

Public Record Office Victoria
Standards and Policy

Recordkeeping Policy



Recordkeeping Implications of Social Media

Issues Paper



Acronyms

The following acronyms are used throughout the entirety of this document.

EDRMS	Electronic Document and Record Management System
GDA	General Disposal Authority
NAP	Normal Administrative Practice
PROV	Public Record Office Victoria
PROS	Public Record Office Standard
RDA	Retention and Disposal Authority
VERS	Victorian Electronic Records Strategy
VPS	Victorian Public Service

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Copyright Statement

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Disclaimer

General

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Records Management Standards Application

The recordkeeping Standards apply to all records in all formats, media or systems (including business systems). This Issues Paper identifies records management risks that are specific to social media usage by government agencies, and identified within this paper as being major issues. Agencies are advised to conduct an independent assessment to determine what other records management requirements apply.

Use of Terminology

The terms 'record,' 'information' and 'data' are used throughout this document. These terms should all be defined as being 'public record.'

Recordkeeping Implications of Social Media

Executive Summary

Public officers create records when using social media as part of their duties.

Requirements for record creation, control, storage and disposal contained in the PROV Recordkeeping Standards are not media-specific and, also apply to social media.

Records resulting from social media use must be captured in a timely manner, as it is not guaranteed that they will remain available, even in the short term. Records must also preserve the context in which the social media usage was made.

Agencies that use social media need to –

- inform staff of their obligation to keep records of their social media usage
- provide training and information to support a standard method for capturing the social media usage and associated metadata
- safely retain social media records for the minimum period of time required by the PROV disposal authorities.

This issues paper invites comment from whole of Victorian Government agencies, and all local, national or international interested parties, in both public or private enterprise.

The consultation phase will conclude on **20 April 2012**. The comments received will inform an official advice from PROV regarding social media recordkeeping.

Please send comments to Emily Swann, Policy Officer, Public Record Office Victoria, PO Box 2100, North Melbourne VIC 3051

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1. Purpose

1 The purpose of this document is to provide a platform to stimulate comment
2 regarding social media recordkeeping.

3 Government agencies worldwide are using social media to conduct business.
4 The Public Record Office Victoria (PROV) issues Standards for all Victorian
5 government agencies regarding the capture of records created by public service
6 employees using social media for business purposes. This issues paper
7 provides information for consideration, and invites input from agencies to inform
8 the development of official PROV Social Media Recordkeeping Policy.

9 It is not the purpose of this issues paper to provide an exhaustive list of social
10 media sites, but addresses the broad categories of social media being used by
11 government agencies.

2. What is social media?

12 Social media is any web-based environment that allows users to easily create,
13 publish and share content.

2.1. How is social media different to traditional media?

14 Traditional media outlets (such as advertising, print, radio, television, and “Web
15 1.0”) deliver content to end users. Social media allows members of the public to
16 create, modify, discuss and share internet content.

17 The difference is a change from a one-way communication to a dialogue.

2.2. Why are government agencies using social media?

18 Social media represents a significant opportunity for government agencies to
19 deliver services, consult and communicate with government stakeholders.¹

20 Social media is:

- 21 • cost-effective
- 22 • instantaneous
- 23 • responsive

24 Although social media may not be suitable for all government agencies, some
25 agencies may use social media to create or drive authentic conversations with
26 policy end users.

2.3. What kind of social media is covered by this policy?

27 This list is **not** intended to be an exhaustive list of social media, but seeks to
28 illustrate the broad categories of social media used by government agencies.
29 These categories include:

- 30 • Social media with servers hosted by external organisations, such as:
 - 31 ○ social networking sites including Facebook, LinkedIn, MySpace,
32 Google+, or Yammer
 - 33 ○ video and photo sharing websites including Flickr, Tumblr, Instagram, or
34 Youtube

¹ Engage: Getting on with Government 2.0. Report of the Government 2.0 Taskforce, 2009
<http://www.finance.gov.au/publications/gov20taskforcereport/doc/Government20TaskforceReport.pdf> (accessed 27
February 2012)

- 35 ○ blogs, including corporate blogs and personal blogs
- 36 ○ blogs hosted by media outlets including 'comments' or 'your say'
- 37 feature on theage.com.au
- 38 ○ micro-blogging including Twitter
- 39 ○ wikis and online collaborations including Wikipedia
- 40 ○ forums, discussion boards and groups including Google groups, or
- 41 Whirlpool
- 42 ○ vod and podcasting
- 43 ○ online multiplayer gaming platforms including World of Warcraft, or
- 44 Second life
- 45 ○ instant messaging, including SMS
- 46 ○ geo-spatial tagging including Foursquare, Google maps, or Pinterest
- 47 ● Social media with servers hosted within the Victorian Public Service, such as:
- 48 ○ VPSHub
- 49 ○ IMAP
- 50 ● Social media built into agency business systems, such as:
- 51 ○ PROV Wiki
- 52 ○ DEECD Fuse

Is there any social media that is useful to your agency that is not adequately included in this definition?

Does this social media list omit any **broad categories** that may be relevant to your agency?

Please inform us of the name and function of any 'in house' social media that your agency is using, or is planning to develop.

3. Does using social media result in a public record?

53 Yes. The *Public Records Act 1973* defines a public record as “any record made
54 or received by a public officer in the course of [their] duties.”²

3.1. What about private use of social media by public officers?

55 No, private use of social media is not a public record. If there is no intersection
56 with their duties, private usage of social media by public officers is out of the
57 scope of this policy.

3.2. What about responses?

58 Yes, responses to social media content created by public officers, such as a
59 comment on a blog post, or a reply to a tweet, are public records. Any response
60 received by a public officer – particularly where the responses feed into
61 government policy or decision making – is a record.

62 Irrelevant, off-topic responses can be culled under normal administrative practice
63 (NAP).

² *Public Records Act 1973* (Vic) s2

3.3. What about monitoring social media?

64 If a Victorian Government employee is monitoring social media sources in the
 65 course of their work, they may wish to keep working documents of the social
 66 media they have accessed.

67 If by monitoring social media sources a Victorian Government action is initiated,
 68 this social media should be captured as a public record.

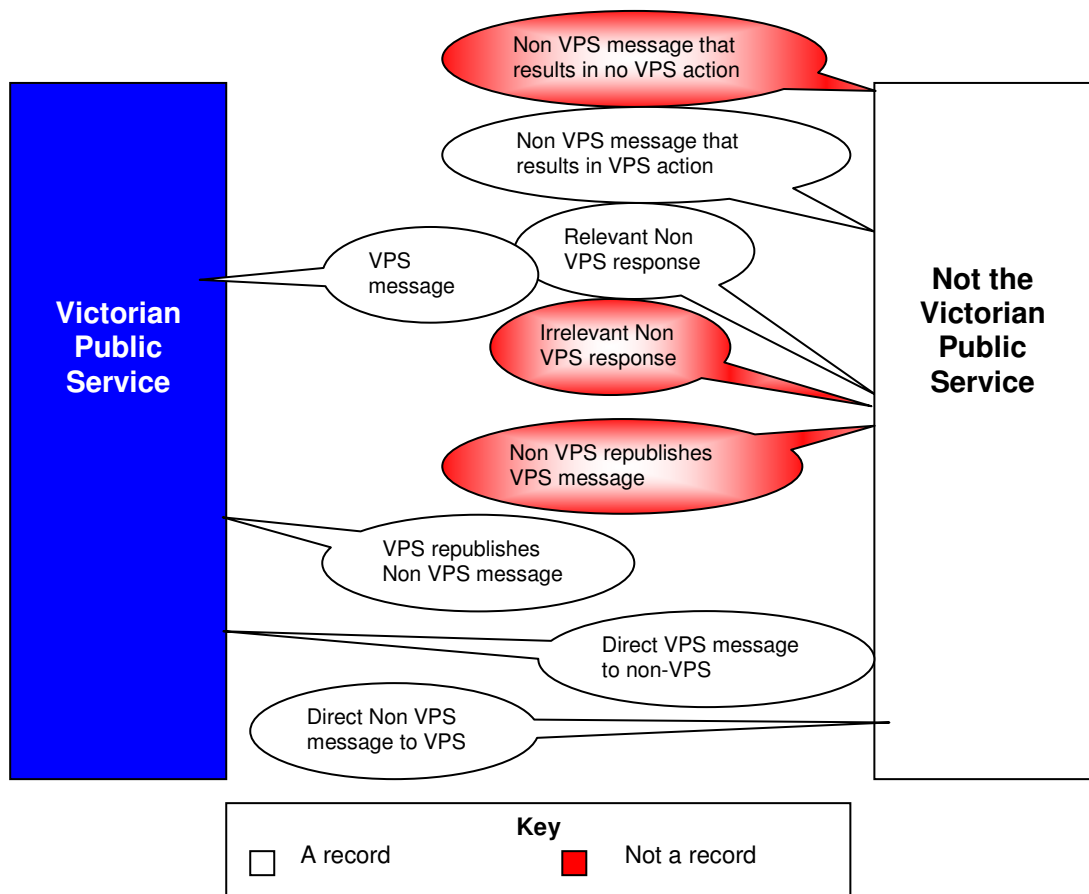
3.4. Is clicking “Like” a record?

69 If clicking “Like” or performing a similar action contributed to the receipt of a
 70 complaint, the offer of a donation, or fed into policy development, it would result
 71 in a record – it is unlikely, but not impossible.

3.5. Should we keep records of republished information (eg. “re-tweets”)?

72 Republished Victorian government agency messages, issued by a by a non-
 73 Victorian Government agency, are not public records.

74 If a Victorian government agency republishes a message from elsewhere, this
 75 constitutes a record. Copyright liability should be considered when re-tweeting.³



76

Are there any implications to agencies capturing responses (e.g. privacy)?
 Are there any other social media types that may also require specific policies regarding their capture?

³ Copyright is discussed in section 7 of this paper

4. What should a record of social media usage contain?

77 A record should contain the content (ie, the information that is sent or received).
78 The record should appropriately represent the format (text, visual, sound or
79 video) of the original content.

80 The record should also include the following metadata:

- 81 • Who sent it (user pseudonyms are acceptable for received social media –
82 agencies should not try to de-anonymise communications)
- 83 • The date and time it was sent or received by the public officer
- 84 • For messages sent: the name of the public officer that sent the message,
85 and to whom it was sent (a group address is sufficient)
- 86 • For messages received: the public officer that received the message, and
87 to whom it was sent
- 88 • The context of the transmission (a link to why it was sent or received,
89 who authorised the transmission, the purpose of the transmission, what
90 transmission this response was in response to)
- 91 • The name of the social media that it was created on

92 Linking the message to the context is vital to creating a narrative in which the
93 record may be properly understood. A person viewing the social media record
94 must be able to follow the story of why the social media was used, and how it
95 linked into the work of the organisation.

96 Please refer to the PROV Control Specification for more information about
97 general metadata requirements:

98 <http://prov.vic.gov.au/wp-content/uploads/2011/11/1109s1.pdf>

Should any other metadata be captured?

4.1. How should the record be captured?

99 PROV does not mandate any specific capture technology, as this will change
100 depending on the social media used.

101 Currently printing screenshots to .pdf and registering the resulting document in
102 an Electronic Document and Record Management System (EDRMS) to record
103 the necessary metadata is the most accessible and expedient method of
104 creating social media records.

105 If an EDRMS is not available, printing to file with the above metadata attached is
106 an alternative.

107 New technologies to capture social media records may be developed in the
108 future. Any automated process for capturing social media records must be able
109 to store the metadata required to contextualise the message appropriately. The
110 metadata must communicate the relationship between the record, the context
111 that the social media was used in (e.g. a statement or a reply), and any other
112 related documents that help make the social media usage understandable.

113 Please refer to the PROV Capture Standard regarding the mandatory principles
114 of reliably capturing all public records:

115 <http://prov.vic.gov.au/wp-content/uploads/2011/09/1107.pdf>

4.2. When should a record be captured?

116 Ideally, a record should be made at the time that the social media was used to
117 send or receive information or as soon as possible afterwards. Externally hosted
118 social media sites have no guarantee of long-term access to the message once
119 it is sent, and therefore records should be captured at (or as close as possible
120 to) the point of creation.

4.3. What about re-publishing?

121 If social media is being used to raise awareness of pre-existing agency
122 publications, the social media message should be captured and a reference to
123 the publication included in the metadata. A copy of the publication is not
124 necessary and should not be made.

Has your agency been using externally hosted social media?

How have you been capturing social media usage?

5. What about retention and disposal?

125 All Victorian public agencies are subject to the General Disposal Authority (GDA)
126 for Records of Common Administrative Functions PROS 07/01. Also, depending
127 on the business activities of an agency and the purpose of the record, staff may
128 also need to refer to additional function or agency specific Retention and
129 Disposal Authorities (RDA).

5.1. When can we dispose of a record?

130 Public records must not be destroyed, removed from the custody of the Victorian
131 Government, or otherwise disposed of, without the authorisation of the Keeper of
132 Public Records. Authorisation to destroy records is obtained by correctly
133 applying the GDA and RDAs relevant to the agency and to the record in
134 question. There are numerous current RDAs that cover the majority of records
135 created and held by the Victorian public sector. These RDAs outline the
136 minimum period agencies are legally required to keep records for, and identify
137 records which must be transferred to PROV for permanent retention as State
138 Archives.

139 GDAs and RDAs specify the minimum length of time different records must be
140 retained for – there are circumstances where agencies need to keep them for a
141 longer period of time. For example, an agency is legally required to preserve the
142 relevant records if there is pending litigation, or reasonable likelihood that
143 litigation may occur.

144 In addition, not all documents are required to be kept, and it is Normal
145 Administrative Practice (NAP) to keep working documents when they are
146 relevant to a project and discard of these items once they are no longer of use.

147 Victorian Government employees should consult Records Management
148 professionals within their organisation for advice before disposing of records.

5.2. How long should social media records be kept?

149 The retention period for any record is generally set based on the purpose,
 150 content, or result of the communication – not by the format of the record.
 151 Therefore, there is no ‘one-size-fits-all’ answer with regard to how long social
 152 media records should be kept.

153 Examples of social media content required to be captured include
 154 communications activities, volunteer recruitment, complaints and feedback, and
 155 crowd-sourced policy development.

156 GDA and RDAs are set out in tables outlining the purpose of a document in the
 157 left hand column, the retention period (permanent or temporary) and instructions
 158 for retention and disposal.

159 For example:

RDA Title	Class Number and Description	Sentence	Disposal Action
PROS 07/01 General Disposal Authority for Records of Common Administrative Functions 2.	18.2 Records documenting comments or suggestions or expressions of gratitude provided by visitors attending an agency’s premises.	Temporary	Destroy when administrative use ceases. Hold in agency or APROSS pending destruction. Electronic records should be maintained in readable format pending destruction.
PROS 10/11 RDA for Records of the Country Fire Authority	3.1.1 Records documenting the issuance of warnings to the community for: <ul style="list-style-type: none"> • fires causing death or serious injury, or • fires involving significant issues relating to public safety, or • fires of a suspicious nature, or • fires where the cause and/or origin cannot be determined. Includes general warnings well in advance of bushfire threats and specific warnings provided to communities in the potential path of wildfires.	Permanent Retain as State Archives.	Transfer hard copy or electronic records to PROV when administrative use has concluded. Electronic records are to be transferred in VEO format.

160 The example retention periods above illustrate some of the different types of
 161 purposes a social media message may have, and the differences in retention
 162 periods.

163 Because disposal is a complicated, high-risk agency activity, PROV advises that
 164 **agency staff should always contact their Records Management staff for**
 165 **advice before disposing of records.** In addition, Records Managers are
 166 welcome to contact PROV for technical advice on disposal and retention in these
 167 instances.

168 Please refer to the PROS 07/01 GDA or your agency specific RDA for
 169 mandatory minimum retention periods.

170 [http://prov.vic.gov.au/government/disposal-and-transfer/retention-and-disposal-](http://prov.vic.gov.au/government/disposal-and-transfer/retention-and-disposal-authorities)
 171 [authorities](http://prov.vic.gov.au/government/disposal-and-transfer/retention-and-disposal-authorities)

What kind of purposes does your agency use social media for? Can you anticipate what kind of retention periods you may need for social media?

6. What about privacy?

172 The Office of the Australian Information Commissioner advises that individuals
173 using social media should carefully consider what kind of information they post
174 online, stating that once a message is sent using social media it may be
175 irreversibly public.⁴ It may also be created as a private message and become
176 public at a later point through a change in the social media site's usage policy.
177 The *Information Privacy Act 2000* does not extend to cover content posted on
178 off-shore sites⁵. It does not extend to public records under the control of the
179 Keeper of Public Records that are available for public inspection in accordance
180 with the [Public Records Act 1973](#).⁶

181 A statement regarding data storage and privacy is a prudent inclusion on a
182 Victorian government agency social media profile to indemnify the agency
183 against litigation for breaches of the Information Privacy Act when collecting
184 records of social media.

185 If a person has chosen to share content with a Victorian government agency
186 using a pseudonym or anonymous account, no attempt should be made to de-
187 anonymise the messages. This includes attempting to match data from other
188 sources against the details of a social media account to reveal the origin of
189 social media messages.

190 If unlawful, threatening or defamatory messages are received by public officers
191 using social media to carry out their duties, the officer in question should report
192 this activity to the relevant Police jurisdiction.⁷

7. What about copyright?

193 Some social media sites, such as Facebook and Twitter, currently state in their
194 Terms of Usage that content remains the intellectual property of the individual or
195 entity that posts the content. This is not, however the case for all social media
196 sites, such as Youtube, who assert copyright over content posted on their
197 platform.

198 Records kept in an EDRMS can be simultaneously accessed by multiple users.
199 This constitutes 'broadcast' under copyright legislation, leading to a possibility of
200 an individual claiming compensation for copyright infringement for content
201 published to a social media site being stored in an EDRMS by a government
202 agency. Current legal advice to PROV is that the potential dollar value for
203 Victorian government copyright liability as a result of capturing social media
204 responses is negligible. However, this advice may change as agency usage of
205 social media increases.

⁴ Office of the Australian Information Commissioner website http://www.privacy.gov.au/faq/individuals#social_networking (accessed 14 February 2012).

⁵ *The Information Privacy Act 2000*, Schedule 1 http://www.austlii.edu.au/au/legis/vic/consol_act/ipa2000231/sch1.html (accessed 14 February 2012).

⁶ *The Information Privacy Act 2000*, Section 11 "Publicly available information" http://www.austlii.edu.au/au/legis/vic/consol_act/ipa2000231/s11.html (accessed 14 February 2012)

⁷ http://www.acma.gov.au/WEB/STANDARD.PC/pc=PC_312091 (accessed 21 February 2012)

Has your agency received any advice regarding copyright?

What kind of copyrighted material does your agency hold that was sourced from social media?

8. What does PROV need you to do?

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The Victorian Electronic Records Strategy (VERS) project team asks you to consider the Social Media Recordkeeping Issues paper and provide feedback to PROV by **20 April 2012**. Comment is open to all interested parties, including those based locally, nationally, or internationally, or within the public sector or in private enterprise. The comments received will inform an official advice from PROV regarding social media recordkeeping.

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Please send comments to Emily Swann, Policy Officer, Public Record Office Victoria, PO Box 2100, North Melbourne VIC 3051

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8.1. Who can I talk to?

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