

<b>Policy Number:</b>	<b>4.6</b>
<b>Policy Name:</b>	<b>Records Management</b>
<b>Classification:</b>	<b>Public – Council Policy</b>
<b>Adopted:</b>	<b>24 May 2016</b>
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<b>Responsible Officer(s):</b>	<b>Manager Information Technology and Records</b>
<b>Policy and Code of Practice Manual File Ref:</b>	<b>CC10/2601</b>
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<b>Legislation Authority:</b>	<b>State Records Act 1997</b>
<b>Related Policies and Codes:</b>	<b>Media Policy</b> <b>Electronic Communications Policy</b>
<b>Related Procedures:</b>	<b>Records Management Procedures for Staff</b> <b>Records Management Procedures for Council Members</b>

## 1. PURPOSE

- 1.1 This Policy establishes the framework for the implementation and maintenance of an appropriate records management system and describes the nature of a record and the obligations with regard to the capture, storage maintenance and disposal of records, including electronic format.
- 1.2 The Town of Gawler operates in an accountable and community orientated environment and is committed to maintaining a records management system that meets its business needs and accountability requirements.
- 1.3 The establishment of an effective and efficient record keeping environment ensures standardisation, protection and retrieval of information which maintains good governance and quality customer service.
- 1.4 The State Records Act 1997 governs the obligations and responsibilities of agencies, including councils, in relation to the management of official records. Under this Act, the Council has an obligation to maintain official records in its custody in good order and condition.

- 1.5 The records management system is viewed as part of an appropriate risk management framework based upon legal responsibilities and part of the totality of “information management”. Records management proceeds from the assumption that information is a resource which must be managed if it is to be used effectively. Good records management is of key importance to good governance
- 1.6 All procedures and records management systems are to be consistent with this policy.

## 2. SCOPE

- 2.1 This Policy applies to all physical and electronic records, which are created, collected, captured, processed, used, sentenced, stored and disposed of in the conduct of official business, regardless of means of transmission delivery and media format.
- 2.2 It applies to all Council staff and Council Members, volunteers, trainees, work experience placements, independent consultants and contractors and other authorised personnel offered access to the Council's resources.

## 3. POLICY STATEMENT

- 3.1 Council is committed to managing its official records of continuing value in accordance with the State Records Act and best practice standards.
- 3.2 Council will endeavour to capture, store, maintain and dispose of such records in physical and electronic format to effectively document and facilitate the transaction of its business.

## 4. OBJECTIVES

The objectives of the Records Management System including the Electronic Document and Records Management System (EDRMS) are to ensure:

- 4.1 that the management of the Council's information resources and records management system provide timely and comprehensive information to meet operational business needs, accountability requirements and community expectations.
- 4.2 the preservation of the Council's “corporate memory” through sound record keeping practices and the accurate capture of information to meet legal, evidential and accountability requirements.

## 5. DEFINITIONS

**Town of Gawler** – The Town of Gawler, including its staff, Council members, members of committees and sub-committees and agents operating on its behalf.

**Continuing Value** - records of continuing value are those that contain information that is of administrative, legal, fiscal, evidential or historical value to the Council.

**Council Business** - may include the provision of services, delivery of programs, development of policies, making of decisions, performance of Council functions and other similar types of transactions.

**Council Staff** – Includes persons employed by council (including those in a contracted position, volunteers, trainees, work experience placements, *independent consultants and contractors* and other authorised personnel offered access to Council's resources.

**Dispose of** - to dispose of an official record means to:

- 1 destroy or abandon the record;
- 2 carry out an act or process as a result of which it is no longer possible or reasonably practicable to reproduce the whole or a part of the information contained in the record; or
- 3 transfer or deliver ownership or possession of or sell the record, or purport to do so,

but does not include to transfer or deliver the record to the State Records Office or between the Council and another agency.

**Email** - Is a service that enables people to exchange documents or messages in electronic form. It is a system in which people can send and receive messages through their computers. Each person has a designated mailbox that stores messages sent by other users. You may retrieve, read and forward or re-transmit messages from your mailbox.

**Ephemeral/Transitory Record** - A record is transitory or ephemeral in nature if it is of little or no continuing value to the Council and only needs to be kept for a limited or short period of time, such as a few hours or a few days.

**Normal Administrative Practice** - Normal Administrative Practice provides for the routine destruction of drafts, duplicates and publications, with the test that it is obvious that no information of more than transitory or ephemeral value to the Council will be destroyed. Material that can be disposed of under Normal Administrative Practice comprises items of an ephemeral or transitory nature created, acquired or collected by Council staff or Council Members in the course of their official duties. Such material has no ongoing value and is not usually incorporated into the Council's record keeping system.

**Record - A record means** – Any written, graphic or pictorial matter; or a disk, tape, film or other object that contains information or from which information may be reproduced (with or without the aid of another object or device).

**Official Record** - A record made or received by the Council in the conduct of its business, but does not include:

1. a record made or received by an agency for delivery or transmission to another person or body (other than an agency) and so delivered or transmitted; or
2. a record made by an agency as a draft only and not for further use or reference; or
3. a record received into or made for the collection of a library, museum or art gallery and not otherwise associated with the business of the agency; or
4. a Commonwealth record as defined by the Archives Act 1983 of the Commonwealth, as amended from time to time, or an Act of the Commonwealth enacted in substitution for that Act; or
5. a record that has been transferred to the Commonwealth.

**Vital Record** – A record that contains information essential for the conduct of council business

## 6. OBLIGATIONS OF RECORD USERS

Council staff and Council Members:

- 6.1 Must not intentionally damage, alter, dispose of or remove official records of the Council without authorisation to do so.
- 6.2 Are required to handle Council records with care and respect in a sensible manner to avoid damaging records and with a view to prolonging their life span.
- 6.3 Are not permitted to eat or drink in or near Council records or in records storage areas. These areas are also designated 'smoke-free' areas.
- 6.4 Shall ensure that Council records in any format, including Electronic documents and electronic messages, which they personally receive or send are captured into the Council's record keeping systems.
- 6.5 Electronic records are to be captured and maintained as functioning records by preserving their structure, context and content. In order to maintain their value as evidence, electronic records must be inviolate. That is, they cannot be altered or manipulated for as long as they are retained.
- 6.6 Should not destroy any records or information without authority. Destruction of records without authority is an offence. Any records that are no longer needed should be forwarded to the Records Management Officer for disposal in accordance with the State Act.
- 6.7 Records must be readily accessible to meet business and accountability requirements.

## 7. BREACH OF POLICY

- 7.1 Council staff or Council Members who do not comply with this Policy may be subject to disciplinary action under the relevant Code of Conduct and/or Council's Enterprise Agreement and where appropriate subject to criminal or civil proceedings.
- 7.2 Council Members and staff should report breaches of this Policy to the CEO or the Records Management Officer.

## 8. CONFIDENTIAL RECORDS

If a Staff Member or Council Member believes that a record forwarded to the Records Team for incorporation into the record keeping system is of a highly sensitive or confidential nature, he or she should advise the Corporate Records Manager of that view. It will be at the discretion of the Corporate Records Manager as to whether such information will then be treated as confidential and access to those records restricted.

**9. DESTRUCTION METHODS**

- 9.1 Official records must be disposed of in accordance with the South Australian Local Government General Disposal Schedule.
- 9.2 Transitory or ephemeral records, or records that are personal or private in nature, may be destroyed in accordance with Normal Administrative Practice.
- 9.3 Only records that have been identified as non-official and of no continuing value to the Council can be destroyed by individual Council staff or Council Members. Council staff and Council Members should contact the Records Management Officer for assistance with the destruction of their non-official records.
- 9.4 The destruction of records must be complete destruction so that no information is retrievable. Records in physical format should be destroyed by shredding or pulping. Records in electronic format should be destroyed by reformatting, rewriting or degaussing of the physical storage media.

**10. RECORDS SECURITY**

- 10.1 The security of all Council records is crucial, as records provide evidence of business transactions, support management decisions and ensure public accountability requirements are met. Records in all formats should be stored securely to prevent unauthorised access, destruction, alteration or removal.
- 10.2 Council staff are responsible for the safe custody of all files and documents that are allocated to them. Sensitive or confidential information paper records should be placed in a secure storage area when not in use. When the action has been completed the file/documents should be returned to the Records Unit for storage.
- 10.3 File storage units should be locked overnight wherever possible to prevent unauthorised access. Amongst other risk management considerations, this reduces the possibility of damage by water or fire in the event of a disaster.
- 10.4 Council records are not to be stored at home or left in cars unattended as they could be lost or damaged or stolen.
- 10.5 Vital paper records should be stored in protective or fire resistant conditions with suitable access conditions.

**11. RESPONSIBILITIES AND ACCOUNTABILITIES**

- 11.1 Chief Executive Officer (CEO) and Manager Information Technology and Records

The role of CEO of the Council, as prescribed by Section 99 of the Local Government Act 1999, includes ensuring that records required under any legislation are properly kept and maintained.

In addition, responsibility for Council's records management system is assigned to the Manager, Information Technology and Records or their delegate.

The role of the CEO and the Manager, Information Technology and Records or their delegate is to provide a strategic focus for record keeping throughout the Council and responsibility for:

- 11.2.1 ensuring all records are managed in accordance with the State Records Act;
- 11.2.2 establishing records management policies, standards and strategies
- 11.2.3 providing training, tools and consulting services for Council staff and Council Members
- 11.2.4 measuring performance of Council business units against standards;
- 11.2.5 working with other managers to develop coherent information architecture across the Council;
- 11.2.6 working with other accountability stakeholders, including FOI officers and executive management staff, to ensure record keeping systems support organisational and public accountability.
- 11.2.7 authorisation of destruction of records.

### 11.3 Council Staff and Council Members

All Council staff and Council Members need to be aware of record keeping requirements that affect the performance and exercise of their duties and functions. The record keeping obligations of Council staff and Council Members include:

- 11.3.1 making records to support the conduct of their business activities;
- 11.3.2 creating records that would not otherwise be created;
- 11.3.3 forwarding records to the Records Unit for capture into paper or electronic record keeping systems;
- 11.3.4 learning how and where records are kept within Council;
- 11.3.5 not destroying Council records without authority from the Corporate Records Manager;
- 11.3.6 not losing records; and
- 11.3.7 being aware of records management procedures

### 11.4 Records Management Team

The Records Management Team:

- 11.4.1 is operationally responsible for the efficient management of Council records (physical and electronic) incorporating sound record keeping principles and records management best practice guidelines.

- 11.4.2 is responsible for the effective management and system administration of Council's Electronic Document and Records Management System (EDRMS) where Council documents are scanned and registered into TRIM EDRMS using Local Government business classification.
- 11.4.3 will assist Council staff and Council Members in fulfilling their record keeping responsibilities and provide advice and training throughout the implementation of this policy and strategies.
- 11.4.4 are required to follow authorised procedures in carrying out records management functions.

## 12. GUIDELINES FOR DETERMINING WHAT ARE OFFICIAL RECORDS

- 12.1 An official record is a record made or received by the Council in the conduct of its business.
- 12.2 Any record created, sent, received, forwarded or transmitted by Council staff and/or Council Members in the performance and discharge of their functions and duties may be classified as official records. However, records that are merely transitory, ephemeral, personal or private in nature will fall outside the definition of "official records".
- 12.3 The following guidelines relate to some common records which Council staff and Council Members may create, send, receive, forward or transmit. This is not an exhaustive list, they are simply provided to assist in assessing whether information in any format constitutes an official record under the State Records Act. Records that have continuing value are to be forwarded to the Records unit for incorporation into Councils Records Management System:
  - 12.3.1 Diaries/Appointment Books/Calendars.
  - 12.3.2 Drafts which document significant decisions, reasons and actions or contain significant information that is not contained in the final form of the records.
  - 12.3.3 Significant Messages concerning council business, which include directives, proposals, recommendations, definitions or interpretations, formal communications, final versions, policy documents or statements, formal minutes.
  - 12.3.4 Conversations that relay information or involve matters of significance to the conduct of Council business should be documented in an appropriate format (e.g. file note) (ie directives, proposals, recommendations, definitions or interpretations, policy or procedure implications).
  - 12.3.5 Lobbying correspondence or petitions have continuing value.
  - 12.3.6 Documents with no continuing value that may be destroyed (not sent to the Records Unit).
  - 12.3.7 Drafts where there is no continuing value.

12.3.8 Duplicate copies.

12.3.9 Messages of routine instructions, private messages.

12.3.10 Working papers (not relating to significant decisions).

12.3.11 Election materials or records created or received by a Council Member in regard to electioneering.

### **13. REVIEW AND EVALUATION**

The effectiveness of this Policy will be reviewed on a biennial basis

The Chief Executive Officer will report to Council on the outcome of the evaluation and if relevant make recommendations for amendments, alteration or substitution of a new Policy.

The Policy will not be altered or substituted so as to affect a process already commenced.

### **14. FURTHER INFORMATION**

Further information about this Policy can be obtained by:-

Telephone:	8522 9211
Fax:	8522 9212
Email:	<a href="mailto:council@gawler.sa.gov.au">council@gawler.sa.gov.au</a>
Appointment:	Town Hall, 89 – 91 Murray Street, Gawler
Letter:	PO Box 130, Gawler SA 5118

### **15. AVAILABILITY OF THE POLICY**

The Policy is available for inspection during ordinary business hours at the Council principal office, Gawler Town Hall or Library Council Offices, 89 - 91 Murray Street, Gawler or is available from the Council website at [www.gawler.sa.gov.au](http://www.gawler.sa.gov.au).

A copy of this Policy will be provided to interested parties upon request, for a fee as contained in the Register of Fees and Charges.