

RECORDS MANAGEMENT POLICY

Responsible Department:	Corporate and Commercial Services
Responsible Section:	Customer and Information Services
Responsible Officer:	Manager Customer and Information Services

Objective

The objectives of this Policy are:

- To ensure that all records that form part of Council business are captured into Council's Record Management System
- To ensure that all records are stored in accordance with required standards and are available when required;
- To ensure that all records are retained in accordance with the *State Records Act 1998* (NSW);
- To ensure that all staff are aware of their responsibilities for good record keeping.

Policy

1. General

- 1.1. Council is required to comply with the requirements of the *State Records Act 1998* (NSW).
- 1.2. The *State Records Act 1998* (NSW) requires Council to make and keep full and accurate records as evidence of business activities.
- 1.3. Council will comply with all other relevant legislation that applies to record keeping.

2. Application

- 2.1. This policy applies to all records that are handled, received or generated by Council in the course of conducting its functions.
- 2.2. This policy does not apply to information or data not required to be compiled, recorded or stored by Council in the course of conducting its functions for the purpose of this policy. It also does not apply to information which is unsolicited and unrelated to Council's business or functions.

3. Record Management System

- 3.1. Council will have a record management system, which may be electronic, physically based, or a combination of the two.
- 3.2. All records within Council will be stored in Council's record management system.

Record Identification

- 3.3. Council has a system for the identification of records in Council's record management system. All documents in Council's record management system will be assigned an identifier under this system.

Storage

- 3.4. Council will ensure the safe custody and proper preservation of all records it has control of.

Record Classification and Security

- 3.5. All records will receive classifications within Council's record management system.
- 3.6. The General Manager, or their delegate, will ensure that a system be established to ensure that access to certain documents or classes of documents is restricted to certain personnel on a need-to-know basis based on their delegation of authority and the requirements of their job.

4. Public Access to Records

- 4.1. Council will comply with the *Government Information (Public Access) Act 2009* (NSW) and other legislation and policies including:
 - (a) Privacy and Personal Information protection Act 1998 (NSW);
 - (b) Health Records and Information Privacy Act 2002 (NSW);
 - (c) Copyright Act 1968 (NSW);
 - (d) NSW Privacy Code of Practice for Local Government; and
 - (e) Council's Privacy Management Policy.

5. Disposal of Records

- 5.1. Council may dispose of records from time-to-time in accordance with relevant legislation and policy.
- 5.2. The General Manager will ensure that all records will be appraised before disposal in accordance with *General retention and disposal authority: Local Government Records* and as approved under section 21(2)(c) of the *State Records Act 1998* (NSW).

6. Investigation for Breach

- 6.1. The General Manager, or their delegate, will ensure that Council's records are kept in accordance with the relevant legislation and best practice principles.
- 6.2. The General Manager, or their delegate, will investigate any alleged breach of Council's record keeping obligations when:
 - (a) A report of possible breach is made;
 - (b) A known breach occurs; or
 - (c) The General Manager, or their delegate, reasonably suspects that a breach may have occurred.
- 6.3. Where a breach has occurred, the General Manager, or Delegate, will act on it according to law.

7. Record Keeping Principles

- 7.1. The State Records Act outlines various principles which must be complied with and are outlined as follows:

7.2. Principle 1 – Recordkeeping should be compliant

- (a) Recordkeeping should comply with legal and administrative requirements. Council must operate in an environment of accountability where the organisation as a whole and individual employees are accountable for decisions and actions.

7.3. Principle 2 – Recordkeeping should be reliable

- (a) Recordkeeping systems, procedures and practices should work reliably to ensure that records are credible and authoritative. This can be achieved by ensuring business processes where transactions become the record are operating routinely at the time the record is created and formal guidelines must be established for reporting system failures that may affect an electronic record.

7.4. Principle 3 – Recordkeeping should be systematic

- (a) Records should be made, maintained and managed systematically. Standard operating procedures should be used for all work practices including the need to document record keeping requirements.

7.5. Principle 4 – Recordkeeping should be managed

- (a) Recordkeeping must be managed through an identifiable records management program. Recordkeeping systems must have assigned responsibilities and accurately documented policies and procedures.

7.6. Principle 5 – Recordkeeping should be routine

- (a) Recordkeeping systems should be used when transacting business. Business processes and systems should be designed so that making records and capturing them into Council's recordkeeping system becomes a normal part of the work process.

7.7. Principle 6 – Recordkeeping should be made

- (a) Records should be made to document and facilitate the transaction of business and ensure capture into recordkeeping systems. Officers must ensure all records, including electronic messages, faxes and details of oral decisions or commitments are captured into ECM.

7.8. Principle 7 – Recordkeeping should be retained

- (a) Records should be retained for as long as they are required and should only be disposed of in accordance with the relevant retention and disposal authority/authorities as set down by State Records.
- (b) Council will refer to:
- (c) General Disposal Authority – Local Government Records (GA 39);
- (d) General Retention and Disposal Authority –Original or source GA45 source records that have been copied;
- (e) General Retention and Disposal Authority – Administrative Records 20019 (GA 28).

7.9. Principle 8 – Recordkeeping should be complete

- (a) A record should contain not only the content, but also the structural and contextual information necessary to document a transaction. It should be possible to understand a record in the context of the organisational processes that produced it and of other, linked records. Electronic messages that are a reply to a previous message should either contain the original message or make reference to the original message.

7.10. Principle 9 – Recordkeeping should be comprehensive

- (a) Records should document the whole of the business of a public office. Records must be made to support evidential requirements. Any outsourced functions must also keep accurate records to support those functions.

7.11. Principle 10 – Recordkeeping should be adequate

- (a) Records should be adequate for the purposes for which they are kept. There must be adequate evidence of the conduct of business activity to be able to account for that conduct within the context of relevant accountability requirements.

7.12. Principle 11 – Recordkeeping should be accurate

- (a) Records should correctly reflect what was communicated, decided or done. Business processes and systems should be designed to make it easy or if possible automatic to make accurate records of transactions. Falsifying information and removing records from files is illegal.

7.13. Principle 12 – Recordkeeping should be authentic

- (a) Records must be what they are purported to be, it should be possible to show that the recordkeeping system operates normally on any given business day so that the records created by it are credible and authoritative with adequate security to preserve their evidential quality.

7.14. Principle 13 – Recordkeeping should be useable

- (a) Records must be identifiable, retrievable, accessible and available when needed. Council should know what records it has and where all records are kept. Records should be registered and classified to enable easy retrieval.

7.15. Principle 14 – Recordkeeping should be inviolate

- (a) Records should be securely maintained to prevent unauthorised access, destruction, alteration or removal.

8. Review

- 8.1. This policy will be reviewed within 12 months of an Ordinary Council Election or such other time on an as-needs basis.

References

- *State Records Act 1998* (NSW).
- *Government Information (Public Access) Act 2009* (NSW).

History

Minute Number	Meeting Date	Description of Change
26/2012	February 21, 2012	Adopted
75/213	February 19, 2013	Reviewed
164/2017	August 15, 2017	Reviewed
	September 1, 2021	Rebranded
336/2022	October 18, 2022	Adopted