

Record Keeping & Compliance Policy

For Australian Small & Medium Enterprises

Template Version 1.0 | December 2024

Important Notice

This template is provided as a general guide only and should be customised to your specific workplace. Record keeping requirements vary by legislation and jurisdiction. We recommend consulting legal or compliance professionals to ensure your policies meet all requirements.

1. Purpose

This policy establishes [Company Name]'s requirements for maintaining accurate, complete, and compliant workplace records. Effective record keeping supports legal compliance, good management decisions, and the protection of both the organisation and employees.

2. Scope

This policy applies to:

- All employees involved in creating or maintaining records
- All workplace records, including employment, WHS, and operational records
- Records in all formats (paper, electronic, and other media)

3. Why Record Keeping Matters

Accurate record keeping:

- Demonstrates compliance with legal obligations
- Provides evidence in disputes or legal proceedings
- Supports workers compensation claims
- Enables effective health and safety management
- Assists with business planning and decision making
- Protects employee entitlements

4. Types of Records

4.1 Employment Records

Records that must be kept for each employee include:

- Employee name and date of birth
- Date employment commenced (and ended, if applicable)

- Employment status (full-time, part-time, casual)
- Award or agreement applicable
- Hours of work (including start and finish times)
- Overtime hours
- Leave taken and balances
- Wage rates and gross/net payments
- Superannuation contributions
- Tax file number declaration
- Termination records

4.2 Work Health and Safety Records

- Risk assessments
- Safe Work Method Statements (SWMS)
- Incident and injury reports
- Hazard reports
- Training records
- Induction records
- Workplace inspection reports
- Equipment maintenance records
- Health monitoring records
- Emergency drill records
- Consultation records
- Workers compensation records

4.3 Contractor Records

- Contractor agreements
- Licences and qualifications
- Insurance certificates
- Induction records
- Safety documentation (SWMS)

4.4 Training Records

- Induction completion records
- Training attendance and completion
- Competency assessments
- Licences and certifications
- Licence renewal dates

4.5 Equipment and Plant Records

- Plant register
- Maintenance records
- Inspection records
- Calibration records
- Manufacturer documentation

5. Retention Periods

Records must be retained for the minimum periods required by law:

5.1 Employment Records

- General employment records: 7 years
- Time and wages records: 7 years
- Leave records: 7 years
- Superannuation records: 5 years from when contributions made
- Records of terminated employees: 7 years from termination

5.2 WHS Records

- Incident records: at least 5 years
- Notifiable incident records: at least 5 years
- Training records: duration of employment plus 7 years
- Health monitoring records: 30 years (or 40 years for asbestos)
- Risk assessments: duration they remain relevant

5.3 Other Records

- Tax records: 5 years
- Workers compensation: varies by state/territory

Where multiple retention periods apply, the longest period applies.

6. Record Format

[Company Name] maintains records in:

- Electronic format (HR system, document management system)
- Paper format (where required)

Electronic records must be:

- Readily accessible
- Able to be printed or converted to hard copy
- Legible and clear
- In English

7. Record Accessibility

Records must be:

- Readily accessible to authorised persons
- Able to be provided to regulators on request
- Available to employees as required (e.g., payslips, time records)

Employment records must be available for inspection by a Fair Work Inspector within 3 business days of a request.

8. Confidentiality and Security

8.1 Confidentiality

Records containing personal or sensitive information must be:

- Accessible only to authorised personnel
- Handled in accordance with privacy laws
- Protected from unauthorised disclosure

8.2 Security

- Paper records: stored in locked cabinets/rooms
- Electronic records: password protected, access-controlled
- Backups maintained for electronic records
- Secure disposal when retention period ends

9. Accuracy

[Company Name] will ensure records are:

- Accurate and complete
- Updated when information changes
- Free from errors or falsification
- Created at or near the time of the event

Employees must report any errors in their records to enable correction.

10. Payslips

[Company Name] will provide employees with a payslip within 1 working day of payment. Payslips include:

- Employer name and ABN
- Employee name
- Pay period
- Date of payment

- Gross and net amounts paid
- Hourly rate, hours worked, and loading/penalty rates
- Deductions
- Superannuation contributions

11. Time Records

[Company Name] maintains time records showing:

- Start and finish times
- Breaks taken
- Overtime hours
- Total hours worked each day and week

Time records may be maintained through time sheets, time clocks, or electronic systems.

12. WHS Record Keeping Procedures

12.1 Incident Reporting

- All incidents must be recorded on incident report forms
- Reports must be completed within 24 hours
- Investigation findings must be documented

12.2 Risk Assessments

- Risk assessments must be documented
- Records must include hazards, risk ratings, and controls
- Reviews must be recorded

12.3 Training

- All training must be recorded
- Records must include date, content, attendees, and trainer
- Competency assessments must be documented

13. Responsibilities

13.1 Management

- Implement record keeping systems
- Ensure compliance with requirements
- Provide resources for record keeping
- Review record keeping practices

13.2 Supervisors/Managers

- Maintain records in their area
- Ensure records are accurate and complete

- Submit records in a timely manner
- Protect confidentiality of records

13.3 Employees

- Complete required records accurately
- Submit records on time
- Report errors in their records
- Maintain confidentiality

13.4 HR/Administration

- Maintain central record systems
- Ensure secure storage
- Manage retention and disposal
- Coordinate regulatory requests

14. Non-Compliance

Failure to maintain accurate records can result in:

- Penalties under Fair Work Act (up to \$93,900 per breach for companies)
- Adverse findings in disputes or claims
- WHS prosecution
- Tax penalties
- Reputational damage

Falsifying records is a serious breach and may result in disciplinary action up to termination.

15. Disposal of Records

When retention periods expire, records must be disposed of securely:

- Paper records: shredding or secure destruction
- Electronic records: secure deletion or destruction
- Records containing personal information must be destroyed in accordance with privacy laws

A disposal log should be maintained.

16. Review

This policy will be reviewed annually to ensure it remains current and compliant with legislative requirements.

Employee Acknowledgement

I acknowledge that I have read and understood [Company Name]'s Record Keeping & Compliance Policy. I understand my responsibilities for maintaining accurate records and protecting confidential information.

Employee Name: _____

Signature: _____

Date: _____