

Public Record Office Victoria

Recordkeeping Policy Data and Recordkeeping

Version number: 1.0
Issue Date: 25 June 2024
Expiry Date: 24 June 2029

1. Application

The Keeper of Public Records has approved a recordkeeping policy for data and recordkeeping. Public offices should apply its terms in line with the *PROV Value and Risk Policy*¹ and recordkeeping standards² to relevant recordkeeping decisions and practices.

2. Policy

It is Public Record Office Victoria's (PROV) policy that:

1. Data, information, and records are all public records that require management in accordance with the *Public Records Act 1973* (the Act)³.
 - a. Data is included in the definition of 'record' under the Act.
 - b. This legislation and the recordkeeping standards issued under it are technologically neutral and apply regardless of the medium or format used (including paper, film, audio tape, and digital).
2. Management of data, as with management of records in general, must be in accordance with the Recordkeeping Standards issued by the Keeper of Public Records under the Act.⁴ This includes the creation, capture, and control of data, access to data, storage of data, and disposal of data (including metadata).⁵
3. Data must be retained in accordance with the mandatory requirements of the applicable Retention and Disposal Authority, issued by the Keeper of Public Records.
 - a. Retention may be required for longer than the lifespan of the system, database, application, or other technology holding the data.⁶
 - b. Retention may be permanent, and require the transfer of data as State Archives to PROV in accordance with PROV processes.⁷
4. Disposal of data, as with disposal of records, must be authorised by the Keeper of Public Records, lawful and in accordance with the relevant disposal instrument:

¹ 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>

² <https://prov.vic.gov.au/recordkeeping-government/standards-framework>

³ <https://www.legislation.vic.gov.au/in-force/acts/public-records-act-1973/041>

⁴ <https://prov.vic.gov.au/recordkeeping-government/standards-framework>

⁵ This includes work related data / public records that VPS personnel may have on their personal devices/mobile devices, (including phones, iPads, and laptops). Such data / public records must be managed in accordance with recordkeeping policies issued by the organisation the staff member works for and in line with PROV recordkeeping standards.

⁶ <https://prov.vic.gov.au/recordkeeping-government/a-z-topics/migration>

⁷ <https://prov.vic.gov.au/recordkeeping-government/transferring-records>

- a. Retention and Disposal Authorities provide continuing authorisation to dispose⁸ of records and data in accordance with the specified requirements. They typically cover current functions of government.⁹
- b. Single Instance Disposal Authorities cover legacy and other instances where there is no current applicable Retention and Disposal Authority and are issued on a case-by-case basis to authorise disposal of records.¹⁰
- c. Normal Administrative Practice includes copies, duplications, and ephemeral material.¹¹

3. Background

Under the Act, the definition of ‘record’ is the same as the definition of document under the *Evidence Act 2008*¹² and is as follows:

‘Document means any record of information, and includes—

- a. anything on which there is writing; or
- b. anything on which there are marks, figures, symbols, or perforations having a meaning for persons qualified to interpret them; or
- c. anything from which sounds, images or writings can be reproduced with or without the aid of anything else; or
- d. a map, plan, drawing or photograph’.

This definition is broad and includes data as well as information.

A public record, under the Act, is any record made **or received** by a public officer in the course of their duties / any record made or received by a court or person acting judicially in Victoria. Rather than ownership, the focus is on the purpose of the data and why the public office has the data. The public office is then able to determine appropriate management of their records (including data) in line with the recordkeeping Standards issued by PROV.

PROV documentation will refer to metadata, which is defined as being ‘Descriptive information about the content, context, structure, and management of records. It can be created, captured, and managed automatically by a piece of software or system, manually by a person, or by using a combined approach. Metadata about records may be held across a number of different systems within an agency, including recordkeeping and/or business systems.’¹³

Data is broader than metadata and can be part of the record itself. For example, a database could be a record, containing data as well as being described through metadata. The raw data that enables charts and graphs to be made in support of a decision or recommendation documented in a report may be kept separately from the report.

The principle of disposal in accordance with **Normal Administrative Practice** allows for the disposal of working notes, ephemeral material, minor updates or drafts only, copies or duplicates, and periodic backups undertaken for recovery purposes.

Temporary data files may need to be retained for a range of different time periods, depending on the function and activity to which they relate.¹⁴

Retention and disposal authorities (also known as RDAs) specify the minimum retention period and disposal sentence for public records. They are organised by function and records generated by each function. For example:

⁸ Disposal refers to the destruction or deletion of records from organisational systems; the migration of records between systems; and the transfer of records to PROV and/or to secondary storage (APROSS)

⁹ <https://prov.vic.gov.au/recordkeeping-government/how-long-should-records-be-kept/retention-and-disposal-authorities-rdas>

¹⁰ <https://prov.vic.gov.au/recordkeeping-government/how-long-should-records-be-kept>

¹¹ <https://prov.vic.gov.au/recordkeeping-government/a-z-topics/normal-administrative-practice-nap>

¹² <https://www.legislation.vic.gov.au/in-force/acts/evidence-act-2008/026>

¹³ <https://prov.vic.gov.au/recordkeeping-government/a-z-topics/glossary>

¹⁴ <https://prov.vic.gov.au/recordkeeping-government/a-z-topics/normal-administrative-practice-nap>

- *PROS 07/01 Records of Common Administrative Functions RDA Function 5 Financial Management class 5.1.9* Records containing cardholder data captured as part of an electronic financial transaction including information printed, processed, transmitted, or stored in any form on a payment card. Status, temporary: destroy 3 months after last business, legal and/or regulatory action.
- *PROS 24/03 Human Resources Management RDA Function 1 Employment Management class 1.1* Records documenting the summary employment details of agency employees maintained in business systems, registers, and indexes. Status, permanent: Retain as State Archives, Transfer to PROV.

For information on privacy and data (including personal data) or data protection, please refer to the Office of the Victorian Information Commissioner.¹⁵ For information on open data and data sharing, please refer to DataVic.¹⁶ For information on data management as part of the Victorian Government Information Management Framework, please refer to Digital Strategy and Transformation.¹⁷

Copyright Statement

© State of Victoria 2024



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.

¹⁵ <https://ovic.vic.gov.au/>

¹⁶ <https://www.vic.gov.au/data-sharing-open-data> and <https://www.data.vic.gov.au/>

¹⁷ <https://www.vic.gov.au/information-management-whole-victorian-government> and <https://www.vic.gov.au/information-management-policies-and-standards>