

MANAGEMENT AND DISPOSAL OF AHPRA RECORDS BY SINGLE ARCHIVAL HOST

An authorisation under s.24 and s.25 of the *Public Records Act 2002* for the management and disposal of Australian Health Practitioner Regulation Agency (AHPRA) records

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Department of Science,
Information Technology
and Innovation



Authority

The State Archivist has issued this policy in accordance with s.24 and s.25 of the *Public Records Act 2002*.

Authorised by State Archivist: Mike Summerell

Date: 29 November 2017

Table of contents

Authority.....	2
Table of contents	3
Policy statement	4
Principles.....	4
Background.....	4
Conditions	5
Exclusions.....	5

Policy statement

This policy authorises the use of the following instruments by the Australian Health Practitioner Regulation Agency (AHPRA) to make, manage, keep and, if appropriate, preserve their records:

- Public Records Office of Victoria (PROV) recordkeeping policy, standards, guidelines and legislation to manage AHPRA records created on or after 1 July 2010
- PROV Retention and Disposal Authority (RDA) endorsed by the Council of Australasian Archives and Records Authorities (CAARA) on 3 November 2017 to dispose of AHPRA records created on or after 1 July 2010.

Principles

To ensure that the responsibilities of the public authority (AHPRA) under the *Public Records Act 2002* outlined in s.7, s.8, s.9, s.12, s.13 and s.14 are met, the State Archivist authorises the use of PROV recordkeeping policy, standards, guidelines and legislation to manage AHPRA records created on or after 1 July 2010.

To ensure that the responsibilities of the archivist under the *Public Records Act 2002* outlined in s.26 are met, the State Archivist authorises the use of the PROV RDA endorsed by CAARA for the disposal of AHPRA records created on or after 1 July 2010 whilst this PROV RDA is current.

Background

AHPRA, first established on 1 July 2010, is responsible for the administration of the National Registration and Accreditation Scheme (NRAS). The NRAS is for the registration and accreditation of health practitioners across Australia. The NRAS is implemented by the Health Practitioner Regulation National Law (the National Law) which is enacted in each Australian State and Territory by legislation in that State or Territory. The National Law makes provision for a single regulatory framework for AHPRA's privacy and freedom of information obligations by referring to the Commonwealth legislation. At this time, the National Law is silent on a single regulatory framework for AHPRA's recordkeeping obligations for the management and disposal of their records.

Because there is no provision for a single regulatory framework for AHPRA's recordkeeping obligations under the National Law – and AHPRA is established under legislation in each Australian State and Territory – this means that AHPRA is concurrently subject to the recordkeeping policy, standards, guidelines and legislation for each State and Territory.

Each archives and records authority in each Australian State and Territory endorsed the move to have a single archival host, PROV, for the management and disposal of AHPRA records. This proposal for a suitable single regulatory framework was approved by CAARA in 2017. Additionally, PROV has prepared a RDA with CAARA for the disposal of AHPRA records which was endorsed by CAARA on 3 November 2017.

To enact the single archival host for the management and disposal of AHPRA records, each archives and records authority in each Australian State and Territory will authorise the use of PROV recordkeeping policy, standards, guidelines and legislation for the management of

AHPRA records and the use of the PROV RDA endorsed by CAARA for the disposal of AHPRA records.

Conditions

AHPRA must seek further written authorisation from the State Archivist for the management and disposal of AHPRA records if the PROV RDA endorsed by CAARA is reviewed or revoked at a future date.

AHPRA will still be bound by the *Public Records Act 2002* but may carry out the day to day management of its public records in accordance with PROV recordkeeping policy, standards, guidelines and legislation.

Exclusions

This authorisation does not apply to the Queensland records created before 1 July 2010 by predecessor agencies of AHPRA where AHPRA is the responsible agency for these records in Queensland State Archives' collection under the *Public Records Act 2002*.