



**LIMPOPO**

PROVINCIAL GOVERNMENT  
REPUBLIC OF SOUTH AFRICA

**DEPARTMENT OF AGRICULTURE**

**RECORDS DISPOSAL POLICY**

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## 1. INTRODUCTION

- 1.1 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 e.g.
- Letters received from third parties
  - Copy of letters which have been sent out
  - File attendance notes
  - Invoices
  - Completed application forms
  - Plans/drawings
  - Financial records
  - Registers
  - Contracts/deeds
  - e-mail communications (and any attachments)
  - Photographs
  - Tape Recordings etc
- 1.2 Many of the above documents can be retained as 'hard' paper records or in electronic form.
- 1.3 Retention of specific documents may be necessary to:
- Fulfill statutory or other regulatory requirements.
  - Evidence events/agreements in the case of disputes.
  - Meet operational needs.
  - Ensure the preservation of documents of historic or other value.
- 1.4 The untimely destruction of documents could cause the Department:
- Difficulty in defending litigious claims.
  - Operational problems.
  - Embarrassment.
  - Failure to comply with the Promotion of Access to Information Act No. 2 of 2000 (PAIA) and other related acts.
- 1.5 Conversely, the permanent retention of all documents is undesirable, and appropriate disposal is to be encouraged for the following reasons:
- Shortage of new storage space.
  - Disposal of existing documents can free up space for more productive activities.
  - Indefinite retention of records may be unlawful.
  - Reduction of fire risk (in the case of paper records).
  - There is evidence that the de-cluttering of office accommodation can be psychologically beneficial for many workers.
- 1.6 Modern day records management philosophy emphasises the importance of organisations 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.

## 2. DEFINITIONS

- 2.1 "Department" means the Limpopo Department of Agriculture.
- 2.2 "Institutions" means a research centre or colleges within Limpopo Dept of Agriculture.
- 2.3 "Records" means recorded information regardless of form or medium.

- 2.4“Public Record” means a record created or received in pursuance of the activities of a public body.
- 2.5“Disposal” means the action of either destroying/deleting a record or transferring it into archival custody.
- 2.6“File” means an organised arrangement of records on the same subject accumulated in a chronological order within the same cover/folder/container.
- 2.7“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.
- 2.8“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.
- 2.9“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.
- 2.10“Correspondence files” means a set of papers-based and electronic communications and associated documents, sent, received, processed and stored during the conduct of business.
- 2.11“Electronic records” means information which is generated electronically and stored by means of computer technology.
- 2.12“Classifications system” means a plan for the systematic identification and arrangement of business activities and/or records into categories according to logically structured conventions, methods and procedural rules represented in the classification system.
- 2.13“Employee” means any person employed by the Department either on temporary basis or permanent basis or offering services to the Department voluntarily.
- 2.14“National /Provincial Archives” means either National or Provincial Archives and Records Services of South Africa
- 2.15“Archives Repository” means either the Limpopo Provincial Archives repository or the National Archives repository.
- 2.16“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.
- 2.17“Standing disposal authority” means the authority granted for the disposal of current records.
- 2.18“Limited disposal authority” means the authority granted for the disposal of terminated records.
- 2.19“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).
- 2.20“Current records” means records managed in terms of the classification system currently in use.
- 2.21“Terminated records” means records which belong to a classification system(s) that are no longer in use.
- 2.22“A20 records” means records with archival value which should be transferred to an archives repository 20 years after their creation.
- 2.23“D records” means records without archival value which may be destroyed.
- 2.24“Destruction register” means a register in which all D record are recorded in terms of the year in which they are scheduled to be destroyed.

### 3. SCOPE OF APPLICATION

- 3.1 These procedures, except where otherwise indicated, are applicable to the Provincial Office, District offices, Colleges as well as all Institutions within the Department of Agriculture.
- 3.2 In terms of records groups and/ or type, the procedures apply to all generic records created or received, regardless of form or medium.

- 3.3 All records groups generated within the Department which are covered by the general disposal authority issued by National/Provincial Archives should be disposed of in accordance with these procedures.
- 3.4 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 these procedures, 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.
- 3.5 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.
- 3.6 Paper-based Other Records such as maps, plans, diagrams, registers etc should also be disposed of in line with these procedures.
- 3.7 This policy is not concerned with the disposal/retention of unused materials (e.g. stocks of paper, unused forms, and duplicated documents). These procedures are aimed at:
  - a) Ensuring uniformity in the execution of disposal authorities issued by the National/ Provincial Archives.
  - b) Providing guidance on the procedures for transfer of record from institutions to an archives repository.
  - c) Providing guidance on the procedures to be followed in applying for disposal of records.

#### **4. PURPOSE OF THE POLICY**

- 4.1 The purpose of this policy is to provide a Departmental policy framework to govern management decisions on whether a particular record (or set of records) should either be:
  - 4.1.1 Retained – and if so in what format, and for what period; or
  - 4.1.2 Disposed of - and if so when.
- 4.2 Additionally, this policy seeks to:
  - 4.2.1 clarify the roles and responsibilities of Head of Department, Managers and all staff in the disposal of records.
  - 4.2.2 Ensure uniformity in the execution of disposal authorities issued by National/Provincial Archives.
  - 4.2.3 Provide guidance on the procedures for transfer of records from institutions to an archives repository.
  - 4.2.4 Procedures to be followed in applying for destruction of records

#### **5. 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.
- Northern 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)

## 6. ACCOUNTABILITY

- 6.1 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:
- 6.1.1 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 Northern Province Archives Act No. 5 of 2001.
- 6.1.2 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 Northern Province Archives Act. The HOD may grant or deny any application to dispose records.
- 6.1.3 The Records Management sub branch 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.
- 6.1.4 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.
- 6.1.5 Executive and all Departmental Managers should ensure that these procedures are implemented within their business units.
- 6.1.6 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 authorization.
- 6.1.7 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.
- 6.1.8 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.
- 6.1.9 The Records Management Team is also available to provide Heads of Branches/Sections, Districts, Municipalities, Colleges and Research Stations with advice and guidance on effective records management practices.

## 7. THE RETENTION/DISPOSAL PROCEDURES

- 7.1 Any decision whether to retain or dispose of a document should be taken in accordance with the retention/disposal procedures. This procedures consists of:
- 7.1.1 The key disposal/retention considerations criteria checklist, set out in Appendix 1. Essentially no document should be disposed of unless all these have been considered in relation to the document.
- 7.1.2 The Retention Schedules (taken from the General Disposal Procedure) contained in Appendix 2. These provide guidance on recommended and mandatory minimum retention periods for specific classes of documents/records.
- 7.2 Where a retention period has expired in relation to particular records a review should always be carried out before a final decision is made to dispose of those records.
- 7.3 In the event that a decision is taken to dispose of particular records or set of records, then considerations should be given to the method of disposal (see Section 8 and Appendix 1).
- 7.4 In terms of Section 13(2) of Northern Province Archives Act, no public records under the control of a governmental body may be transferred to an archives repository, destroyed, erased, dumped on the corridors or otherwise disposal of without a written disposal authority issued by Provincial Archivist.
- 7.5 The National/Provincial Archives issues three types of authorities, viz. Standing Disposal Authority, Limited Disposal Authority, and the General Disposal Authority.
- 7.6 A Standing Disposal Authority is granted to current records, i.e. records that form part of the classification system still in use. For example the approved classification system currently in use in the Department since the 1 July 2009 are the Staff File plan and the General File Plan, and therefore on applying for a disposal authority for records managed in terms of these two file plans, the Department will be issued with a Standing Disposal Authority.

### 7.6.1 The standing disposal authority is issued by the National/Provincial Archives on application

A Limited Disposal Authority is only granted to terminated records, i.e. records that form part of the classification system no longer in use. For example, should the Department apply for a disposal authority for records generated before the 1<sup>st</sup> November 2004 (before the approval of the current classification systems); a Limited Disposal Authority will be issued.

### 7.6.2 The limited disposal authority is also issued by the National Archives on application.

A General Disposal Authority is granted to dispose of specific current records. It is granted to records that are similar in all offices, e.g. personal files, financial records etc.

### 7.6.3 The general disposal authority is not applied for, but offices are often informed by means of circulars issued by the National Archives.

7.6.4 Within this framework, as provided for by the Provincial/National Archives and Records Services these policy guidelines serve to complement and further clarify the Department's Records management Policy on the disposal of records.

7.6.5 The policy guidelines were also developed to ensure uniformity and consistency in the disposal of records within the Department.

## 7.7 DISPOSAL OF CORRESPONDENCE FILES

- 7.7.1 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.
- 7.7.2 On receiving an application for disposal of correspondence records, the Department will be issued (by the National/Provincial Archives) a Standing Disposal Authority for all

- records classified and managed in line with the current classification system (Staff file plan and General file plan) and a Limited Disposal Authority for all other records dating back to a period before the 1<sup>st</sup> November 2004.
- 7.7.3 Once a disposal authority for correspondence records is obtained, new updated versions will be issued for both the General and the Staff files plans with a completed DISPOSAL column.
- 7.7.4 The DISPOSAL column will indicate whether a file is A20 (archival) or D (non archival).
- 7.7.5 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 have been made with the relevant archives repository.
- 7.7.6 Retention periods will be allocated to all non-archival records by the Provincial Records Management units in consultation with all Districts, Municipalities, 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.
- 7.7.7 However, before any destruction of such a file is undertaken, authorization must be obtained from the HOD.
- 7.7.8 **APPLICATION FOR DISPOSAL OF CORRESPONDENCE RECORDS FROM THE PROVINCIAL ARCHIVES SHALL ONLY BE INITIATED BY HEAD OFFICE**

## 8. DISPOSAL

- 8.1 Disposal can be achieved by a range of processes:
- 8.1.1 Confidential waste' – *i.e.* making available for collection by a designated refuse collection service
  - 8.1.2 Physical destruction on site (paper records - shredding)
  - 8.1.3 Deletion – where computer files are concerned
  - 8.1.4 Migration of document to external body
  - 8.1.5 Burning
  - 8.1.6 Chemical recycling
  - 8.1.7 Dissolving in an acid

However, whichever method is used, all efforts should be made to ensure a complete destruction of the records.

- 8.2 All staff should take into account the following considerations:

- 8.2.1 Under no circumstances should paper documents containing personal data or confidential information be simply binned or deposited in refuse bags. To do so could result in an unauthorised disclosure of such information to third parties, and render the Department liable to prosecution or other enforcement action. Such documents should be destroyed on site (e.g. by shredding).
  - 8.2.2 Migration of documents to a third party (other than for destruction or recycling) is unlikely to be an option in most cases. However, this method of disposal will be relevant where documents or records are of historic interest and/or have intrinsic value. The third party here could well be the Provincial Archivist. The Deputy Information Officer is the point of reference in cases where migration to the external archive is considered a possibility.
- 8.3 Disposal should be documented by keeping a record of approval for records to be disposed of, the records/documents disposed of, the date and method of disposal, and the officer who initiated disposal.

The documenting of disposal will be particularly important for the implementation of PAIA.

## 9. TRANSFERRING RECORDS TO AN ARCHIVES REPOSITORY



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

## 10. MAINTAINING A DESTRUCTION REGISTER

- 10.1 Once disposal instructions are issued for all non-archival records, a destruction register should be developed in which files will be recorded according to the scheduled destruction year.
- 10.2 The register should also be updated to record all destroyed records.

## 11. CONCLUSION

11.1 The following should be taken into consideration before any record/records can be disposed of:

- 11.1.1 Destruction of records should only take place once there is assurance that records are no longer required, that no work is outstanding and that no litigation or investigation or request which would involve the records in question in terms of the Promotion of Access to Information Act or the Promotion of Administrative Justice Act is pending.
- 11.1.2 Records, whether covered by the General Disposal Authority or not, can only be destroyed once authorization is granted by the Head of Department.
- 11.2 The inception date for these procedures will be after approval by the HOD.
- 11.2 These procedures will remain in force unless withdrawn or amended by the HOD.
- 11.3 These procedures will be reviewed by a records management team at Head Office in consultation with all records management teams in Districts, Municipalities, Colleges, Research Stations and all staff as users biannually or whenever a need arises.

11.5 Enquiries regarding this policy should be directed to:

The Senior Manager: Records Management

Private Bag X9487

POLOKWANE

0700

Tel: 015 294 3174

Fax: 015 294 4547

Email: [netshifiredn@agric.limpopo.gov.za](mailto:netshifiredn@agric.limpopo.gov.za)

# APPENDIX 1

## Key Disposal/Retention Considerations

### Introduction:

No records should be earmarked for disposal unless due regard has first been given to (i) the five Key Disposal/Retention considerations detailed in this Appendix, and (ii) to the Retention Schedules contained in Appendix 2.

### KEY CONSIDERATION No. 1

#### HAS THE DOCUMENT BEEN APPRAISED?

1. As a first step, the nature/contents of any document being considered for disposal should be ascertained. No document(s) should be earmarked or designated for disposal unless this has been done. Insofar as *existing records* are concerned it follows that the above can only be achieved by the carrying out of physical inspection and appraisal.  
Any decision to the effect that *future documents* of a specified description be disposed of on expiry of a specified retention period should be an informed one *i.e.* taken with a full appreciation and understanding of the nature and function of such document.
2. If appraisal is inadvertently overlooked or carried out negligently, or by an employee who lacks the necessary background operational knowledge, the Department runs the very real risk of important documents being destroyed in error.

### KEY CONSIDERATION No. 2

#### IS RETENTION REQUIRED TO FULFIL STATUTORY OR OTHER REGULATORY REQUIREMENTS?

There is, in fact, very little specific legislation that stipulates mandatory retention periods for documents in provincial government, only guidelines are provided by National Archives and Treasury Regulations.

### KEY CONSIDERATION No. 3

#### IS RETENTION REQUIRED TO EVIDENCE EVENTS IN THE CASE OF DISPUTE?

On occasions, the Department becomes involved in disputes with third parties. Such disputes, if not satisfactorily resolved, can result in the dissatisfied party bringing legal proceedings against the Department, usually (but not always) with a view to obtaining monetary compensation. Conversely, the Department may wish to institute legal proceedings against an individual or organisation e.g. to recover an unpaid debt. Where a dispute arises, or litigation has been commenced it is important that the Department has access to all correspondence and other documentation that is relevant to the matter. Without such, there is the danger that the Department's position will be compromised, and the very real possibility that an unmeritorious claim might succeed, or that the Department may be unable to assert its legal entitlements.

### KEY CONSIDERATION No. 4

#### IS RETENTION REQUIRED TO MEET THE OPERATIONAL NEEDS OF THE SERVICE?

In some cases retention may be desirable (whether permanent or otherwise) even though no minimum retention period applies or has expired. Heads of branches/ sections should be open to the danger of discarding documents or records that might be useful for future reference purposes (e.g. training), as precedents, or for performance management (performance indicators, benchmarking and comparison exercises). A professional judgement needs to be made as to the usefulness of a particular record.

### KEY CONSIDERATION No. 5

#### IS RETENTION REQUIRED BECAUSE THE DOCUMENT OR RECORD IS OF HISTORIC INTEREST OR INTRINSIC VALUE?

In most cases this consideration will not be applicable. However, it is certainly possible that some records currently in Department storage may be of historic interest and/or even have some monetary value.

# APPENDIX 2

## Records Retention Schedules

### GENERAL DISPOSAL PROCEDURES

#### 1. DISPOSAL OF RECORDS COVERED BY THE GENERAL DISPOSAL AUTHORITY

1.1 General disposal authorities are issued by the NARS on "common" or "standard" public records, i.e. a category or categories of records used by more than one governmental body (Applications for posts, personal files etc.)

1.2 Some of the General Disposal Authorities issued by the National/Provincial Archives provides for retention periods whereas others make it is the prerogative of the governmental body to decide on the retention period.

1.2.1 For example, the General Disposal Authority No. AR2 for patient records states that same "may be destroyed three years after termination of files" whereas the General Disposal Authority No. AB 2 for attendance register states that "each governmental body should determine appropriate retention period for records that do not have enduring value..."

1.2.2 Within these broader policy guidelines provided by the NARS, the Department hereby determines the retention periods for all records covered by the General Disposal Authority.

1.2.3 The retention periods are as follows:

NATURE OF RECORDS	GENERAL DISPOSAL AUTHORITY NUMBER	RETENTION SCHEDULE
Unsuccessful applications for positions and related correspondences	AU 1	D3 (Destroy 3 years after the position concerned is filled. The 3 years period is effective from the date the appointed candidate assumes duties).
Attendance Register	AB 2	D5 (Destroy 5 years after the register is obsolete)
Unsuccessful tenders	AO 4	D5 (Destroy 5 years the granting of the relevant tender)
Personal Files	Circular 1/87	D20 (Destroy 20 years after conclusion of service)
Financial Records	AR 2	Please consult Chapter 17 of the Treasury Regulations for the current retention periods: <a href="http://www.treasury.gov.za/legislation/pfma/regulations/gazette/27388.pdf">http://www.treasury.gov.za/legislation/pfma/regulations/gazette/27388.pdf</a> (see Appendix 3)

Tenders and Contracts	AK 3	D5 (Destroy 5 years after audit for the relevant financial year)
Motor books log and records	AL 1	D5 (Destroy 5 years after the vehicle is disposed of)
Postal Registers	AP 4	D5 (Destroy 5 years after the register is obsolete)
Unsuccessful Bursary Applications	None issued	D1 (Destroy 1 year after the granting of the bursary for the relevant period)
Successful Bursary Applications	None issued	D5 (Destroy 5 years after the beneficiary has met all related obligations)
EAP Case files	None issued	See Personnel Files
Cell phone Files	None issued	D3 (Destroy 3 years after the Cellphone is obsolete)
Copies of documents (reminders, acknowledgement of receipt, enquiries)	AK1	D2 (Destroy after 2 years)
DPSA and other departments' vacancy circulars	AO2	D1 (Destroy 1 year after date of closure)
List of registered documents	AG1	Destroy 5 after closure of the register

# Appendix B

## Treasury Regulations: PFMA

Type of record	Years after which records can be disposed of
General ledger and cash books or similar records	15
Main transaction summary records, including general journals and transaction summaries	10
Internal audit reports	
System appraisals	
Primary evidentiary records, including copies of forms issued for value, vouchers to support payments made, pay sheets, returned warrant vouchers or cheques, invoices and similar records associated with the receipt or payment of money	5
Subsidiary ledgers, including inventory cards and records relating to assets no longer held or liabilities that have been discharged	
Supplementary accounting records, including, for example, cash register strips, bank statements and time sheets	5
General and incidental source documents not included above, including stock issue and receivable notes, copies of official orders (other than copies for substantiating payments or for unperformed contracts), bank deposit books and post registers	5

## RECORDS DISPOSAL POLICY

SIGNED AT POLOKWANE ON THIS ..... 03 ..... DAY OF ..... August ..... 2010



Prof. Nesamvuni Azwihangwisi Edward

HEAD OF DEPARTMENT

SIGNED AT POLOKWANE ON THIS ..... 11 ..... DAY OF ..... August ..... 2010



Me Letsatsi Duba Dipuo Bertha

MEMBER OF EXECUTIVE COUNCIL FOR AGRICULTURE