PROS 12/01 VAR 2

Retention and Disposal Authority for Records of Integrity System Oversight Function

Issued Date: 04/12/2024

Retention and Disposal Authority for Records of Integrity System Oversight Function

Authority number: PROS 12/01 VAR 2

Variation 1

Public Records Act 1973 (Section 12)

Retention and Disposal Authority for Records of the Office of the Special Investigations Monitor

Public Record Office Standard (PROS) 12/01

Variation 1:

In accordance with section 12 of the Public Records Act 1973 (as amended), I hereby vary the Standard applying to the records of the Victorian Inspectorate, issued as Public Record Office Standard (PROS) 12/01 on 09/01/2012, as follows:

Changing the name of this Retention and Disposal Authority to 'Integrity System Oversight Function'.

Extension of the application of this Standard until 09/01/2025.

This Variation shall have effect from its date of issue.

[approved]

Justine Heazlewood Director and Keeper of Public Records

Date: 13 December 2021

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Retention and Disposal Authority for Records of Integrity System Oversight Function

Authority number: PROS 12/01 VAR 2

Variation 2

Public Records Act 1973 (Section 12)

Retention and Disposal Authority for Records of the Integrity System Oversight Function

Public Record Office Standard (PROS) 12/01

Variation 2:

In accordance with section 12 of the Public Records Act 1973 (as amended), I hereby vary the Standard applying to the records of the Victorian Inspectorate, issued as Public Record Office Standard (PROS) 12/01 on 09/01/2012, as follows:

Extension of the application of this Standard indefinitely.

This Variation shall have effect from its date of issue.

[signed]

Justine Heazlewood

Director and Keeper of Public Records

Date: 04/12/2024

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Retention and Disposal Authority for Records of Integrity System Oversight Function

Authority number: PROS 12/01 VAR 2

Retention and Disposal Authority for Records of Integrity System Oversight Function

Retention and Disposal Authority No	PROS 12/01 VAR 2

Scope	This RDA authorises disposal of records created by the integrity system oversight function.

Status	Issued by Keeper

Issue Date	04/12/2024

Retention and Disposal Authority for Records of Integrity System Oversight Function

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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). The storage of public records identified in this Authority must also be in accordance with the requirements of Public Record Office Standard PROS 20/02 Storage.

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Concurrence of Public Office

This Authority has the concurrence of:

_____

[signed]

Name: Leslie C Ross

Position: Special Investigations Monitor

Date: 21 December 2011

_____

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 Inspectorate. This standard as varied or amended from time to time, shall have effect from the date of issue unless revoked.

[signed]

Justine Heazlewood, Director & Keeper of Public Records
Date of Issue: 9 January 2012

Retention and Disposal Authority for Records of Integrity System Oversight Function

Authority number: PROS 12/01 VAR 2

No	Function/Activity	Description	Status	Disposal Action
1	**OVERSIGHT USE OF COERCIVE POWERS**	To oversight the use of coercive powers by select law enforcement agencies ("enforcement agencies"). This includes monitoring compliance with the provisions of the: • *Policy Integrity Act* 2008 by the Director, Police Integrity (DPI), members of staff of the Office of Police Integrity and other persons engaged by the DPI; and • *Major Crime (Investigative Powers) Act* 2004 by the Chief Examiner, the Chief Commissioner and other members of Victoria Police.		
1.1	**Monitoring and Assessment**	To monitor the use of coercive powers by enforcement agencies by assessing: • the relevance and appropriateness of the questioning of persons examined by the DPI and/or who are required to produce a document or other thing in accordance with the provisions of the *Police Integrity Act* 2008. • the relevance of the questioning of persons examined by the Chief Examiner and/or who are required to produce a document or other thing in accordance with the provisions of the *Major Crime (Investigative Powers) Act* 2004.		
1.1.1		Records documenting the compliance and assessment of: • the relevance and appropriateness of the questioning of persons examined by the DPI	Temporary	Destroy 3 years after last action.

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No	Function/Activity	Description	Status	Disposal Action
OVERSIGHT USE OF COERCIVE POWERS - Monitoring and Assessment				
		and/or who are required to produce a document or other thing in accordance with the *Police Integrity Act* 2008, or • the relevance of the questioning of persons examined by the Chief Examiner and/or who are required to produce a document or other thing in accordance with the *Major Crime (Investigative Powers) Act* 2004.		
1.1.2		Records concerned with assessing: • the relevance and appropriateness of the questioning of persons examined by the DPI and/or who have been required to produce a document or other thing in accordance with the *Police Integrity Act* 2008, or • the relevance of the questioning of persons examined by the Chief Examiner and/or who have been required to produce a document or other thing in accordance with the *Major Crime (Investigative Powers) Act* 2004. This includes statutory reports, hearing transcript, other legal process (e.g. witness summonses, custody orders) and audio / visual recordings.	Temporary	Destroy 3 years after last action..
1.1.3		Records documenting the receipt of statutory reports (from the DPI, Office of the Chief Examiner, Victoria Police) and other legal process (e.g. number and type of witness summonses).	Temporary	Destroy 3 years after last action.

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No	Function/Activity	Description	Status	Disposal Action
OVERSIGHT USE OF COERCIVE POWERS - Monitoring and Assessment				
1.1.4		Reports on the oversight of use of coercive powers by enforcement agencies. Includes all reports tabled to Parliament and any other formal report on the use of coercive powers by enforcement agencies.	Permanent	Retain as State archives
1.2	**Investigation of complaints**	The investigation of complaints made by persons examined by the DPI or the Chief Examiner and/or who have been required to produce a document or other thing.		
1.2.1		Records documenting the receipt and handling of complaints (e.g. exchange of correspondence from and with complainants).	Temporary	Destroy 3 years after last action.
2	**OVERSIGHT USE OF COVERT POWERS**	To oversight the use of covert powers by enforcement agencies, being: • telecommunications intercepts by the DPI and Victoria Police in accordance with the provisions of the *Telecommunications (Interception and Access) Act* 1979 (Cwth) and *Telecommunications (Interception)(State Provisions) Act* 1988; • surveillance devices by the DPI, Victoria Police, Department of Primary Industries and Department of Sustainability and Environment in accordance with the provisions of the *Surveillance Devices Act* 1999; and • controlled operations by the DPI, Victoria Police, Department of Primary Industries and Department of Sustainability and Environment		

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No	Function/Activity	Description	Status	Disposal Action
OVERSIGHT USE OF COVERT POWERS - Monitoring				
		in accordance with the provisions of the *Crimes (Controlled Operations) Act* 2004.		
2.1	**Monitoring**	To monitor and assess the use of surveillance devices, telecommunications intercepts and controlled operations by authorised agencies.		
2.1.1		Records documenting the level of statutory compliance achieved by authorised agencies in the use of covert investigative powers. Includes data and other information obtained upon inspection.	Temporary	Destroy 7 years after last action.
2.1.2		Reports (except for telecommunications intercepts) on the oversight of use of covert powers by enforcement agencies. Includes all reports tabled to Parliament and any other formal report on the use of coercive powers (except telecommunications intercepts) by enforcement agencies.	Permanent	Retain as State archives