

**Retention and Disposal Authority for Records of the Youth Parole
and Residential Boards**

Authority number: PROS 08/17 VAR 1



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**Retention and Disposal
Authority for Records of the
Youth Parole and Residential
Boards**

Issued Date: 19/11/2018

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Variation 1

Public Records Act 1973 (Section 12)

Retention and Disposal Authority for Records of the Youth Parole and Youth Residential Boards

In accordance with section 12 of the *Public Records Act 1973* (as amended), I hereby vary the Standard applying to the Retention and Disposal Authority for Records of the Youth Parole and Youth Residential Boards, issued as Public Record Office Standard (PROS) 08/17 on 12/02/2009, as follows:

Extension of the application of this Standard until varied or revoked

This Variation shall have effect from its date of issue.

[signed]

Justine Heazlewood

Director and Keeper of Public Records

Date: 19/11/2018

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Retention and Disposal Authority No	PROS 08/17 VAR 1
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Scope	
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Status	Issued by Keeper
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Issue Date	19/11/2018
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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:

Signature: [signed]

Name: Fran Thorn

Position: Secretary, Department of Human Services

Date: 06/02/2009

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 Department of Health and Human Services; Department of Justice and Regulation. This standard as varied or amended from time to time, shall have effect from the date of issue unless revoked prior to that date.

[signed]

Justine Heazlewood, Keeper of Public Records

Date of Issue: 12/02/2009

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No	Function/Description	Status	Disposal Action
1.0	<p>PAROLE GUIDELINES.</p> <p>Guidelines produced by the Youth Parole Board and Youth Residential Board to inform the determination of suitable parole period within a custodial sentence.</p> <p>The Youth Parole Board administers the parole of young people on a Youth Justice Centre Order (15-20 year olds) and the Youth Residential Board administers young people on a Youth Residential Centre Order (10-14 year olds).</p> <p>[For Board Determinations, see 3.0.0]</p> <p>[For Board Membership and Appointments and Annual Reports of the Boards, see the General Retention & Disposal Authority for Records of Common Administrative Functions.]</p>		
1.1	<p>Records relating to the formulation of guidelines for the application of parole to clients.</p>	Permanent	Retain as State archives

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No	Function/Description	Status	Disposal Action
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CASE MANAGEMENT

2.0	<p>CASE MANAGEMENT</p> <p>The management of cases before the Youth Residential and Youth Parole Boards.</p>		
2.1	<p>Summary record of clients before the Youth Residential and Youth Parole Boards.</p> <p>Includes clients name, date of birth, gender, client ID, Serious Offender Status, Indigenous status, order type, date of order, date of parole eligibility, earliest date of release, order expiry date, and exit reason.</p>	Permanent	Retain as State archives
2.2	<p>Case records detailing a clients interaction with the Youth Residential Board or Youth Parole Board.</p> <p>Includes:</p> <ul style="list-style-type: none"> • warrants of detention • court reports • court transcripts • assessment reports and evaluations (e.g. psychological assessment report, pre-sentence report etc.) • prior appearance/s before the Board • decisions of the Board (e.g. parole dates, commendations, warnings, return to custody etc.) • progress reports while in custody • parole plans or conditions • progress reports while on parole • warrants for cancellation of parole [<p>For the primary records of Youth Justice clients, see Retention & Disposal Authority for Records of the Youth Services and Youth Justice Functions]</p>	Temporary	Destroy 10 years after the offender has reached 21 years of age or date of completion of sentence (whichever is longer).

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DETERMINATIONS

3.0	<p>DETERMINATIONS</p> <p>The deliberations of the Board for the making of determinations on matters which include:</p> <ul style="list-style-type: none"> • the parole periods and conditions for clients serving custodial sentences; • transfers of clients between youth custodial centres and transfers to prison; • the issuing of warnings to a clients for unsatisfactory compliance with parole conditions or unsatisfactory behaviour in custody; • the cancellation of parole orders. <p>[For Board Membership and Appointments and Annual Reports of the Boards, see the General Retention & Disposal Authority for Records of Common Administrative Functions.]</p>		
3.1	<p>Master set of Determinations including minutes, agenda, reports, submissions and other Board papers.</p>	Permanent	Retain as State archives

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VISITOR AND OBSERVER MANAGEMENT

4.0	<p>VISITOR AND OBSERVER MANAGEMENT</p> <p>The management of the attendance of visitors and observers at Board meetings.</p> <p>The Board encourages visitors and observers in order that they may gain an understanding of how the Board operates and its role in the rehabilitation of young offenders.</p> <p>Visitors include relatives or friends that are approved visitors of the client, case workers and service providers who have a role in the rehabilitation program of the client.</p> <p>Observers may be:</p> <ul style="list-style-type: none"> • a Magistrate • a Minister of the Government with a portfolio covering or related to Youth Justice services/issues. • a new case workers to DHS • a student of a relevant discipline eg law, youth services/social welfare, psychology/psychiatry etc. <p>Observers may not be general members of the public or from the press, and any particularly contentious, sensitive or notorious sessions are closed to observation.</p>		
4.1	Attendance records of visitors to a Board meeting	Temporary	Destroy 6 months after date of meeting.
4.2	Records of observers of Board meetings. Includes the name and position of the observer, and any confidentiality agreement signed regarding the proceedings observed.	Temporary	Destroy 75 years after date of meeting.