|  |  |
| --- | --- |
| Recordkeeping Policy  **Artificial Intelligence Technologies and Recordkeeping** | Version number: 0.3  Issue Date: dd Month 20yy  Expiry Date: dd Month 20yy |

## Application

The Keeper of Public Records has approved a recordkeeping policy regarding artificial intelligence technologies and recordkeeping. This policy applies to all public offices, including work conducted by others on behalf of a public office.

This policy is a companion to the *Approval Processes Policy,[[1]](#footnote-1)* which covers decisions and actions relating to an approval process including those conducted by machine learning and related technologies. Public offices should apply its terms in line with the *PROV Value and Risk Policy*[[2]](#footnote-2) to relevant recordkeeping decisions and practices.

## Policy

It is Public Record Office Victoria’s (PROV) position that:

1. Technologies used in the creation, capture and management of records / data are to be documented along with the processes used to create, capture, and manage them.[[3]](#footnote-3)
   1. Documentation includes what technology / software / application was used to produce what record using what process, and how they were used.
   2. The level of detail required should be determined in accordance with *PROS 19/05 Create, Capture and Control Standard* and associated specifications.[[4]](#footnote-4)
   3. Documentation captured must be able to address questions relating to:
      1. bias in algorithms and data sets used
      2. intellectual property
      3. the possibility of incorrect content through use of the technology, such as AI ‘hallucinations’.
2. Content created by or through the use of artificial intelligence technologies, including foundation models such as Open AI, ChatGPT, large language models, and other generative AI, are public records and must be captured, managed, and disposed of in accordance with the recordkeeping standards issued by the Keeper of Public Records[[5]](#footnote-5).
3. Ultimate responsibility for the creation and management of full and accurate records (including content created by or through the use of artificial intelligence technologies) lies with the head of the public office in accordance with the *Public Records Act 1973*.
4. Processes to check and confirm the accuracy of records / data generated by or through the use of AI technologies must be in place and overseen by an appropriately skilled human being with relevant authority and documented line of responsibility.
5. Disposal of public records, including those generated by or through the use of AI technologies, must be overseen by a human being with relevant skills, knowledge, authority, and documented line of responsibility.
   1. automated disposal actions should be undertaken in line with the *PROV Approval Processes Policy[[6]](#footnote-6)*
   2. all disposal actions are to be undertaken in line with the relevant retention and disposal authority[[7]](#footnote-7)

## Background

PROV developed this policy to address the complexity of managing records / data created by or through the use of artificial intelligence technologies. This includes the production of full and accurate records / data, as well as the appropriate management of those records / data in accordance with PROV’s recordkeeping standards.

The ability to provide an understandable explanation behind business actions, decisions, and other activities is centred in discussions about AI technologies. Documenting processes and technologies used, including how they were used and the kinds of checks and balances to prevent harm and correct misinformation, are an essential component of being able to provide an understandable explanation. Documentation includes situations where the criteria for making decisions are determined by AI technologies.

General guidance in relation to recordkeeping and AI technologies can be found via the *AI and Recordkeeping Topic Page* (<https://prov.vic.gov.au/recordkeeping-government/a-z-topics/AI>)

## Appendix

Approval Processes Policy, PROV (<https://prov.vic.gov.au/recordkeeping-government/document-library/approvalprocessespolicy-approval-processes-policy>)

Approval Processes Guideline, PROV (https://prov.vic.gov.au/recordkeeping-government/document-library/approval-processes-policy-approval-processes-guideline)

Artificial Intelligence Topic Page (<https://prov.vic.gov.au/recordkeeping-government/a-z-topics/AI>)

Copyright Statement

© State of Victoria 2023



Except for any logos, emblems, and trademarks, this work is licensed under a Creative Commons Attribution 4.0 International license, to the extent that it is protected by copyright. Authorship of this work must be attributed to the Public Record Office Victoria. To view a copy of this license, visit <https://creativecommons.org/licenses/by/4.0/legalcode>

Disclaimer

The State of Victoria gives no warranty that the information in this version is correct or complete, error free or contains no omissions. The State of Victoria shall not be liable for any loss howsoever caused whether due to negligence or otherwise arising from the use of this Standard.

1. *PROV Recordkeeping Policy: Approval Processes*, available via PROV’s website: https://prov.vic.gov.au/recordkeeping-government/document-library/approvalprocessespolicy-approval-processes-policy [↑](#footnote-ref-1)
2. *PROV Recordkeeping Policy: A value and risk-based approach to records management*, available via PROV’s website <https://prov.vic.gov.au/recordkeeping-government/document-library/value-risk-policy> [↑](#footnote-ref-2)
3. For system and process requirements, see *PROS 19/04 Operational Management Standard*: <https://prov.vic.gov.au/recordkeeping-government/standards-framework> [↑](#footnote-ref-3)
4. <https://prov.vic.gov.au/recordkeeping-government/standards-framework> [↑](#footnote-ref-4)
5. The recordkeeping standards are located here: https://prov.vic.gov.au/recordkeeping-government/standards-framework [↑](#footnote-ref-5)
6. *PROV Recordkeeping Policy: Approval Processes*, available via PROV’s website: https://prov.vic.gov.au/recordkeeping-government/document-library/approvalprocessespolicy-approval-processes-policy [↑](#footnote-ref-6)
7. Retention and disposal authorities are located here: <https://prov.vic.gov.au/recordkeeping-government/how-long-should-records-be-kept> [↑](#footnote-ref-7)