



Records Management Policy

Classification:	Council Policy
Review Frequency:	Once in the term of council
Last Reviewed:	January 2019
Review Due:	January 2023
Responsible Officer:	Chief Executive Officer
Applicable Legislation:	<ul style="list-style-type: none"> • State Records Act 1997 • Freedom of Information Act 1991 • Local Government Act 1999 • Independent Commissioner Against Corruption Act 2012 • Whistleblowers Protection Act 1993
Related Policies/Procedures:	<ul style="list-style-type: none"> •

1. PURPOSE:

- 1.1 The purpose of this policy is to establish a framework for the implementation and maintenance of an appropriate records management system, which meets councils business needs as well as ensuring it meets legislative and legal responsibilities.

2. LEGISLATIVE CONTEXT:

- 2.1 The State Records Act 1997 (the Act) is the principal legislation in South Australia governing the obligations and responsibilities of councils in relation to the management of their official records.
- 2.2 Under this Act, council has an obligation to maintain official records in its custody in good order and condition. This includes obligations in relation to the capture, storage, maintenance and disposal of official physical and electronic records.

2.3 Council also has obligations in relation to records management and to provide access to records under legislation such as the Freedom of Information Act 1991 and for legal processes. Other persons or bodies such as the Ombudsman, Royal Commissions, the Courts, or Auditors may also require access to council records.

3. SCOPE:

3.1 This policy applies to all records created and received by elected members and staff in the conduct of their roles. It includes records in all formats and media (paper and electronic).

4. DEFINITIONS:

<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 Staff</i>	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.
<i>Dispose</i>	To dispose of an official record means to: <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, but does not include to transfer or deliver the record to the State Records Office or between the council and another agency.
<i>Official Record</i>	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 staff and/or elected members in the performance and discharge of their functions and duties, but does not include: <ul style="list-style-type: none"> • a record made by an agency as a draft only and not for further use or reference; or • a record that is merely transitory, personal or private in nature; 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.

<i>Record</i>	A record means: <ul style="list-style-type: none"> • 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).
<i>Records Team</i>	Council staff assigned responsibility for the management of council's records management system as prescribed in their position descriptions. Staff members include: <ul style="list-style-type: none"> • Records and Planning Support Officer, • Governance and Risk Officer, and • Work Health and Safety Officer under the guidance of the Manager of Corporate and Community Services.
<i>Temporary Record</i>	A record is temporary 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.

5. OBLIGATIONS OF RECORDS USERS:

- 5.1 Elected members and staff:
- 5.1.1 must not intentionally damage, alter, dispose of or remove official records of the council without authorisation to do so.
- 5.1.2 are required to handle official records with care and respect in a sensible manner to avoid damaging records and with a view to prolonging their life span.
- 5.1.3 must ensure that official records in any format, including electronic documents and electronic messages, which they personally create, send or receive are forwarded to council's Records Team to be captured into the council's record keeping systems.
- 5.1.4 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.
- 5.1.5 should report breaches of this policy to the Chief Executive Officer.

6. CONFIDENTIAL RECORDS:

- 6.1 If an elected member or staff member believes that a record forwarded to the council 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 CEO as to whether such information will then be treated as confidential and access to those records restricted.

7. RECORDS SECURITY:

- 7.1 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.

- 7.2 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 Team for storage.
- 7.3 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.
- 7.4 Council records are not to be stored at home or left in cars unattended as they could be lost or damaged or stolen.

8. RESPONSIBILITIES AND ACCOUNTABILITIES:

8.1 Chief Executive Officer

The Chief Executive Officer of the Council is responsible for:

- ensuring that records required under any legislation are properly kept and maintained;
- ensuring that this policy is communicated and implemented at all levels in the organisation; and
- assigning responsibilities for record keeping.

8.2 Corporate Records Manager

Responsibility for Council's records management system is assigned to the Manager of Corporate and Community Services as Corporate Records Manager.

The role of the Corporate Records Manager is to provide a strategic focus for record keeping throughout the council and responsibility for:

- ensuring 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;
- providing consulting services to council staff and elected members;
- 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.

8.3 Council Managers and Team Leaders

Managers and Team Leaders are responsible for:

- supporting and monitoring the application of record keeping policies, procedures and systems throughout their business unit; and
- ensuring that no illegal records disposal takes place;

8.4 Council Staff

All council staff 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 include:

- complying with this policy and associated procedures;
- making records to support the conduct of their business activities;
- creating records that would not otherwise be created;
- forwarding records to the Records Team for capture into record keeping systems;
- learning how and where records are kept within council;
- not destroying council records
- not losing records; and
- being aware of records management procedures.

8.5 Elected Members

Elected members must:

- make records to support the conduct of their council activities and create records that would not otherwise be created;
- forward official records to the Records Team for capture into council's records management system;
- not use personal email addresses to send/receive emails in the conduct of council business while acting in their capacity as an elected member.

8.6 Records Team of the Council

The role of the Records Team is operational and is responsible for:

- the efficient management of council records (physical and electronic) incorporating sound record keeping principles and records management best practice guidelines;
- assisting council staff and elected members in fulfilling their record keeping responsibilities and provide advice and training through the implementation of this policy and record keeping procedures.

9. RETENTION AND DESTRUCTION OF RECORDS:

9.1 Official records must be retained and disposed of in accordance with authorised disposal schedules for Local Government Authorities in South Australia.

9.2 The Records Management Team is responsible will coordinate a robust approval process for the authorisation of the destruction of official records.

9.3 Destruction approval of official records is delegated to the Chief Executive Officer.

10. AVAILABILITY OF THE POLICY:

This policy will be available for inspection at the Council's principle office, 29 Holland Street Kingston SE, during ordinary business hours and on Council's website: www.kingstondc.sa.gov.au. Copies will also be provided to interested members of the community upon request, and upon such payment of the fee set by Council.