



Public Record Office Standard

PROS 07/06

Authority

Retention & Disposal Authority for Records of the Office of the Health Services Commissioner

Version 2007

07/06

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Under section 12 of the Public Records Act 1973, the Keeper of Public Records is responsible for the establishment of standards for the efficient management of public records and for assisting public offices to apply those standards to records under their control. Officers in charge of public offices are responsible under section 13 of the *Act* for carrying out, with the advice and assistance of the Keeper, a program of records management in accordance with the standards established under section 12 of the *Act*.

1 Introduction

1.1 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.

1.2 Context of this Authority

1.2.1 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.

1.2.2 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.

1.2.3 Destruction of records identified in the Authority

In accordance with Public Record Office Standard PROS 97/003 *Destruction of Public Records* public offices must notify PROV of the destruction of records made under a valid Authority. To notify PROV, complete and forward the form *PRO 29 Notification of Destruction of Public Records*, available at: www.prov.vic.gov.au.

1.2.4 The Crimes (Document Destruction) Act 2006

It is an offence under *The Crimes (Document Destruction) Act 2006* for individuals or organisations to destroy documents that they know are reasonably likely to be required in a future legal proceeding, with the intention of keeping the documents out of evidence. Destroying records however in accordance with a valid Authority is lawful as long as the requirements under *The Crimes (Document Destruction) Act 2006* are met.

PROV strongly advises that all agencies familiarise themselves with the requirements under the Crimes (Document Destruction) Act 2006 and *Evidence (Document Unavailability) Act 2006*, and PROV's Advice to Agencies 18: *Crimes (Document Destruction) Act 2006: Implications for government recordkeeping*.

1.2.5 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

1.3 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.

1.4 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.

The agency may transfer records **not identified as permanent in this or any other Authority** to an Approved Public Record Office Victoria Storage Supplier (APROSS) pending final records action.

For further information on APROSS facilities please contact:

Manager, Assessment
Public Record Office Victoria
☎ (03) 9348 5600.

2 Concurrence of Public Office

This Authority has the concurrence of:

Signature: _____ Date: 19/10/2007

Name: Bethia A Wilson Position: _____

3 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 records of the Office of the Health Services Commissioner.

This standard as varied or amended from time to time, shall have effect for a period of ten (10) years from the date of issue unless revoked prior to that date.

Justine Heazlewood
Keeper of Public Records

Date of Issue: 26/10/2007

4 Acknowledgments

PROV would like to thank the following people for providing their knowledge and expertise and helping to create this Authority:

Michael McDonald, Office of the Health Services Commissioner

5 Further Information

You can obtain relevant publications, supplies of relevant forms, and answers to any enquiries you may have by first contacting your agency's records manager or the Public Record Office Victoria:

Public Record Office Victoria



(03) 9348 5600

e-mail: prov.agency.queries@prov.vic.gov.au

web: www.prov.vic.gov.au

6 Retention & Disposal Authority

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
1.0.0	<p>ENQUIRIES AND COMPLAINTS MANAGEMENT</p> <p>The management of enquiries and complaints made by members of the public to determine whether they have grounds for complaint, or where a formal complaint is lodged under either the:</p> <ul style="list-style-type: none"> - <i>Health Services (Conciliation and Review) Act 1987</i>, or - <i>Health Records Act 2001</i> 		
1.1.0	<p>Enquiries and Complaints Registration – Summary Management</p> <p>Summary of all enquiries and complaints received by the Office of the Health Services Commissioner (OHSC). Summary information for formal complaints registered includes information about the type of complaint, file number, name of complainant, name of respondent and summary of the case.</p>	<p>Permanent</p> <p>Retain as State Archives.</p>	<p>Transfer hard copy or electronic copy to PROV when administrative use has concluded.</p> <p>Electronic records are to be transferred in VEO format.</p>

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
1.2.0	<p>Complaints</p> <p>The investigation of complaints. Includes records relating to the complaint lodgement, assessment, conciliation or investigation.</p>	<p>Temporary</p> <p>Destroy 7 years following closure of complaint.</p>	<p>Hold in agency or APROSS pending destruction.</p> <p>Electronic records should be maintained in readable format pending destruction.</p>
1.3.0	<p>Enquiries (Single Contact Complaints)</p> <p>Enquiries received from members of the public seeking general information about or to determine whether they have grounds for complaint under the:</p> <ul style="list-style-type: none"> • <i>Health Services (Conciliation and Review) Act 1987</i>, or • <i>Health Records Act 2001</i> <p>[For enquiries not within OHSC jurisdiction, see <i>General Retention & Disposal Authority for Records of Common Administrative Functions</i>, PROS 07/01, class 2.7.4.]</p>	<p>Temporary</p> <p>Destroy 5 years after closure of enquiry.</p>	<p>Hold in agency or APROSS pending destruction.</p> <p>Electronic records should be maintained in readable format pending destruction.</p>

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
2.0.0	INQUIRIES MANAGEMENT Investigations carried out by the OHSC as empowered by the Minister under Part 2, Section 9 (l) and (m) of the <i>Health Services (Conciliation and Review) Act 1987</i> . Also includes investigations and rulings by the Health Services Commissioner (HSC) under Division 4 Section 64 (1) of the <i>Health Records Act 2001</i> .		
2.1.0	Inquiries Inquiries undertaken by the OHSC as directed or approved by the Minister. Includes statements, submissions, transcripts of oral evidence and final reports. Rulings made by the HSC include the reasons for the ruling, the action the HSC specifies to remedy the issue and the specified period within which the action must be taken.	Permanent Retain as State Archives.	Transfer hard copy or electronic copy to PROV when administrative use has concluded. Electronic records are to be transferred in VEO format.

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
3.0.0	<p>EDUCATION AND TRAINING</p> <p>The function of providing education, training and information to providers and users about the prevention and resolution of complaints relating to health services under the <i>Health Services (Conciliation and Review) Act 1987</i> and <i>Health Records Act 2001</i>.</p> <p>This may include but is not limited to, training courses, seminars, publications, pamphlets, media releases and promotion and awareness activities.</p>		
3.1.0	<p>Delivery of Educational, Training and Promotional Programs</p> <p>Activities related to educating and training stakeholders which includes media advertising campaigns, the production of fact sheets and participation in trade shows.</p> <p>Includes the development and delivery of training program content for both staff and stakeholder groups.</p>	<p>Temporary</p> <p>Destroy 7 years after action completed.</p>	<p>Hold in agency or APROSS pending destruction.</p> <p>Electronic records should be maintained in readable format pending destruction.</p>