**Retention and Disposal Authority for Records of Dispute Settlement Centre of Victoria**

**Authority number: PROS 09/01 VAR 1**



PROS 09/01 VAR 1

**Retention and Disposal Authority for Records of Dispute Settlement Centre of Victoria**

Issued Date: 19/11/2018

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**Retention and Disposal Authority for Records of Dispute Settlement Centre of Victoria**

**Authority number: PROS 09/01 VAR 1**

**Variation 1**

**Public Records Act 1973 (Section 12)**

**Retention and Disposal Authority for Records of the Dispute Settlement Centre of Victoria**

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 Dispute Settlement Centre of Victoria, issued as Public Record Office Standard (PROS) 09/01 on 3/4/2009, 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 for Records of Dispute Settlement Centre of Victoria**

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**Authority number: PROS 09/01 VAR 1**

**Retention and Disposal Authority for Records of Dispute Settlement Centre of Victoria**

**Retention and Disposal Authority No**

PROS 09/01 VAR 1

**Scope**

|  |  |
| --- | --- |
| **Status** | Issued by Keeper |
|  |  |
|  |  |
| **Issue Date** | 19/11/2018 |
|  |  |

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**Retention and Disposal Authority for Records of Dispute Settlement Centre of Victoria**

**Authority number: PROS 09/01 VAR 1**

**List of Functions and Activities covered**

|  |  |  |  |
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**Retention and Disposal Authority for Records of Dispute Settlement Centre of Victoria**

**Authority number: PROS 09/01 VAR 1**

**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. Thesedocuments 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 anycourt 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: P. Armytage

Position: Secretary

Date: 25/03/2009

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**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 Dispute Settlement Centre. 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: 03/04/2009

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**Retention and Disposal Authority for Records of Dispute Settlement Centre of Victoria**

**Authority number: PROS 09/01 VAR 1**

**No**

**Function/Activity**

**Description**

**Status**

**Disposal Action**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 1 | **DISPUTE** | The function of assisting clients to resolve a wide |  |  |
|  | **RESOLUTION** | 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. |  |  |
|  |  | 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. |  |  |
|  |  |  |  |  |
| 1.1 | **Case Management** | The management of dispute resolution cases. |  |  |
|  |  |  |  |  |
| 1.1.1 |  | Records documenting contact with parties in dispute. | Temporary | Destroy 7 years after |
|  |  | Includes summary record and correspondence |  | last entry. |
|  |  | received from parties. |  |  |
|  |  |  |  |  |
| 1.1.2 |  | Duplicate copies of records captured in the summary | Temporary | Destroy after |
|  |  | record. |  | administrative use has |
|  |  |  |  | concluded. |
|  |  |  |  |  |
| 1.2 | **Assessment for** | Assessment processes undertaken to determine if |  |  |
|  | **Dispute Resolution** | mediation is the appropriate method to resolve a |  |  |
|  |  | dispute. |  |  |
|  |  |  |  |  |
| 1.2.1 |  | Records documenting the assessment of the | Temporary | Destroy 7 years after |
|  |  | suitability of a case to be resolved by mediation. |  | use has concluded. |
|  |  | Includes invitations made to parties in dispute to |  |  |
|  |  | undertake mediation. |  |  |
|  |  |  |  |  |

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**Retention and Disposal Authority for Records of Dispute Settlement Centre of Victoria**

**Authority number: PROS 09/01 VAR 1**

**No**

**Function/Activity**

**Description**

**Status**

**Disposal Action**

*DISPUTE RESOLUTION - Mediation*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 1.3 | **Mediation** | The resolution of disputes by mediation. Mediators |  |  |
|  |  | assist parties to identify the disputed issues, develop |  |  |
|  |  | options, consider alternatives and reach an |  |  |
|  |  | agreement. |  |  |
|  |  | 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. |  |  |
|  |  |  |  |  |
| 1.3.1 |  | Records documenting the administration of mediation | Temporary | Destroy 2 years after |
|  |  | sessions. Includes the organisation of session date, |  | administrative use has |
|  |  | time and venue and the booking of the mediators |  | concluded. |
|  |  | and any interpreters required. |  |  |
|  |  |  |  |  |
| 1.3.2 |  | Confidential notes taken by mediators during a | Temporary | Destroy after mediation |
|  |  | mediation session. |  | session has concluded. |
|  |  |  |  |  |
| 1.3.3 |  | Debriefings from mediators documenting any | Temporary | Destroy 7 years after |
|  |  | problems with the mediation process including |  | administrative use has |
|  |  | suggested improvements for service delivery. |  | concluded. |
|  |  |  |  |  |
| 1.3.4 |  | Records documenting the informal, non-binding | Temporary | Destroy 7 years after |
|  |  | agreements (when they occur) made between parties |  | terms of agreement |
|  |  | in dispute. |  | have expired. |
|  |  |  |  |  |
| 1.3.5 |  | Records documenting notification to the courts (for | Temporary | Destroy 7 years after |
|  |  | court-referred cases) to advise of the outcome and if |  | last action. |
|  |  |  |  |  |

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**Retention and Disposal Authority for Records of Dispute Settlement Centre of Victoria**

**Authority number: PROS 09/01 VAR 1**

**No**

**Function/Activity**

**Description**

**Status**

**Disposal Action**

*QUALIFICATION MANAGEMENT*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  | further court action is required after mediation. |  |  |
|  |  |  |  |  |
| 2 | **QUALIFICATION** | The awarding of nationally recognised qualifications |  |  |
|  | **MANAGEMENT** | in mediation to mediators and staff in accordance |  |  |
|  |  | with the Australian Quality Training Framework |  |  |
|  |  | (AQTF). |  |  |
|  |  | Includes the operation of the Centre as a Registered |  |  |
|  |  | Training Organisation (RTO). |  |  |
|  |  |  |  |  |
| 2.1 | **Management of** | The management of candidates including |  |  |
|  | **Candidates** | registration, enrolment, attendance, assessment and |  |  |
|  |  | conferring qualifications. |  |  |
|  |  |  |  |  |
| 2.1.1 |  | Register of candidates. Includes candidate's details | Permanent | Retain as State archives |
|  |  | and records of enrolment, results and qualifications |  |  |
|  |  | attained. |  |  |
|  |  |  |  |  |
| 2.1.2 |  | Records documenting the attendance of candidates. | Temporary | Destroy 7 years after |
|  |  |  |  | administrative use has |
|  |  |  |  | concluded. |
|  |  |  |  |  |
| 2.1.3 |  | Records documenting the administrative | Temporary | Destroy 7 years after |
|  |  | arrangements for graduation ceremonies. |  | administrative use has |
|  |  |  |  | concluded. |
|  |  |  |  |  |
| 2.2 | **Candidate** | The activity of formally assessing candidates. |  |  |
|  | **Assessment** |  |  |  |
|  |  |  |  |  |
| 2.2.1 |  | Records documenting the assessment of candidates | Temporary | Destroy 7 years after |
|  |  | through the evaluation of practical (role plays) and |  | last action. |
|  |  |  |  |  |

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**Retention and Disposal Authority for Records of Dispute Settlement Centre of Victoria**

**Authority number: PROS 09/01 VAR 1**

**No**

**Function/Activity**

**Description**

**Status**

**Disposal Action**

*QUALIFICATION MANAGEMENT - Candidate Assessment*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  |  | theoretical (course work) competencies. |  |  |  |
|  |  |  |  |  |  |
| 2.2.2 |  | Records documenting the assessment of candidates | Temporary | Destroy 10 years after |  |
|  |  | through recognition of prior learning. |  | administrative use has |  |
|  |  |  |  | concluded. |  |
|  |  |  |  |  |  |
| 2.3 | **Course Delivery** | The process of delivering courses. Includes the |  |  |  |
|  |  | evaluation of courses. |  |  |  |
|  |  |  |  |  |  |
| 2.3.1 |  | Records documenting the administrative | Temporary | Destroy 10 years after |  |
|  |  | arrangements for course delivery. |  | administrative use has |  |
|  |  | Includes timetables, venue rosters, teaching loads |  | concluded. |  |
|  |  |  |  |  |
|  |  | and allocations. |  |  |  |
|  |  |  |  |  |  |
| 2.3.2 |  | Records documenting the receipt of formal and | Temporary | Destroy 10 years after |  |
|  |  | informal feedback from participants including the |  | administrative use has |  |
|  |  | evaluation of courses. |  | concluded. |  |
|  |  |  |  |  |  |
| 2.4 | **Curriculum** | The development and approval of courses and their |  |  |  |
|  | **Development** | content. |  |  |  |
|  |  |  |  |  |  |
| 2.4.1 |  | Records documenting the development of curriculum | Permanent | Retain as State archives |  |
|  |  | 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. |  |  |  |
|  |  |  |  |  |  |
| 2.5 | **Accreditation** | The application and management of accreditation of |  |  |  |
|  |  |  |  |  |  |

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**Retention and Disposal Authority for Records of Dispute Settlement Centre of Victoria**

**Authority number: PROS 09/01 VAR 1**

**No**

**Function/Activity**

**Description**

**Status**

**Disposal Action**

*QUALIFICATION MANAGEMENT - Accreditation Management*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Management** | the Centre as a Registered Training Organisation |  |  |
|  |  | (RTO). |  |  |
|  |  |  |  |  |
| 2.5.1 |  | Records documenting the application for the Centre | Temporary | Destroy 10 years after |
|  |  | to become a RTO. |  | administrative use is |
|  |  |  |  | concluded. |
|  |  |  |  |  |
| 2.5.2 |  | Records documenting the ongoing compliance with | Temporary | Destroy 10 years after |
|  |  | the standards required of an accredited RTO by the |  | administrative use is |
|  |  | VRQA. |  | concluded. |
|  |  |  |  |  |
| 3 | **MEDIATOR** | The endorsement of the qualifications of mediators |  |  |
|  | **ENDORSEMENT** | which have been gained either within or outside |  |  |
|  |  | Victoria. |  |  |
|  |  |  |  |  |
| 3.1 | **Mediation Panel** | The process of endorsing the skills of a mediator for |  |  |
|  | **Inclusion** | 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 | Temporary | Destroy 7 years after |
|  |  | Government Gazette, of names of mediators selected |  | Gazette. |
|  |  | to be included within the Mediation Panel. |  |  |
|  |  |  |  |  |

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