



TATIARA DISTRICT COUNCIL

RECORDS MANAGEMENT POLICY

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INTRODUCTION

Tatiara District Council creates and maintains records as evidence of business activities and transactions. Records capture complete, accurate, reliable and useable documentation of Council activity to meet legal, evidential, accountabilities and legislative requirements as set out in the State Records Act 1997. The efficient and effective regulation of the Tatiara District Council records management practices and procedures shall ensure that uniform protection is given to all records and that information can be retrieved using standard forms of identification and retrieval procedures.

PURPOSE

The purpose of this policy is to establish a framework for the implementation of a records management system. Council 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.

SCOPE

This policy will apply to all Council business, including electronic business. It concerns records which are created, collected, processed, used, sentenced, stored and disposed of in the conduct of official business in both Council and remote areas. It applies to all Council staff and Elected Members.

Electronic communications which are relevant to the information gathering, policy formulation or decision making processes of Council are part of the scope of this policy. Electronic messages, which document business activity, should be printed, registered and placed on Council file.

All procedures and records management systems are to be consistent with this policy.

OBJECTIVES

To ensure 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.

To ensure 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.

OBLIGATIONS OF RECORDS USERS

Council staff and Elected Members must not intentionally damage, alter, dispose of or remove official records of the Council without authorisation to do so from the Records Management and Information Officer. Council staff and Elected Members are required to handle Council records with care and respect in a sensible manner to avoid damaging records with a view to prolonging their life span. Council staff and Elected Members should not eat, drink or smoke near Council records or in records storage areas.

Council staff and Elected Members must 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 system. Records must be readily accessible to meet business and accountability requirements. Staff members managing records are required to follow authorised procedures in carrying out records management functions.

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.

Council staff or Elected Members who do not comply with this policy may be subject to disciplinary action under the relevant Code of Conduct, and/or subject to civil proceedings. Elected Members and staff should report breaches of this policy to the Chief Executive Officer.

RESPONSIBILITIES

Chief Executive Officer

The role of the Chief Executive Officer 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.

Records Management and Information Officer

Responsibility for Council's records management system is assigned to the Records Management and Information Officer, under the supervision of the Manager Corporate and Community Services.

The role of the Records Management and Information Officer is to provide a strategic focus for record keeping throughout the Council and responsibility for:

- Ensure that official records are managed in accordance with the *State Records Act*;
- Establishing records management policies and procedures for the Council as a whole;
- Establishing corporate standards for record keeping and records management;
- Measuring performance of Council business units against these standards;
- Developing corporate electronic records management strategies;
- Working with other managers of information resources to develop coherent information architecture across with Council;
- Working with other accountability stakeholders, including FOI officers and executive management staff, to ensure record keeping systems support organisational and public accountability; and
- Providing Council staff and Elected Members with appropriate training and tools to allow them to meet their records management responsibilities.

Council Staff and Elected Members

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

- Making records to support the conduct of their business activities;
- Creating records that would not otherwise be created;
- Learning how and where records are kept within Council;
- Not destroying Council records without authority from the Records Management and Information Officer;
- Not losing records; and
- Being aware of Council's records management procedures.

RECORD CREATION

Where there is a Council business, fiscal, legal or stakeholder requirement for evidence of a transaction, decision, action or communication, a record must be created. (*Official records as defined by the State Records Act 1997*).

A record can be a letter, report, e-mail, fax, plan, agenda, minutes and publications and can be created, received and stored in any media (eg. Paper, electronic, tape, photograph).

Records must be created when:

- Advice is given, as evidence of what was said, including phone and face to face advice
- A decision is made, as evidence of what was decided, when and by whom eg. minutes of meetings or file notes.
- An action or activity has taken place eg. road signs erected.
- An issue or potential issue or crisis arises, including possible litigation or one that might be subject to media exposure and embarrass Council.
- Responding to correspondence, customer action requests or other client communication
- There is a legislative requirement to do so eg. an expiation, permit or notice under an Act.

Records need to be:

- Complete, accurate and meaningful to be able to provide a reliable and valid account of what they document.
- Inviolable (not able to be altered after they are transacted or the final version)
- Created as soon as practicable after an event or action to ensure they are a reliable and accurate account of what took place.

For records to be authentic, complete and accurate they need to comprehensively identify:

- Exactly what took place
- Who decided
- Who authorised it
- When an action or decision took place
- What time it was sent
- That it originates from Tatiara District Council
- What file it relates to
- When it was received

All records, including correspondence (hard copy and email), memos, minutes, file notes and reports must identify:

- The date of creation
- The authors full name and position
- Reference to the relevant file number
- That Tatiara District Council is the originator

In some cases document templates will automatically create these elements, eg. letters containing letterhead, date and author fields. Where these are not automatically created the onus is on the author to ensure the appropriate information is assigned to the record.

Photos and plans require identification of what they represent, where that is and when (time and date) they were created. This is vital for future identification and to ensure they have meaning and context over time.

Business Knowledge:

Knowledge of business activity, Council's history and issues relating to Council should always be documented, not just committed to memory.

Version Control:

Documents and records will include version identification and revision history details to provide an audit trail and evidence of the authorised or official version. This includes identification of the version communicated or sent to stakeholders in the conduct of business. This is vital in relation to the creation and management of externally created plans to identify which version was used for construction.

Integrity:

The public, under the *Freedom of Information Act 1991*, may access documents and records so it is **important** that a professional approach be taken in relation to document and record content and file notes. Comments of a personal or derogatory nature should **not** be documented on, nor attached to records.

If the decision is made not to create a record the risk to individuals and the Tatiara District Council must be assessed.

RECORD CAPTURE

Every official record of the Tatiara District Council will be captured into a system, either the appropriate business system or the record keeping system, as soon as practicable after creation or receipt.

To give records context and meaning and ensure that they are accessible over time, their capture into a system is an essential step in the overall management of the evidence of the business of the Council. Capture of records into a system ensures accurate and valid information is able to be accessed when it is required. It also protects records from alteration or deletion when there is not proper authority to do so.

Whilst many records are automatically created, captured and managed within Council's record keeping system eg: financial transactions, development control, dog registration, rates payments, customer action requests, there are many other records, which as those received by Council and e-mails, correspondence, minutes, reports etc. which require capture into the corporate record keeping system.

CONFIDENTIAL RECORDS

If a staff member or Council Member believes that a record for incorporation into the record keeping system is of a highly sensitive or confidential nature, he or she should advise the Chief Executive Officer of that view.

It will be at the discretion of the Chief Executive Officer as to whether such information will then be treated as confidential and access to those records restricted.

RECORD SECURITY

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.

Council staff are responsible for the safe custody of all files and documents that are allocated to them. Sensitive or confidential information 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 Management and Information Officer for storage.

Council records are not to be stored at home or left in cars unattended as they could be lost, damaged or stolen. Vital records should be stored in protective or fire resistant conditions with suitable access conditions. Confidential records must be stored in locked storage cabinets which are accessible only by authorised persons.

RECORD STORAGE

Official records should be stored in accordance with the State Records Act and Adequate Records Management Guidelines.

Physical records should be stored in a fire safe environment (minimum 2 hour fire rating), not exposed to water, wind, sunlight, and should be free of any conditions which may damage or alter the integrity of the record.

ACCESS

Records may contain information that is confidential in nature and should not be divulged to certain parties, including other staff within Council. Staff must be aware of confidentiality and sensitivity when managing, accessing or divulging information either on request from within Council or from outside.

Requests by the public or media for access to information that is not already publicly available come under the *Freedom of Information Act 1991* and are managed by the Freedom of Information Accredited Officer, Chief Executive Officer. Access by the public or media to confidential and private information is protected by provisions in the *Act* and advice should be sought from the Chief Executive Officer when enquiries are received.

Records containing information relating to a person require specific management. Care must be taken when collecting, storing, using and disclosing personal information relating to individuals and the provisions of the *Freedom of Information Act 1991* must be applied in relation to access to records containing personal information. If unsure, refer all enquiries regarding access to the Chief Executive Officer.

Access controls and security protocols of the Council apply to documents and records at the time of creation, receipts and capture to ensure protection of any confidential, private, sensitive or intellectual property from inappropriate access, usage, disclosure or alteration.

Legislation prescribes access to specific documents and records, eg. *Local Government Act 1999*, *Development Act 1993* etc. therefore allowing unrestricted disclosure and access to the information they contain.

Records identified in Schedule 5 of the *Local Government Act 1999* will be made available for access by the public.

Where information is requested outside of the *Freedom of Information Act 1991* care must be taken to ensure access will not compromise the integrity of Council.

Where documents and records contain:

- Personal information relating to an individual
- Commercial-in-Confidence information relating to Council or an organisation Council is conducting business with
- Working papers relating to a proposed project
- Legal opinions

Clarification **must** be sought from Chief Executive Officer prior to allowing access.

TRAINING

The Chief Executive Officer and/or Records Management and Information Officer are responsible for the designing, implementing and review of records management training. The Council shall develop and implement a training component that identifies the records management training requirements required for the following staff:

- Senior Managers
- All other staff
- Elected Members

All staff and Elected Members are required to undertake training to assist in their understanding and the adoption of records management policies. This training will include the identification of risks and consequences of not adhering to Council's records management policies and procedures.

Records management education and training programs shall be developed and systematically delivered, including:

- General records management awareness training sessions for all staff and Elected Members
- Staff induction programs – for all new staff, including training on policies, procedures and systems, which may include software training
- Classification training for staff with classifying responsibilities
- Disposal program training for staff with disposal responsibilities
- User guidelines
- Software training
- Refresher training – a continuous program of refresher training for all staff to be systematically delivered.

DESTRUCTION METHODS

Official records must only be disposed of in accordance with the General Disposal Schedule No 20 for Local Government Authorities in South Australia. A copy of GDS 20 can be accessed through the State Records website at <http://www.archives.sa.gov.au>. Transitory records, or records that are personal or private in nature, may be destroyed in accordance with normal administrative practice (NAP).

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 Elected Members. Council staff and Elected Members should contact the Records Management and Information Officer for assistance with the destruction of such records.

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. The use of the “delete” function in software packages is **not** sufficient to destroy electronic records, as “deleted” data is still able to be recovered. With the consent of the Records Management and Information Officer, use may be made of electronic file shredding software to ensure the complete destruction of electronic records.

REPORTING

The Records Management and Information Officer is required to perform an annual review of business processes and report to the Chief Executive Officer on the system performance and adequacy of the following functions:

- The creation of official records
- The capture of official records
- The disposal of official records
- The provision of access to, and disclosure of information within, official records
- The scope of the application of records policy

The purpose of the review is to:

- Ensure that all official records that are required to be created, are created
- Ensure that all official records that are required to be captured, are captured.

DEFINITIONS

Access	Right, opportunity means of finding, using or retrieving information.
Capture	Deliberate action that results in the registration of a record into a record keeping system.
Classification	Systematic identification and arrangement of business activities and/or records into categories according to logically structure conventions, methods, and procedural rules represented in a classification system.
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 decisions, performance of Council functions and other similar types of transactions.
Council Staff	Includes persons employed by the Council, volunteers, trainees, work experience placements, independent consultants and contractors and other authorised personnel offered access to the Council’s resources.
Destruction	Process of eliminating or deleting records, beyond any possible reconstruction.
Disposal	Range of processes associated with implementing appraisal decisions. These include the retention, deletion or destruction of records in or from record keeping systems. They may also include the migration or transmission of records between record keeping systems, and the transfer of custody or ownership of records.

General Disposal Schedule

(GDS)

Formal instrument that defines the retention periods and consequent disposal actions authorised for classes of records that are common to State Government agencies, Local Government authorities or Ministerial offices.

Document

Structured units of recorded information, published or unpublished, in hard copy or electronic form, and managed as discrete units in information systems.

Ephemeral / Transitory Record

Information relating to personal activities, drafts, reference material, duplicates etc. which have no value to the business of Council and do not add value to another record.

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 Elected 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.

Official Record

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

- 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
- A record made by an agency as a draft only and not for further use or reference; or
- 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
- 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
- A record that has been transferred to the Commonwealth.

Record

Information created, received, and maintained as evidence and information by an organisation or person, in pursuance of legal obligations or in the transaction of business (AS ISO 15489)

Record Keeping

Making and maintaining complete, accurate and reliable evidence of business transactions in the form of recorded information.

Record Keeping System

Information system that captures, manages and provides access to records through time.

Vital Records

Those records without which the Council could not function; including records needed to operate during an emergency or disaster, re-establish the Council's functions after an emergency or disaster, and

establish and protect the rights and interests of the Council and its clients.

RECORD OF AMENDMENTS

DATE	REVISION NO	REASON FOR AMENDMENT
25 th March 2013	Rev 00	Draft Records Management Policy prepared
9 th April 2013	Rev 01	Records Management Policy adopted by Council