



Public Record Office Standard

PROS 09/01

Authority

Retention & Disposal Authority for Records of the Dispute Settlement Centre of Victoria

Version 2009

09/01

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Table of Contents

1	Introduction	3
1.1	Purpose of this Authority	3
1.2	Context of this Authority	3
1.2.1	Public Record Office Victoria Standards	3
1.2.2	Disposal of records identified in the Authority	3
1.2.3	Transfer of records to Public Record Office Victoria.....	3
1.2.4	The <i>Crimes (Document Destruction) Act 2006</i>	4
1.2.5	Normal Administrative Practice	4
1.3	Use of Other Authorities	4
1.4	Explanation of Authority Headings.....	5
2	Concurrence of Public Office	6
3	Establishment of Standard	6
4	Acknowledgments	6
5	Further Information	6
6	Table of Functions	7
7	Retention & Disposal Authority	8

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 Disposal of records identified in the Authority

Disposal of public records identified in this Authority must also be in accordance with the requirements of Public Record Office Standard PROS 10/13 *Disposal*.

1.2.3 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.

1.2.4 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 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.

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*.

2 Concurrence of Public Office

This Authority has the concurrence of:

Signature: [Signed]

Name: P. Armytage

Date: 25/03/2009

Position: Secretary

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 Dispute Settlement Centre of Victoria.

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.

[Signed]

Justine Heazlewood
Director & Keeper of Public Records

Date of Issue: 03/04/2009

4 Acknowledgments

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


David Leonard

Glenn Barnfield

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

CONTENTS

No.	Function Title	Page
1.0.0	Dispute Resolution	8
2.0.0	Qualification Management	13
3.0.0	Mediator Endorsement	19

For client surveys use the General Retention and Disposal Authority for Records of Common Administrative Functions.

For billing and other financial records use the General Retention and Disposal Authority for Records of Common Administrative Functions.

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
1.0.0	<p>DISPUTE RESOLUTION</p> <p>The function of assisting clients to resolve a wide range of disputes through Appropriate Dispute Resolution and the provision of mediation services for cases that are assessed as suitable by the Dispute Settlement Centre of Victoria.</p> <p>Examples of typical cases assessed and mediated by the Centre include neighbourhood disputes, court referred intervention order applications as well as defended civil claims cases where the court believes mediation may assist parties to reach an amicable agreement.</p>		
1.1.0	<p>Case Management</p> <p>The management of dispute resolution cases.</p>		

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
1.1.1	Records documenting contact with parties in dispute. Includes summary record and correspondence received from parties.	Temporary Destroy 7 years after last entry.	Hold in agency or APROSS pending destruction. Electronic records should be maintained in readable format pending destruction.
1.1.2	Duplicate copies of records captured in the summary record.	Temporary Destroy once administrative use has concluded.	Hold in agency or APROSS pending destruction. Electronic records should be maintained in readable format pending destruction.
1.2.0	Assessment for Dispute Resolution Assessment processes undertaken to determine if mediation is the appropriate method to resolve a dispute.		

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
1.2.1	Records documenting the assessment of the suitability of a case to be resolved by mediation. Includes invitations made to parties in dispute to undertake mediation.	Temporary Destroy 7 years after administrative use has concluded.	Hold in agency or APROSS pending destruction. Electronic records should be maintained in readable format pending destruction.
1.3.0	<p>Mediation</p> <p>The resolution of disputes by mediation. Mediators assist parties to identify the disputed issues, develop options, consider alternatives and reach an agreement.</p> <p>Mediation may be undertaken voluntarily, under a court order, or as a mandatory step to ensure compliance with formal grievances processes found in a variety of contracts, such as in Owners Corporation (previously known as Bodies Corporate) agreements.</p>		

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
1.3.1	Records documenting the administration of mediation sessions. Includes the organisation of session date, time and venue and the booking of the mediators and any interpreters required.	Temporary Destroy 2 years administrative use has concluded.	Hold in agency or APROSS pending destruction. Electronic records should be maintained in readable format pending destruction.
1.3.2	Confidential notes taken by mediators during a mediation session.	Temporary Destroy when mediation session has concluded.	Hold in agency or APROSS pending destruction. Electronic records should be maintained in readable format pending destruction.
1.3.3	Debriefings from mediators documenting any problems with the mediation process including suggested improvements for service delivery.	Temporary Destroy 7 years after administrative use has concluded.	Hold in agency or APROSS pending destruction. Electronic records should be maintained in readable format pending destruction.

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
1.3.4	Records documenting the informal, non-binding agreements (when they occur) made between parties in dispute.	Temporary Destroy 7 years after terms of agreement have expired.	Hold in agency or APROSS pending destruction. Electronic records should be maintained in readable format pending destruction.
1.3.5	Records documenting notification to the courts (for court-referred cases) to advise of the outcome and if further court action is required after mediation.	Temporary Destroy 7 years after last action.	Hold in agency or APROSS pending destruction. Electronic records should be maintained in readable format pending destruction.

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
2.0.0	<p>QUALIFICATION MANAGEMENT</p> <p>The awarding of nationally recognised qualifications in mediation to mediators and staff in accordance with the Australian Quality Training Framework (AQTF).</p> <p>Includes the operation of the Centre as a Registered Training Organisation (RTO).</p>		
2.1.0	<p>Management of Candidates</p> <p>The management of candidates including registration, enrolment, attendance, assessment and conferring qualifications.</p>		
2.1.1	Register of candidates. Includes candidate's details and records of enrolment, results and qualifications attained.	<p>Permanent</p> <p>Retain as State Archives.</p>	Transfer hard copy or electronic copy to PROV when administrative use is concluded. Electronic records are to be transferred in VEO format.

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
2.1.2	Records documenting the attendance of candidates.	Temporary Destroy 7 years after administrative use has concluded.	Hold in agency or APROSS pending destruction. Electronic records should be maintained in readable format pending destruction.
2.1.3	Records documenting the administrative arrangements for graduation ceremonies.	Temporary Destroy 7 years after administrative use has concluded.	Hold in agency or APROSS pending destruction. Electronic records should be maintained in readable format pending destruction.
2.2.0	Candidate Assessment The activity of formally assessing candidates.		

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
2.2.1	Records documenting the assessment of candidates through the evaluation of practical (role plays) and theoretical (course work) competencies.	Temporary Destroy 7 years after last action.	Hold in agency or APROSS pending destruction. Electronic records should be maintained in readable format pending destruction.
2.2.2	Records documenting the assessment of candidates through recognition of prior learning.	Temporary Destroy 10 years after administrative use has concluded.	Hold in agency or APROSS pending destruction. Electronic records should be maintained in readable format pending destruction.
2.3.0	Course Delivery The process of delivering courses. Includes the evaluation of courses.		

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
2.3.1	Records documenting the administrative arrangements for course delivery. Includes timetables, venue rosters, teaching loads and allocations.	Temporary Destroy 10 years after administrative use has concluded.	Hold in agency or APROSS pending destruction. Electronic records should be maintained in readable format pending destruction.
2.3.2	Records documenting the receipt of formal and informal feedback from participants including the evaluation of courses.	Temporary Destroy 10 years after administrative use has concluded.	Hold in agency or APROSS pending destruction. Electronic records should be maintained in readable format pending destruction.
2.4.0	Curriculum Development The development and approval of courses and their content.		

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
2.4.1	Records documenting the development of curriculum under the Vocational Education Training (VET) scheme for accreditation with the Victorian Registration and Qualifications Authority (VRQA). Includes changes to curriculum such as the addition or removal of units.	Permanent Retain as State Archives.	Transfer hard copy or electronic copy to PROV when administrative use is concluded. Electronic records are to be transferred in VEO format.
2.5.0	Accreditation Management The application and management of accreditation of the Centre as a Registered Training Organisation (RTO).		
2.5.1	Records documenting the application for the Centre to become a RTO.	Temporary Destroy 10 years after administrative use has concluded.	Hold in agency or APROSS pending destruction. Electronic records should be maintained in readable format pending destruction.

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
2.5.2	Records documenting the ongoing compliance with the standards required of an accredited RTO by the VRQA.	Temporary Destroy 10 years after administrative use has concluded.	Hold in agency or APROSS pending destruction. Electronic records should be maintained in readable format pending destruction.

Retention & Disposal Authority			
CLASS NO.	DESCRIPTION	DISPOSAL ACTION	
		STATUS	CUSTODY
3.0.0	MEDIATOR ENDORSEMENT The endorsement of the qualifications of mediators which have been gained either within or outside Victoria.		
3.1.0	Mediation Panel Inclusion The process of endorsing the skills of a mediator for inclusion in the Mediation Panel. Only mediators in the Mediation Panel can be selected to conduct mediations.		
3.1.1	Records documenting the publishing, in the State Government Gazette, of names of mediators selected to be included within the Mediation Panel.	Temporary Destroy 7 years after Gazettal.	Hold in agency or APROSS pending destruction. Electronic records should be maintained in readable format pending destruction.

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