

# Records Management Policy



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Record number	D20/77473
Responsible Manager	Manager IT Solutions
Other key internal stakeholders	Director Organisational Services & Excellence
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## 1. PURPOSE

The purpose of this Policy is to outline management responsibilities and practices of Council's Information assets, for all persons employed or engaged by the City of Tea Tree Gully. The Policy ensures continuous improvement in Councils information and records management practices, and compliance with relevant legislation and standards.

The Policy requires that all information and records created and received in the course of conducting Council business be created, captured, managed, retained and disposed of in accordance with relevant legislation and standards.

Adherence to the Policy will establish a complete and accurate history of Council's business activities to meet community, legal, social and accountability obligations. It will ensure best practice in Information Management to meet community needs, legislative responsibility, Freedom of Information and legal requirements. It will also provide evidence of accountability, validate and support decision and actions, and protect the interests of residents, Elected Members and staff.

This Policy applies to all Council Employees and Elected Members. This includes staff, volunteers, trainees, work experience placements, independent consultants and other authorised personnel who act on behalf of Council or who are offered access to Council's information resources.

## 2. POLICY

The City of Tea Tree Gully is defined as an "agency" under the *State Records Act 1997* and therefore has a responsibility for the adequate management of Corporate Records and information. The policy supports Councils compliance with the *State Records Act 1997*, Adequate Records Management Standards AS ISO: 15489-2002, *Freedom of Information Act 1991* and the *Local Government Act 1999*.

Accurate and authentic information and records are a critical corporate asset. Managing these assets is vital to support the business functions and activities of Council, ensuring standardisation, protection, reliability and retrieval of information, thus improving levels of quality customer service and compliance to legislative requirements.

Information and records are assets when they are managed and must be complete, contextual and maintained in accordance with the *State Records Act 1997*. Council will ensure compliance with relevant Records Management legislation, standards and will pursue best practice in Information Management through continuous improvement. Council uses an Electronic Document Records Management System (EDRMS) as the corporate information and records management system.

An Official Record is information created, sent or received by Council in the conduct of its business. Any person acting as a representative of Council, any Record created, sent, received, forwarded or transmitted by Council Employees and/or Elected Members in the undertaking and discharge of their functions and duties may be classified as Official Records. Information captured as a record can include physical and electronic correspondence, social media, text message, visual assets such as photo or video, audio recordings and file notes of conversations.

## 2.1 Records Security

The security of all Council Records (digital and hard copy) 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 Employees are responsible for the safe custody of all files and documents that are allocated to them. Sensitive or confidential information must be placed in a secure storage area when not in use.

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.

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 a secured environment whether they are in hard copy or electronic form.

## 2.2 Responsibilities and Accountabilities

The following list states the responsibilities and accountabilities within the organisation:

### 2.2.1 CEO

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

### 2.2.2. IT Solutions

Responsibility for Council's Records management policy, procedures and corporate systems is assigned to the Information Management function of IT Solutions, under the supervision of the CEO.

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

- a. Provide support and governance to ensure that Official Records are managed in accordance with the State Records Act 1997
- b. Establishing Records management policies and procedures for the Council as a whole
- c. Establishing corporate standards for record-keeping, Records management and disposal
- d. Measuring performance of Council Business units against these standards
- e. Providing advice and assistance to Council Employees and Elected Members
- f. Developing corporate electronic Records management strategies
- g. Working with other accountability stakeholders, including FOI officers and executive and management leadership team members, to ensure Council's EDRMS support organisational and public accountability

- h. Providing Council Employees and Elected Members with appropriate training materials, communication and tools to allow them to meet their Records management responsibilities
- i. Undertake relevant actions including audits and risk assessments on relevant information management practices and locations to provide recommendations which support ongoing compliance, preservation and access to information.

Information Management officers will assist Council Employees and Elected Members in fulfilling their record-keeping responsibilities, provide advice and support.

### 2.2.3 Council Employees and Elected Members

All Council Employees and Elected Members are required to maintain records within their own duties and functions that relate to Council business. IT Solutions provide guidance, support and direction to support the responsibility of every individual in Council to maintain proper records. The record-keeping obligations of Council Employees and Elected Members include:

- a. Capturing Records that support the course of conducting business activities into the EDRMS
- b. Understanding why, how and where Records are kept within Council
- c. Not losing or misplacing Records, or destroying Council Records without authority
- d. Being aware of and complying with Records management procedures.

Council Employees and Elected Members must not intentionally damage, alter, Dispose of or remove Official Records of Council without authorisation to do so. To preserve value, knowledge and longevity of Records, both physical and digital must be handled in a sensible manner, appropriate to the record to avoid damage, corruption or loss of the Record.

Council Employees and Elected Members should only use Council's corporate systems for official correspondence created or received in the conduct of their role in Council. Specifically in relation to email correspondence for Elected Members, corporate council email accounts must be used in relation to their role as an Elected Member (i.e. personal emails accounts must not be used).

Council Employees and Elected Members will ensure that Council records in any format, including electronic documents and electronic messages, which they personally receive or send are captured into Council's EDRMS. Records must be readily accessible to meet business and accountability requirements for compliant and transparent Government. Employees of the IT Solutions Team are required to follow authorised procedures in carrying out Records management functions.

Electronic Records are to be captured and maintained as functioning Official 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 Employees 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 criminal or civil proceedings. Council Employees and Elected Members must report breaches of this Policy to the Manager IT Solutions.

### 2.2.4 Consultants, Contractors and Volunteers

Council Employees as detailed above, includes all persons employed by the Council such as volunteers, trainees, work experience placements, independent consultants and contractors and other authorised personnel offered access to the Council's resources.

Council's Records management obligations extend to Records generated by any person within this definition, or who has been engaged by Council to undertake core functions of the Council on its behalf.

## 2.3 Destruction Methods

Official Records must only be disposed of in accordance with the General Disposal Schedules for Local Government Authorities in South Australia. A copy of the schedules can be accessed through the State Records website at [www.archives.sa.gov.au](http://www.archives.sa.gov.au). Transitory or Temporary Records, or Records that are personal or private in nature, may be destroyed in accordance with Normal Administrative Practice.

Only Records that have been identified as non-official and of no continuing value to the Council can be destroyed by individual Council Employees and Elected Members. Council Employees and Elected Members should contact IT Solutions for assistance with the destruction of such Records.

The CEO (or delegate) is the only person with the authority to Dispose of Official Records and approve destruction of Records at the City of Tea Tree Gully. Unauthorised or illegal destruction carries penalties of a \$10,000 fine or up to two years imprisonment, which may be placed on an individual.

## 3. DEFINITIONS

For the purposes of this policy the following definitions apply:

### CEO

Refers to the Chief Executive Officer (including their delegate) of the City of Tea Tree Gully.

### Continuing Value

Records of continuing value are those that contain information that is of administrative, legal, fiscal, evidential, or historical value to 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 Employees

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.

### Dispose of

To dispose of an Official Record means to:

- a. Destroy or abandon the record
- b. 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.
- c. 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 Council and another agency.

### Elected Members

Includes all Councilors and the Mayor.

### Email

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. Users may retrieve, read and forward or re-transmit messages from their mailbox.

### EDRMS

Electronic Documents and Records Management System (record keeping system)

### FOI

Freedom of Information

### GDS 21

General Disposal Schedule No. 21 for the disposal of hardcopy source records after digitisation. Approved 11 December 2018 and effective from 11 December 2018 to 31 December 2028

### GDS 32

General Disposal Schedule No. 32. On 27 March 2013 the State Records Council approved GDS 32 for Records of Relevance to the Royal Commission into Institutional Responses to Child Sexual Abuse. GDS 32 is effective from 27 March 2013 until 31 December 2023.

### GDS 33

General Disposal Schedule No.31. On 12 November 2013 the State Records Council approved GDS 21 for Records of Relevance to Emergency Management in South Australia. GDS 31 is effective from 1 January 2014 to 30 June 2024.

### GDS 40

General Disposal Schedule No. 40, applies to all records, irrespective of format or media, created or received by any Local Government Authority in South Australia.

### Normal Administrative Practice

Or NAP, 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 temporary value to Council will be destroyed. Material that can be disposed of under Normal Administrative Practice comprises items of a temporary 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 Council's EDRMS (such as reference material).

#### Official Record

As defined by the State Records Act 1997: A record made or received by Council in the conduct of its business, but does not include:

- a. A record made or received by Council for delivery or transmission to another person or body (other than an agency) and so delivered or transmitted
- b. A record made by Council as a draft only and not for further use or reference; or
- c. 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
- d. 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
- e. A record that has been transferred to the Commonwealth.

An official record does not include records that are merely transitory, ephemeral, personal or private in nature will fall outside the definition of Official Record.

#### Record

Is defined as being made or received by Council in the conduct of its business (and includes electronic records). A record generally contains information that is evidence of a business transaction, an agreement, commitment, approval or undertaking etc. It does not include "drafts" where there is no further use or reference and it does not include copies retained by individuals for personal / team reference where there is an original held in a recognised corporate system. A record means:

- a. Written, graphic or pictorial matter
- b. 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).

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

## 4. LEGISLATIVE FRAMEWORK AND OTHER REFERENCES

There is no legislative requirement for Council to have a policy relating to this area.

The following legislation applies to this Policy:

#### [Archives Act 1983 \(Cth\)](#)

The purpose of this Act is to establish the identification and preservation of archival resources. This Act oversees Commonwealth record-keeping, by determining standards, and imposing record-keeping obligations.

#### [Freedom of Information Act 1991](#)

Council has certain legal obligations in relation to records management, records that are subject to legislation, such as the Freedom of Information Act 1991, and legal processes, such as discovery and subpoenas. Such records may also be required to be provided to Royal

Commissions, the Ombudsman, Courts, Auditors and other people or bodies who may have authority or rights to access such records.

[State Records Act 1997](#)

This Act governs the obligations and responsibilities of councils in relation to the management of Official Records. Under this Act, Council has an obligation to maintain Official Records in its custody in good order and condition. Not only does this include obligations in relation to the creation, capture, storage, access, locatability, reliability and disposal of physical records but also records in electronic format.

## 4.1 Other references

Council’s documents including:

- a. Fees and Charges Register
- b. Privacy Policy
- c. Social Media Policy

## 5. STRATEGIC PLAN/POLICY

### 5.1 Strategic Plan

The following strategic objectives in Council’s Strategic Plan 2025 are the most relevant to this report:

Objective	Comments
<b>Community</b>	
<i>Our services are accessible to all and respond to changing community needs</i>	Community history, needs and opinions are preserved
<i>People can have a say in decisions that affect them and the key decisions of the Council</i>	
<b>Environment</b>	
<i>Our consumption of natural resources is minimized by reducing, reusing and recycling products and materials, and using renewable resources</i>	Responsible information management practices promote digital processes and reduce our consumption of resources
<b>Economy</b>	
<i>People are supported to develop their leadership and employment capabilities</i>	Customer services are efficient, professional and timely
<b>Leadership</b>	
<i>Leadership and advocacy is focused on the long term interests of the community</i>	Customers can rely on the integrity of the information and experience in services they receive.
<i>Customer service provides a positive experience for people and is based on honesty and transparency</i>	



<i>Delivery of services is sustainable and adaptable</i>	
<i>Decision making is informed, based on evidence and is consistent</i>	
<i>Major strategic decisions are made after considering the views of the community</i>	

## 5.2 Organisation Plan

Our Strategic Plan is supported by an Organisation Plan which focuses on five key themes of organisational excellence. The themes most relevant to this report are: People and Leadership; Customers and community relations; Governance; Finance and systems, Continuous improvement

## 6. POLICY IMPLEMENTATION

This Policy will be implemented by the Chief Executive Officer or relevant portfolio director and managed in accordance with Council's scheme of delegations.