



RECORDS MANAGEMENT

Summary

The purpose of this policy is to provide clear direction on Tenterfield Shire Council's Records Management Program.

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Department	Office of Chief Corporate
Policy Custodian	Chief Corporate Officer
Superseded Documents	Records Management Policy V5.0
Related Legislation	<ul style="list-style-type: none"> • NSW State Records Act 1998 - including standards and retention and disposal authorities issued under the Act • NSW Government Information (Public Access) Act 2009 • NSW Privacy and Personal Information Protection Act 1998 • NSW Evidence Act 1995 • NSW Public Finance and Audit Act 1993 • NSW Treasurer's Directions • NSW Local Government Act 1993 • Good Conduct and Administrative Practice: Guidelines for Public Authorities and Officials (NSW Ombudsman) • NSW Public Sector Code of Conduct • Commonwealth Copyright Act 1968 • Public Sector Employment and Management Act 2002 • Electronic Transactions Act 2000 • Environmental Planning & Assessment Act 1979

Delegations of Authority

Chief Corporate Officer Manager Customer Service, Governance & Records Records Coordinator

1. Overview

The NSW State Records Act 1998 directs that public offices, such as Tenterfield Shire Council, are required to establish and maintain a records management program in conformity with standards and codes of best practice approved by the State Records Authority.

The Australian Standard AS 4390-1996 (redesignated AS ISO 15489) has been adopted as a code of best practice for the NSW Public Sector.

The Policy is applicable to all records media in both physical and electronic formats and requires Council to document business transactions fully and accurately in compliant recordkeeping systems.

Council uses an internet based information management system for the corporate records management system.

The records management policy provides the framework for Council to effectively fulfil its obligations and statutory requirements under the legislation and other Government directives.

The policy enhances effective information management and retrieval in Council and highlights the responsibilities and accountabilities of staff in complying with the Act.

The establishment of an effective and efficient recordkeeping environment ensures standardisation, protection and retrieval of information, improving levels of quality customer service.

2. Policy Principles

This policy is approved by Council and issued under the authority of the Chief Executive. The policy will be reviewed and amended to maintain consistency with the State Records Act 1998.

Council's Chief Corporate Officer is the Nominated Senior Officer. The Chief Corporate Officer has ownership of this policy and responsibility for its implementation.

3. Policy Objectives

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

To ensure the preservation of Council's 'corporate memory' through sound recordkeeping practices and the accurate capture of information to meet legal, evidential and accountability requirements.

Records management is the discipline and organisational function of managing records to meet operational business needs, accountability requirements and community expectations.

The records management program is viewed as an important management issue, equivalent in importance to the management of other activities within Council; it is part of the totality of 'information management'.

Records management proceeds from the assumption that information is a resource which must be managed. To be used effectively, good records management is of key importance to good management.

Council operates in an accountable and community orientated environment, Council is committed to maintaining a records management program that meets its business needs and accountability requirements.

Records are a vital ingredient in the support of Council's ongoing business activities. The effective management and preservation of Council's corporate memory is intrinsic to both the decision making process and productivity within Council.

As a public agency, Council is bound by the requirements and regulations of the State Records Act 1998. These regulations set out specific practices, which Council must comply with, and be audited against. Council is committed to meeting all statutory and accountability requirements.

There are certain community expectations and cultural obligations associated with recordkeeping practices. Council is committed to managing its records of continuing value.

4. Policy Statement

Tenterfield Shire Council is committed to maintaining a records management program that meets its business needs and accountability requirements, while ensuring records of continuing value form part of the States cultural heritage.

5. Scope

This policy applies to all Council business, including electronic business. It concerns records, which are created, collected, processed, used, sentenced, stored and disposed of in the conduct of official business.

Electronic messages (E-mail) which are relevant to the information gathering, policy formulation or decision making processes of Council are part of the scope of this policy.

Not all electronic messages are relevant to information gathering therefore they do not require downloading or printing, where these are of short-term value or personal messages.

All records management systems, procedures and processes are to be consistent with this policy.

6. Accountability, Roles & Responsibility

Elected Council

Council is responsible for the protection, safe custody and return of All State records under its control, ensuring accessibility to all equipment or technology dependant records.

The State Records Act 1998 requires Council to make and keep full and accurate records as evidence of business activities. Council is required to implement a records management program based on legislation, standards and codes of best practice.

Chief Executive, Senior Executive and Management Teams

Responsibility for Council's records management program is assigned to the Nominated Senior Officer (Chief Corporate Officer).

The role of the Nominated Senior Officer is to provide a strategic focus for recordkeeping throughout Council and is responsible for:

- Establishing records management policies for the organisation as a whole.
- Establishing corporate standards for recordkeeping and records management.
- Providing consulting services to Council staff.
- Working with other managers of information resources to develop coherent information architecture across the organisation.
- Working with other accountability stakeholders to ensure record keeping systems support organisational and public accountability.

Managers

Managers are responsible for:

- Ensuring staff comply with the Records Management Policy.
- Ensuring staff are trained in the Records Management and Enterprise Content Management systems.
- Ensuring staff are aware of their recordkeeping responsibilities.
- Ensuring staff are aware that Council records and information are to be used only for business purposes.
- Informing the Records Coordinator of any staff changes so that security and access controls for the systems can be maintained.

Council Staff (Incorporates Contractors / Service Providers)

As public sector employees, all Council staff need to be aware of recordkeeping requirements that affect the performance of their duties. The State Records Act 1998 requires public officials to 'make and keep full and accurate records' of the business activities.

The NSW Ombudsman's Good Conduct and Administrative Practice Guidelines for State and Local Government (3rd edition) also states that public officials must make and keep full and accurate records of their official activities and that good

recordkeeping assists in improving accountability and provides for transparent decision-making.

Council staff have a number of basic obligations regarding records:

- Comply with Records Management Policy;
- Create full and accurate records to support the conduct of their business activities, including records of all decisions and actions made in the course of their business;
- Create records that would not otherwise be created;
- Ensure records are saved into the electronic recordkeeping systems (Enterprise Content Management - ECM) and physical files where retention of a hard copy record has been identified;
- Learn how and where records are kept within Council;
- Do not destroy Council records without authority from the Records Co-ordinator;
- Do not lose records, and
- Be aware of records management procedures.

Records Section

The Records Coordinator is operationally responsible for the efficient management of Council records (physical and electronic) incorporating sound recordkeeping principles and records management best practice guidelines.

Records staff will assist other staff in fulfilling their recordkeeping responsibilities and provide advice and training throughout the life of this policy.

Records staff will monitor and review the implementation process of all records management policies and procedures.

7. Related Documents, Standards & Guidelines

Regular monitoring of the Records Management Program is undertaken by the Nominated Senior Officer.

Council will complete and forward the annual '**Records Management Survey**' conducted by the State Records Authority of NSW as part of the monitoring and reporting arrangements of the State Records Act 1998.

Regular planning for the records management program will be undertaken through a specific strategic and operational plan, which will be reviewed on a regular basis.

Value of Records as a Corporate Asset

The records of Council are an exceptionally important information resource, they are a unique and vital asset, and often they cannot be easily reconstructed or replaced.

They show valuable precedents and courses of action, without the knowledge of which Council cannot function.

They exist for a variety of administrative, functional, historical and legal reasons. Their existence protects Council's interests, and the interests of the community that Council serve.

Records are the major component of the Council's corporate memory, they provide evidence of actions and decisions and document Council's transactions. Records support policy formulation and managerial decision making and help deliver Council services in a consistent and equitable manner.

Council creates records as evidence of business activity; they support efficiency and productivity and enable staff to meet their legislative and administrative responsibilities.

As part of the NSW public sector, records created by Council also form part of the State's records, that is records 'made and kept, or received and kept, by any person in the course of the exercise of official functions in a public office, or for any purpose of a public office, or for the use of a public office' (State Records Act 1998, Part 1-3 (1)).

Legislative Framework for Recordkeeping

Council's records management and recordkeeping practices comply with the State Records Act 1998 (NSW) and other relevant Acts and Regulations and standards relating to records management, including:

- NSW State Records Act 1998 - - including standards and retention and disposal authorities issued under the Act
- NSW Government Information (Public Access) Act 2009
- NSW Privacy and Personal Information Protection Act 1998
- NSW Evidence Act 1995
- NSW Public Finance and Audit Act 1993
- NSW Treasurer's Directions
- NSW Local Government Act 1993
- Good Conduct and Administrative Practice: Guidelines for Public Authorities and Officials (NSW Ombudsman)
- NSW Public Sector Code of Conduct
- Commonwealth Copyright Act 1968
- Public Sector Employment and Management Act 2002
- Electronic Transactions Act 2000
- Environmental Planning & Assessment Act 1979

Disposal of Records

Disposal of records forms part of records management. In accordance with the State Records Act 1998, Council is required to retain or destroy records using the General Retention and Disposal Authority: Local Government Records (GA39).

GA39 must be used when determining whether files/documents should be retained as a State Archive or destroyed after a set retention period, therefore all records must be referred to the Records Co-ordinator prior to disposal.

In addition to GA39, the General Retention and Disposal Authority: Original or source records that have been copied (GA45) applies to original or source records stored in day boxes and allows for the disposal of a hard copy record and the retention of the image in its place provided that the following conditions are met:

- The original or source records do not come within one of the categories of excluded records;
- The records are covered by an approved retention and disposal authority;
- Authentic, complete and accessible copies of the records are made;
- The copies become the official record of the business of the agency and are kept in accordance with authorised retention requirements, and
- The original or source records are kept for quality control purposes for an appropriate length of time after copying.

As New South Wales State Archives and Records recommends a minimum retention period of six months for retention of original documents of imaged records, Tenterfield Shire Council has adopted this timeframe.

Records excluded from disposal in accordance with GA45 are:

- Original or source records that were created prior to 1 January 1980 and are required as State archives or required to be retained in agency;
- Original film (including photographic negatives) or analogue audio-visual material that are required as State archives;
- State archives that have been retrieved or are on loan from State Records or its regional repositories. These records must be returned to State Records or the relevant regional repository;
- Records subject to a legislative or Government policy requirement that the original record not be destroyed;
- Records that are considered to have intrinsic value in their original format e.g. records that have a cultural, iconic, heritage or aesthetic value as a physical artefact;
- Records documenting special circumstances personal information of high personal value to the subject of the record, and
- Source records that have been used as the input or source records for migration (see the General retention and disposal authority for source records that have been mitigated).

Original copies of documents for Development Application files, Human Resources files and Legal files will not be covered under this policy.

Obligations of Records Users

Staff members shall not alienate, relinquish control over, or destroy records of Council without authorisation to do so.

Staff members shall ensure that records in any format, including electronic documents and electronic messages are captured into Council's recordkeeping systems.

Staff members are required to follow authorised procedures in carrying out records management functions.

Staff members are required to handle records with care and respect in a sensible manner, to avoid damaging records with a view to prolonging their life span.

Staff should not eat, drink or smoke near records or in records storage areas.

Training

Staff responsible for Records Management should receive appropriate training in Records Management. Other staff should receive training on the operation of the records management system and their records management responsibilities.

8. Version Control & Change History

Version	Date	Modified by	Details
V1.0	26/09/07	Council	Adoption of Original Policy (Res No. 576/07)
V2.0	19/12/12	Council	Review/Amended (Res No. 532/12)
V3.0	23/04/14	Council	Review/Amended (Res No. 118/14)
V4.0	22/04/15	Council	Review/Amended (Res No. 99/15)
V5.0	23/08/17	Council	Review/Amended (Res No. 168/17)
V6.0	28/10/20	Council	Review/Amended (Res No. 231/20)