

Public Record Office Victoria

SPECIFICATION

PROS 20/02 S3: CLASS B PLACE OF DEPOSIT REQUIREMENTS

Version number: 1.0
Issue Date: 25 October 2021
Expiry Date: 25 October 2031

About this Specification

This Specification sets out the requirements which must be met to obtain and retain appointment as a Class B Place of Deposit. It also includes guidance on how to meet these requirements.

Class B Places of Deposit are appointed by the responsible Minister under Section 14 of the *Public Records Act 1973* to hold temporary value public records which are no longer required by Victorian government offices.

This allows communities to retain records about their own history, which may otherwise be lost or destroyed.

Definitions

For the purposes of this Specification, a Victorian government office means:

- any department branch or office of the government of Victoria;
- any public statutory body corporate or unincorporated;
- a state owned enterprise within the meaning of the *State Owned Enterprises Act 1992*;
- any municipal council;
- any other local governing body corporate or unincorporated;
- a royal commission, whether established under the *Inquiries Act 2014* or under the prerogative of the Crown;
- a board of inquiry or formal review established under *the Inquiries Act 2014*.

A public record is:

- any record made or received by a public officer in the course of their duties, or
- any record made or received by a court or person acting judicially in Victoria.

Table of Contents

1	Introduction	3
1.1	What are Class B Places of Deposit?	3
1.2	What are the criteria for becoming a Class B POD?	3
1.3	What records can a Class B POD hold?	3
1.4	Authorisation for the transfer of public records to a Class B POD	4
1.5	What if we already hold Victorian public records but are not yet appointed as a Class B POD?	4
2	Obtaining and retaining Class B POD status	5
2.1	Obtaining an appointment	5
2.2	Retaining an appointment	5
3	Requirements for Class B PODs	6
3.1	Facility construction and maintenance	6
3.2	Location of the facility appointed as a Class B POD	6
3.3	Biannual Attestation	6
3.4	Providing information to PROV	6
3.5	Notification	7
3.6	PROV Inspection	7
3.7	Receiving authorisation before Victorian public records are transferred	7
3.8	Providing access to public records	8
3.9	Protection	8
3.10	Loaning public records held at a Class B POD	8
3.11	Discontinuing as a Class B POD	9
3.12	Revoking a Class B POD appointment	9

1 Introduction

1.1 What are Class B Places of Deposit?

Organisations such as local history groups or community museums may apply to have their storage facility appointed as a Class B Place of Deposit (POD).

This appointment means that specified public records which are no longer required by the Victorian government office which created or had custody of them, may be held by the storage facility appointed as the Class B POD.

The purpose of this is to enable local communities to retain public records about their own history, which might otherwise be lost or destroyed.

To obtain and retain this appointment, the organisational storage facility needs to comply with the requirements set out in this document from the date of appointment as a Class B POD and for the entire period that the facility holds public records.

1.2 What are the criteria for becoming a Class B POD?

A facility may be appointed as a Class B POD if:

- it holds Victorian public records; or
- the organisation managing it has an agreement in place with a public office in their community to transfer Victorian public records into that facility.

To be appointed, the organisation and their facility must meet the requirements set out in this document.

1.3 What records can a Class B POD hold?

Class B PODs can only hold Victorian public records which:

- have temporary value (*records which have permanent value as State Archives cannot be held by Class B PODs*)
- have no sensitivity or confidentiality and can be made available to the public;
- are no longer required by the public office which created / held them; and
- have reached the age when they can legally be destroyed.

Any Victorian public office which offers records to a Class B POD must ensure that only records which meet all of the above criteria are included. PROV staff are able to advise whether records meet these criteria.

Class B PODs can hold records in any format, but should be aware that holding digital or digitised records requires suitable IT systems and greater expertise. For these reasons, Class B PODs may choose to only hold public records in physical formats (i.e. files, registers, photographs etc.).

Victorian public records held by a Class B POD remain under the control and in the custody of the Keeper of Public Records¹.

¹ The Keeper of Public Records is the Director of the Public Record Office Victoria (PROV). The Keeper has a range of powers and responsibilities under the *Public Records Act 1973*.

1.4 Authorisation for the transfer of public records to a Class B POD

Victorian public offices may offer public records to Class B PODs if:

- they no longer need access to the records;
- the records may be lawfully destroyed as the required retention period has passed;
- the records are of temporary value;
- the records are not of a sensitive or confidential nature;
- the records have significance to the community serviced by the Class B POD; and
- the resources necessary to transfer the records to the Class B POD are available.

The Victorian public office must complete a PRO36 Form and submit this to PROV prior to transferring the records.

Class B PODs must notify PROV of any offers of public records that they receive.

The transfer must be authorised by PROV prior to commencement.

Victorian public offices and Class B PODs must receive written authorisation from PROV before transfer takes place.

1.5 What if we already hold Victorian public records but are not yet appointed as a Class B POD?

As part of the application process, a list of any Victorian public records held must be provided to PROV.

This will help to determine whether any of these records:

- have permanent value as State Archives and/or
- have sensitivity or confidentiality which means the records should not be accessible to the public, until further time has passed.

PROV will work with the organisation applying for Class B POD status to determine suitable arrangements for any Victorian public records which fall into these categories. This may include requiring the organisation to transfer permanent value records to PROV and/or returning sensitive or confidential records to the public office which created them. PROV may also choose to digitise any permanent records and provide digital copies to the organisation.

Appointment as a Class B POD cannot be arranged until a plan for the long term custody of these records has been agreed between the organisation and PROV.

2 Obtaining and retaining Class B POD status

2.1 Obtaining an appointment

STEP ONE

Organisations considering appointment of their facility as a Class B POD should contact PROV to discuss requirements and suitability.

STEP TWO

Upon receiving an application, PROV will assess the suitability of the organisation and the facility.

For any organisation which is already accredited by the Australian Museums and Galleries Association Victoria, this accreditation will be accepted as completion of the parts of the application process related to assessing the facility.

PROV will require supporting documentation, as part of the application process. This will include, but is not limited to:

- photographs of the facility to be appointed;
- a risk assessment for the facility;
- a list of any Victorian public records already held; and
- details of any agreements with Victorian public offices for transfer of records to the facility.

PROV representatives may visit the organisation and inspect the facility.

STEP THREE

If the organisation is assessed by PROV as meeting the criteria, PROV will arrange for the organisation to be appointed as a Class B POD. This will require appointment by the Minister for PROV under section 14 of the *Public Records Act 1973*.

2.2 Retaining an appointment

For the facility to retain appointment as a Class B POD, the organisation must continue to meet the requirements set out in this document.

The facility itself is appointed as a Class B POD, not the organisation managing it.

If the facility where the records will be stored is going to change, the new facility must be appointed as a Class B POD.

3 Requirements for Class B PODs

3.1 Facility construction and maintenance

Requirement 1: The facility must be clean, secure and weatherproof

The facility must be:

- constructed of suitable materials, such as steel, brick, stone, reinforced concrete or concrete block and must not be subject to significant movement, cracking or rising damp;
- waterproof, with the roof and windows not allowing water to leak in;
- lockable;
- adequately maintained, with repairs undertaken in a timely manner; and
- kept reasonably clean and pest free.

3.2 Location of the facility appointed as a Class B POD

Requirement 2: The management of the facility must mitigate known hazards

The facility must be in Victoria.

If your facility already exists, assess it against the risks listed in section 3.9 to determine and undertake any actions needed to mitigate known hazards.

If you are setting up a new facility, select one which minimises potential hazards such as fire and flood, or avoids proximity to facilities such as fuel depots or petrol stations.

3.3 Biannual Attestation

Requirement 3: An Attestation Form must be completed and sent to PROV every two years.

PROV will provide the Attestation Form for Class B PODs and specify when and how they must be submitted. The Attestation Form will be simple to complete, requiring minimal information, and will state whether or not the requirements in this document continue to be met. If some requirements are not being met, these need to be detailed.

3.4 Providing information to PROV

Requirement 4: Class B PODs must provide information to PROV upon request, within required timeframes.

PROV will clearly outline any information or documents required. This may include information about how the public records are described managed and made accessible.

3.5 Notification

Requirement 5: The organisation responsible for the Class B POD must inform PROV when there are major issues or incidents which have affected or may affect public records. This notification must occur as soon as practicable

PROV should also be notified of any changes to the Class B POD's nominated representatives.

Examples of major issues or incidents include:

- major structural damage to the facility;
- disasters or incidents leading to the damage, destruction or loss of public records;
- a major issue with the ability to locate and retrieve records;
- any issues or incidents / breaches affecting the security of the records;
- plans to renovate the facility; and
- any plans to close the facility or wind up the organisation using the facility as a POD.

3.6 PROV Inspection

Requirement 6: Class P PODs must allow PROV staff to inspect premises and facilities upon request

Section 13A of the *Public Records Act 1973* gives the Keeper of Public Records the authority to inspect arrangements for the storage of public records to ensure they comply with PROV Standards and Specifications.

Class B POD representatives must cooperate with any requested inspections. PROV will give reasonable notice and endeavour to make arrangements which are convenient for the Class B POD representatives.

3.7 Receiving authorisation before Victorian public records are transferred

Requirement 7: Class P PODs must notify PROV of any offers they receive from Victorian public offices and receive PROV authorisation in writing before the transfer can commence

The Victorian public office which is offering the records must complete a PRO36 Form and submit this to PROV.

The Class B PODs must also notify PROV of any offers of public records that they receive.

PROV must provide written authorisation to both the Victorian public office and the Class B POD before the transfer of records can commence.

Public records must not be transferred to another organisation without liaison with PROV.

3.8 Providing access to public records

Requirement 8: Class P PODs must provide access to public records. Access to the records must be given to anyone who asks, at no cost and within reasonable timeframes.

The Class B POD should have a place set up on their premises where people can view public records and undertake research. At the minimum, a table, chairs and good lighting should be provided. Access to the records should be monitored, to ensure records are not stolen, damaged or altered.

Access to public records must be given to anyone upon request, at no cost. However, Class B PODs can charge for additional services such as undertaking research or making copies of records.

There should either be regular times when records can be requested and viewed, or a clear process for making an appointment to view records. These arrangements should be made apparent to users and potential users through notices, advertisements etc. and contact details kept up to date.

3.9 Protection

Requirement 9: Actions should be taken to mitigate risks to public records whilst they are being stored, used or transported

All heritage collections are subject to ten potential areas of risk, called “Agents of Deterioration.” These are:

- physical forces
- thieves, vandals, displacers
- fire
- water
- pests
- pollutants
- light
- incorrect temperature
- incorrect relative humidity
- custodial neglect and dissociation

The impact of each of these varies greatly depending on the collection and the facility. As part of the process of applying to become a POD, organisations should assess which of these may be relevant, and determine the actions they can take to mitigate the risks. PROV can provide advice during the risk assessment process.

3.10 Loaning public records held at a Class B POD

If a POD wishes to loan a record to another organisation for an exhibition, they must:

- make a written agreement with the exhibiting organisation about the date the record will be returned, the conditions under which it will be displayed and how it will be transported;
- as the conditions for a record on display will always carry more risks than being in secure storage, the POD must ensure that these risks are reasonable and any necessary mitigating actions are taken by the exhibiting organisation; and
- the POD must send PROV details of the duration and location of the exhibition.

PROV may be able to assist in the promotion of any community exhibition through its social media channels.

3.11 Discontinuing as a Class B POD

An organisation which no longer wishes their facility to be appointed as a Class B POD must notify PROV in writing, giving at least three months notice. Public records may not be disposed of without authorisation from PROV.

PROV will work with the Class B POD to determine the actions to be taken with any Victorian public records held. This may involve negotiation with the public office which originally held the records.

3.12 Revoking a Class B POD appointment

If PROV becomes aware that an organisation and their facility are not meeting the requirements set out in this document, PROV will contact the Class B POD representatives and provide written direction on what must be done in order to rectify this. PROV understands that Class B PODs have limited resources and will endeavour to set realistic expectations and timeframes.

If PROV is not satisfied that the required actions are being progressed, the Class B POD appointment may be revoked. This would involve the Keeper of Public Records recommending this action to the Minister responsible for PROV. If a Class B POD appointment is revoked, PROV will provide direction as to what actions must be undertaken with any Victorian public records held.

Copyright Statement

© State of Victoria 2021



Except for any logos, emblems, and trade marks, 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.