



Government of **Western Australia**
Department of **Health**



Best Practice Information for WA Home and Community Care Service Providers on the Retention and Disposal of Client Records

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Background

As Western Australian (WA) Home and Community Care (HACC) Program service providers are responsible for creating and maintaining client records, it is recommended that client records for people receiving HACC support services apply these best practice principles.

Records should be retained for a period of 7 years after the last access, after which the records may be destroyed.

The exceptions to this are records for:

- Aboriginal people with a date of birth prior to and including 1970 and created in the Kimberley and Pilbara regions. The [State Records Act](#) section 76 requires that these records be preserved indefinitely.
- Any child supported by the WA HACC Program requires that these records be preserved for 25 years after their date of birth.

Client Records

A client record includes activities related to the planning; monitoring and evaluation of services provided and can include:

- Anything on which there is writing or Braille;
- A map, plan, diagram or graph;
- A drawing, pictorial, graphic work or photograph;
- Anything on which there are figures, marks, perforations or symbols having a meaning for persons qualified to interpret them; and
- Anything on which information has been stored or recorded either mechanically, magnetically or electronically.

Storage of Client Records

Storage of client records should take into account a number of factors including:

- The type of record e.g. paper or electronic;
- The purpose of the record;
- The information value of the record;
- The accessibility of the record; and
- Protecting the record from environmental factors such as damage that may be caused by vermin, fire, mould or natural disaster.

Digitisation of Client Records

The records of Aboriginal people with a date of birth prior to and including 1970 and created in the Kimberly and Pilbara region are not able to be digitised.

A service provider that has digitised a client record is not able to dispose of the original document if any of the following conditions applies:

- Record has been digitised 5 years after it was created;
- Record has significant value e.g. aesthetic or artwork;
- Record contains elements that identify its authenticity e.g. watermark; or
- Record is subject to written law or government policy.

Service providers may be able to dispose of the original document 6 months after it has been digitised if a number of criteria are met, including;

- Registering the document on a records management system at the time it is digitised;
- The record is digitised within 5 years of its creation;
- The digitised record has the degree of integrity, usability authenticity necessary to substitute the original document;
- The digitised record will be kept and be accessible for the required period; and
- Retaining the original document for an appropriate length of time after digitisation for quality control purposes.

Destruction of Client Records

The method of destruction will depend on the source of the record. For paper records, shredding or pulping are the preferred methods which include: sanitation, destruction or disposal of the data, reformatting, overwriting or shredding the software.

Any service provider making arrangements for the destruction of client records must consider the process used as the record will contain confidential and sensitive information.

The process developed by service providers should ensure:

- That the records are sealed in containers before they leave the premises so that they cannot be accidentally released;
- Disposal of the records is a discrete practice and should not be included with other types of waste or garbage disposal;
- Use an approved contractor; and
- Be provided with a certificate of destruction.

For quality, future reference and accountability purposes a register of records that have been destroyed should be maintained which should include:

- Individual record details and type of record; and
- The details of the destruction authority including certification details.

Limitations Act WA

Under [Limitation Act](#) (refer page 30), a service provider may be responsible for the personal injury on their premises of a client for up to 7 years.

Part 4 – Accrual of particular causes of action – Division 1 – Accrual of certain causes of action other than to recover land.

Section 55: Personal Injury - General

- (1) A cause of action for damages relating to a personal injury to a person accrues when the only or earlier of such of the following events as are applicable occurs:
- a. The person becomes aware that he or she has sustained a not significant personal injury;
 - b. The first symptom, clinical sign or other manifestation of personal injury consistent with the person having sustained a not insignificant personal injury.

Local Government Authorities

The General Disposal Authority for Local Government Records (the GDALGR)

The GDALGR (RD 2010046) was approved by the State Records Commission on the recommendation of the State Records Advisory Committee, and this is the official and continuing authority for the disposal of local government records with WA.

This GDALGR covers records common to most local government authorities in WA, thereby providing consistent disposal decisions throughout local government and eliminating the necessity for each local government to prepare a disposal authority for its records.

Under the *State Records Act 2000* (the Act), every State and local government organisation must have a Record keeping Plan (RKP) approved by the State Records Commission. For local government authorities, including regional councils, this GDALGR is the retention and disposal component of the RKP, as required under Section 16(3) (a-c) of the Act.

For further information please access [General Disposal Authority for Local Government Records](#) :

General Enquiries

If you have any queries relating to this information please contact your HACC Project Officer or the Subacute Community and Aged Care Directorate on (08) 9222 4061.

Disclaimer

Changes in circumstances after the date of publication of this document may impact on the currency of the information contained in this Publication. No assurance is given that the information contained in the Publication is current at the time it is provided to the reader.

Authority

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