under the control of the Department may be transferred to an archives repository, destroyed, erased or otherwise disposed of without a written disposal authority issued by the Provincial Archivist.

In the course of carrying out its various functions and activities, the Department collects information from individuals and external organisations and generates a wide range of data/information which is recorded. These records can take many different forms such as:

1. Letters received from third parties
2. Copy of letters which have been sent out
3. File attendance notes
4. Invoices
5. Completed application forms
6. Plans/drawings
7. Financial records
8. Registers

9. Contracts/deeds
10. e-mail communications (including the attachments)
11. Photographs
12. Tape Recordings, etc.

Many of the above documents can be retained as 'hard' paper records or in electronic form.

Retention of specific documents may be necessary to:

- a) Fulfil statutory or other regulatory requirements.
- b) Evidence events/agreements in the case of disputes.
- c) Meet operational needs.
- d) Ensure the preservation of documents of historic or other value.

The untimely destruction of documents could cause the Department:

- i) Difficulty in defending litigious claims.
- ii) Operational problems.
- iii) Embarrassment.

Failure to comply with the Promotion of Access to Information Act No. 2 of 2000 (PAIA) and other related acts.

Conversely, the permanent retention of all documents is undesirable, and appropriate disposal is to be encouraged for the following reasons:

- 1.) Shortage of new storage space.
- 2.) Disposal of existing documents can free up space for more productive activities.
- 3.) Indefinite retention of records may be unlawful.
- 4.) Reduction of fire risk (in the case of paper records).
- 5.) There is evidence that the de-cluttering of office accommodation can be psychologically beneficial for many workers.

Modern day records management philosophy emphasises the importance of departments having in place systems for the timely and secure disposal of documents/records that are no longer required for administrative, legal and financial purposes. Additionally, PAIA will ensure that the Department has clearly defined policies and procedures in place for disposing of records, and that these are well documented (See LDARD Records Disposal Procedure Manual for reference).

4. Purpose and objectives

The purpose and objectives of this policy is as follows:

- a) The purpose of this policy is to provide a Departmental policy framework to govern decisions on whether a particular record (or set of records) should either be:
 - i) Retained – and if so in what format, and for what period; or
 - ii) Disposed of - and if so, when.
- b) Additionally, this policy seeks to: clarify the roles and responsibilities of Head of Department, Managers and all staff in the disposal of Departmental records.
- c) Ensure uniformity and consistency in the execution of disposal authorities issued by National/Provincial Archives.
- d) Providing guidance on the procedures for transfer of records from institutions to an archive repository.
- e) Providing guidance on the principles to be followed in applying for disposal of records.

5. Authority

The policy on Records Disposal within the LDARD, is issued under the custodianship of the HOD (as Accounting Officer) and the Hon MEC for Agriculture and Rural Development in Limpopo.

6. Legal Framework

This policy is informed by the following prescripts:

- The Constitution of the Republic of South Africa, (Act No. 108 of 1996)
- Promotion of Access Information Act (Act No. 2 of 2000)
- The National Archives of South Africa Act (Act 43 of 1996 as amended), National Archives Regulations, 1997 and National Archives Instructions
- Public Services Act, No. 103 of 1994 and the Public Services Regulations, 2001
- Limpopo Province Archives Act (Act No. 5 of 2001).
- Promotion of Administrative Justice Act (Act No 3 of 2000)
- Public Finance Management Act (Act No 1 of 1999)
- Electronic Communications and Transactions Act (Act No 25 of 2002)
- Labour Relations Act (Act 42 of 1995)
- Basic Conditions of Employment Act (Act 75 of 1997)
- Resolutions of the Public Service Bargaining Council (Numbers 3 of 1999 and 7 of 2000)
- National Minimum Information Requirements circulated in the DPSA's circular no. 4 of 2001
- Minimum Information Security Standards
- White Paper on Human Resource Management in Public Service, 1997

- E-Government Framework and the National e-Strategy
- Best Practice Model for Keeping and Managing Paper-Based Employee Records
- Skills Development Act (Act No. 31 of 2003)
- Employment Equity Act (Act No. 55 of 1998)

Relationship to other policies:

The Department's Records Disposal Policy consist of this policy as well as additional parts that cover the unique nature of the broad spectrum of records generated in the Department.

Other policies that are closely related to the Records Disposal Policy are:

- Records Management Policy
- Information Security Policy and Departmental Security Policy
- Policy on the Promotion of Access to Information Act (PAIA)

7. Scope of application

This policy, except where otherwise indicated, is applicable to the Provincial Office, District offices, Agricultural Training Colleges as well as all other institutions within the Department of Agriculture and Rural Development.

In terms of records groups and/ or type, the policy applies to all records (generic; current and terminated) created; received or available in the Department, regardless of form or medium.

- i) Electronic transactions such as e-mails and web-based records which are relevant to the Information gathering, policy formulation or decision making process of the Department (and which are covered by the General Disposal Authority) are part of the scope of application of this policy, and should therefore be printed and filed in the appropriate subject file until an electronic document and records management system is implemented by the Department. All systems should be consistent with this policy.
- ii) Audio-visual records such as tape-recordings of selection committees, video tapes of Departmental events, etc. are also part of the scope of these procedures.

- iii) Paper-based “Other Records” such as maps, plans, diagrams, registers etc. should also be disposed of in line with this policy.

The policy is not concerned with the disposal/retention of unused materials (e.g. stocks of paper, unused forms, and duplicated documents).

This policy impacts upon LDARD’s work practices for all those who:

- a) create records including electronic records;
- b) have access to records;
- c) have any other responsibilities for records, for example storage and maintenance responsibilities;
- d) have management responsibility for staff engaged in any of these activities; or manage, or have design input into, information technology infrastructure.

The policy therefore applies to all staff members of the Department and covers all records regardless of format, medium or age.

8. Definitions

“Department” means the Limpopo Department of Agriculture and Rural Development.

“Institutions” means a Research Station, College, Agricultural Municipal Offices or Service Centres within Limpopo Department of Agriculture and Rural Development.

“Records” means recorded information regardless of form or medium.

“Public Record” means a record created or received in pursuance of the activities of a public body.

“Disposal” means the action of either destroying/deleting a record or transferring it into archival custody.

“File” means an organised arrangement of records on the same subject accumulated in a chronological order within the same cover/folder/container.

“Disposal Authority” means a written authority issued by the National/Provincial Archivist specifying which records should be transferred into archival custody or specifying which records should be destroyed/deleted or otherwise disposed of.

“File Plan” means a pre-determined logical and systematic structure into which records are arranged and intellectually stored according to subject groups and subjects to facilitate efficient retrieval and disposal of records.

“Other Records” means records that do not form part of a correspondence file, or case file e.g. registers maps, plans, audio-visual records etc.

“Correspondence files” means a set of papers-based and electronic communications and associated documents, sent, received, processed and stored during the conduct of business.

“Electronic records” means information which is generated electronically and stored by means of computer technology.

“Classifications system” means a plan for the systematic identification and arrangement of departmental activities and/or records into categories according to logically structured conventions, and procedural rules represented in the classification system.

“Employee” means any person employed by the Department either on temporary basis.

“National /Provincial Archives” means either National or Provincial Archives and Records Services of South Africa.

“Archives Repository” means either the Limpopo Provincial Archives repository or the National Archives repository.

“Retention period” means the period or the number of years a file is retained by the Department before it is either destroyed or transferred to an archives repository.

“Standing disposal authority” means the authority granted for the disposal of current records.

“Limited disposal authority” means the authority granted for the disposal of terminated records.

“General Disposal Authority” means the authority granted for the disposal of records that are common in all governmental offices (e.g. unsuccessful applications for positions).

“Current records” means records managed in terms of the classification system currently in use.

“Terminated records” means records which belong to a classification system(s) that are no longer in use.

“A20 records” means records with archival value which should be transferred to an archive repository 20 years after their creation.

“D records” means records without archival value which may be destroyed.

“Destruction register” means a register in which all D records are recorded in terms of the year in which they are scheduled to be destroyed.

9. Policy Pronouncements

9.1 Policy Statement

All records created and received by LDARD shall be managed in accordance with the records management principles contained in Section 13 of Limpopo Province Archives Act No. 5 of 2001.

The following broad principles apply to the record keeping and records management practices of LDARD:

- a) LDARD follows sound procedures for the creation, maintenance, retention and disposal of all records, including electronic records in accordance with the regulatory framework.
- b) The records management procedures comply with legal requirements, including those for the provision of evidence.
- c) Electronic records in the LDARD are managed according to the principles promoted by the National Archives and Records Service.

9.2 Principles of disposal of Records

- a. Any decision whether to retain or dispose of a document should be taken in accordance with the retention schedules/disposal procedures. Please refer to the *Records Disposal Procedure Manual* for more details on recommended and mandatory minimum retention periods for specific classes of documents/records.
- b. Within this framework, as provided for by the Provincial/National Archives and Records Services these policy guidelines serve to complement and further clarify the Departmental Records Management Policy on the disposal of records.
- c. The policy guidelines were also developed to ensure uniformity and consistency in the disposal of records within the Department (consult the Departmental

Records Disposal procedure Manual for the procedures on the implementation of a systematic disposal programme).

- d. Disposal of correspondence files:
 - i. Correspondence records shall be destroyed in accordance with the disposal authority issued by the Provincial/National Archives and Records Services following the approval of the HOD.
 - ii. Once a disposal authority for correspondence records is obtained, new updated versions will be issued for both the General; Staff and the Ministerial Files Plans with a completed DISPOSAL column.
 - iii. The DISPOSAL column will indicate whether a file is A20 (archival) or D (non archival).
 - iv. Records with archival value (A20) shall be transferred to a relevant Archives Repository 20 years after creation with the approval of the HOD and prior arrangements should be made with the relevant archives repository.
 - v. Retention periods will be allocated to all non-archival records by the Provincial Records Management units in consultation with all Directorates; Districts, Agricultural Municipality offices, Colleges, Research Stations and all other institutions. For example if a file containing non-archival records is scheduled as D3, it means it will be destroyed 3 years after closure.
 - vi. However, before any destruction of such a file is undertaken, authorisation must be obtained from the HOD.
 - vii. Application for disposal of correspondence records from the Provincial Archives shall only be initiated by Records Management unit at Head Office.

9.3 Roles and responsibilities

Records management is a collective responsibility and as a result all employees have an obligation to create and ensure that records are managed according to sound practices. Specific accountabilities are as follows:

- 1) The Provincial Archivist has the overall responsibility of promoting sound records management within the Province and should therefore ensure that all Departments' records management practices comply with the provisions of the Limpopo Province Archives Act No. 5 of 2001.
- 2) The HOD has the overall responsibility to promote sound records management within the Department and should therefore ensure that the Department's records management practices comply with the provisions of the Limpopo Province Archives Act. The HOD may grant or deny any application to dispose records.
- 3) The Records Management sub directorate is responsible for advising the HOD on the merits and demerits of an application to dispose records. The Sub Branch is also responsible for applying for disposal authority from the Provincial Archives.
- 4) Records Management units in Districts are responsible for making requests for disposal of records to the HOD. The units are also responsible for executing a disposal authority once it is granted.
- 5) The Executive and all Departmental Line Managers should ensure that these policy are implemented within their business units.
- 6) Employees, as public servants should be aware of recordkeeping requirements that affect the performance of their duties. They have an obligation to make sure that records are not destroyed without authorisation.
- 7) Records management units in consultation with the relevant head of a branch/section will determine whether to dispose or retain records due for disposal. Because of the clear benefits resulting from the disposal of unnecessary records, records management units are expected to be proactive in carrying out or instigating audits of existing records that may be suitable for disposal in various branches/section.
- 8) Heads of branches/sections may delegate the operational aspects of this function to one or more senior officers within their branch/section. However in doing so they should ensure that such Officers are fully conversant with this Policy and are also familiar with the operational requirements of the branch/section in relation to records retention/disposal.
- 9) The Records Management Team is also available to provide Heads of Branches/Sections, Districts, Local Agricultural Offices, Colleges and Research Stations with advice and guidance on effective records management practices.

9.4 Transferring Records to an archive repository

No institution or directorate within the Department may transfer records to an archives repository without a written approval of the HOD.

9.5 Maintenance of Registers

Once disposal instructions are issued for all non-archival records and disposal is implemented, the following registers should be implemented:

- a) register of disposal authorities;
- b) register of destruction certificates; and
- c) a destruction register.

The registers should be updated to keep record of all destroyed records.

10. Default

This Policy on Records Disposal are being issued under the custodianship of the HOD and MEC for the Limpopo Department of Agriculture and no deviation from this policy is allowed. Should any deviation be needed (for whatever reason), it will only be allowed after written approval of the HOD.

11. Inception date

The date of approval is also the date of inception of this policy.

12. Termination and review

This policy will be reviewed after 2 years or as and when a need arise.

13. Enquiries

All enquiries with regards to this Policy on Records Disposal within the LDARD should be directed towards:

The Director
Records Management
LDARD

Private Bag X9487
POLOKWANE
0070.
Tel: 015 294 3000

Recommended:

~~MAISELA~~ *Maisela*
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2016-09-30
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Maisela, RJ

Date

(Head of Department)

Approved:

[Signature]
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05/10/16
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Honourable Member of Executive Council

Date

Mapula Mokaba-Phukwana (MPL)