

PROS 10/13 Specification 1

Developing Disposal Authorities

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1 Introduction

This Specification deals with the process of developing disposal authorities and acquiring disposal authorisation

1.1 Purpose

Public Record Office Victoria (PROV) Standards contain mandatory principles for the management of public records within Victoria. Standards issued by the Keeper of Public Records (the Keeper) are supported by Specifications that contain the measurable, mandatory requirements that agencies must comply with in order to meet the principles. *PROS 10/13 Disposal Standard* (hereafter referred to as the Standard) is the overarching document for Disposal.

This Specification provides a detailed set of requirements which define the criteria for the implementation of the Standard in relation to the development of disposal authorities. It is not the only Specification that details requirements to meet the Standard. Agencies must meet all the requirements detailed in all disposal Specifications to ensure they comply with the principles articulated in the Standard.

The implementation of these requirements will enable your agency to effectively manage the records management activities within your agency, including providing for the lawful and efficient disposal of public records.

Each requirement within this Specification is individually numbered and described under the appropriate principle. Examples of evidence of compliance measures are provided for each requirement.

1.2 Scope

This Specification repeats principles from the Standard. For more information on these principles, including explanation of why they are needed, please refer to the Standard.

This Specification covers the activities associated with the development of disposal authorities for records across the Victorian Government.

For definitions of terms used within this Specification, please refer to the *Master Glossary*¹.

1.3 Document Relationship Diagram

An interactive diagram showing the relationship between this Specification and other documents associated with the Standard is located on our website: <https://www.prov.vic.gov.au/recordkeeping-government/about-standards-framework-policies/disposal-standard>.

Other PROV Standards and Specifications, including Retention & Disposal Authorities (RDAs), will also affect how this Specification is implemented in particular agencies.

¹ Available from the PROV website: <https://www.prov.vic.gov.au/recordkeeping-government/a-z-topics/glossary>

2 Requirements

In this section, principles from the Standard are provided for easy reference. The tables below the principles list the mandatory requirements and examples of evidence for each requirement.

2.1 Legality

Principle: Disposal of public records must be conducted in a lawful manner.

Requirement	Examples of Evidence
1. All relevant legislative and regulatory requirements must be incorporated into authorised disposal instruments.	Appraisal reports detailing the requirements of all legislation which governs the activities of the agency.

Further Information

A copy of the *Public Records Act 1973* (the Act) and information about other laws affecting government recordkeeping is located on our website: <https://www.prov.vic.gov.au/recordkeeping-government/a-z-topics/legislation>.

2.2 Authorisation

Principle: The disposal of public records must be authorised by the Keeper of Public Records.

Requirement	Examples of Evidence
2. Authorisation must be obtained from the Keeper of Public Records prior to the disposal of any records.	Authorisations in the form of a disposal authority issued under s. 12 of the Act. For example, Retention and Disposal Authorities (RDAs), Single Instance Disposal Authorities (SIDAs), Normal Administrative Practice (NAP) Policy.
3. Agencies that do not have disposal authorisation for their records must consult with PROV to establish disposal authorisation requirements.	Records of consultation with PROV to reduce identified gaps in disposal coverage.

Further Information

Information about the authorisation of disposal is located on our website: <https://www.prov.vic.gov.au/recordkeeping-government/how-long-should-records-be-kept/retention-and-disposal-authorities-rdas>.

2.3 Accountability

Principle: The head of the agency is accountable for the disposal of public records for which they are responsible and must ensure that any disposal is conducted in accordance with the *Public Records Act 1973*.

Requirement	Examples of Evidence
4. The head of the agency must ensure that authorised disposal instrument(s) are established.	Analysis of existing disposal coverage and risk based analysis of gaps linked to the records management program.

Further Information

Information about the recordkeeping responsibilities of the head of an agency is available on our website: <https://www.prov.vic.gov.au/recordkeeping-government/document-library/pros-1010-fs1-recordkeeping-responsibilities-heads>.

2.4 Informed Decision Making

Principle: Disposal actions must be based on an informed decision making process.

Requirement	Examples of Evidence
5. When developing disposal instruments agencies must conduct, monitor and maintain analysis of accountability requirements and the legislative, administrative and business contexts² within which records are created.	Analysis undertaken is clearly documented in the agency's appraisal report. Regular monitoring and reviews of existing disposal authorisations is included in agency business plans. Records management strategy which includes monitoring activities. Correspondence with PROV to change or vary existing disposal authorisations (as required).
6. When developing disposal instruments, agencies must identify and consult with key internal and external stakeholder groups.	Internal and external stakeholder consultation is clearly documented in the agency's appraisal report. The rights, entitlements and obligations of agency clients is clearly addressed and documented in the agency's appraisal report.
7. When developing disposal instruments the <i>Appraisal Statement for State Archives Policy</i> must be addressed.	Analysis undertaken to determine which records are to be retained permanently addresses the characteristics specified by the Appraisal Statement and is documented clearly within the agency's appraisal report.

² This includes machinery of government or administrative changes.

Further Information

The *Appraisal Statement for State Archives Policy* is located on our website:
<https://www.prov.vic.gov.au/recordkeeping-government/document-library/appraisal-statement-policy>.

Information about conducting appraisal is located in *PROS 10/17 G2 Appraisal Guideline* which is located on our website: <https://www.prov.vic.gov.au/recordkeeping-government/document-library/pros-1017-g2-appraisal>.

2.5 Justification

Principle: Disposal actions and retention periods for public records must be justified.

Requirement	Examples of Evidence
8. Agencies must develop clear justifications for appraisal recommendations and submit them in the format specified to PROV.	Clear, concise and sound arguments are documented in the appraisal report for all decisions made on disposal actions and retention periods. Justification for decisions made must refer to the analysis conducted of legislative, administrative, business, and accountability requirements as well as the <i>Appraisal Statement for State Archives Policy</i> . Appraisal reports in the format specified by PROV.

Further Information

A copy of the Act and information about other laws affecting government recordkeeping is located on our website:
<https://www.prov.vic.gov.au/recordkeeping-government/a-z-topics/legislation>.

The *Appraisal Statement for State Archives Policy* is located on our website:
<https://www.prov.vic.gov.au/recordkeeping-government/document-library/appraisal-statement-policy>.

Information about conducting appraisal is located in *PROS 10/17 G2 Appraisal Guideline* which is located on our website: <https://www.prov.vic.gov.au/recordkeeping-government/document-library/pros-1017-g2-appraisal>.

2.6 Planning

Principle: Disposal of public records must be planned, regular and integrated into the agency's business processes and programs.

Requirement	Examples of Evidence
9. Agencies must identify gaps in their disposal coverage and consult with PROV to plan the most appropriate approach to address gaps identified.	Analysis of existing disposal coverage and risk based analysis of gaps linked to the records management program.

10. As part of developing a new disposal authority, the agency must plan how they will implement it in their records disposal program.

RDA implementation plan that indicates how and when an RDA will be implemented once issued.
Records management strategy where planning for a records disposal program has been documented.

Further Information

Guidance for developing disposal authorities is available on our website: <https://www.prov.vic.gov.au/recordkeeping-government/how-long-should-records-be-kept>.

The *Appraisal Statement for State Archives Policy* is located on our website: <https://www.prov.vic.gov.au/recordkeeping-government/document-library/appraisal-statement-policy>.

Information about assessing the need for a disposal authority is available in the Step by Step guide available for download from our website: <https://www.prov.vic.gov.au/recordkeeping-government/how-long-should-records-be-kept/rda-development-step-by-step>

2.7 Timeliness

Principle: Public records must be disposed of in a timely manner.

Requirement	Examples of Evidence
11. Appraisal analysis and documentation to confirm disposal coverage must be appropriately resourced and supported so that records can be disposed of in a timely manner.	Documentation of resources and executive support for the appraisal analysis and documentation. Automation of disposal processes. Agency document identifying skills required for the tasks needed.

Further Information

Information about writing a business case to assist with ensuring that recordkeeping activities such as disposal are resourced appropriately is located on our website: <https://www.prov.vic.gov.au/recordkeeping-government/document-library/pros-1010-g4-writing-business-case-guideline>.

2.8 Security

Principle: Disposal of public records must be undertaken using a secure method so that the content is secure protected and is not inadvertently released or lost.

When developing a disposal authority there are no requirements related to the security principle from the Disposal Standard.

3 References

Legislation

Public Records Act 1973 (Vic)

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

Standards

Standards Australia 2002, AS ISO 15489 Australian standard on records management, Standards Australia, Sydney.

Other Resources

Bettington, J, Eberhard, K, Loo, R & Smith, C eds 2008, Keeping archives, 3rd edn, Australian Society of Archivists, Canberra.

You can obtain relevant publications, supplies of relevant forms, and answers to any enquiries you may have by first contacting your agency's records manager or the Public Record Office Victoria:

For more information on developing disposal authorities, please contact:

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