



# Council Policy Manual

## RECORD MANAGEMENT

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## 1. PURPOSE OF POLICY

To establish a Council-wide procedure for the capture, control and management of records to ensure Council meets its legislative obligations with respect to information access, privacy and protection.

## 2. POLICY STATEMENT

Brewarrina Shire Council is committed to improving the quality and keeping of records to meet business, legal and fiscal requirements and to preserve the evidential value of its records until their authorised disposal.

This policy determines the requirements for managing all Council records in both electronic and hardcopy formats in accordance with relevant legislation, standards and codes of best practice approved by the State Records Authority. Brewarrina Shire Council has selected Tr@cer for the management of electronic documents and physical record management as the corporate records management system.

Records are Council's corporate memory, providing evidence of actions and decisions which represent a vital asset to support Council's functions and operations. Council's commitment to best practice recordkeeping:

- supports policy formulation, decision-making and protects the interests of Council.
- supports consistency, continuity, efficiency and productivity in program delivery, management and administration.
- helps Council to make good use of precedents and organisational experience.
- supports an education program which ensures all staff are aware of recordkeeping responsibilities and trains staff in the use of the electronic document and records management system.

Council requires its employees to make and keep records that fully and accurately document their operations and administration. Recordkeeping practice applies to all correspondence, all forms created or received either written or verbal, electronic mail, facsimiles, voicemail, customer requests and complaints.

Council recognises the need for a planned, systematic and strategic approach to the retention and disposal of records and the need to minimise the cost of the maintenance and storage of these records. Brewarrina Shire Council wants to ensure that its' records:

- support ongoing business activities and customer services.
- meet accountability requirements and community expectations,
- are managed as efficiently and effectively as possible.
- can be retrieved and used to meet the above needs.
- comply with all external requirements relating to recordkeeping practices.



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## 3. PRINCIPLES

### 3.1 REQUIREMENTS OF THE STATE RECORDS ACT

Council as a public office of the State of New South Wales is obliged to adhere to the recordkeeping requirements stated within the State Records Act 1998 and the standards set by the State Records Authority of NSW.

The key records management obligations under the Act are:

- making full and accurate records.
- establishing a records management program.
- ensuring the safe custody and proper preservation of State records.
- maintaining access to equipment/technology dependent records.
- making arrangements with State Records for monitoring and reporting.
- ensuring the authorised disposal of records, including identifying and transferring records required as State archives.

### 3.2 RESPONSIBILITIES FOR GENERAL MANAGER

Under the State Records Act (Part 2-10) the General Manager is responsible for ensuring that Brewarrina Shire Council complies with the regulations and requirements of the Act.

### 3.3 RESPONSIBILITIES FOR NOMINATED SENIOR OFFICER

The Nominated Senior Officer is the Administration Manager.

The Nominated Senior Officer has the responsibility and authority to set and issue corporate standards and to monitor and audit compliance with these standards throughout Council.

### 3.4 RESPONSIBILITIES FOR COUNCIL STAFF (Incorporates Contractors / Service Providers)

Making and keeping records is not just the responsibility of records management staff. Most Council staff will make records as part of daily activities and therefore need to understand the rules for making the right records and for capturing these into Council's electronic recordkeeping system.

The NSW Public Sector Code of Conduct requires public officials to make and keep accurate records of their business activities. These records should support the conduct of their activities and decisions.

The Ombudsman's Good Conduct and Administrative Practice Guidelines for Public Authorities states that public officials must make and create records to support accountability and corporate memory.

Some of the key responsibilities for staff to be aware of include:

- making full and accurate records at the time of or as soon as possible after a business activity (Not all business activities result automatically in a record being created, e.g. meetings, telephone calls.).
- using the electronic recordkeeping system to capture records.



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- not disposing of records without authorisation; and
- understanding and conforming with privacy and confidentiality requirements.

## 3.5 RESPONSIBILITY FOR RECORDS OFFICER

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

The Records Officer will assist staff in fulfilling their recordkeeping responsibilities and provide advice and training.

## 3.6 TYPES OF DOCUMENTS

The two main types of documents based on their importance and relevance to the Council are:

### **Corporate Documents**

Corporate documents are used by Council in the course of its business and are judged to have on-going value. They are the substantive record and contain valuable information. Corporate documents include documents that are:

- kept for legal and audit requirements.
- originate outside and have reached a stage of development and quality that warrants them becoming part of Councils' corporate record.

These records substantiate the 'what, where, when and why' something was done and are seen as being an important asset of the Council.

Corporate documents must be:

- created.
- registered.
- protected for corporate access.

Depending on the security requirements, these documents will be readily accessible to those who need to use them.

### **Working Documents**

Working documents are either copies of existing corporate documents that are in the process of further development, or documents that relate to policy, program or management issues which, when they reach an appropriate level of development and quality will be registered as corporate documents.

## 3.7 LEGAL CONSIDERATIONS

Council is required to maintain certain categories of records because of generally applicable legislation at Commonwealth, State and Local Government levels such as:

- Superannuation
- Industrial Relations



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- EEO
- Access of Government Information
- Privacy
- Audit regulation
- Copyright

Legal action can be brought under a range of legislation, therefore Council has adopted practices that meet the requirements of potential legal action in addition to legislative retention periods.

## 3.8 ACCESS

Brewarrina Shire Council is a service organisation having a total commitment to open government and the rejection of any form of secret decision-making.

All records of the Council are open to any member of the public subject to the Public Access to Government Information policy and Brewarrina Shire Council Publication Guide and the current schedule of fees and charges.

In determining access, regard will also be made for the following:

- Government Information (Public Access) Act 2009
- Privacy and Personal Information Protection Act 1998
- Local Government Act 1993
- State Records Act (NSW) 1998

## 3.9 HANDLING

Council is committed to the correct handling of corporate records, as they are a vital and irreplaceable part of Brewarrina and Council's history. Accordingly, staff are responsible for:

- following recognised procedures in carrying out recordkeeping functions.
- ensuring that records in any format, including electronic documents and electronic messages, are captured into the electronic record management system.
- ensuring that records are adequate and accurate as evidence for Council to be accountable for its actions.
- handling records sensibly - smoking, eating and drinking should not occur near records or in the records storage areas.
- handling records with care and respect in order to avoid damage (e.g. tearing, defacing, altering, removing) to the records and to prolong their existence.
- not relinquishing control over or destroying records of the Council without authorisation to do so.

## 4. AMENDMENTS

The policy is issued under the Authority of the General Manager and will be reviewed and amended as required in consultation with Director of Community and Corporate Services and Administration Manager.

## 5. AUTHORITY OF THIS POLICY



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Ownership of this policy rests with the Director of Community and Corporate Services and responsibility for its implementation rests with the Administration Manager.

## 6. RECORD MANAGEMENT FUNCTIONS

### 6.1 CLASSIFICATION

Files are classified by administration staff within Tr@cer.

Classification allows the allocation of security and disposal authorities (GDA39) at the time of creation and assists users to retrieve information relevant to functional activities.

### 6.2 DOCUMENT REGISTRATION

Inward correspondence (letters, email, faxes) are registered and scanned into Tr@cer after initial appraisal by the General Manager.

A unique document number is assigned to each record through Tr@cer and the date the document was received, document number, GDA39, disposal year and actioning staff is noted on the document.

### 6.3 APPRAISAL AND DISPOSAL OF DOCUMENTS

Council will adhere to the principles of the General Records Disposal Schedule for Local Government to ensure that records are retained to meet the business needs and expectations of Council and the community and no records are lost through unauthorised disposal, destruction, transfer of ownership, damage, alteration or neglect which is a statutory obligation under the State Records Act.

Council records must be protected, maintained, findable and useable for their total retention period as outlined by GDA39 and must be disposed of in accordance with the State Record Act 1998 and Council's disposal procedures.

Files are generally retained in the 'active' file cabinet for a period of two years, at the end of this period files are transferred to the archives room at the Council Depot for a further time period dependent on the individual file classification.

The record is then sentenced and destroyed / archived in accordance with the Local Government Records General Disposal Authority (GDA39).

If files have been classified as State Archives they are transferred to the State Records Authority in accordance with relevant guidelines eg. open or closed access provisions.

### 6.4 RECORD SECURITY

The security of all Council records is critical, 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 staff are responsible for the safe custody of all files and documents that are



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marked to them, sensitive or confidential information should be placed in a secure storage area when not in use.

File storage units should be locked overnight wherever possible to prevent unauthorised access; this reduces the possibility of damage by water or fire in the event of a disaster.

Council's recordkeeping system Tr@cer has a multi-level security facility which can be applied to individual documents.

In association with security levels based on an individuals log in and organisational status within Council, access controls are placed on files which control access to certain types of files such as personal files, 'in confidence', financial, legal, insurance.

Legal documents should be stored in protective or fire resistant conditions with suitable access conditions.

## 6.5 FILE CENSUS

Administration staff will periodically conduct a file census verifying that files are physically located in the filing cabinet and documents located as recorded in Tr@cer.

Council staff are to return physical files to the administration section as soon as action on the files is completed.

Tasks allocated by Tr@cer and not actioned will be escalated on a weekly basis to the immediate supervisor of the staff member the action was delegated to.

## 7. LEGISLATION AND REFERENCES

Council's records management and recordkeeping practices comply with relevant Acts and Regulations and standards and Council policies relating to records management.

State Records Act 1998 (NSW)

Standard - Physical Storage of State Records (Std 3)

Standard – NSW Recordkeeping Metadata (Std 5)

Standard Counter Disaster Strategies for Records/Recordkeeping Systems (S6)

Standard - Full and Accurate Records (Std 7)

Standard - Managing a Records Management Program (Std 8)

Standard – Appraisal & Disposal of State Records (Std 9)

Standard – Digital Recordkeeping (Std 10)

Local Government Records General Disposal Authority (GDA 39)

Australian Standard AS ISO 15489 Records Management

Australian Standard AS 5090 Work Process Analysis for Recordkeeping

Australian Standard AS ISO 23081 Metadata for Records

Australian Standard AS 1203 Microfilming of Engineering Documents

Australian Standard AS 5037(Inf) Knowledge Management





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Banking Act  
Companion Animal Legislation  
Corporations Law 1989  
Environment Protection Act  
Environmental Planning & Assessment Act  
Evidence Act 1995 (NSW)  
Financial Institutions Duty Act 1982  
Freedom of Information Act 1989 (NSW)  
Fringe Benefits & Income Tax Assessment Act  
Government Information Public Access Act 2009 (NSW)  
Insurance Act  
Local Government Act 1993  
Occupational Health & Safety Act 1983 and regulations  
Payroll Tax Act  
Pesticides Amendment (Records) Regulation 2002 (pt of Pesticides Act 1999)  
Privacy Act 1988 -- Privacy & Personal Information Act 1998  
Protected Disclosures Act 1994 (NSW)  
Public Finance & Audit Act 1983 and Treasury Directions  
Public Health Act & Regulations  
Public Sector Management Act 1988  
Roads Act & General Regulation  
Roads & Traffic Act  
Sales Tax Assessment Act  
State Emergency & Rescue Management Act  
Statute of Limitations Act 1969 (NSW)  
Swimming Pools Act  
Trade Practices Act 1974  
Workers Compensation Act (Register Injuries & Employees Records)

Brewarrina Shire Council Code of Conduct  
Brewarrina Shire Council Email and Internet Policy  
Brewarrina Shire Council Service and Communications Policy

## 8. DEFINITIONS

### **Accountability**

The principle that individuals, organisations, and the community are responsible for their actions and may be required to explain them to others (including regulatory authorities, shareholders, and the public).

### **Active Record**

Records in frequent use required for current business activity.

### **Appraisal**

The process of evaluating business activities to determine which records need to be captured and how long the records need to be kept to meet business needs, the requirements of organisation accountability and community expectations.



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## **Business Activity**

All the functions, processes, activities and transactions of an organisation and its employees.

To support the continuing conduct of business, comply with the regulatory environment and provide necessary accountability, organisations should create and maintain authentic, reliable and useable records and protect the integrity of those records for as long as required.

Records that document business activity are vital for supporting informed decision making, corporate memory and ensuring accountability.

E-mail containing evidence of business transactions such as: -

- A directive or approval for a particular course of action
- Formal communications between internal officers or external agencies
- Final versions of reports
- Policy documents and Statements
- Formal minutes of Council Committees

This is distinct from:

- Information only messages
- Duplicates or working copies / memos
- Private messages or personal comments between officers

which would not provide evidence or be required for accountability purposes.

## **Classification**

The process of devising and applying schemes based on the business activities which generate records, whereby they are categorised in systematic and consistent ways to facilitate the capture, retrieval, maintenance and disposal.

Classification includes determining document or file naming conventions, user permission and security restrictions on records.

## **Disposal**

A range of processes associated with implementing appraisal decisions.

These include the retention, deletion or destruction of records in or from recordkeeping systems.

They may also include the migration or transmission of records between recordkeeping systems, and the transfer of custody or ownership of records.

## **Document**

Recorded information, published or unpublished, in hard copy or electronic form.

## **File**

Files are a collection of documents on a specific subject, located within a file cover, which show organisational activities through an identifiable sequence of transactions.

Documents are arranged in with the most recent document placed on top.



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## **Records**

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.

A "record" is defined in the *State Record Act 1998* as "... 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."

A "state record" is defined as "... any record 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, whether before or after the commencement of this section."

## **Records Management**

Field of management responsible for the efficient and systematic control of the creation, receipt, maintenance, use and disposition of records, including processes for capturing and maintaining evidence of and information about business activities and transactions in the form of record.

## **Records Management System**

An information system that captures maintains and provides access to records over time.

## **Retention and Disposal Schedule**

A records retention and disposal schedule is a systematic listing of the records series maintained by an organisation in which the period of time that each series is to be maintained or reviewed for destruction or kept for permanent archival retention is stated.

## **Retention Period**

The period for which a record must be kept before it may be destroyed.