	<b>Function:</b> CORPORATE SERVICES (RECORDS MANAGEMENT)	<b>Adopted:</b> 1 <sup>st</sup> July 2011 <b>Resolution No.:</b>
	<b>Policy Number:</b> RM001	<b>Last Review:</b> 24 <sup>th</sup> January 2022 <b>Resolution No.:</b> C32:0222
	<b>Version Number:</b> 2	<b>Next Review:</b> As Required
<b>RECORDS MANAGEMENT POLICY</b>		

## Policy Statement

### 1. Introduction

- 1.1. Copper Coast Council (Council) is committed to the establishment of a framework for the creation and management of records and establishing information and records management practices within the organisation; that meets legislations, is accountable; meeting operating and stakeholder requirements.
- 1.2. The purpose of the Records Management Policy (Policy) is to provide best practices for the management of Council's Information assets, which requires all information and records created and received in the course of conducting Council business be created, captured, managed, retained and disposed of in accordance with relevant legislation and standards, with continuous improvement in Councils information and record management practices.

### 2. Scope

- 2.1. Council is defined as an 'Agency' under the State Records Act 1997 and has a responsibility for the adequate management of corporate records and information. The Policy supports Councils compliance with the State Records Act 1997, Adequate Records Management Standards AS ISO: 15489-2002, Freedom of Information Act 1991 and the Local Government Act 1999.
- 2.2. Accurate and authentic information and records are critical Council assets. Managing these assets is vital to support the business functions and activities of Council, ensuring standardisation, protection, reliability and retrieval of information, improving quality customer service and compliance to legislative.
- 2.3. Information and records are assets when they are managed and must be complete, contextual and maintained in accordance with the State Records Act 1997. Council will ensure compliance with relevant Records Management legislation, standards and will pursue best practice in Information Management through continuous improvement. Council uses an Electronic Document Records Management System (EDRMS) as the corporate information and records management system.
- 2.4. An Official Record is information created, sent or received by Council in the conduct of its business. Any person acting as a representative of Council, any Record created, sent, received, forwarded or transmitted by Council employees and Council Members in the undertaking and discharge of their functions and duties may be classified as Official Records. Information captured as a record can include physical and electronic correspondence, social media, text message, visual assets such as photo or video, audio recordings and file notes of conversations.

- 2.5. Adherence to the Policy will establish a complete and accurate history of Council's business activities to meet community, legal, social and accountability obligations. It will ensure best practice in Records Management to meet community needs, legislative responsibility, Freedom of Information and legal requirements. It will also provide evidence of accountability, validate and support decision and actions, and protect the interests of all parties.

### 3. Applicable Legislation

- 3.1. The following legalisation applies to this Policy:

- Local Government Act 1999
- State Records Act 1997
- Freedom of Information Act 1991
- Archives Act 1983 (Commonwealth)
- Electronic Transactions Act 1999.

- 3.2. This Policy is not a mandatory requirement but essential for good governance.

### 4. Integration with Corporate Objectives

- 4.1. This Policy supports Council's Strategic Plan 2019 - 2029

4.1.1. Governance Objective – Leadership

Goal 5 - To provide leadership and ensure resources are managed efficiently and effectively.

- 5.3 Legislation – To adhere to the requirements of the Local Government Act 1999, regulations and other legislation that influences the operations of Council.
- 5.5 Administration - To provide a responsible and responsive administrative service to Council and the community.

### 5. Definitions

For the purposes of this Policy, the following definitions apply:

- 5.1. **Access** – The right, opportunity, means of finding, using, or retrieving information. [AS ISO 15489.1 – 2002].
- 5.2. **Authorised Officer** - Defined as an Authorised person delegated authority under section 44 of the Local Government Act 1999.
- 5.3. **Capture** - Deliberate action that results in the registration of a record into a recordkeeping system. For certain business activities, this action may be designed into electronic systems to capture records concurrent with the creation of records.
- 5.4. **Chief Executive Officer (CEO)** - The Appointed Chief Executive Officer under section 96 of the Local Government Act 1999 and includes any person acting or delegated by the Chief Executive Officer's under sections 100 and 101 of the Local Government Act 1999.
- 5.5. **Classification** - Systematic identification and arrangement of business activities and/or records into categories according to logically structured conventions, methods, and procedural rules represented in a classification system. [AS ISO 15489.1 – 2002] – Council Classification Scheme.
- 5.6. **Continuing Value** - Records of continuing value are those that contain information that is of administrative, legal, fiscal, evidential, or historical value to Council.

- 5.7. **Council** - Means the Copper Coast Council and any delegate of the Council.
- 5.8. **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.
- 5.9. **Council Employees** - Includes persons employed by the Council, volunteers, trainees, work experience placements, independent consultants and contractors and other authorised personnel who access the Council's information resources as part of their role.
- 5.10. **Destruction** – Is a range of processes associated with implementing appraisal decisions. These include the retention, reproduce (whole or part), deletion, destruction or abandon of records in or from recordkeeping systems and the transfer, deliver, sell or purport to do of custody of ownership of Official Records to the State Records Office or between Council and another agency.
- 5.11. **Council Members** – Includes Mayor and all Elected Councillors.
- 5.12. **Email** - 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. Users may retrieve, read and forward or re-transmit messages from their mailbox.
- 5.13. **EDRMS** - Electronic Documents and Records Management System (recordkeeping system).
- 5.14. **Ephemeral** - This is transient material that contains information of little corporate value such as advertising material duplicates and other organisations publications.
- 5.15. **General Disposal Schedules (GDS)** – Formal instrument that defines the retention periods and consequent disposal actions authorised for classes of records that are common to agencies of Government. e.g. GDS40 applies to all records, irrespective of format or media, created or received by a Local Government Authority in SA.
- 5.16. **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 Council will be destroyed. Material that can be disposed of under Normal Administrative Practice comprises items of a temporary or transitory nature created, acquired or collected in the course of person's official duties. Such material has no ongoing value and is not usually incorporated into Council's EDRMS (such as reference material).
- 5.17. **Official Record** - As defined by the State Records Act 1997, a record made or received by Council in the conduct of its business, but does not include:
- A record made or received by Council for delivery or transmission to another person or body (other than an agency) and so delivered or transmitted;
  - A record made by Council as a draft only and not for further use or reference;
  - 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;
  - A Commonwealth record as defined by the Archives Act 1983 (Cth) as amended, or an Act of the Commonwealth enacted in substitution for that Act;
  - A record that has been transferred to the Commonwealth.

An official record does not include records that are merely transitory, ephemeral, personal or private in nature will fall outside the definition of Official Record.

- 5.18. **Record** – Is a written, graphic or pictorial matter; 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). A record is information created, received, and maintained as evidence and information by an organisation or person, in pursuance of legal obligations or in the transaction of business. [AS ISO 15489.1 – 2002] and is defined as being made or received by Council in the conduct of its business (and includes electronic records). A record generally contains information that is evidence of a business transaction, an agreement, commitment, approval or undertaking etc. It does not include ‘drafts’ where there is no further use or reference and it does not include copies retained by individuals for personal / team reference where there is an original held in a recognised corporate system.
- 5.19. **Records Management** - The discipline and organisational function of managing records to meet operational business needs, accountability requirements and community expectations. [AS ISO 15849.1 – 2002].
- 5.20. **Recordkeeping** - Making and maintaining complete, accurate and reliable evidence of business transactions in the form of recorded information.
- 5.21. **Recordkeeping System** - Information system that captures, manages and provides access to records through time (e.g. SynergySoft System)
- 5.22. **Source Records** - A document or record that has been copied, (digitised) converted or migrated or will be the input for such a process. A source record may be an original record or it may be a reproduction that was generated by an earlier copying, conversion or migration process.
- 5.23. **Stakeholder** - Resident, ratepayer, client, customer, member of the public, organisations, government entities or employee/s within the organisation who conducts business with or on behalf of the Council.
- 5.24. **Temporary / Ephemeral / Transitory Records** - A record is transitory, ephemeral or temporary in nature if it is of little or no continuing value to Council and only needs to be kept for a limited period of time, such as a few hours or a few days.

## 6. Application

- 6.1. This Policy applies to all Council Employees and Council Members. This includes employees, volunteers, trainees, work experience placements, independent consultants and other authorised personnel who act on behalf of Council or who are offered access to Council’s information resources.

### 6.2. Record Creation

A record must be created where there is a business, fiscal, legal, risk or stakeholder requirement for evidence of a transaction, decision, action or communication.

Where appropriate, the business knowledge of Council Employees should be documented, not just committed to memory, to assist in business operations and future incumbents in undertaking a role.

A record may be created, received and stored in various formats and media. Records include, but are not limited to, letters, reports, photos, e-mails, plans, agendas, minutes, notes, recordings, publications and databases.

Records will be created when:

- Advice is given, as evidence of what was said, including documenting phone and face to face advice.

- A decision is made, as evidence of what was decided, when and by who e.g. minutes of meetings or file notes.
- An action or activity has taken place e.g. maintenance work undertaken, arrangements for a service.
- An issue or potential issue or crisis arises, including possible litigation or one that might be subject to media exposure and may have an impact on Council.
- Responding to correspondence, complaints or other communication, including phone response to communication.
- There is a legislative requirement to do so.
- Risk to Council is identified.

Records need to be:

- Complete, accurate and meaningful to provide a reliable and valid account of what they document.
- Inviolable (not able to be altered after they are transacted or the final version).
- Created as soon as practicable after an event or action to ensure they are a reliable and accurate account of what took place.

For records to be authentic, complete and accurate they need to comprehensively identify:

- Exactly what took place.
- Who decided.
- Who authored it.
- When an action or decision took place.
- That it originates from the Council.
- When it was created and received.

Email Creation

- Reply to emails by including the previous string of communication; do not create a new, unconnected email.
- Create a new email for a new subject or issue; do not use reply to a previous, unrelated email.
- Ensure emails are professional in nature and adequately reflect the intent of the communication.
- All emails sent externally must include the senders full Council signature block.

### 6.3. Integrity of Information

The public, under the Freedom of Information Act 1991, may access records, or records may be released to the courts or investigating body, so it is important that a professional approach be taken in relation to record content and file notes.

Comments of a personal or derogatory nature should not be documented in, or attached to, records.

### 6.4. Capture into a system

Official records of Council will be captured into the SynergySoft system as soon as practicable after creation or receipt and to give the record context and meaning, and ensure that they are accessible over time.

Capture of records into the SynergySoft system is an essential step in the overall management of official records of Council; with a unique identification number assigned for validation and referencing for access when it is required with protection from unauthorised alteration or deletion.

It is a record when:

- The information relates to the business processes of the Council.
- It is required to provide evidence to support the business and accountability of Council, including interaction with stakeholders.
- Provides evidence of Council's legislative / statutory compliance requirements.
- It identifies issues or risk, or possible issues or risk for the Council, or
- It adds value to an existing record.

Ephemeral material (eg duplicates, other organisation's publications, advertising brochures, working documents) does not need to be recorded in the SynergySoft system. However, if ephemeral material adds value then it can be treated as a record. If in doubt, seek advice from the Records Management employees.

#### 6.5. Duplicates

The creation of duplicates and copies of records should be avoided where possible. All duplicates and copies of records must be stamped with a copy stamp to enable identification, ensure suitable management in the future and prevent confusion with identification of an official valid original. This will reduce the maintenance, storage and disposal of duplicates by the Records Management employees.

It is the individual's responsibility for the management and destruction of all records printed for personal reference which are stamped with a copy stamp.

It is also the responsibility of the individual to refer to the original record to ensure currency of information if referencing a copy to provide advice or make a decision.

#### 6.6. Storage

Electronic records will be stored in the SynergySoft system. Hard copy source records (previously scanned and captured into SynergySoft system) will be stored in the records management room, can be accessed by making a request to Records Management employees and quoting the document identification number.

Legacy paper-based files from previous systems are stored in various storage environments within Council, including State Records of South Australia Archives.

All records, irrespective of format, must be stored in an area where they are known to exist, are accessible and are protected from damage or inappropriate access.

All records must be stored in an environment that suits the media and format, away from known hazards, such as heat, water, vermin, dust, in a location that is secure, accessible and protected and where access and retrieval and are controlled.

All Council Employees and Council Members should ensure that hard copy files and records are protected whilst in their possession. Council's records should not to be stored in environments where they could be lost or damaged, or where there is a possibility of unauthorised access.

#### 6.7. Updating of Records

Records will be updated to reflect the current status, activity or events, to ensure the information it contains remains accurate and current. Records containing information about the same issue or event can be associated with each other to provide context and a complete representation of the facts.

A note should be added to a record when an action is undertaken e.g. a response or phone conversation, or further information is provided.

## 6.8. Alteration

The alteration of records should not occur after the record is finalised, acted upon, signed or sent to the recipient. Any alteration of records must be authorised by the Chief Executive Officer or delegate.

If records are saved to the N drive or hard drives, control and validity of the record may be questioned if it is required as evidence in court proceedings. For records to be valid they must be inviolate with an audit trail to prove they have not been inappropriately accessed or altered.

## 6.9. Migration

To ensure records are protected and are accessible for as long as they are required, they must be migrated to new and enduring formats. Records requiring migration will be identified and monitored by the Records Management employees. The application of authorised disposal schedules (GDS 20) will identify records requiring long term or permanent retention, may require migration depending on media and format they are in. The capture of electronic records into the SynergySoft system will ensure long term retention and able to be migrated across other systems.

## 6.10. Access

Records may contain information that is confidential in nature and should not be divulged to unauthorised parties, including other employees within the Council. Employees must be aware of issues relating to confidentiality, privacy and sensitivity when managing, accessing or divulging information either on request from within the Council, or from outside.

Employees must take care when collecting, storing, using and disclosing personal information relating to individuals and the provisions of Council's Privacy Policy and Freedom of Information Act 1991 must be applied to at all times.

### 6.10.1. Internal Access

Sensitive and confidential information should be protected to ensure it is not viewed by those who should not have access to it, including Council Employees who are not involved in a particular business activity. Where required, records should be stored securely in SynergySoft system with appropriate security levels to ensure protection from unauthorised access.

Security protocols of the Council apply to records at the time of creation, receipt and capture to ensure protection of any confidential, private, sensitive or intellectual property from inappropriate access, usage, disclosure or alteration.

### 6.10.2. External Access

Requests by the public or media for access to information, that is not publicly available, can be accessed under the Freedom of Information Act 1991 and managed by Council's appointed Freedom of Information Officer.

Clarification must be sought from the relevant manager prior to providing access to documents and records that contain:

- Personal information relating to an individual;
- Commercial-in-confidence information relating to the Council or an organisation the Council is conducting business with;
- Working papers relating to a proposed project and
- Legal opinions.

### 6.11. Copyright

The Copyright Act 1968 is the legal protection for people who express ideas and information in writing, visual images, music and moving images. The Council owns the copyright to any publication it produces and external parties own the copyright of what they produce.

Permission from the owner of the copyright may be required before any work is reproduced. Copyright generally lasts for the life of the creator plus seventy (70) years and where duration depends on year of publication, it lasts until seventy (70) years after it is first published.

### 6.12. Disposal

Under the State Records Act 1997 it is illegal to dispose of records (destroy or remove) except in accordance with an approved records disposal schedule.

General Disposal Schedule 40 (GDS40) or General Disposal Schedule 41 (GDS41) must be applied to the records of the Council when determining how long records should be retained for, or when they can be destroyed. It identifies the retention periods for records based on an appraisal of the records value including their cultural, historical, fiscal, business, social and legal value. Other schedules, such as GDS 32, GDS 16, that add a further layer of retention, may also need to be applied.

Records are either temporary (can be destroyed when their retention period has expired) or permanent (must be transferred to State Records of South Australia fifteen (15) years after creation or when administrative use ceases).

Inactive temporary records should be stored in an appropriate storage environment onsite. Prior to the destruction of temporary value records, (where the retention period has elapsed) approval must be given by the Chief Executive Officer, the Authoriser of destruction.

All documentation relating to the disposal process must be maintained to validate the legal disposal of records if required. This validation may be required for a Freedom of Information Act 1991 application or for legal discovery.

Ephemeral material with no ongoing value to Council, it not considered a record, can be destroyed without applying the disposal schedule or seeking approval.

Care must be taken not to destroy information which has value to the Council, which may result in legal action, embarrassment or penalties, to the individual or Council. If in doubt, seek advice from the Records Management employees.

## 7. Delegation

- 7.1. Pursuant to section 44 of the Local Government Act 1999, Council delegates to the Chief Executive Officer authority to administer Council's policies.

## 8. Responsibilities

The following list states the responsibilities and accountabilities within the organisation:

### 8.1. Chief Executive Officer

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



## 8.2. Records Management Department

Responsibility for records management is assigned to the Records Management Department under direction of the Director of Corporate and Community Services. The role of Records Management Department is to provide a strategic focus for record-keeping throughout the Council and responsibility for:

- 8.2.1. Provide support and governance to ensure that Official Records are managed in accordance with the State Records Act 1997;
- 8.2.2. Establishing records management policies and procedures and corporate standards for record-keeping, management and disposal for the Council;
- 8.2.3. Measuring performance of Council Departments against standards;
- 8.2.4. Developing electronic records management strategies;
- 8.2.5. Working with other accountability stakeholders, including Freedom of Information Officers, Executive and Directors, to ensure Council's EDRMS support organisational and public accountability;
- 8.2.6. Providing Council Employees and Council Members with advice and assistance including appropriate training materials, communication and tools to allow them to meet their records management responsibilities;
- 8.2.7. Undertake relevant actions including audits and risk assessments on record management practices and locations to provide recommendations which support ongoing compliance, preservation and access to information.

## 8.3. Council Employees and Council Members

Council Employees and Council Members are required to maintain records within their own duties and functions that relate to Council business. Records Management team will provide guidance, support and direction to support the responsibility of maintaining proper records.

The recordkeeping obligations of Council Employees and Council Members include:

- 8.3.1. Capturing records that support the course of conducting business activities into the EDRMS;
- 8.3.2. Understanding why, how and where records are kept within Council;
- 8.3.3. Not losing or misplacing or destroying Council Records without authority;
- 8.3.4. Being aware of and complying with records management procedures.

Council Employees and Council Members must not intentionally damage, alter, dispose of or remove Official Records of Council without authorisation to do so. To preserve value, knowledge and longevity of records, both physical and digital must be handled in a sensible manner, appropriate to the record to avoid damage, corruption or loss of the record.

Council Employees and Council Members should only use Council's systems for official correspondence created or received in the conduct of their role in Council. Private email address must not be used for Council related correspondence.

Council Employees and Council Members will ensure that Council records in any format, (including electronic documents and messages), personally receive or send must be captured into Council's EDRMS. Records must be readily accessible to meet compliant and transparent business and accountability requirements.

Electronic Records are to be captured and maintained as functioning Official 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.

Council Employees and Council 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 Employees and Council Members must report breaches of this Policy to the Chief Executive Officer.

#### 8.4. Other - Consultants, Contractors and Volunteers

Clause 5.9 defines Council Employees and includes volunteers, trainees, work experience placements, independent consultants, contractors and authorised personnel of Council's and therefore have the same obligation as Council Employees and Council Members (refer Clause 8.3).

### 9. Record Destruction

- 9.1. Official Records must only be disposed of in accordance with the General Disposal Schedules for Local Government Authorities in South Australia. Transitory, temporary records, or records that are personal or private in nature, may be destroyed in accordance with Normal Administrative Practice.
- 9.2. Only Records that have been identified as non-official and of no continuing value to the Council can be destroyed by individual Council Employees and Council Members. Council Employees and Council Members should contact Records Management department for assistance with the destruction of such Records.
- 9.3. The Chief Executive Officer (or delegate) has the authority to dispose of Official Records and approve destruction of Council records. Unauthorised or illegal destruction carries penalties of a \$10,000 fine or up to two years' imprisonment.
- 9.4. Documents that contain confidential, personal or sensitive information should not be placed in open bins, and must be shredded when they are being destroyed.

### 10. Adoption and Review



- 10.1. This Policy shall be reviewed every four (4) years, or more frequently, if legislation or Council requires by the Department of Corporate and Community Services and a report shall provide to Council for consideration and adoption.

### 11. Records Management

- 11.1. Official records will be retained and stored in accordance with this Policy, as required by section 125 of the Local Government Act 1999.

### 12. Availability of Policy

- 12.1. This Policy will be available for inspection without charge at the Council's Principal Office during normal business hours and via the Council's website [www.coppercoast.sa.gov.au](http://www.coppercoast.sa.gov.au).
- 12.2. A copy of this Policy may be obtained on payment of a fee in accordance with Councils' Schedule of Fees and Charges.

Signed		
	Mayor	Chief Executive Officer
Date	2 <sup>nd</sup> February 2022	

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