

Records Management Policy

Policy Reference Number	583504
Responsible Department	Corporate Services
Related Policies	Administrative Policy for Elected Members, ICT Internal Policy suite, Risk Management, Public Interest Disclosure Policy and Procedures
Related Procedures	Nil
Date of Initial Adoption	06 February 2007
Last Reviewed by Council	1 December 2023

1. Purpose

The purpose of this Policy is to establish a guideline for ongoing best practice in Records Management in accordance with the *State Records Act 1997* (SA).

2. Introduction

Under the *State Records Act 1997* (SA), the Council has an obligation to maintain the official records in its custody in good order and condition. This includes obligations in relation to the creation, capture, storage, maintenance and disposal of both physical and electronic records.

The establishment of an effective and efficient record keeping environment ensures ongoing readability, protection, retrieval and disposal of information as per State Records requirements.

This Policy applies to all Elected Members and Employees and specifies how they will deal with the official records that they receive and generate as a consequence of their activities.

3. Power to Make the Policy

This Policy is made in accordance with Council's obligations and statutory requirements under the *State Records Act 1997* (SA), and in accordance with Section 99(1)(h) of the *Local Government Act 1999* (SA).

Council has certain legal obligations in relation to records management and records are themselves subject to legislation (such as the *Freedom of Information Act 1991* (Cth)) and legal processes, such as discovery and subpoenas. Records may also be required by Royal Commissions, the Ombudsman, the Courts, auditors and other people or bodies to whom or which they may be subject.

4. Strategic Plan Link

This Policy has the following link to Council's Strategic Plan 2024:

- Leading our People (Goal 5)

5. Principles

Good records management is of key importance to good governance as records are vital in support of Council's ongoing business activities. Council is committed to managing its permanent (never to be destroyed) and temporary (set lifecycle before destruction) records and where required their timely transfer to the State Records Office.

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.

6. Definitions

Definitions for the purpose of this Policy are:

<i>Continuing Value</i>	Records of continuing value are those that contain information that is of administrative, legal, fiscal, evidential or historical value to the Council.
<i>Council Business</i>	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.
<i>Council Employees</i>	Includes persons employed by the Council, agency employees, volunteers, trainees, work experience placements, independent consultants and contractors and other authorised personnel offered access to the Council's resources.
<i>Dispose of</i>	<p>To dispose of an official record means to:</p> <ul style="list-style-type: none">• destroy or abandon the record;• 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• transfer or deliver ownership or possession of or sell the record, or purport to do so, <p>but does not include transfer or delivery of the record to the State Records Office or another agency.</p>
<i>EDRMS</i>	Electronic Document and Records Management System.
<i>Email</i>	Email messages are electronic "records". Email messages are "official records" when they are made or received in the conduct of Council business and contain non-transitory information related to a business decision, activity or project.

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 Employees 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

Is a record made or received by the Council in the conduct of its business and includes any record created, sent, received, forwarded or transmitted by Council Employees and/or Elected Members in the performance and discharge of their functions and duties, but does not include:

- a record made by an agency as a draft only and not for further use or reference; or
- a record that is merely transitory, ephemeral, personal or private in nature
- 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* (Cth), 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

A record can comprise of:

- written, verbal, electronic or graphical material OR
- electronic media including CD/DVD, USB, 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).

Vital Record

Records which the Council could not operate without in the event of a disaster

7. Policy

Council uses a compliant EDRMS to store, distribute and archive corporate records. The objectives of this records management system are to ensure:

- that the management of Council's information resources and records provide timely and comprehensive information to meet operational business needs, accountability requirements and community expectations; and
- 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.

7.1 Ownership of Records

All records, irrespective of format, (i.e. physical or electronic) created or received by all Council Employees and Elected Members, in the course of their duties on behalf of the Council, are the property of the Council and are subject to the Council's overall control. The only exception is if there is in place a contract or a legally binding agreement that states otherwise.

7.2 Responsibilities

The Chief Executive Officer has a duty to ensure that the Council complies with the *State Records Act 1997* (SA) and the *Local Government Act 1999* (SA).

Employees are responsible for recording information into the EDRMS in accordance with procedures determined by Management. Audits will be undertaken on a weekly basis by Records Management Employees to check compliance. Employees may be subject to Council's formal escalation and disciplinary procedure for repeated non-compliance.

All Employees and Elected Members are accountable for compliance with this Policy and with related policies, standards and guidelines.

All Employees and Elected Members are responsible for capturing and creating official records and ensuring that they are registered into the EDRMS.

7.3 Obligations

Employees and Elected Members:

- must not intentionally damage, alter, dispose of or remove official records of the Council;
- must handle Council records with care and respect and in a sensible manner to avoid damaging records and with a view to prolonging their life span;
- must not access or utilise Council records or information from Council's EDRMS or any other Council records management system unless access is reasonably necessary for the effective performance of their duties, or is otherwise authorised by the Chief Executive Officer. Elected Members and Employees (including those who work within the Records section) are not permitted to access Council records and information for any other reason;

- must ensure that Council records in any format which they personally receive or send are registered into Council's EDRMS or another appropriate Council records management system, as determined by the Council. Where access to these systems is not available, Council records are to be forwarded to the Council for registration (emails sent by Elected Members using the Council provided email system will be automatically sent to Records staff for registration).

Elected Members:

- must comply with the Records Management Undertaking completed at the commencement of a Council term and acknowledge that a failure to comply with these terms constitutes a breach of Council Policy and a potential breach of the Behavioural Standards for Elected Members.

Employees who work within the Records section:

- must follow authorised documented procedures in carrying out records management functions such as registration, sentencing, disposal and filing.

Electronic records will be captured and maintained as functioning records by preserving their structure, context and content. In order to maintain their value as evidence, electronic records are inviolate. That is, they must not be altered or manipulated for as long as they are retained.

Council Employees or Elected Members who do not comply with any term contained in this Policy may be subject to disciplinary action, including but not limited to the termination of their employment under the relevant Behavioural Standard, and/or be subject to criminal or civil proceedings. Council Employees and Elected Members who become aware of a breach of this Policy are required to report such breaches to the Chief Executive Officer.

7.4 Confidential Records

With the exception of exempted documents in accordance with the Public Interest Disclosure Policy and Procedures:

- If Council receives a record related to Employee or human resource matters (including records of a highly sensitive or confidential nature), Employees are to provide the record to the Manager People & Culture to register in Council's EDRMS.
- If a Council Employee believes that a record is of a highly sensitive or confidential nature, they will provide it to the Chief Executive Officer for registration into Council's EDRMS.
- If an Elected Member believes that a record is of a highly sensitive or confidential nature they will provide it to the Chief Executive Officer or the Executive Services Officers for registration into Council's EDRMS.

7.5 Destruction Methods

Official records must be disposed of in accordance with the General Disposal Schedule No.40 and 21 for Local Government Authorities in South Australia.

Transitory or ephemeral records, or records that are personal or private in nature, may be destroyed in accordance with normal administrative practice.

7.6 Records 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 will be stored securely to prevent unauthorised access, destruction, alteration or removal in one of Council's storage locations including secure repositories within the EDRMS, Records Compactus (1 hour fire rating) or fireproof safe (3 hour fire rating) or offsite storage (3 hour fire rating).

Employees and Elected Members are responsible for the safe custody of all files and documents that are distributed to them. Sensitive or confidential records must not be viewable or left in an area which is accessible by others. All Council records storage areas are locked overnight and access controlled by Council's security system to prevent unauthorised access. Council's EDRMS can only be accessed by authorised and trained Council Employees with the system providing high level secure access with full audit capabilities.

Council's official records should not be stored at home or left in cars unattended as they could be lost, damaged or stolen. Vital records are stored securely within Council's EDRMS with any hardcopy records being stored in a fire resistant safe within the Council office. Access to these records is restricted to the Executive Management Team, Records Management Employees, Executive Services Officers and the Property Officer. Confidential records are stored securely within Council's EDRMS with any hardcopy records kept in a locked bay within the access controlled Records Compactus.

8. Review & Evaluation

Within twelve months of each new Council term, Council will review this policy. Following this initial review, this policy will be reviewed at least biennially by Staff with minor administrative adjustments being approved by the Chief Executive Officer.

9. Availability of the Policy

Copies of this Policy will be available at Council's principal office during ordinary business hours and at Council's website www.campbelltown.sa.gov.au.