



Public Record Office Victoria  
PROS 10/01 G1  
GDA for converted Source Records

# Guideline

# 1

## Guide to the GDA for converted Source Records

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Version	Version Date	Details
1.0	01/01/2010	Released
1.1	22/07/2013	Copyright changed to Creative Commons license
1.2	22/07/2014	References to Storage revised in line with the Storage Standard Review 2014
1.3	31/12/2014	Expiry date extended twelve months

# 1 Introduction

This guide is to assist agency staff in understanding and applying the General Retention and Disposal Authority (GDA) for converted Source Records.

Nothing in this guide is mandatory, however, it describes how PROV expects agencies to interpret and apply mandatory requirements in the GDA for converted Source Records.

## 1.1 Purpose

The purpose of this guide is to assist agency staff in understanding and applying the General Retention and Disposal Authority for converted Source Records.

## 1.2 Scope

This guide applies to all records in all Victorian government agencies.

## 1.3 Related documents

General Retention and Disposal Authority for converted Source Records, PROS 10/01, Public Record Office Victoria, <http://prov.vic.gov.au/government/disposal-and-transfer/retention-and-disposal-authorities>

Digitisation Requirements, PROS 11/07 S1, Public Record Office Victoria, , <http://prov.vic.gov.au/government/standards-and-policy/all-documents/pros-1107-s1>

Guide to Digitisation Requirements, PROS 11/07 Guideline 1, Public Record Office Victoria, <http://www.prov.vic.gov.au/publications/publIns/PROVRMGuide1002G1.pdf>

Digitisation Image Requirements, PROS 11/07 S2, Public Record Office Victoria, <http://prov.vic.gov.au/government/standards-and-policy/all-documents/pros-1107-s2>

Advice 21: Evidence and Public Records, PROA 21, Public Record Office Victoria, <http://prov.vic.gov.au/government/standards-and-policy/all-documents/proa-21>

## 1.4 Acknowledgements

PROV would like to acknowledge the archives in other Australian and New Zealand jurisdictions for ideas used in drafting the GDA for converted Source Records and this Guide. A list of other archives' disposal authorities consulted appears in Section 7.

PROV would also like to thank the following individuals and organisations that provided feedback on the draft versions of this Guide:

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## 2 Purpose of the GDA for converted Source Records

The purpose of the General Disposal and Retention Authority for converted Source Records (GDA) is to authorise the disposal of source records after they have been converted to another format.

In granting the authority to dispose of source records, the GDA also imposes a number of general conditions on agencies converting source records, and specifies that some types of source records may not be disposed of after digitisation.

The GDA is issued for two reasons:

- *To give agencies formal approval to dispose of source records after conversion (under certain conditions).* Victorian law makes it an offence to dispose of records without proper authority. It is not clear whether converting a record from one format to another format results in the creation of a new record, or merely a new version of the record. If conversion creates a new record, there needs to be formal authority to dispose of the source record after conversion. This Authority takes no position on this question, but gives the necessary formal authority to dispose of source records after conversion.
- *To give the conditions under which the source record may be disposed of.* Although this authority gives general permission for source records to be disposed of after they have been converted, there are a number of conditions that must be satisfied before source records can be disposed of, and a small number of situations where source records CANNOT be disposed of after conversion. These conditions and situations are listed in this authority.

### 2.1 Using the GDA

The GDA can only give broad rules that are applicable to all forms of record conversion. PROV provides associated specifications and guides to assist agencies in understanding and implementing these rules:

- Guide to the GDA for converted Source Records (this document). This guide, while not mandatory, explains this GDA and describes PROV's expectations of agencies in applying it.
- Specification on Digitisation Requirements. This specification states how an agency can implement the requirements of this GDA if the agency is digitising physical records (a specific type of conversion). This specification is mandatory for agencies when digitising records.
- Guide to the Digitisation Requirements. This guide explains the Specification for Digitisation Requirements and describes PROV's expectations for agency compliance. The guide is not mandatory, but it does explain the ramifications of the requirements given in the specification. To comply with the specification agencies need to have addressed all these ramifications.

It is expected that specifications covering other types of conversions will be developed by PROV to assist agencies in implementing this GDA.

## 2.2 Structure of authority

The structure of the authority is different to the other PROV Disposal Authorities. Other PROV Disposal Authorities identify the functions and activities undertaken by agencies and assign retention periods to the records that support those functions and activities. The GDA applies to all functions and activities within government, and hence to all records.

The authority is structured around the decisions an agency will have to take in order to decide whether a converted source record can be disposed of. The key decision point is when the source record is being converted. For records converted post-action, the second decision is whether the record is temporary, permanent, or unsentenced.

## 3 Disposal of source records

### 3.1 Conversion

*Conversion* means converting a record from one format to another. Conversion can be from one physical format to another physical format, from a physical format to a digital format, or from one digital format to another digital format. Examples of conversions are

- Digitisation of a paper original
- Microfilming of a paper original
- Digitisation of a microfilm
- Conversion of a digital record from one software format to another
- Conversion of a database to a set of PDF files and a spreadsheet.

### 3.2 Source/Converted Record

When converting a record, the *source record* is the record being converted, and the *converted record* is the result of the conversion. When digitising physical records, for example, the source record is the physical copy, and the converted record is the resulting digital record.

*This Authority governs the disposal of the source record after conversion.*

*The converted record is the official record of the agency after conversion. The applicable functional RDA governs the disposal of the converted record.*

### 3.3 Pre-action/Post-action Conversion

The conditions under which the source record can be disposed of depend on when the conversion is carried out. Conversion can be carried out pre-action or post-action.

*Pre-action conversion* is where conversion is carried out immediately after the record is received by an agency, and before any action has been taken on it. An example of pre-action conversion is the digitisation of received correspondence in a mailroom.

*Post-action conversion* is where conversion is carried out after any action has been taken on the record. A typical example of post-action conversion is the digitisation of existing paper-based files. An action includes any decision on how to deal with the subject of the record.

The official agency record is the record that the agency staff members base their actions upon. Where pre-action conversion is carried out, the official agency record is the converted record. In the case of post-action conversion, the source record is the official agency record and may contain annotations or marks forming part of the record. It is for this reason that the GDA has stricter requirements for disposing of source records converted post-action.

The GDA applies to all conversion activities, whether the conversion is being done pre-action (for example mailroom digitisation), or post-action (for example backfile conversion). This is different to the approach taken in some other jurisdictions.

Other jurisdictions restrict the disposal of converted source records created before a cut-off date. One issue of concern to other jurisdictions in restricting disposal in this way appears to be that of the evidentiary status of records that were not converted as part of an ongoing business process. The evidentiary status of records depends on them being routinely created in the course of the transaction of business ('unselfconscious creation'). In particular, there may be questions about the evidentiary value of *ad hoc* conversion of isolated records. This issue seems to be more about ensuring that conversions are systematically planned and carried out, rather than whether the conversion is of pre-action or post-action records.

A second issue of concern to other jurisdictions is that older records are more likely to be significant (as they have already been kept for a lengthy period of time) and hence disposal of the originals should be cautiously approached. This issue is more an argument for a risk based approach to conversion and disposal than for automatic retention of source records older than a certain date.

### 3.4 Permanent, temporary, and unsentenced records

The GDA applies to all records whether permanent or temporary.

In the case of pre-action conversion, the appraisal status is not relevant when disposing of source records as these records do not ever form part of the official agency record. It is the converted record that becomes the official record of the agency. It is consequently not necessary for agencies practicing pre-action conversion (for example mailroom digitisation) to classify and separate the source records as permanent, temporary, and unsentenced.

In the case of post-action conversion, the appraisal status is relevant as the source records are the official record until all processes associated with conversion have been completed.

The default assumption is that permanent records converted post-action will be disposed of by transfer to PROV. If PROV gives written permission, permanent post-action source records can be disposed of in other ways (for example by destruction, or by transfer to an approved place of deposit). Such permission will be granted if PROV determines that it prefers to transfer the converted records instead of the source records.

Agencies may dispose of temporary records. As these records are not of permanent value to the State of Victoria, and will not be transferred to PROV, the decision to dispose of them after conversion is one for the agency concerned. It is expected that this decision will be based on a formal evaluation of the risk in disposing of the source records. Risks are further discussed in the next section. However agencies should be cautious about disposing of source records where the conversion entails a high risk that the converted records will not satisfy recordkeeping requirements.

Permission to dispose of the source records, however, is subject to a number of conditions (discussed further below).

Agencies are *not* permitted to dispose of unsentenced records converted post-action, as these records could be permanent.

The application of the GDA to all records is different to the situation in some other jurisdictions where the equivalent disposal authority only applies to temporary records. PROV has made this decision for the following reasons:

- The vast majority of records within an agency are temporary and it imposes significant additional costs on agencies to have separate processes and systems for permanent and temporary records.
- The disposal sentence of records may change over time. What is appraised as temporary now may be appraised as permanent tomorrow. This will mean that some permanent records will be converted records, while others will be the physical originals. This further complicates management.
- There are significant storage and access benefits to converting physical source records to digital records. These benefits apply both at the agency and when the records are transferred to PROV. As PROV has the capability to manage and preserve digital records, the digital copy may be preferred.

It is not expected that the disposal of temporary original records will have a significant impact on external stakeholders (for example the public) as the only means of accessing temporary records is by application to the responsible agency under the FoI or other provisions. It is becoming common for agencies to discharge their access obligations by providing digitised copies. Consequently, it is expected that external stakeholders will only have access to these records via digitised copies whether or not the actual record is a digital one.

### 3.5 Risks of converting records

Agencies must consider the risks of converting records before deciding to undertake a conversion activity. The risks will arise in three areas:

- The risk that the authenticity of a record will be challenged and that the authenticity could have been proven from the source record, but cannot be proven from a converted copy. Forensic testing of physical documents is a well understood activity, but the forensic testing of digital objects is still an evolving practice.
- The risk that a converted record may be incomplete due to a poor conversion. Examples are a digitisation process that occasionally omits pages or produces poor quality images, or a software format conversion that does not accurately convert features of the source record.
- The risk that a converted record may be lost due to inadequate record management systems. It is recognised that digital objects are inherently fragile and may be lost due to media failure (for example deterioration), application or hardware obsolescence (that is losing the ability to render the object), or lack of context. Agencies should not underestimate the challenges involved in retaining converted records for long periods of time, and should make a realistic assessment of their ability to manage the records for their required life.

Agencies should not dispose of source records where there is a high risk in the conversion process. This might be because the records are of high value or have a high risk of litigation (for example original signed contracts still in progress), the risk of an incomplete conversion, or because the agency is not confident that the management system can reliably hold the converted record for the required length of time.

In addition, agencies are encouraged to gain experience with conversion of records before disposing of source records with a medium or high conversion risk. Records with a low risk of conversion are those that:

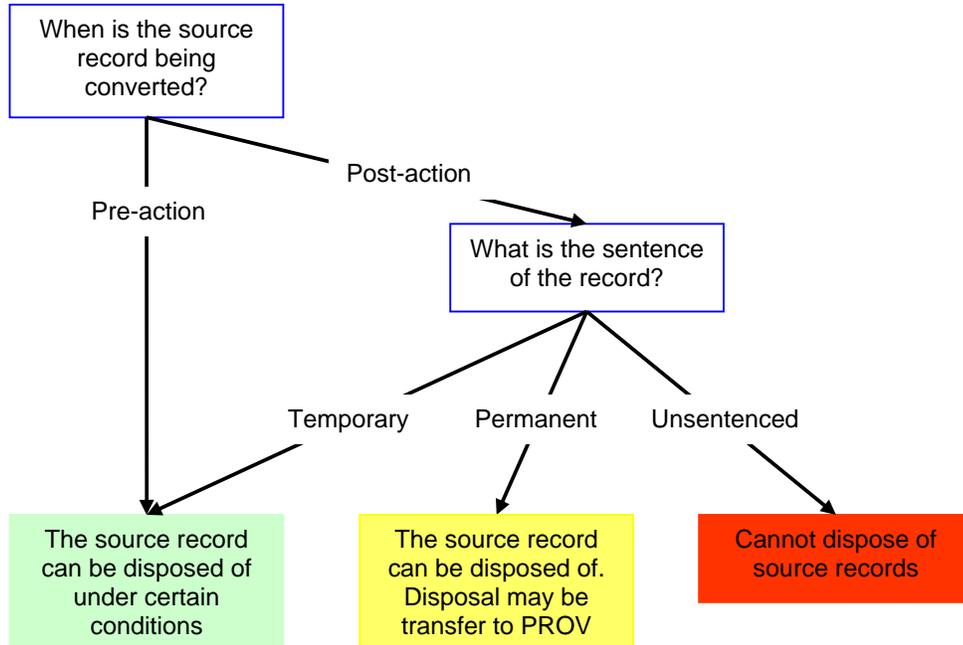
- Have a short retention period (for example seven years or less)
- Use formats that are in wide use and can be accurately converted to a long term preservation format
- Are used in their converted form before the source records are disposed of.

### 3.6 Working copies

The GDA is based on the principle that there is only one official copy of a record which is managed in the recordkeeping system. There may be working copies of these permanent records, but good record management practice should ensure that other (working) copies should be disposed of so that they cannot be confused as the original (especially if they are contradictory!)

### 3.7 Summary of disposal decision

The following flow chart summarises the decision points in applying the GDA.



The first decision point is whether the conversion occurs pre-action or post-action. If the conversion occurs pre-action, the source record can generally be disposed of (exceptions will be summarised below).

If the conversion occurs post-action, the second decision point concerns the sentence of the record as a whole. If the record is temporary, the source record can generally be disposed of. If the record is permanent, PROV must be offered the source record. If PROV declines to accept the source record, it may generally be disposed of. If the record is unsentenced, the source record cannot be disposed of under this Authority.

This Authority gives permission to dispose of source records after conversion. However, in order to do so, several conditions apply to the source records, the conversion process, and to the subsequent management of the records.

These conditions vary slightly from one class to another and are described in the following two sections.

## 4 Process and management requirements

The underlying principle of the GDA is that a source record may be disposed of after conversion to another format *provided* that:

- A risk assessment has been carried out on the risks an agency incurs in converting the records. It is recommended that agencies gain experience on low risk conversions before attempting large scale high risk conversions.
- The converted record is a full and accurate copy of the source record.
- The converted record becomes the official record of the business of the agency, that is, is used for continuing business purposes
- The converted record is managed in a system that is designed to ensure access for the full retention period of the record and is capable of transferring the records to PROV at the end of that period. The system must satisfy the relevant PROV storage standards. If the records are digital and have a retention period of greater than seven years they must be managed in an archival quality management system.

It is necessary for the agency to demonstrate compliance with these four conditions before the source record can be disposed of.

Further details on these conditions can be found in the following sections.

In the case of the conversion of physical originals to digital instances (digitisation), compliance with the first three conditions can be shown by compliance to *PROS 11/07 S1 Digitisation Requirements*.

### 4.1 Risk of converting

Before undertaking a conversion activity with a view to disposing of the source records, an agency must undertake a risk analysis comparing the risk of losing the records when converted to the risk of losing the records if the conversion activity was not undertaken.

The risk analysis should consider the risks identified in section 3.5 above.

Agencies should not dispose of the source records where the risk of loss after converting the records is substantially higher than where the source records are retained.

### 4.2 A full and accurate copy

For the record to retain its evidentiary value, it must be possible to demonstrate that the result of the conversion is a full and accurate record of the source record.

In general, this would require an agency to demonstrate that:

- *The content of the record was fully and accurately captured.*

A full capture means ensuring that all content was captured. In a digitisation project, for example, this would mean ensuring that all pages (including both sides, if applicable, loose notes, sticky notes, etc) were captured. For a digital conversion project this would mean ensuring, for example, that all email attachments were captured.

An accurate capture means ensuring that the content sufficiently accurately reflects the source record. In the case of digitisation, loss of accuracy could be the result of poor digitisation (for example out of focus images, poor contrast control). In addition, digitisation would also involve decisions about the mode of digitising (bi-tonal, greyscale, or colour), the bit depth, colour management, the resolution, and compression (refer to the Specification on Digitisation Image Requirements for more detail). For a digital object this would mean ensuring that content was not lost or corrupted due to poor conversion algorithms.

It is expected that a quality assurance process will be used to demonstrate that a full and accurate record has been created. The process could vary from an independent check of each image to ensure that it has been accurately captured, to a statistical sampling process. The process chosen will vary depending on:

- *The value of the records.* High value records (for example permanent records, or vital records) should have a more intense quality assurance process.
- *The retention period of the records.* Records with longer retention periods should have a more intense quality assurance process as the loss of these records will have an impact for a longer period than records with short retention periods. Permanent records should have a still greater quality assurance process.
- *The use of the records.* Records that will be immediately used after conversion (for example pre-action conversion) before the source records are disposed of may need little or no checking as using the records will quickly highlight conversion problems. On the other hand, post-action conversion in which the record may not be accessed for a long period may need an intensive quality assurance process.
- *How routine the conversion is.* Where the agency has a significant body of experience with converting records using a particular process with low recorded error rates, it may be appropriate to relax some of the quality assurance processes. Note however, that the body of experience is critical. A low incidence of errors when using a particular process or conversion does not mean a low incidence of errors if the process is substantially changed, or a different conversion attempted.
- *The context of the record was fully and accurately captured.*  
The context of a record is the linkage to the business context in which the record was created and used. The context includes the business functions that the records support, the other records that relate to this record, the actors that were involved in the record, and the events that have affected the record over time. For a physical record, context is often represented physically (for example the arrangement of records in a file). For a digital record the context is represented using metadata, and the capture process must capture appropriate metadata to ensure that the context was captured.

#### 4.2.1 Records where only a portion has been converted

Some conversion processes may extract and convert only some of the source records within a body of records. For example, only selected individual documents within a file could be converted. Alternatively, a conversion process may not convert some

documents that cannot be effectively converted (for example the digitisation of large plans).

Whether the converted source records can then be disposed of is a complex issue. PROV will consider that a full and accurate record is being maintained in the case of a partial conversion where:

- All the records (converted and unconverted) are managed in a single recordkeeping system.
- The recordkeeping system presents groupings of records irrespective of whether the components of the groupings are converted or unconverted (for example the system presents files containing both converted and unconverted records).
- It is clear when viewing groups of unconverted records that these groups are not the complete record and it is necessary to view the converted records as well. For example, that an indication is given by the recordkeeping system which records have been converted and which have not.

Where individual source records are extracted and converted, but not managed as part of the whole record, no part of the source record can be disposed of, as this would destroy the integrity of the body of records.

### 4.3 Becomes the official record

In some situations the source records are converted to another format but the agency continues to make use of the source records for routine business purposes. In this case, the source records have not been supplanted, and there is the significant likelihood that annotations may be made on the source records, or additional documents added to a source record, after the conversion process.

Consequently, permission is only granted to dispose of source records where the converted records take over the role of the record, and routine business is henceforward conducted using the converted records.

This does not require that the source record be disposed of immediately after conversion. The source records must be kept for a period of time as part of the quality assurance process. However, the source records must be immediately separated from the unconverted records and not used for normal business purposes.

### 4.4 Managed in a system to ensure continued access

The converted record must be managed in a system that is designed to ensure access for the full retention period of the record and is capable of transferring the records to PROV at the end of that period.

The system must satisfy the requirements of relevant PROV Standards<sup>1</sup>.

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<sup>1</sup> PROV Recordkeeping Standards may be downloaded from the PROV website: <http://prov.vic.gov.au/government/standards-and-policy/all-documents>

If the records are digital (except for records with a retention period of less than seven years) they must be managed in an archival quality management system. The characteristics of such a system are described in this section.

While the GDA applies to all forms of converted records, this requirement is particularly onerous where the converted record is a digital record. Digital copies of records are inherently more vulnerable than physical records. Loss of records can occur due to the:

- Loss of contextual information describing what the record is and how it relates to other records
- Loss of content of the record due to loss or deterioration of the media, or corruption of the file on the media.
- Inability to access the content of the record because the software format is obsolete, or no longer accessible.
- Decommissioning of the records management system without transferring the records to a suitable replacement system.

Agencies should not underestimate the difficulty of ensuring continued access to digital records, particularly records that need to be kept for a long period. *Unless an agency has implemented a strategy to address each of these four areas it cannot claim to manage the records in a system in a way that is designed to ensure access for the full retention period.* The strategies adopted will depend, in part, on the expected retention period. Some simplification can be adopted for records that only need to be kept for the short term (less than seven years).

The only means of ensuring the continued accessibility of converted digital records is to manage them in an appropriate system.

*Agencies should note that a Victorian Electronic Records Strategy (VERS) compliant system will not, in itself, necessarily ensure access for the full retention period* although it will assist in achieving this goal. VERS was written to ensure the preservation of permanent records, and the strategy is based around preserving these records in a specialised digital archive. In VERS, agency systems are only intended to hold records for relatively short periods of time (less than a decade) before being transferred to the digital archive. For a record system in an agency, VERS compliance ensures that:

- Records are managed properly in the system (for example cannot be modified without authorisation or record)
- That records are described with a minimal set of recordkeeping metadata
- Permanent records can be exported to PROV's digital archive for long term preservation
- That exported records are expressed in a suitable long term preservation format

An implemented strategy for ensuring access to digital records for the full retention period (an archival quality management system) must address the following issues:

- Capture in a suitable recordkeeping system. This must ensure the record retains its integrity, authenticity, and context while being held in the system. A VERS compliant system will address some of these issues (that is authenticity and context) through its requirements. Agencies should also consider requiring

compliance with other recordkeeping systems specifications such as MoReq<sup>2</sup>, MoReq2<sup>3</sup>, or DOD 5015.2<sup>4</sup>.

- That appropriate recordkeeping metadata is captured and maintained. A VERS compliant system will address this issue.
- Storage strategies for preventing corruption or loss of the digital objects. These strategies should address day-to-day backup/restore procedures, disaster recovery procedures, sampling of media and digital objects to detect deterioration and corruption, and the refreshing of media.
- The ability to export the records (including metadata) in a form that retains their integrity, authenticity, and context. For records that are being transferred to PROV, this aspect is demonstrated by VERS compliance. Export ability is also essential for recordkeeping systems that only hold temporary records. This is because the system will have a finite operational life and when the system is decommissioned the records must be transferred to its successor.
- Ensuring that the content remains accessible (that is that software is available to render the content of the records). Availability of the software can be restricted for a number of reasons. These include:
  - A decision not to purchase licenses for the software (or an inability to purchase licenses) for the machines that will be used to view the records
  - Applications that are no longer supported on the machines that will be used to view the records. Typically this is because the applications only run on obsolete hardware or an obsolescent operating system.

VERS compliant systems are required to be capable of converting common types of records to long term preservation formats. However, agencies need to be aware that not all types of records are covered by VERS (for example CAD files). Even if the record is covered by a suitable VERS long term preservation format, the strategy must cover when the record is to be converted to the long term preservation format.

Strategies for preserving long term records are currently very little different to those required for medium term records. This is because the only viable long term preservation strategy is to continuously manage the records in a suitable system, and update management strategies as the understanding of long term preservation requirements develops.

In summary, in order to comply with the condition to ensure continued accessibility of converted digital records, agencies must be able to demonstrate that they have implemented strategies to address the four risks of loss of records: loss of contextual information; corruption or failure of media; loss of the ability to access the content of the records, and decommissioning of the system holding the records.

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<sup>2</sup> MoReq Specification, Model Requirements for the Management of Electronic Records (MoReq), IDA Programme of the European Union, 2001, <http://www.cornwell.co.uk/edm/moreq.asp> visited 30 November 2009

<sup>3</sup> MoReq2 Specification, Model Requirements for the management of electronic records, Update and Extension, 2008, European Commission, 2008, <http://www.moreq2.eu/> visited 30 November 2009.

<sup>4</sup> Electronic Records Management Software Applications Design Criteria Standard, April 2007, (US) Department of Defence, <http://www.dtic.mil/whs/directives/pdf/501502std.pdf> visited 30 November 2009.

## 5 Source records that cannot be disposed of

Some types of source records MUST NOT be disposed of after conversion. These are where:

- The source record has a value as a physical artefact
- There is a requirement imposed upon the agency to keep the records in a particular format. This requirement might be imposed by legislation, regulation, government policy/directive, agency policy, standard, or written PROV direction.
- The source record has been temporarily returned on loan from PROV

### 5.1 Source records with value as artefacts

In some cases the source records have value as physical artefacts, beyond that of simple records, and must not be disposed of. Examples include:

- Original works of art
- Records of international, national, or cultural significance
- Original proclamations, charters, testimonials and intergovernmental treaties and agreements
- Records with a physical element attesting to their authenticity or evidential value (for example a corporate seal or watermark)
- Records of personal significance. This is only to be applied where the records are of extreme personal significance. An example is an adoption or removal file that holds hand written letters from a person's natural parents. This test is not intended to cover routine records about a person such as registers or standard forms.

This list is not meant to be definitive, but is instead intended to indicate issues that agencies need to consider when deciding to dispose of source records.

As an example of the type of records with value as an artefact, the New Zealand General Disposal Authority for Digitised Original Source Records describes these records as those with “value due to their rarity, uniqueness or scarcity, artistic or aesthetic qualities, or items where notions of national or cultural identity require the original object as the true and correct representation.” (p3)

Clearly these categories are subjective. It is an agency's responsibility to determine whether particular types of records have value as an artefact. In making this determination, agencies should be guided by the expectations of its stakeholders (particularly clients) and expectations of the general community.

### 5.2 Records required to be retained in a specific format

There may be a requirement imposed upon an agency to keep the records in a particular format. This requirement might be imposed by legislation, regulation, government policy/directive, agency policy, standard, or written PROV direction.

Note that a requirement may not be format specific, but require the record to be kept in its 'original' format.

It is the agency's responsibility to know if a format specific requirement applies to any of the records held by it. An agency may need to obtain a legal opinion to determine whether there are any specific format requirements to records that it holds, and whether the effect of the *Electronic Transactions Act 2000*<sup>5</sup> and the *Evidence Act 2008*<sup>6</sup> over-ride a format specific requirement. PROV is not in a position to provide legal guidance as to agency specific legislation.

#### 5.2.1 Legislation

Source records cannot be disposed of under the GDA if there is a current legal requirement to retain the records in a particular format.

The *Electronic Transactions Act 2000* generally removed the requirement in Victoria to keep records in a specific format, but exceptions to the act are defined in the associated Regulations and these may change over time (currently there are two: wills, codicils, and other testamentary instruments; and documents that must be physically served).

There may be format requirements in other legislation applying to an agency.

#### 5.2.2 Regulations and standards

Source records cannot be disposed of under the GDA if there is a regulation or standard (for example accounting standard) that requires an agency to retain the records in a particular format.

#### 5.2.3 Government policy or direction

Source records cannot be disposed of under this GDA if the government has formulated a policy or expressed a directive not to dispose of them. This should be interpreted as a current policy or directive issued at a Cabinet or ministerial level. The PROV is not prepared to permit the disposal of records whose retention the government expressly requires.

#### 5.2.4 Agency policy

Source records cannot be disposed of under the GDA if there is an applicable agency policy that requires the agency to retain the records in a particular format. The agency policy may be set by a superior agency (for example a department).

#### 5.2.5 PROV direction

Source records cannot be disposed if a PROV disposal authority requires them to be kept in a specific format or medium (for example their original format).

If the requirement in the applicable disposal authority is now obsolete (for example due to changes in the legal requirements), an agency must obtain a variation to the disposal authority before the records can be destroyed.

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<sup>5</sup> Electronic Transactions (Victoria) Act 2000, No 20 of 2008, <http://www.legislation.vic.gov.au/> visited 30 November 2009

<sup>6</sup> Evidence Act 2008, No 47 of 2008, <http://www.legislation.vic.gov.au/> visited 30 November 2009

In some circumstances, PROV may direct that certain records may not be disposed of irrespective of the GDA for converted Source Records. This will always be a written direction.

### 5.3 Custody of the record is held by PROV and it has been returned on loan

Records that have been returned to an agency on loan from PROV cannot be disposed of. This applies to permanent records that have been transferred to PROV and then recalled back to the agency.

## 6 Records that have already been converted

The GDA may be used to dispose of source records converted before the GDA was issued provided the conversion was done in compliance with its requirements and any applicable standards and specifications (for example *PROS 11/07 S1: Specification for Digitisation Requirements*).

Demonstrating that a full and accurate copy of the original has been created may require a combination of:

- Original quality control processes and documentation
- A formal quality assurance review process comparing the source and copied records. The depth of this process would depend on the risk of loss of the records
- Demonstration that the converted records have been depended upon since digitisation with little or no reference to the source records.

Particular care may need to be taken to ensure that the source records have not continued to be used as the official record after conversion (that is that they have not been altered since conversion).

## 7 References

### Legislation

*Evidence Act 2008* (Vic)

*Public Records Act 1973* (Vic)

All current Victorian legislation is available at <http://www.legislation.vic.gov.au>

### Standards

Archives New Zealand (ANZ) 2007, *Digitisation Standard*, ANZ, New Zealand, Viewed September 2009, <<http://continuum.archives.govt.nz/files/file/standards/s6/index.html>>.

Public Record Office Victoria (PROV) 1999, revised 2003, *PROS 99/007 (Version 2.0) Management of Electronic Records*, PROV North Melbourne, Viewed July 2014, <<http://prov.vic.gov.au/government/vers/implementing-vers/standard-2>>.

Public Record Office Victoria (PROV) 2010, General Retention and Disposal Authority for converted Source Records, PROS 10/01, PROV North Melbourne, viewed July 2014, <<http://prov.vic.gov.au/government/disposal-and-transfer/retention-and-disposal-authorities>>.

Public Record Office Victoria (PROV) 2011, *PROS 11/07 S1 Digitisation Requirements Specification*, PROV North Melbourne, viewed July 2014, <<http://prov.vic.gov.au/government/standards-and-policy/all-documents/pros-1107-s1>>.

Public Record Office Victoria (PROV) 2011, *PROS 11/07 S2 Digitisation Image Requirements Specification*, PROV North Melbourne, viewed July 2014, <<http://prov.vic.gov.au/government/standards-and-policy/all-documents/pros-1107-s2>>.

### Other Resources

Judicial College of Victoria, 2009, Introduction to the Uniform Evidence Act in Victoria: Significant Changes, ISBN-13: 978-1-921028-84-7, viewed December 2009 <<http://www.judicialcollege.vic.edu.au/publications/uniform-evidence-resources>>.

Public Record Office Victoria (PROV) 2010, *PROS 10/01 G1 Guide to GDA for Converted Source Records*, PROV North Melbourne, viewed July 2014, <<http://prov.vic.gov.au/government/standards-and-policy/all-documents/pros-1001-g1>>.

Public Record Office Victoria (PROV) 2010, *PROA 21 Evidence and Public Records: Advice for Victorian Public Agencies*, PROV North Melbourne, viewed July 2014, <<http://prov.vic.gov.au/government/standards-and-policy/all-documents/proa-21>>.

Public Record Office Victoria (PROV) 2010, PROS 11/01 G1 Guide to Digitisation Requirements, PROV North Melbourne, viewed July 2014, <http://prov.vic.gov.au/government/standards-and-policy/all-documents/pros-1107-g1>

The following documents were referred to in drafting this advice.

General Disposal Authority for source records that have been copied, converted or migrated, National Archives of Australia, February 2003,  
([http://www.naa.gov.au/images/gda\\_copied\\_records\\_tcm2-1124.pdf](http://www.naa.gov.au/images/gda_copied_records_tcm2-1124.pdf) retrieved 22 January 2009)

General Disposal Schedule No 21, For management and disposal of source documents and digitised versions after digitisation, Version 2.1, State Records of South Australia, February 2006,  
([http://www.archives.sa.gov.au/files/management\\_GDS21\\_whole.pdf](http://www.archives.sa.gov.au/files/management_GDS21_whole.pdf) retrieved 22 January 2009)

Guidelines for the Digitisation of Paper Records, Queensland State Archives, Version 2, April 2006 (<http://www.archives.qld.gov.au/publications/digitisation/digiguide.pdf> retrieved 22 January 2009)

General Retention and Disposal Authority, Imaged Records (GDA 24), State Records Authority of New South Wales, August 2006,  
([http://www.records.nsw.gov.au/recordkeeping/imaged\\_records\\_\(gda\\_24\)\\_9260.asp](http://www.records.nsw.gov.au/recordkeeping/imaged_records_(gda_24)_9260.asp) retrieved 22 January 2009)

General Disposal Authority (for) Digitised Original Source Records, Archives New Zealand, March 2007  
(<http://continuum.archives.govt.nz/files/file/disposal/gda5/index.html> retrieved 22 January 2009)

Records Retention and Disposal Schedule for Source Records (Disposal Authorisation 2159), Archives Office of Tasmania, 2007,  
(<http://www.archives.tas.gov.au/disposals/DA-No-2159-updated.pdf> retrieved 22 January 2009)

General Disposal Authority for Source Records (Draft), State Record Commission (Western Australia),  
<http://www.sro.wa.gov.au/dri/documents/GDASourceRecordsWeb.pdf> retrieved 22 January 2009)

For more information about the disposal of source records, contact:

Appraisal and Documentation Team  
Public Record Office Victoria  
Ph: (03) 9348 5600 Fax: (03) 9348 5656  
Email: [agency.queries@prov.vic.gov.au](mailto:agency.queries@prov.vic.gov.au)  
Web: [www.prov.vic.gov.au](http://www.prov.vic.gov.au)