

ADMINISTRATION POLICY	
Reference Number	707316
Responsible Business Unit	Organisational Services
Responsible Officer	General Manager Corporate Services
Legislation	State Records Act 1997 Freedom of Information Act 1991 Local Government Act 1999 Ombudsman Act 1972 Independent Commissioner Against Corruption Act 2012 Development Act and Regulations 1993 SA Public Health Act 2011 (Commonwealth) Privacy Act 1988 (Commonwealth) Copyright Act 1968
Relevant Delegations	Chief Executive Officer General Manager Corporate Services Chief Financial Officer
Related Policies Management Guidelines Frameworks	Records Management Guideline Code of Conduct Elected Members Code of Conduct Elected Member Complaint Handling Policy Employee Code of Conduct Volunteer Code of Conduct Freedom of Information Policy Code of Practice – Access to Council Committee meetings and Associated Documents Fraud and Corruption Prevention Policy Risk Management Framework Good Governance Framework Administrative Procedure – Destruction of Official Records
Link to Strategic Plan	5.5 Transparent
ELT meeting Date	30 May 2017
Review Date	May 2018
Previous Revisions	9/11/09 – 1020.5.2
PURPOSE	
<p>The purpose of this document is to establish a framework for the implementation and maintenance of an appropriate records management system. The Council operates in an accountable and community orientated environment and is committed to maintaining a records management system that meets business needs as well as legal and accountability requirements.</p>	
CONTEXT	
<p>The State Records Act 1997 governs the obligations and responsibilities of Councils in relation to the management of official records. Under this Act, each Council has an obligation to maintain official records in its custody in good order and condition. The obligation applies not only to the capture, storage, maintenance and disposal of physical records, but also to records in electronic format.</p> <p>An official record is defined in Section 3 of the State Records Act 1997 as a record made or</p>	

received by the Council in the conduct of its business. As Elected Members and Council workers act as representatives of the Council, any record created, sent, received, forwarded or transmitted by Council workers and/or Elected Members in the performance and discharge of their functions and duties may be classified as an official record. However, records that are merely transitory, temporary, personal or private in nature will fall outside the definition of "official records".

POLICY STATEMENT

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

Good records management is of key importance to good governance. Records are vital to support the Council's ongoing business activities. The Council is committed to managing its records of continuing value and their timely transfer to the State Records Office in accordance with the Act and best practice standards.

In addition to its records management obligations under the Act, the Council is obliged to keep adequate records in order to fulfil its responsibilities under other Acts such as the Freedom of Information Act 1991, as well as fulfilling legal processes, such as discovery and subpoenas. Records may also be required by Royal Commissions, the Ombudsman, the Courts, auditors and other people or bodies.

This policy provides the procedural framework for the Council to effectively fulfil its records management obligations and to meet the statutory requirements upon it.

OBJECTIVES

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

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

SCOPE

This Policy applies to all Council business, including electronic business. It involves records, which are created, collected, processed, used, sentenced, stored and disposed of in the conduct of official business. It applies to all Council workers and Elected Members.

Electronic communications relevant to the information gathering, policy formulation or decision-making processes of Council fall within the scope of this policy. All procedures and records management systems are to be consistent with this Policy and associated Guidelines.

OBLIGATIONS OF RECORDS USERS

Council workers and Elected Members must not intentionally damage, alter, dispose of or remove official records of the Council without authorisation to do so. Council workers and Elected Members are required to handle Council records with care and respect in a sensible manner to avoid damaging records with a view to prolonging their life span. Council workers and Elected Members must not eat, drink or smoke near Council records or in records storage areas.

Council workers and Elected Members must ensure that Council records in any format (including electronic documents and electronic messages which they personally receive or send), are to be captured into the Council's electronic document and records management systems. Records must be readily accessible to meet business and accountability requirements. Staff members of the Records Team are required to follow authorised procedures in carrying out records management functions.

Electronic records are to be captured and maintained as functioning records by preserving their structure, context and content. In order to maintain their value as evidence, electronic records

must be unaltered. That is, they cannot be altered or manipulated for as long as they are retained.

Council workers 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. Elected Members and Council workers should report breaches of this policy to the Manager, Business Support. – Elected Members report breaches to Chief Financial Officer

CONFIDENTIAL RECORDS

If a Council worker or Elected Member believes that a record forwarded to the Records Team for incorporation into the record keeping system is of a highly sensitive or confidential nature, he or she should advise the Manager, Information Services of that view. It will be at the discretion of the Manager, Information Services as to whether such information will then be treated as confidential and access to those records restricted.

RECORDS SECURITY

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.

Council workers 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.

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 or damaged or stolen. Vital records should be stored in protective or fire resistant conditions with secure access. Confidential records must be stored in locked storage cabinets which are accessible only by authorised persons.

RESPONSIBILITIES AND ACCOUNTABILITIES

1. Chief Executive Officer

The Chief Executive Officer of the Council is responsible for:

- ensuring compliance as prescribed by Section 99 of the Local Government Act 1999, 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.

2. Corporate Records Manager

Responsibility for Council's records management system is sub-delegated to the General Manager, Corporate Services and Chief Financial Officer.

The role of the Chief Financial Officer 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 1997;

- establishing records management policies and procedures for the Council as a whole;
- establishing corporate standards for record keeping and records management;
- measuring performance of the Council business units against these standards;
- providing consulting services to Council workers and Elected Members;
- developing corporate electronic records management strategies;
- working with other managers of information resources to develop coherent information

architecture across the Council;

- working with other accountability stakeholders, including Freedom of Information officers and executive management staff, to ensure record keeping systems support organisational and public accountability; and
- providing Council workers and Elected Members with appropriate training and tools to allow them to meet their records management responsibilities.

3. Council Managers

All Council Managers are responsible for:

- supporting the application of recordkeeping policies, systems and procedures throughout their business unit;
- ensuring that appropriate staff are designated to assist with the implementation of recordkeeping procedures;
- ensuring that staff are supported in relevant training and development;
- ensuring that all new staff receive records management induction;
- ensuring that no illegal records disposal takes place;
- ensuring that standard records management responsibilities are maintained within individual employees' position descriptions; and
- ensuring that the record keeping practices in their business unit can withstand external scrutiny.

4. Council staff

All Council workers 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 workers and Elected Members include:

- complying with this policy and associated guidelines and 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 paper or electronic record keeping systems;
- learning how and where records are kept within Council;
- not losing records; and
- being aware of records management procedures.

5. Elected Members

Elected Members will only utilise Council systems for official correspondence created or received in the conduct of their role in Council, i.e. personal email accounts will not be used. Official correspondence must be recorded within Council's electronic records system by either the Executive Assistant to the CEO and Mayor or Executive Officer (Council resolution as a result of Ombudsman request).

6. Records Team of Council

The Records team reporting to the Chief Financial Officer

The role of the Records Team is operational, responsible for

- the efficient management of Council records (physical and electronic) incorporating sound record keeping principles and records management best practice guidelines.
- the effective management and system administration of the Council's electronic record management system.
- assisting Council workers and Elected Members in fulfilling their record keeping responsibilities and provide advice and training through the implementation of this policy, procedure and strategies.

Destruction approval of corporate records is the sole responsibility of the Council which has been delegated to the Chief Executive Officer. The destruction process will be undertaken in liaison with Chief Financial Officer and the Senior Records Officer to identify records due for destruction in accordance with the approved Records Destruction Procedure. A list of

records will then be compiled and checked by a records officer. List to then be scrutinised by an Accredited Freedom of Information Officer and to liaise with other staff when required. Final sign off of destruction assigned to the Chief Executive Officer.

MONITORING COMPLIANCE

All Council workers and Elected Members shall follow this policy, along with all relevant procedures and guidance used for operational activities whenever creating, capturing, and using or preserving records. Interpretation of the policy will be monitored by senior management, regular inspections and internal audits.

DEFINITIONS

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 workers – 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:

- 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 transferring or delivering the record to the State Records Office or between the Council and other agency.

Email – is 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. You may retrieve, read and forward or re-transmit messages from your mailbox.

Metadata – data describing the context, content and structure of records and their management through time

Official Record – Is a record made or received by the Council in the conduct of its business and includes any record create, sent, received, forwarded or transmitted by Council workers and/or Elected Members in the performance and discharge of their functions and duties, but does not include:

- a record made by an agency as a draft only and not for further use or reference; or
- a record that is merely transitory, ephemeral, 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.

Record – a record means:

- 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).

Sentenced - determines a period of time for which a record is to be retained.

Temporary/Transitory Record – a record is transitory or 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.

Vital Record – records which the Council could not operate without in the event of a disaster.

Worker - A person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as an employee; or a contractor or subcontractor; or an employee of a contractor or subcontractor; or an employee of a labour hire company who has been assigned to work in the person's business or undertaking; or (e) an outworker; or (f) an apprentice or trainee; or (g) a student gaining work experience; or (h) a volunteer.