

Retention and Disposal Authority for Records of Victorian Electoral Functions

Authority number: PROS 17/05



PROS 17/05

**Retention and Disposal Authority for Records of
Victorian Electoral Functions**

Issued Date: 02/10/2017

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INTRODUCTION

Context

Background

The scope of this Retention and Disposal Authority is the electoral functions and other unique supporting functions and activities administered by the Victorian Electoral Commission such as conducting State Elections and Council Elections and other referendums and polls under the relevant Victorian legislation. Supporting functions and activities include:

- registration of political parties and candidates
- electoral roll maintenance
- production of voters rolls
- provision of administrative and technical support to the Electoral Boundaries Commission

State and council elections are run every 4 years, with cycles that are staggered 2 years apart. By-elections may also occur during this time.

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Retention and Disposal Authority No	PROS 17/05
Scope	The electoral functions undertaken by the Victorian Electoral Commission.
Status	Issued by Keeper
Issue Date	02/10/2017

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List of Functions and Activities covered

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Introduction

Purpose of this Authority

The purpose of this Authority is to provide a mechanism for the disposal of public records in accordance with the *Public Records Act 1973*. The Authority:

- identifies records which are worth preserving permanently as part of Victoria's archival heritage
- prevents the premature destruction of records which need to be retained for a specified period to satisfy legal, financial and other requirements of public administration, and
- authorises the destruction of those records not required permanently.

Context of this Authority

Public Record Office Victoria Standards

This Authority should be used in conjunction with the Standards issued by the Keeper of Public Records under Section 12 of the *Public Records Act 1973*. Copies of all relevant PROV standards, specifications and regulatory advice can be downloaded from www.prov.vic.gov.au. These documents set out the procedures that must be followed by Victorian public offices.

Disposal of records identified in the Authority

Disposal of public records identified in this Authority must be undertaken in accordance with the requirements of Public Record Office Standard PROS 10/13 *Disposal*.

It is a criminal offence to unlawfully destroy a public record under s 19(1) of the *Public Records Act 1973*.

The destruction of a public record is not unlawful if done in accordance with a Standard established under s 12 of the *Public Records Act 1973*.

This Standard (also known as an Authority) authorises the disposal of public records as described within its provisions. However, disposal is **not** authorised under this Standard if it is reasonably likely that the public record will be required in evidence in a current or future legal proceeding.

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For the purposes of this Retention and Disposal Authority, a 'legal proceeding' has the same meaning as the *Evidence (Miscellaneous Provisions) Act 1958*, and includes any civil, criminal or mixed proceeding and any inquiry in which evidence is or may be given before any court or person acting judicially, including a Royal Commission or Board of Inquiry under the *Inquiries Act 2014*.

If the public office identifies that public records must be retained under other applicable legislation for a period that exceeds the retention period specified under the Standards, then the longer retention period must apply.

Normal Administrative Practice

The destruction of some public records is permitted without final authorisation under normal administrative practice (NAP). NAP covers the destruction of ephemeral material of a facilitative nature created, acquired or collected by public officers during the course of their duties.

The following material may be destroyed under NAP:

- working papers consisting of rough notes and calculations used solely to assist in the preparation of other records such as correspondence, reports and statistical tabulations
- drafts not intended for retention as part of the office's records, the content of which has been reproduced and incorporated in the public office's record keeping system
- extra copies of documents and published material preserved solely for reference.

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Transfer of records to Public Record Office Victoria

Contact Public Record Office Victoria for further information on procedures for transferring permanent records to archival custody.

Use of Other Authorities

In applying the disposal sentences set out in this Authority, reference should be made to other current Authorities where applicable. Where there is a conflict between two Authorities (for instance this Authority and the General Retention and Disposal Authority for Records of Common Administrative Functions), consult the Public Record Office Victoria for advice.

Explanation of Authority Headings

Class Number

The class number or entry reference number provides citation and ease of reference.

Description

The description of each record class is specified in this entry. A record class is a group of records that relate to the same activity, function or subject and require the same disposal action.

Status

This entry provides the archival status of each class - either permanent or temporary.

Custody

This entry specifies whether the records are to be retained by the public office or transferred to the Public Record Office Victoria. Permanent electronic records are to be transferred in VERS Encapsulated Object (VEO) format according to PROS 99/007 - Management of Electronic Records (Version 2). The storage of public records identified in this Authority must also be in accordance with the requirements of Public Record Office Standard PROS 11/01 *Storage*

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Concurrence of Public Office

This Authority has the concurrence of:

Name: Warwick Gately (signed)

Position: Electoral Commissioner

Date: 20/09/2017

Establishment of Standard

Pursuant to Section 12 of the *Public Records Act 1973*, I hereby establish these provisions as a Standard (also known as a Retention and Disposal Authority) applying to Victorian Electoral Commission. This standard as varied or amended from time to time, shall have effect from the date of issue unless revoked prior to that date.

Justine Heazlewood, Keeper of Public Records

Date of Issue: 02/10/2017

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No	Function/Activity	Description	Status	Disposal Action
1	Election, Referendum and Poll Management	<p>The core business of managing Victorian State elections, Victorian State referendums and Victorian council elections. Also includes statutory elections conducted under legislation and fee-for-service elections which are conducted by arrangement for other organisations.</p> <p>Election Management</p> <p>Core tasks associated with managing elections include:</p> <ul style="list-style-type: none"> • informing the public • sourcing and establishing infrastructure (venues, equipment etc) and temporary workforce • processing candidate nominations and scrutineer appointments • production and printing of candidate statements and photographs • production and printing of election material • processing registrations of 'how-to-vote' cards and 'group voting tickets' • determining the results • declaring the results • complaints and appeals • compulsory voting enforcement <p>Administrative tasks supporting election management include:</p>		

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No	Function/Activity	Description	Status	Disposal Action
<i>Election, Referendum and Poll Management</i>				
		<ul style="list-style-type: none"> • meetings and committee management • delegating powers and authorising actions • planning and reporting • evaluation and review • personnel management (temporary workforce) <p>Referendum and Poll Management</p> <p>Core tasks supporting referendum and poll management are largely the same as for election management with the following exceptions:</p> <ul style="list-style-type: none"> • there are no candidates • there is a process of public awareness regarding a referendum under electoral legislation. This may include collation of registered arguments for and against a particular referendum statement (the statement is contained in the Bill to be put to a referendum - not developed by Victorian Electoral Commission (VEC)), and the publication and distribution of those registered arguments to all electors at a time specified by electoral legislation • there is also a process of public awareness for proposals being put to a poll. This will vary according to what is being polled, and the target audience. <p><i>See General Retention and Disposal Authority for</i></p>		

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No	Function/Activity	Description	Status	Disposal Action
<i>Election, Referendum and Poll Management</i>				
		<p><i>Records of Common Administrative Functions</i></p> <p>Strategic Management - Customer Service Strategy for research, service review and re-design, including to increase voter participation.</p> <p><i>See Retention and Disposal Authority for Records of Local Government Functions</i> for compulsory voting enforcement for Council elections.</p> <p><i>See Retention and Disposal Authority for Records of the Non-Accredited Training Function</i> for training of election managers and officials, and training/information sessions for registered candidates.</p> <p><i>See Retention and Disposal Authority for Records of the Non-Accredited Training Function</i> for input in curriculum development and educational materials for students.</p> <p><i>See General Retention and Disposal Authority for Records of Common Administrative Functions</i></p> <p>Community Relations for records of media, communications, and events relating to elections and referendums.</p>		
1.1	Significant Records of State/Council Election, Referendum and Poll Management	<p>Records of critical or historical significance documenting the conduct of elections and referendums or polls. Includes:</p> <ul style="list-style-type: none"> • statutory notices prepared for publication announcing an election and its key dates 	Permanent	Retain as State Archives, Transfer to PROV

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<i>Election, Referendum and Poll Management</i>				
		<ul style="list-style-type: none"> • certified electoral rolls as at the close of roll/entitlement date prior to an election • registered arguments for/against a referendum statement (Bill) • statutory notices regarding the declaration of results • major investigations (e.g. that challenge an election or referendum result, or a process in reaching that result), including appearances/representation at the Court of Disputed Returns or Municipal Electoral Tribunal • reports to Parliament or the Minister 		
1.2	Operational Records of State/Council Election, Referendum and Poll Management	Records of operational activities including: <ul style="list-style-type: none"> • notifications from Local Councils regarding voters entitled to be enrolled to vote in an upcoming Local Council election, including any who do not reside in the Local Council Area • appointment of all election officials, and delegation of functions and duties, for the conduct of an election • appointment of voting centres, including early voting centres, and mobile voting centres; and notices for the intended use of prescribed premises (e.g. publicly funded schools and 	Temporary	Destroy 4 years after action completed and once regulatory requirements have ceased.

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No	Function/Activity	Description	Status	Disposal Action
<i>Election, Referendum and Poll Management</i>				
		<p>buildings)</p> <ul style="list-style-type: none"> • the receipt and processing of nominations for candidates in an election, and the summary of nominated candidates • the registration of how to vote cards, and any review of decisions • preparation of ballot papers and other materials required for electors to cast votes, including draws conducted for ballot paper positions • appointment of scrutineers by registered political parties/candidates • regulation of electoral advertisements, handbills, pamphlets or notices, including the issue of penalties for non-compliance • declarations completed by electors • consolidated lists of electors that voted • vote counts and recounts, including distribution of preferences • penalty enforcement and legal proceedings for offences • election review reports (evaluation, 'lessons learned' etc) <p><i>See General Retention and Disposal Authority for Records of Common Administrative Functions for</i></p>		

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No	Function/Activity	Description	Status	Disposal Action
<i>Election, Referendum and Poll Management</i>				
		records of research, service review and re-design, media, communications and events, procedures, guidelines or instructional material, booking/leasing venues, staff management (including temporary staff), complaints and enquiries, information technology and telecommunications.		
1.3	Transactional Records of State/Council Election, Referendum and Poll Management	<p>Records required for the purposes of completing or facilitating a transaction related to election or referendum management which have short-term value. Includes:</p> <ul style="list-style-type: none"> • providing copies of the electoral (State) or voters' (Local Government) roll for an upcoming election for public inspection • early and postal vote applications (one-off) • requests for replacement postal vote papers (where spoilt or lost) • signed declarations of elector identity, provisional, and absent vote applications • completed ballot papers (votes), including those deemed informal • spoilt and unused ballot papers • refund of deposits to a candidate meeting the criteria for a refund, and the processing of election expenditure statements • provision of post election information on voting to political parties and Members of 	Temporary	Destroy after completion of any proceedings disputing the result.

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No	Function/Activity	Description	Status	Disposal Action
<i>Election, Referendum and Poll Management</i>				
		<p style="text-align: center;">Parliament as required under legislation</p> <p>For records of applications for general postal voting (ongoing while elector remains eligible), see 2.3.</p> <p><i>See General Retention and Disposal Authority for Records of Common Administrative Functions for financial transactions, including accounts rendered to Councils for election management and enforcement services.</i></p>		
1.4	Statutory Election, Referendum and Poll Management	<p>Records of election management services provided to external organisations where VEC is nominated by the relevant legislation as the election manager.</p> <p>Includes records of:</p> <ul style="list-style-type: none"> • informing the public and public awareness campaigns • registered arguments • sourcing and establishing infrastructure (venues, equipment etc.) and temporary workforce • processing candidate nominations and scrutineer appointments • production and printing of candidate statements and photographs • production and printing of election materials, 	Temporary	Destroy 1 year after action completed.

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No	Function/Activity	Description	Status	Disposal Action
<i>Election, Referendum and Poll Management</i>				
		including ballot papers <ul style="list-style-type: none"> • processing registrations of 'how-to-vote' cards and 'group voting tickets' • determining the results • complaints and appeals • compulsory voting enforcement 		
1.5	Fee for Service Election, Referendum and Poll Management	Records of election management services provided on a fee-for-service basis. Includes records of: <ul style="list-style-type: none"> • informing the public and public awareness campaigns • registered arguments • sourcing and establishing infrastructure (venues, equipment etc.) and temporary workforce • processing candidate nominations and scrutineer appointments • production and printing of candidate statements and photographs • production and printing of election material, including ballot papers • processing registrations of 'how-to-vote' cards and 'group voting tickets' 	Temporary	Transfer to commissioning organisation or retain in accordance with contract or agreement

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No	Function/Activity	Description	Status	Disposal Action
<i>Registration of Electors</i>				
		<ul style="list-style-type: none"> • determining the results • declaring the results • complaints and appeals • compulsory voting enforcement (if applicable) 		
2	Registration of Electors	The management of the register of electors as required under electoral legislation. Includes the register, applications to enrol for inclusion on the register and their outcome, and reviews and other processes that keep the information contained in the register up to date.		
2.1	The Register of Electors	<p>The records that form the register of electors under electoral legislation. Includes the name of the elector and their address.</p> <p>For records of the roll of electors eligible to vote in each election (electoral rolls), see 1.1</p>	Permanent	Retain as State Archives, Transfer to PROV
2.2	Applications for Enrolment Information	<p>Applications for the provision of a list of electors and their particulars from any person or organisation who is not a political party, Member of Parliament or registered candidate for an upcoming election made under electoral legislation.</p> <p>Includes records documenting:</p>	Temporary	Destroy 8 years after date of decision or date agreement expires (if applicable).

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No	Function/Activity	Description	Status	Disposal Action
<i>Registration of Electors</i>				
		<ul style="list-style-type: none"> • identifying the public interest in releasing the requested information • consultation with other bodies in accordance with regulatory requirements, e.g. regarding the public interest in protecting the privacy of personal information • the final decision, including correspondence with the applicant regarding the decision • agreements with/undertakings by the applicant with regard to the use and protection of the information provided • a copy of the information provided (if any) to the applicant in response to their application. • preparation of annual reports to Parliament on the number of applications for enrolment information received, and the outcome <p><i>See General Retention and Disposal Authority for Records of Common Administrative Functions for financial transactions, including fees charged to applicants.</i></p>		
2.3	Transactional Records of the Registration of Electors	<p>Records that support updates to elector details on the register, and the regular review of the register to ensure the details entered into the register are correct.</p> <p>Includes routine provision of copies of enrolment information to political parties/Members of</p>	Temporary	Destroy 5 years after administrative use has concluded.

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<i>Registration of Electors</i>				
		<p>Parliament/registered candidates for an upcoming election.</p> <p>Also includes:</p> <ul style="list-style-type: none"> • applications for enrolment on the register, including provisional vote declarations and those applications that are rejected. • processes to actively maintain the register (e.g. using updates to driver licence or learner permit data to prompt an elector to update their details on the register of electors, re-coding following boundary change etc.) • objections made to an elector's enrolment, and their review, including responses from the elector in question, the Commission's determination and records of any appeal process • investigation and prosecutions of eligible electors not enrolled, or not correctly enrolled to vote • the notification of electors who are no longer eligible to be registered e.g. change of citizenship • requests to remove an elector due to an incapacity to vote (e.g. age or ill-health) • requests to be a 'silent' elector (details are to be kept private due to safety concerns) • applications to become a general postal voter (ongoing while elector remains eligible), 		

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<i>Registration of Electors</i>				
		<p>correspondence with the applicant, and updating the register accordingly</p> <ul style="list-style-type: none"> • correspondence with electoral commissions in other jurisdictions for the purposes of maintaining the register of electors • lists of electors to Members of Parliament following a redivision <p><i>See General Retention and Disposal Authority for Records of Common Administrative Functions for enquiries relating to the register of electors.</i></p>		
2.4	Data Exchange	<p>Data provided by external organisations for the purposes of maintaining the register of electors. Includes details of names, dates of birth, and addresses.</p> <p><i>See General Retention and Disposal Authority for Records of Common Administrative Functions for agreements regarding the exchange of data with other organisations.</i></p>	Temporary	Destroy after administrative use has concluded.
3	Electoral Representation and Boundaries Management	<p>The provision of secretariat and administrative support to the Electoral Boundaries Commission. Also, the conducting of electoral representation and subdivision reviews for Councils.</p> <p>Includes:</p> <ul style="list-style-type: none"> • the conduct of redivisions, electoral 		

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No	Function/Activity	Description	Status	Disposal Action
<i>Electoral Representation and Boundaries Management</i>				
		<p>representation or subdivision reviews to ensure electorates maintain approximately equal numbers of electors</p> <ul style="list-style-type: none"> • preparation of statutory notices relating to the review including notifications to the public • receipt of submissions from the public • production and exhibition of maps showing proposed boundaries, and final boundaries as determined by the review process • reporting to Parliament, the Minister and/or the local council on review outcomes 		
3.1	Significant Records of Electoral Boundaries Commission Support	<p>Includes records documenting:</p> <ul style="list-style-type: none"> • preliminary report on proposed redivision, electoral representation review, or subdivision for public consultation • summary of submissions received • detailed submissions (suggestions or objections) that lead to a change in the proposed redivision, subdivision, or structure of electoral representation; or an alteration in the processes followed to conduct a review • maps of each proposed electorate showing the proposed electoral districts or wards within • records of the proceeds of public hearings 	Permanent	Retain as State Archives, Transfer to PROV

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No	Function/Activity	Description	Status	Disposal Action
<i>Electoral Representation and Boundaries Management</i>				
		<p>(including any recordings)</p> <ul style="list-style-type: none"> • development of the division of electors statement, particulars of numbers of electors, and maps showing the name and boundaries of each electorate, for deposit in the Central Plan Office and distribution as required by legislation • final reports to Parliament on review outcomes 		
3.2	Operational Records of Electoral Boundaries Commission Support	<p>Includes records documenting:</p> <ul style="list-style-type: none"> • research, analysis and drafts of proposed redivisions, electoral representational and subdivision reviews • preparation of notices for publication • correspondence regarding the submission of proposed redivision documentation to the Central Plan Office • submissions which do not lead to a change in a proposed redivision, electoral representation or subdivision review, or a change in the processes followed to conduct a review (includes pro forma responses) 	Temporary	Destroy 12 years after action completed.
4	Registration of Political Parties	The function of establishing and maintaining a register of political parties in the State of Victoria.		

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No	Function/Activity	Description	Status	Disposal Action
<i>Registration of Political Parties</i>				
4.1	Significant Records of the Registration of Political Parties	<p>The records that form the register of political parties under electoral legislation. Includes the name of the political party, abbreviated name, registered officer, and their contact details.</p> <p>Also includes records of:</p> <ul style="list-style-type: none"> • receipt of applications for registration, or re-registration, of a political party and its registered officer • consultation with the public • determination of the outcome of an application for registration, and written notice to the applicant • review of registered political parties to determine eligibility for continuing registration • de-registration of political parties, including the appeal process/review by a Tribunal • party constitutions submitted as part of an applications • applications for registration which are rejected, including correspondence with the applicant <p><i>See General Retention and Disposal Authority for Records of Common Administrative Functions for annual reporting on the registration of political parties.</i></p>	Permanent	Retain as State Archives, Transfer to PROV

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No	Function/Activity	Description	Status	Disposal Action
<i>Registration of Political Parties</i>				
4.2	Transactional Records of the Registration of Political Parties	<p>Records that support the registration application and determination process.</p> <p>Includes:</p> <ul style="list-style-type: none"> • member lists submitted as part of an application • correspondence with individual members to confirm membership • drafting notices for the Government Gazette • correspondence with applicant to confirm application details <p><i>See General Retention and Disposal Authority for Records of Common Administrative Functions for enquiries relating to the register of political parties, and for financial transactions including registration fee payments.</i></p>	Temporary	Destroy 4 years after administrative use has concluded.