

Retention and Disposal Authority for Records of the Office of the Governor

Authority number: Draft



Draft

**Retention and Disposal
Authority for Records of the
Office of the Governor**

Status Date: 09/09/2022

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INTRODUCTION

Context

Context

The Office of the Governor is an Administrative Office under the *Public Administration Act 2004* (Vic) within the portfolio of the Department of Premier and Cabinet. The Office supports the Governor of Victoria, in all aspects of the role for the benefit of the Victorian people. The Governor's role covers four main responsibilities:

- Constitutional responsibilities - overseeing the workings of the government of the day to ensure that it acts within the boundaries of the Victorian Constitution and the rule of law
- Community engagement to promote a strong Victorian community
- Ceremonial duties such as the opening of Parliament
- International engagement - promoting Victoria's international economic, social and cultural interests, at home and abroad.

The Office is also in charge of the maintenance of Government House (built between 1872-1876 and on the Victorian and National Heritage Registers) as well as its collections as a heritage and community asset of national importance. The Office's core functions include:

- Constitutional Role Management, i.e. supporting the Governor's constitutional functions
- Program Delivery - Patronage and Ceremonial, e.g. the hosting and coordination of receptions and events; community engagement activities; research required for briefings and to inform correspondence and other communication including for the Governor's speeches
- Government House and Household Management, covering the management of the building and its operation, including catering, housekeeping, and property services.

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Scope	This RDA authorises the disposal of records of functions performed by the Office of the Governor.
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Status	Submitted for Consultation
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Issue Date	
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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 - *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 records must be managed and transferred in accordance with PROV Standards.

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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 the Governor (including Lieutenant Governor 1851-1855 and Governor's Office). This standard as varied or amended from time to time, shall have effect from the date of issue unless revoked.

Justine Heazlewood, Keeper of Public Records
Date of Issue:

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No	Function/Description	Status	Disposal Action
1.0	<p>Constitutional Role Management</p> <p>The function of carrying out the constitutional role of the Governor, ensuring that the government acts within the boundaries of the Victorian Constitution and the rule of law. This includes:</p> <ul style="list-style-type: none"> • calling an election • chairing the Executive Council • giving Royal Assent to Bills passed by both Houses of Parliament • dissolving the Legislative Assembly in exceptional circumstances • appointing and dismissing Ministers • openings of Parliament • meetings between the Governor and Ministers • the relationship of the Governor with the Parliament, Government, other Vice-Regal entities and the Crown • receiving or providing advice relating to unexpected constitutional events or other issues • Senate vacancies and Senate Elections • the Crown of Australia - such as responding to events such as the ascent of a new monarch, or a birth in the Royal Family. <p>See <i>PROS 07/01 RDA for Common Administrative Functions Committees</i> for routine administrative arrangements and facilitation of meetings.</p>		
1.1	<p>Records of continuing value documenting the Governor's constitutional duties. Includes all records of:</p> <ul style="list-style-type: none"> • swearing in of Ministers including scripts, briefs for events and correspondence from the Premier relating to the appointment of Ministers • swearing in of Supreme Court judges, including scripts • resignations of Ministers, Judges, Magistrates, 	Permanent	Retain as State Archives, Transfer to PROV

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Constitutional Role Management

	<p style="text-align: center;">Honorary Justices, and Boards</p> <ul style="list-style-type: none"> • advice on constitutional and legal matters • correspondence on constitutional and legal matters between the Governor and other parties including Parliament, the Premier, the Department of Premier and Cabinet, the Executive Council, Government departments, statutory authorities, and with the Governor-General of Australia (e.g. on casual vacancies in the Senate) • communications between the Governor, Parliament, Government, Vice-Regal entities, and the Crown • notification of absences from Victoria and the Lieutenant-Governor deputising in the Governor's constitutional role • meetings between the Governor and Ministers in the Executive Council - including minutes of Executive Council meetings • the Oath Book, recording oaths sworn by the Governor and Lieutenant Governor • the Governor serving as the Administrator of the Commonwealth when the Governor-General is out of the country. Records include the request from the Governor-General, correspondence appointing the Governor and details of powers, event briefs, and other documentation • the exercise of the Prerogative of Mercy - where a person in prison writes to the Governor asking for early release. Records include the request and correspondence from the Governor to the Premier seeking advice • Senate elections • State elections including writs and advice from the Solicitor-General • unexpected or potential constitutional events. Records include plans, protocols, communication with other organisations regarding the constitutional transition resulting from the death of the Sovereign. 		
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Program Delivery - Patronage and Ceremonial

2.0	<p>Program Delivery - Patronage and Ceremonial</p> <p>The function of managing the community and ceremonial roles of the Governor. This includes the granting and non-granting of Vice-Regal patronage, the management of events hosted at Government House, and events attended by the Governor or to which the Governor was invited. This function also includes the management of community liaison activities such as visits to schools and invitations to non-profit organisations to attend Government House. Includes:</p> <ul style="list-style-type: none"> • State and ceremonial events - such as the Opening of Parliament, attending the Dawn Service on ANZAC Day • the Governor's speeches • management of Vice-Regal patronage, including patronages both granted and not granted • events hosted by the Governor and spouse at Government House, or attended by the Governor and spouse • community engagement - such as holding receptions to recognise individual or organisational achievements and opening new facilities • international engagements - such as receiving visiting heads of state and travelling overseas on behalf of Victoria • management of the Governor's program calendar • receipt of and response to petitions sent to the Governor. <p>See <i>PROS 10/04 RDA for Royal Botanic Gardens Board</i> for records of permits and permissions for use of the gardens and site.</p> <p>See <i>PROS 07/01 RDA for Common Administrative Functions</i> Government Relations for the logistical arrangement of visits by the Governor within Australia and overseas.</p>		
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No	Function/Description	Status	Disposal Action
<i>Program Delivery - Patronage and Ceremonial</i>			
2.1	<p>Records of continuing value documenting the Governor's community and ceremonial roles, including:</p> <ul style="list-style-type: none"> • visitor books • the Brief for VIP events, including Royal visits, State funerals, openings of Parliament, official visits of heads of state/government and other dignitaries, country visits and official overseas visits made by the Governor, presentation of investitures such as Queen's Birthday Honours. Records include invitations, guest lists, menus, seating arrangements, thank you letters • official commissioned photographs • official diaries or appointment records of the Governor • summary records of patronages granted and not granted by the Governor or spouse • records relating to events attended by the Governor. Includes briefs for the Governor on the event, transcripts or recordings of speeches made by the Governor and correspondence with the organisation regarding the event. • Correspondence to and from individuals and groups in the community where a detailed response is provided • final approved versions of formal announcements made by the Governor e.g. media releases, notices or announcements on the website or social media such as Vice-Regal Notes. 	Permanent	Retain as State Archives, Transfer to PROV
2.2	<p>Records of long-term value documenting the administration of the community and ceremonial roles of the Governor, including:</p> <ul style="list-style-type: none"> • events hosted by the Governor and spouse at Government House • visits, events and tours held at Government House but not attended by the Governor or spouse • events attended by the Governor and spouse, or to which the Governor and/or spouse were invited at any location 	Temporary	Destroy after reference use ceases.

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No	Function/Description	Status	Disposal Action
<i>Program Delivery - Patronage and Ceremonial</i>			
	<ul style="list-style-type: none"> • briefs for non-VIP events such as kitchen garden programs, school tours etc. • the daily program, • weekly event planning • running sheets, call sheets. 		
2.3	Records relating to requests for Vice-Regal patronage, and the granting or non-granting of patronage. Records include correspondence and background information about the organisation.	Temporary	Destroy 3 years after Vice-Regal patronage ceases or is refused.
2.4	<p>Records of short term temporary value documenting the administration of community and ceremonial role of the Governor, including:</p> <ul style="list-style-type: none"> • research notes and information gathered about an organisation in relation to an event • records relating to the Governor declining invitations to attend events (known as 'regrets') • correspondence to and from individuals and groups in the community where a detailed response is not provided. Includes routine acknowledgements, nil responses, congratulatory messages sent to the Governor for birthdays or anniversaries, etc. • greetings for congratulatory letters (e.g. for significant anniversaries, or turning 100 years old) • draft versions of formal announcements made by the Governor e.g. media releases, notices or announcements on social media • non-official photographs, e.g. those taken by OOG staff who are not acting as official photographer 	Temporary	Destroy after reference use ceases.

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Government House and Household Management

3.0	<p>Government House and Household Management</p> <p>The management of Government House as a residence, office, official reception space, and heritage building.</p> <p>This involves running the Government House Complex, which includes the main house, outbuildings, and gardens, in line with its inclusion on the Victorian Heritage Register. This function includes both conservation activities associated with managing Government House, as well as the everyday running of the household such as housekeeping, catering, and cleaning.</p> <p><i>See PROS 10/04 RDA for Royal Botanic Gardens Board</i> for records relating to the management of the gardens.</p> <p><i>See PROS 17/03 RDA for Museum and Galleries Functions</i> for records of the management of cultural items, such as art, furniture, tapestries.</p> <p><i>See PROS 07/01 RDA for Common Administrative Functions Financial Management - Accounting</i> for the Asset Register for assets with no cultural value (e.g. cars).</p> <p><i>See PROS 07/01 RDA for Common Administrative Functions Property Management</i> for routine or minor works.</p>		
3.1	<p>Records of continuing value documenting any works proposed, planned, and undertaken prior to when the Office of the Governor was required to seek permits from the state's heritage body.</p> <p>Includes records of later works where a permit has been granted by the state's heritage body, but where significant records of continuing value were not submitted to them and remained with the Office of the Governor. Examples include:</p> <ul style="list-style-type: none"> • maps, drawings, plans, specifications, surveys, ground and aerial photography and spatial information relating to buildings or grounds • internal or external reports on action required to manage or conserve buildings or grounds, e.g. arboriculture assessment, and records of action taken on those reports; conservation 	Permanent	Retain as State Archives, Transfer to PROV

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No	Function/Description	Status	Disposal Action
<i>Government House and Household Management</i>			
	management plan for capital works <ul style="list-style-type: none"> • summaries or registers of assets such as trees, including commemorative trees • photographs of the buildings (interior and exterior) and grounds over the years. 		
3.2	Records of works proposed, planned, and undertaken where permission has been granted by the state's heritage body. Includes records of permit exemptions granted by the state's heritage body, contracts and maintenance schedules.	Temporary	Destroy after reference use ceases.
3.3	Records documenting the routine aspects of the management and administration of Government House, including housekeeping, catering, cleaning, and setting up for events.	Temporary	Destroy 3 years after action completed.