Records & Information Management Policy

Strategic Reference	Outcome 5 – Leadership Strategy 3.1 – Council is an organisational leader, reinforcing our position as a leading local government body. Strategy 3.5 – Council reports openly and transparently on its performance. Strategy 3.8 – Council Members demonstrate 'good governance' in their roles.
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Applicable Legislation	State Records Act 1997 Local Government Act 1999 Freedom of Information Act 1991 Independent Commissioner Against Corruption Act 2012 Ombudsman Act 1972 (Commonwealth) Archives Act 1983 (Commonwealth) Privacy Act 1988 (SA) Information Privacy Principles Instruction (Commonwealth) Copyright Act 1968
Related Policies	Information Security Policy Privacy Policy Electronic Communications Policy
Related Documents	General Disposal Schedule for Local Government GDS 40 version 1 2019 Burial and Cremation Schedule GDS 41 Identity Verification Documents GDS 45 Disposal of Hardcopy Source Records after Digitisation GDS 21

1. Purpose

The purpose of this Policy is to establish a framework for the implementation and maintenance of an appropriate records management system. Council operates in an accountable and community orientated environment and is committed to maintaining a records management system that meets its business needs as well as its legal and accountability requirements.

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

2. Context

The State Records Act 1997 ("the Act") 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. This obligation applies not only to the capture, storage, maintenance and disposal of physical records, but also to records in electronic format.

An official record is defined in section 3 of the Act to mean a record made or received by the Council *in the conduct of its business.*[1] Therefore 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 may be classified as an official record. However, records that are merely transitory, ephemeral, personal or private in nature will fall outside the definition of "*official records*".

Council has selected Opentext Content Manager (formerly HP TRIM) as its corporate records management system.

Good records management is of key importance to good governance. Records are vital components in the support of Council's ongoing business activities. 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.

Council aims to progressively digitise physical records to improve accessibility, strengthen protection against loss or damage from natural disasters and support secure backup and recovery practices. Where permitted, paper records will be digitised and original source records disposed of in accordance with General Disposal Schedule (GDS) 21.

In addition to its record management obligations under the Act, Council is obliged to keep adequate records in order to fulfill 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 fulfill its records management obligations and to meet the statutory requirements upon it.

[1] See the statutory definition of "official record" set out on page 4 of this Policy for exceptions to this definition.

3. Definitions

"Continuing value" means records of continuing value are those that contain information that is of administrative, legal, fiscal, evidential or historical value to the Council.

"Council business" means the provision of services, delivery of programs, development of policies, making of decisions, performance of Council functions and other similar types of transactions.

"Council staff" 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 to transfer or deliver the record to the State Records Office or between the Council and another agency.[2]

"Electronic Data Records Management System (EDRMS)" means a corporate business system to ensure the protection of Council's "corporate memory" through sound record keeping practices.

"Email" means 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.

"Ephemeral record" means a record 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.

"General Disposal Schedule" (GDS) means a State-governed records management schedule which defines how long common administrative records must be retained and how they must be disposed of.

"Metadata" means data describing the context, content and structure of records and their management through time.

"Normal Administrative Practice" Normal Administrative Practice (NAP) provides for the routine destruction of drafts, duplicates and publications, with the test that it is obvious that no information of more than transitory or temporary value to the Council will be destroyed. Material that can be disposed of under NAP comprises items of a temporary or transitory nature created, acquired or collected by Council staff or Elected Members in the course of their official duties. Such material has no ongoing value and is not usually incorporated into the Council's record management system.

[2] See definition in section 3(1) of the *State Records Act 1997*.

"Official record" means a record made or received by the Council in the conduct of its business, but does not include:

- a record made or received by an agency for delivery or transmission to another person or body (other than an agency) and so delivered or transmitted; or
- a record made by an agency as a draft only and not for further use or reference; 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 or an Act of the Commonwealth enacted in substitution for that Act; or
- a record that has been transferred to the Commonwealth.[3]

"Record" means a record:

- 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.

"Vital record" means a record(s) which Council could not operate without.

4. Policy

4.1 Objectives

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

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

4.2 Obligations of Record Users

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

4.2.2 Council staff and Elected Members shall ensure that Council records in any format (including electronic documents and electronic messages, which they personally receive or send) are to be captured into Council's EDRMS. Records must be readily accessible to the defined circle of staff for that very record(s), to meet business and accountability requirements.

[3] See definition of "official record" in section 3(1) of the State Records Act 1997.

4.2.3 Council staff are required to follow authorised internal procedures in carrying out records management functions.

4.2.4 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 inviolate. That is, they cannot be altered or manipulated for as long as they are retained.

4.2.5 Retention periods are applied automatically in the EDRMS following the Business Classification Scheme. When the record is marked as "finalised" the respective retention period is triggered.

4.2.6 Council staff 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. Council staff should report breaches of this policy to the Records & Information Systems Officer and Elected Members should report breaches to the Chief Executive Officer.

4.3 Confidential Records

4.3.1 If a Council staff member believes that a record captured into the EDRMS is of a highly sensitive or confidential nature, they should advise the Records & Information Systems Officer of that view. It will be at the discretion of the Records & Information Systems Officer as to whether such information will then be treated as confidential and access to those records restricted.

4.4 Destruction Methods

4.4.1 Official records must be disposed of in accordance with the General Disposal Schedule No. 40 v1 for Local Councils and Local Governing Bodies and Authorities in South Australia.

4.4.2 Ephemeral records, or records that are personal or private in nature, may be destroyed in accordance with Normal Administrative Practice.

4.4.3 Council's Records and Information Management Team is responsible for destroying Council's official records under the Act and relevant disposal schedules.

4.4.4 Council's Records and Information Management Team will coordinate a robust approval process and obtain delegated authority of same in undertaking the destruction of official records.

4.4.5 The destruction of records must be complete so that no information is retrievable. Records in physical format should be destroyed by shredding or pulping. Records in electronic format should be destroyed by reformatting, rewriting or degaussing. The use of the 'delete' function in software packages is not sufficient to destroy electronic records, as 'deleted' data can still be recovered.

4.4.6 Destruction approval of corporate records is the sole responsibility of Council, which has been delegated to the Chief Executive Officer. The destruction process will be undertaken in liaison with the Records & Information Systems Officer to identify records due for destruction in accordance with approved practices. A list of records will be compiled by the Records & Information Systems Officer, reviewed and

scrutinised by the Senior Leadership Team and final signed off for destruction by the Chief Executive Officer.

4.5 Records Security

4.5.1 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.

4.5.2 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 & Information Systems Officer for storage.

4.5.3 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.

4.5.4 Council physical records are not to be stored at home or left in cars unattended as they could be lost, damaged or stolen. Vital records should be stored in protective or fire resistant conditions with suitable access conditions. Confidential records must be stored in locked storage cabinets which are accessible only by authorised persons.

4.6 Business Systems

Council has adopted the following business systems where metadata is held:

4.6.1 Skytrust – a cloud based safety management system utilised to maintain a safe working environment for Council's staff, contractors and volunteers.

A tripartite communique between State Records of South Australia, Local Government Risk Services and Skytrust acknowledges that Skytrust is a line of a business system and as such, the information within it does not need to be transferred to a records management system. However, any outputs from Skytrust (such as reports to the Senior Leadership Team) would be subject to requirements of the General Disposal Schedule 40.

4.6.2 Assetic – a cloud based asset management solution system which streamlines short and long term asset management. The source document is captured into the EDRMS for best record keeping practices.

4.7 Public Access to Information

Requests by the public or media for access to information that is not already publicly available come under the Freedom of Information Act 1991 and are managed by the Freedom of Information Accredited Officers.

5. Responsibilities and Accountabilities

5.1. Chief Executive Officer

The role of Chief Executive Officer of the Council, as prescribed by section 99 of the Local Government Act 1999, includes ensuring that records required under any legislation are properly kept and maintained.

The Chief Executive Officer is also responsible for communicating and implementing this policy at all levels of the organisation.

5.2. Information Technology Coordinator

The role of the Information Technology Coordinator 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 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;
- developing corporate electronic records management strategies;
- working with other managers of information resources to develop coherent information architecture across the Council;
- providing Council staff and Elected Members with appropriate training and tools to allow them to meet their records management responsibilities.

5.3. Records & Information Systems Officer

The role of the Records & Information Systems Officer is to provide operational support to the records management function while maintaining strategic oversight for organisational and public accountability, including:

- establishing records management policies and procedures for the Council as a whole;
- overseeing the daily duties of the records management function, ensuring that all information is recorded, classified, profiled and stored correctly and is easily accessible for retrieval;
- working with other accountability stakeholders, including Freedom of Information officers and executive leadership staff to ensure records keeping systems support operational requirements;
- consulting the Senior Leadership Team before sentencing records for destruction (in accordance with the relevant disposal schedule);
- providing Council staff and Elected Members with appropriate training and tools to allow them to meet their records management responsibilities.

Council's Records and Information Management Team comprises the positions listed at 5.2 and 5.3. As a team they are responsible for the efficient management of Council records (physical and electronic), incorporating sound record keeping principles and records management best practice guidelines.

5.4. Council Staff and Elected Members

All Council staff and Elected Members 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 and Elected Members include:

- making records to support the conduct of their business activities;
- creating records that would not otherwise be created;
- capturing paper or electronic records in the EDRMS as soon as practicable;
- learning how and where records are kept within Council;
- ensuring records destruction is carried out by the Records & Information Systems Officer;
- not losing records; and
- being aware of records management policies and procedures.

5.4.1. Particular Obligations of Elected Members

In 2014, the Ombudsman considered the matter of Elected Member emails and the use of private email addresses to carry out council business and found that the practice was contrary to good record-keeping practice.[4]

Council email addresses are provided to all Elected Members for the purpose of carrying out council related business and the council email addresses must be used by members for that purpose.

All Elected Members' emails that concern council related matters will be captured and stored in the EDRMS in accordance with the State Records Act.

Should an Elected Member deem that a record they are in possession of be captured within the EDRMS, this should be forwarded to any one of the following positions:

- Executive Assistant to the Chief Executive Officer
- Executive Officer
- Records & Information Systems Officer

5.5. Committee Members

Members of a Council committee who are in receipt of a confidential item(s) or data to their private email address (to assist with the discharge of their duties) will be managed in accordance with confidentiality principles outlined in the Local Government Act and Regulations. The intent of this clause does not preclude administration staff from utilising a secure short-term portal for the storage and retrieval of confidential data, where deemed applicable.

6. Availability/Accessibility

This Policy is available for inspection at Council's offices during normal business hours and Council's website and will be emailed to interested parties on request (please lodge request in writing via email to council@coorong.sa.gov.au).

[4] Omudsman Report, *Investigation into the City of Playford*, 2014.

7. Document History

This Policy will be reviewed at least every three (3) years or more frequently if legislation or Council requires.

Version	Adopted	Minute No	Description of change(s)
1	21 June 2012	205/12	See Council minute for full details
2	5 July 2014	163/14	See Council minute for full details
3	20 December 2016	266/16	See Council minute for full details
4	21 May 2019	150/19	See Council minute for full details
5	18 April 2023	074/23	Cosmetic changes; reference to General Disposal Schedule 40 updated Title of policy changed Definitions expanded Consolidation of records management fundamentals into sub clauses under 'Policy' heading (clause 4) Clause 4.4 – Destruction Methods – sub-clauses enhanced Inclusion of business systems utilised at clause 4.6 Clause 5 – Responsibilities and Accountabilities – section updated to reflect current organisational structure Removal of former 'Guidelines for Determining what are Official Records' to reflect that list was not exhaustive, nor subject to the strategic purpose of a policy
6	23 June 2026	165/26	Refinement of appropriate areas to reflect transformation of paper based to digital records, and retention thereof Position titles updated throughout (ie. staff and Elected Members) Introduction of clause 5.5 to reflect management of external

			parties subject to Council confidential information which may have been sent to a private email address