

RECORDS & INFORMATION MANAGEMENT POLICY

STRATEGIC POLICY

Responsible Department: Cabonne Services

Responsible Section: Governance & Corporate Performance

Responsible Officer: Department Leader - Governance & Corporate Performance

Objective

This policy establishes the governance framework for the creation, capture, control, use and disposal of records and information within the council. The council values records and information as a strategic resource that is integral to good business.

Introduction

The purpose of the records and information management policy is to ensure that full and accurate records of all activities and decisions of Council are created, managed, retained and disposed of appropriately in accordance with relevant legislation. This will enable Council to achieve information accessibility, business enhancement and improvement. It will also meet its obligations for accountability while ensuring it protects the rights and interests of government, the organisation, staff, clients and the community at large.

All Councillors, staff, contractors and consultants must comply with this policy, and associated Records Management Procedures, in their conduct of official business for Council. This policy applies to records in all formats, including electronic records at all of council's offices and within all its systems.

Policy

Council recognises that records are a vital asset to:

- facilitate information accessibility and enhance business by supporting program delivery, management and administration;
- deliver customer services in an efficient, fair and equitable manner;
- provide evidence of actions and decisions, and precedents for future decision making; and
- protect the rights and interest of government, council and its clients and citizens.

A small percentage of the council's records will become archives, part of the cultural resources of the State.

Cabonne Council's policy is to effectively manage the organisation's corporate information, relating to both physical and electronic formats.

This policy has been prepared on the basis of:

1. Adherence to the statutory requirements under the State Records Act 1998.
2. Enhancing effective information management and retrieval within the Council.

Council needs to be able to identify and control their records for evidential purposes and to protect all corporate information contained therein. Further, a systematic approach to records and document management ensures standardisation throughout the Council.

Objectives

- To ensure that the management of Council's records enable the provision of timely and comprehensive information to meet operational business needs, accountability requirements, legislative requirements and community expectations.
- To ensure the preservation and sustainability of Council's "corporate memory" through sound record keeping practices and the accurate capture of information.

Creation of Records

Official records are to be kept of all decisions and transactions made in the course of official business. This includes:

- File notes of telephone conversations and minutes of meetings including reports.
- All paper based records.
- Activities and business transacted electronically, including email.

All records are to be registered into the Electronic Records Management System (ERMS).

All official outgoing documents should contain reference to the Document ID number from the ERMS.

All internal documents should also include the Document ID number in the footer for easy retrieval.

SMS (text messages)

Some council staff are issued with a mobile phone (predominately 'smart' phones).

The remaining phone fleet has SMS capability on advice from the telecommunications provider due to reception issues over some areas of the LGA. This function is enabled to allow contact in case of emergency and is not intended for normal communications.

Staff are not to use SMS for any other business purpose except where there is no alternative. If a need arises, the sender of the SMS message is to create a file note as a record of the communication and register same into the ERMS.

Protection of Records

Records are to be protected from unauthorised or unlawful access, destruction, loss, deletion or alteration. The ERMS system settings are such that once a record is in the Official Records, or Development Applications, etc., libraries it cannot be modified or deleted. Access to EDRMS and specific libraries is by authorisation and a log is kept of access to all records by users.

Paper records are not to be removed from council premises with the exception of DA files relating to onsite inspections and/or planning matters. A log should be kept of all files which are to leave the premises with regular checks to ensure their return.

Vital Records & Information

Vital records and information are those records and information that are essential for the ongoing business of the council and without which the council could not continue to function effectively. They include those which are needed to:

- operate the council during a disaster
- re-establish the council's functions after a disaster
- establish and protect the rights and interest of the council, its employees, customers and stakeholders
- Council's risk management and disaster recovery plans will give a high priority to ensure they:
- require that records and information needed to meet or support business and recordkeeping requirements, including accountability and community expectations, is identified.
- require that systems which hold high risk and/or high value records and information are identified.
- require that risks to information are identified, managed or mitigated.

Disposal of Records

Records of Council can only be disposed of in accordance with the State Records Authority's General Retention and Disposal Authority, as listed, for Local Government which covers both core and administrative functions. Records cannot be disposed of without the concurrence of the general manager or delegate (DFCS).

Council disposes of records in accordance with the State Records NSW General Disposal Authority – GA39. The Records Management Procedures contain information on how records are disposed.

No records of the council can be disposed of unless in accordance with the retention and disposal authority. Any sentencing of records must be overseen by the AM, approval and signed authorisation for retention, destruction or transfer of records must be sought from DFCS in liaison with relevant directors.

The DFCS will ensure that records and information are kept for as long as they are needed for business, legal requirements (including in accordance with current authorised records retention and disposal authorities), accountability, and community expectations.

Disposal procedures allow disposal of original documents, in certain instances, to be reused for 'working paper' copying within the office. Confidential and human resources related documents are not to be circulated for reuse.

Disposal of Removable Media

As organisations increasingly transact their business digitally, they may receive records on removable media such as CDs and flash drives. An example of this is the option set by many local councils to accept development application documentation electronically.

State Records advise there is no need to retain these removable media after the records have been captured into the council's recordkeeping system.

The council can destroy the removable media under the normal administrative practice provisions of the State Records Act 1998 as the contents of the devices are just copies.

In accord with this policy a procedure has been developed which basically allows erasure and reuse or destruction of removal media after a 3 month period following uploading into the council's record keeping system.

State Archives

The general manager or delegate is responsible for transferring records which are required as State archives to the State Records Authority of NSW. See Responsibilities above.

Access to Records

Records are available to authorised staff that requires access to them for business purposes.

All access to the council's records by members of the public, including Government Information (Public Access) Act requests, will be in accordance with the applicable legislation.

All confidential conversations/ correspondence must also be recorded and registered into the council record keeping system if they refer to council business. There are policies and security controls in place to ensure these records have limited access, but these records may still need to be produced under relevant legislation, e.g. subpoena, the Government Information (Public Access) Act 2009, etc.

Contractors and Outsourced Functions

All records created by a contractor performing work on behalf of the council belong to the council and are State Records under the State Records Act 1998.

This includes the records of contract staff working on the premises as well as external service providers. Contracts should clearly state that ownership of records resides with the council, and

include instruction regarding creation, management, and access to the records created. The Administration Manager can assist with suitable wording during the formulation of contracts.

Any software that is cloud based or similar should have controls to ensure records are backed up and captured – either into the records system or the council’s IT systems.

Migration

The migration of records and information through system and service transitions should ensure that before migration, key record requirements are met.

In brief, records have certain defining features that must be supported during migration operations. Understanding these features is critical to maintaining record authenticity, integrity, reliability and useability during migrations.

The defining features that need to be addressed in migration operations are that records are complex, metadata is critical, and essential characteristics must be preserved. State Records’ publication “Effectively manage the migration of your digital records” should be referred to.

Responsibilities

General Manager: has overall responsibility to ensure that the council complies with the requirements of s10 of the State Records Act 1998 and associated legislation.

Deputy General Manager – Services (DGMS): Council has nominated the DGMS as the Senior Responsible Officer to provide the strategic focus for record keeping across the whole organisation.

Responsibilities include:

- To ensure that all records keeping systems support the council’s operational business needs, accountability requirements and community expectations.
- To establish policies and procedures in consultation with the general manager and staff, and to promote good record keeping and information management.
- To ensure that all records keeping and information systems comply with legislation.
- To ensure compliance by all staff and cooperates and liaises with State Records NSW in relation to monitoring compliance.
- To conduct audits, reviews and monitoring to ensure that records and information management is implemented, accountable, meets business needs and that the organisation is complying with the State Records Act and associated standards and codes of best practice.

Department Leader – Governance & Corporate Performance (DLG&CP): has day-to-day operational responsibility for the management of the Records section.

DLG&CP is also required to:

- Manage a process to ensure that those records required as State archives are routinely transferred to State Records NSW when no longer in use for official purposes, consistent with sentencing and disposal timeframes for hard paper and imaged records.
- Verify the sentencing of disposal of any records (imaged or paper)
- Be consulted when decommissioning of systems takes place to ensure compliance with retention and disposal requirements for records and information held in the system.

Deputy General Managers (DGM) & Leaders: responsible to ensure that records and information management is integrated into all work processes, systems and services. Consultation with the Systems Administrator and Administration Manager is encouraged in the development of any proposed (or review of existing) processes.

Each DGM and Leader is responsible to ensure they and all reporting staff members deal with correspondence and action tasks in a timely manner as per the council's Customer Service Guarantee and record progress and final comments in the appropriate system as per existing protocols.

DGM and Leaders must ensure any contracts awarded should contain a condition requiring compliance with the council's records management requirements (see Contractors and Outsourced Functions below).

Systems Administrator:

Council's Systems Administrator (SA) has responsibility to:

- maintain all servers and data storage equipment
- ensure records management programs are operating correctly
- manage existing data
- ensure that data is regularly backed up
- ensure records compliance in the development and implementation of records and information strategies
- develop and maintain a program wherein systems are tested or audited to ensure that systems are operating routinely and that there are no issues affecting information integrity, useability or accessibility.

Records Officer: Responsible for the transfer of those records required as State archives to State Records NSW when no longer in use for official purposes and arranging the disposal of paper records no longer required when the retention period has lapsed.

Governance & Corporate Performance Staff: have responsibility for the efficient management of the Records Management Program.

Responsibilities include:

- The effective management and system administration of Council's primary record keeping system.

- To ensure that the Records Management Program is up to date and complies with established policies and procedures.
- To monitor and review the implementation process of all records management policies and programs.
- To assist staff in fulfilling their record keeping responsibilities and provide advice and training throughout the implementation of this policy and strategies.
- To establish and manage specific components of the Records Management Program such as the disposal program.
- To liaise with other councils to keep abreast of best practice in the records sector.
- To oversee a program of sentencing of imaged records within the record keeping system.

All Staff:

Good record keeping is the responsibility of all staff. No records management program will operate efficiently and meet the council's requirements without the support of every user.

Responsibilities include:

- Ensure full and accurate records are kept of all council business in which they are involved.
- Ensure adequate documentation is maintained to support any decision made.
- Deal with all records as soon as possible.
- Not removing records without appropriate permission.
- Not misplacing or losing records.
- Advising records staff of any difficulties or undue delays in relation to records issues.
- Registering emails into the record keeping system according to organisational procedures.
- Being familiar with how and where records are kept within Council.
- Familiarity of records management procedures.
- Staff issued with mobile phones should not use the SMS texting capability for business purposes except when no other option is available. If used, a file note is to be made as soon as practicable for record purposes.

Councillors: Must manage records and information that they create on behalf of the council and receive as part of their roles as councillors in a manner consistent with this policy and any procedures put in place by the general manager.

Contractors: Must manage records that they create on behalf of the council according to the terms of their contract

Definitions

ERMS: stands for Electronic Records Management System. ERMS is a type of content management system and refers to the combined technologies of document management and records management systems as an integrated system.

Information: known facts, details on knowledge in any format: in a digital environment includes data.

Normal Administrative Practice (NAP): a provision within the State Records Act which allows, inter alia, disposal of a record once captured in the record keeping system. The removable media storing these records can similarly be disposed of.

Public Office: includes a council.

Records: "...any document or other source of information compiled, recorded or stored in written form or on film, or by electronic process, or in any other manner or by any other means."

Removable media: is storage media which is designed to be removed from a computer. Current examples include optical disks (including Blu-ray Discs, DVDs and CDs) and memory cards. Removable media also refers to removable storage devices such as flash devices (memory sticks or USB sticks) and removable hard disk drives.

Senior Responsible Officer (SRO): the designated individual responsible for the oversight of records and information management. State Records NSW needs to be advised of the council's SRO. Council's Director of Finance & Corporate Services is the nominated SRO. [SRO should not be confused with references to the Senior Records Officer]

SMS: stands for Short Message Service and is commonly referred to as a "text message" sent via mobile and smart phones.

State records: "...any record made or 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 Archive: a State record that the State Records Authority of New South Wales has control of under the State Records Act 1998 (NSW).

References

Copyright Act 1968 (Commonwealth)

Environmental Planning and Assessment Act

Evidence Act 1995 (NSW)

Government Information (Public Access) Act 2009

Health Records and Information Privacy Act 2002

Local Government Act 1993

Privacy and Protection of Personal Information Act 1998

Public Finance and Audit Act 1983 and Treasury Directions

Public Sector Employment and Management Act 2002

State Records Act 1998 including standards and retention and disposal authorities issued under the Act

State Records Regulation 2005

Standard on Records Management – March 2015

Office procedures and business rules – Council's ERMS

ERMS User Manual – Council's ERMS

Keyword for Council's – Council's ERMS

GA 36 Authority for Imaged Records - www.records.nsw.gov.au or Council's ERMS

GA 39 Local Government Records - www.records.nsw.gov.au or Council's ERMS

Records Procedures – Council's ERMS

Policy on Service – Council's ERMS

Records and information management FAQs – what to do with removable media after records are captured into corporate systems – February 9, 2016 – <http://futureproof.records.nsw.gov.au/records-and-information-management-faqs-what-to-do-with-removable-media-after-records-are-captured-into-corporate-systems/>

Mobile Phones policy - Council's ERMS

History

Minute No.	Summary of Changes	New Version Date
04/04/39	Initially adopted by Council	19 April 2004
10/03/17	Adopted by Council	15 March 2010
13/09/30	Readopted as per s165(4)	17 September 2013
15/12/11	Reviewed consistent with new Standard on records management - March 2015. Previously titled Records Management Policy.	15 December 2015
16/05/12	Updated to include reference to what to do with removable media after records are captured. Reference to the record keeping system by brand name (infoXpert) removed.	24 May 2016

17/09/24	Updated to include a reference that SMS text messaging is not to be used for business purposes.	September 2017
22/11/15	Transferred to new strategic policy template and position titles to reflect organisational restructure. Readopted as per s165(4)	22 November 2022