



# COUNCIL POLICY

## Records Management

<b>Policy Number:</b>	PO063		
<b>Strategic Plan Objective:</b>	5. Responsible Governance and Leadership		
<b>Policy Owner:</b>	Manager Business and Public Relations	<b>Record Number:</b>	16/14037[v6]
<b>Responsible Officer:</b>	Senior Records Officer	<b>Minute Reference:</b>	164/2021
<b>Date Adopted:</b>	08/09/2021	<b>Next Review Date:</b>	September 2025

### 1. POLICY OBJECTIVES

The purpose of this policy is to outline record management responsibilities and practices and ensure that all information and Records created and received in the course of conducting Yorke Peninsula Council (Council) business, are captured, managed, retained and disposed of in accordance with the relevant legislation and standards.

Adherence to this policy will establish a complete and accurate history of Council's business activities. It will ensure best practice and continuous improvement in information management to meet community, legal, social and accountability obligations. It will also provide the evidence necessary to validate and support decision making.

### 2. SCOPE

This Policy applies to all Council Employees and Elected Members.

### 3. DEFINITIONS

Refer to Attachment 1.

### 4. POLICY STATEMENT

Council is defined as an "agency" under the State Records Act 1997 (Act) and therefore has a responsibility for the adequate management of corporate Records and information. This policy supports Councils compliance with the Act, Adequate Records Management Standards AS ISO: 15489-2002, FOI Act 1991 and the Local Government Act 1999 (LG Act).

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 customer service and compliance to legislative requirements.

Information and Records must be complete, contextual and maintained in accordance with the Act. Council Records are to be captured electronically and maintained as functioning

Official Records by preserving their structure and context. In order to maintain their value as evidence, electronic Records must not be altered or manipulated.

### **4.1. Recordkeeping Systems**

All Official Records created post July 2016 will be captured and managed in Content Manager. Filing systems that were in place prior to Content Manager's introduction, will be managed by the Records Management team until they can either be disposed of or migrated to Content Manager. Unauthorised personal filing systems are not permitted.

### **4.2. Records Security**

The security of all Council Records is crucial. Records in all formats should be stored securely to prevent unauthorised access, destruction, alteration or removal.

Council Employees and Elected Members are responsible for the safe custody of all Records that are allocated to them. Council Records are not to be stored at home or left in cars unattended as they could be lost, damaged or stolen.

Confidential Records must be stored in a secured environment whether they are in hard copy or electronic form. Hard copy file storage units should be locked overnight wherever possible to prevent unauthorised access.

### **4.3. Disposal of Records**

Official Records must only be disposed of in accordance with the General Disposal Schedules (GDS) for Local Government Authorities in South Australia. The Records Management team will manage Record disposal in accordance with the GDS. Only transitory or temporary Records, or Records that are personal or private in nature, may be destroyed in accordance with Normal Administrative Practice by individual Council Employees and Elected Members. Council Employees and Elected Members can contact Records Management for assistance with the destruction of such Records.

The CEO (or delegate) is the only person with the authority to approve disposal of Council Records. Unauthorised or illegal destruction carries penalties of a \$10,000 fine or up to two years imprisonment, which may apply to individuals.

## **5. RESPONSIBILITIES**

### **5.1. CEO**

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

### **5.2. Directors and Managers**

Directors, managers and supervisors are responsible for Council meeting its records management compliance requirements by ensuring that:

- the Records Management Policy and supporting procedures are included in induction training;
- recordkeeping responsibilities are included in job descriptions
- staff adhere to the Records Management Policy and supporting procedures.

### **5.3. Records Management Team**

The role of the Records Management team is to provide a strategic focus for recordkeeping throughout the Council and they are responsible for:

- ensuring that Official Records are managed in accordance with the Act;

- establishing Records management policies and procedures for the Council as a whole;
- establishing corporate standards for recordkeeping and Records management;
- measuring performance of Council business units against these standards;
- providing consulting services to Council Employees and Elected Members;
- developing corporate electronic Records management strategies;
- working with other managers of information resources to ensure consistency across the Council;
- establishing a Records disposal program in line with GDS requirements;
- working with other key personnel, including FOI Officers, the CEO and directors, to ensure recordkeeping systems support organisational ,legislative and accountability requirements; and
- providing Council Employees and Elected Members with appropriate training and tools to allow them to meet their Records management responsibilities.

### 5.4. Council Employees and Elected Members

All Council Employees and Elected Members are required to maintain Records relating to their own Council duties and functions. The Records Management team will provide guidance, support and direction to support every individual's responsibility to maintain proper records.

The recordkeeping obligations of Council Employees and Elected Members include:

- capturing Records relating to Council business activities into Content Manager;
- understanding why, how and where Records are kept within Council;
- not losing or misplacing Records, or destroying Records without authority; and
- Being aware of and complying with this policy and its supporting Record management procedures.

Council Employees and Elected Members must not intentionally damage, alter, Dispose of or remove Official Records without authorisation to do so. To preserve value, knowledge and longevity of Records, both physical and digital, Records must be handled in accordance with this policy and its supporting procedures to avoid damage, corruption or loss.

Council Employees and Elected Members should only use Council's corporate systems for official correspondence created or received in the conduct of their Council role.

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 Content Manager.

Council Employees or Elected Members who do not comply with this Policy may be subject to disciplinary action relating to the relevant code of conduct and/or criminal or civil proceedings. Council Employees and Elected Members must report breaches of this policy in accordance with Council's Code of Conduct for Council Members Complaints PR148 and/or Employee Code of Conduct Policy PO014.

**6. COMPLAINTS**

Complaints about this policy can be made in writing to Manager Business and Public Relations. Complaints will be managed in accordance with Council's Complaints Policy PO0147.

**7. REVIEW**

This policy will be reviewed every four (4) years and as necessary in consideration of any changes to legislation, relevant standards, codes and guidelines, audit findings, any corrective actions/controls arising from risk assessment and/or hazard/incident reports and stakeholder feedback.

**8. TRAINING**

Council is committed to supporting Council Employees and Elected Members in complying with this policy. All staff and Elected Members will be inducted and trained in the requirements of adequate Records management.

**9. RECORDS**

Records shall be maintained as required by this policy and in line with relevant legislation, standards, codes and guidelines.

**10. RELATED COUNCIL POLICIES/PROCEDURES AND DOCUMENTS**

PO014 Employee Code of Conduct Policy

PO015 Access to Council and Committee Meetings and Documents Code of Practice

PO091 Risk Management Policy

PO123 Code of Conduct For Council Members

PO146 Support, Disciplinary and Performance Management

PO147 Process for Managing Complaints

PO Hardcopy Source Records Digitisation Policy

PO171 Public Interest Disclosure Policy

PO182 Vital Records Policy

PR121 Capture of Elected Members Records Procedure

PO138 Caretaker Policy

PR119 Records Management Procedure

PR136 Disposal of Records

PR148 Code of Conduct for Council Members Complaints

PR155 Disaster Recovery for Records

PR159 Recordkeeping During a Business Disruption

**11. REFERENCES AND LEGISLATION**

The State Records Act 1997

Freedom of Information Act 1991

Local Government Act 1999

Australian Records Management Standard AS ISO 15489-2002

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State Records Information Management Strategy  
State Records Information Management Standard

### **12. COUNCIL DELEGATION**

<b>Details of Delegation:</b>	State Records Act 1997
<b>Delegate:</b>	Manager Business and Public Relations

### **13. VERSION HISTORY**

<b>Version No</b>	<b>Issue Date</b>	<b>Description of Change</b>
1	07/04/2003	New Policy
2	13/03/2013	Full Revision.
3	11/03/2015	Full Revision.
4	14/12/2016	Full Revision
5	11/09/2016	Full Revision
6	08/09/2021	Full Revision

**ATTACHMENT 1: DEFINITIONS**

<b>Term/Reference</b>	<b>Definition</b>
CEO	Refers to the Chief Executive Officer (including their delegate) of the Yorke Peninsula Council
Continuing Value	Records of continuing value are those that contain information that is of administrative, legal, financial, evidential, or historical value to Council.
Corporate Systems	Databases, electronic systems and emails addresses issued and endorsed by Council
Council Business	May include the provision of services, delivery of programs, development of policies, making of decisions, performance of Council duties/functions and other similar types of transactions.
Council Employees	For the purposes of this policy and its supporting Records management procedures, includes persons who have entered into an employment contract with the Council, volunteers, trainees, work experience placements, casual personnel, agency personnel, independent consultants and contractors and/or other persons undertaking work for/on behalf of the Council.
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 Council members and the principal member of the Council (Mayor)
Content Manager	Council's Electronic Documents and Records Management System (EDRMS)
FOI	Freedom of Information
Normal Administrative Practice	Provides for the routine destruction of drafts, duplicates and publications, on the basis 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/functions. Such material has no ongoing value and is not usually incorporated into Content Manager (such as reference material).

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Term/Reference	Definition
Official Record	<p>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:</p> <ul style="list-style-type: none"><li>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</li><li>b. A record made by Council as a draft only and not for further use or reference; or</li><li>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</li><li>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</li><li>e. A record that has been transferred to the Commonwealth.</li></ul>
Record	<p>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:</p> <ul style="list-style-type: none"><li>a. Written, graphic or pictorial matter</li><li>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).</li></ul>
Temporary/Transitory Records	<p>A record is transitory 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, and are not considered to be Official Records.</p>