

Records Management Policy

1 Purpose

The purpose of this policy is to provide a framework for the management of Council's corporate records in accordance with relevant legislation, standards and codes approved by State Records.

State legislation requires that full and accurate records of all activities and decisions of Council are created, managed and retained or disposed of appropriately. This policy sets out the principles and responsibilities to promote information accessibility and accountability while ensuring the protection of the rights and interests of Council, Council workers, customers and the community.

2 Policy

2.1 Scope

This policy applies to all Council workers, including councillors, contractors, consultants and volunteers, in their conduct of official business for Coffs Harbour City Council.

This policy applies to records in all formats, including electronic records.

2.2 What is a Record?

By definition – 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”.

2.3 Records as a Resource

The records of Council 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;
- Protect the rights and interests of Council, workers, customers and community

Many of Council's records are important to the history, culture and heritage of the Coffs Harbour City Local Government Area.

2.4 Records Management Program

A Record Management Program has been established by Council in accordance with s.12 (2) of the State Records Act 1998. A Records Management Program is a planned, co-ordinated set of policies, procedures, people, systems and activities that are required to manage records.

This policy provides a framework and outlines responsibilities for the operation of Council's Records Management Program.

2.5 Objectives of the Records Management Program

Council's Records Management Program seeks to ensure that:

- Council has the records it needs to support and enhance ongoing business and customer service, meet accountability requirements and community expectations
- Records are managed efficiently and can be easily accessed and used for as long as they are required
- Records are stored as cost-effectively as possible and when no longer required they are disposed of in a timely and efficient manner

- Council complies with all requirements concerning records management practices including the NSW Government's objectives for recordkeeping
- Records of longer term value are identified and protected for historical and other research
- Digital and other technology dependent records are maintained in an authentic and accessible form for as long as they are required

2.6 Elements of the Records Management Program

2.6.1 Creation of records

Council workers should ensure that they create full and accurate records of all decisions and actions made in the course of their official business **at the time of receipt**. For example, if business is transacted by telephone, file notes of the key points in the conversation should be documented. Official meetings should include the taking of minutes.

2.6.2 Capture of records

All business records, documents and files **must be registered into ECM**.

Paper records created or received in paper format must be scanned and registered into ECM by the receiving officer (except for Councillors – refer to Section 2.6.3) in accordance with Council's Records management procedures and protocols.

Email and electronic records must be registered into ECM by the receiving officer (except for Councillors – refer to section 2.6.3) in accordance with Council's Records management procedures and protocols.

2.6.3 Capture of records (Councillors)

Records of Council business that are created or received by Councillors (with the exception of those sent from Council as they are already captured) must be registered into ECM as soon as is practicable so that Council can assist with their long term management. The Executive Assistant to the Mayor will capture records into ECM for Councillors as required.

Records created or received (in paper, email or other formats) should be forwarded to the Executive Assistant to the Mayor. If records are of a sensitive or confidential nature, the Councillor should alert the Executive Assistant to this fact so that appropriate security classifications can be applied.

Please refer to Appendices (Section 7.3) for examples of what is and what is not considered to be a Council business record.

2.6.4 Records of a confidential nature

On some occasions Council workers may be required to keep matters discussed relating to Council business confidential. In this situation workers should seek clarification via Council's Privacy Management Plan (which is publicly available on Council's corporate website).

Confidential conversations/correspondence must still be recorded and registered into ECM if they refer to Council business.

There are security classifications that can be used to ensure these records have limited access, but these records may still need to be produced under relevant legislation, e.g. subpoena or the Government Information (Public Access) Act 2009. With security controls in place records are likely to be less at risk than if they were not in ECM.

2.6.5 Storage, protection and security

Under the State Records Act 1998 (NSW), Council records are deemed to be State records.

All records of Council shall be appropriately stored to ensure their future conservation, retrieval and use. In doing so, the security, privacy and confidentiality of all records should be protected.

Workers are obliged to handle records sensibly and with care so as to avoid damage to records and to prolong their lifespan and must ensure that:

- Hard-copy Council records are not left unattended in unsecured areas or vehicles.
- At no time shall confidential records, such as personnel files or commercial contracts be left unattended in areas accessible to unauthorised personnel or persons.
- Computers / mobile tablets etc. are not left unattended in unsecured areas thus ensuring prevention of access by unauthorised users to Council information.
- Workers must not alienate, relinquish control over, damage, alter or destroy Council records.

2.6.6 Confidentiality and privacy

Council workers have a legal responsibility to protect confidential and personal information which they may come across in the course of their official duties. Council information must be used and released by authorised officers in accordance with relevant legislation and Council's Code of Conduct.

2.6.7 Access to Council records

Access to Council records is made in accordance with relevant legislation and Council's Access to Information Policy.

2.6.8 Archiving, disposal and destruction

All records must be protected, maintained and accessible for their entire retention period as outlined in the General Disposal Authority No. 39 for Local Government Records (GDA39) under the NSW State Records Act 1998.

Records cannot be disposed of without the approval of the Group Leader Customer Services.

2.7 Monitoring and Compliance

Regular monitoring of compliance with this policy, relevant legislation and procedures will be undertaken to:

- Ensure Council can demonstrate that recordkeeping systems are designed and operating according to best practice, its records are captured in the corporate system, and all systems are performance tested on a regular basis to ensure that the objectives of the system are being met;
- Ensure compliance with this policy and its related procedures, throughout the Council;
- Ensure Council's records are made available to meet accountability requirements, such as auditors, regulatory authorities and investigative bodies;
- Ensure the quality of the information captured into the corporate system is maintained.

2.8 Breaches

Non-compliance with this policy may constitute a breach of council's Code of Conduct. Persons in breach of any legislation may be subject to fines and legal action.

3 Definitions

Access: Right, opportunity, means of finding, using or retrieving information.

Appraisal / Appraising: 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 organisational accountability, community expectations or legislative requirements.

Archives: Those records that are appraised as having continuing value.

Business Activities: Broad term covering all functions, processes, activities and transactions of an organisation and its workers.

Classification: Systematic application of codes and their descriptions that are applied to documents upon registration to determine the level of security (access) to documents.

Document: Recorded information or object which can be treated as a unit. Document means any record of information, and includes anything on which there is writing, marks, figures, symbols or perforations having a meaning for the person qualified to interpret them; anything from which sounds, images or writings can be reproduced with or without the aid of anything else; a map, plan, drawing or photograph.

Digital Records: A digital record is digital information, captured at a specific point in time that is kept as evidence of business activity. Digital records means 'born digital' records such as emails, web pages, digital photographs, digital audio files, GIS files or database records, as well as scanned versions of paper records that have been digitised in business processes.

Disposal: A range of processes associated with appraising documents and files for retention, deletion or destruction 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.

ECM: Technology One's Electronic Content Management System is Council's official electronic record keeping system.

EDRMS: Electronic Document Records Management System is an electronic document and records management system. It is an automated software application designed to facilitate the creation, management, use, storage and disposal of a range of both physical and digital documents and records in an integrated way.

File: A collection of documents, which can be paper based or electronic.

Metadata: Is data that describes records, people and business activities in a suitable amount of detail to ensure better information accessibility; improved records management, and greater accountability in business operations.

Migrating / Migration: The process of moving records from one system to another, while maintaining the records' authenticity, integrity, reliability and useability.

Record: 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.

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. State Records Act 1998 (NSW)

Recordkeeping: Making and maintaining complete, accurate and reliable evidence of business transactions in the form of recorded information.

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 records.

State Archive: A State record that the State Records Authority of New South Wales has control of under the State Records Act, 1998 (NSW).

State Record: Any record made, 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 use of a public office.

Worker: As defined in the Work Health and Safety Act 2011 and varied to include councillors.

4 Key Responsibilities

Position	Directorate	Responsibility
Mayor	Council	To lead councillors in their understanding of, and compliance with, this policy.
General Manager	Executive	To lead staff (either directly or through delegated authority) in their understanding of, and compliance with, this policy. Also refer to appendices for Records Management Program responsibilities.
Directors	All Directorates	To communicate, implement and comply with this policy and related guidelines.
Director Business Services	Business Services	Refer to appendices for Records Management Program responsibilities.
Group Leader Customer Services	Business Services	Refer to appendices for Records Management Program responsibilities.
Section Leader Customer Resolution	Business Services	Refer to appendices for Records Management Program responsibilities.
All Council workers	Council	To comply with this policy and related procedures.

5 References

- www.records.nsw.gov.au
- State Records Act 1998 (NSW)
- State Records NSW - General Retention and Disposal Authority- Local Government Records (GA39)
- State Records Regulation 2015 (NSW)
- State Records NSW - Normal Administrative Practice
- Council's Access to Information Policy

6 Details of Approval and revision

- **Approval date: 9/11/2017**
- **Responsible Section: Customer Resolution**
- **Superseded policies/procedures:**
- **Next review date: 9/11/2021**

Table of amendments

Amendment	Authoriser	Approval ref	Date

7 Appendices

7.1 Management and Responsibilities of Council's Records Management Plan

7.1.1 Management of Councils' Records Management Program

Council's Records Management Program is managed within the Customer Services Group.

The Group Leader Customer Services is responsible for the management and administration of the Records Management Program and the Section Leader Customer Resolution is responsible for the day to day operation of the program.

All records received through the post, corporate email address, corporate fax and at Council's Customer Service Centre are processed by Council's Customer Resolution Team on behalf of all workers.

The management of records created by or directly received by Council workers are the responsibility of the individual worker.

All Council workers are responsible for managing their records in accordance with Council policies and procedures.

Council's Electronic Document Records Management System (EDRMS) allows records to be shared between authorised users to promote consistency within the organisation while ensuring compliance and effective service delivery.

7.2 Key Responsibilities of Council's Records Management Plan

7.2.1 General Manager

Under the State Records Act the General Manager is responsible for:

- Ensuring that Council complies with the regulations and requirements of the State Records Act 1998
- Leading workers (either directly or through delegated authority) in their understanding of, and compliance with this policy in accordance with legislation

7.2.2 Director Business Services

Director Business Services is responsible to the General Manager for ensuring that Council complies with the regulations and requirements of the State Records Act 1998. This includes:

- Ensuring that any records requiring technology to be read and understood remain readable and available for as long as they are required
- Compliance with other legislation relating of records management and recordkeeping;
- Ensuring that the Records Management Program is adequately resourced
- Representing records management interests to the Executive Team

7.2.3 Group Leader Customer Services

Group Leader Customer Services is responsible to the Director Business Services for:

- The role of Nominated Senior Officer for records management matters, including responding to requests for information on conformity with legislative requirements
- Establishing, maintaining and reviewing the Records Management Policy, procedures and standards in relation to all aspects of records management for the Council based on standards and compliance for recordkeeping, legal and statutory requirements
- Monitoring compliance with the Records Management Policy, procedures and standards across Council and making recommendations for improvement or modification of practices
- Ensuring the preservation of digital records are addressed in policy, planning and implementation of Council's Records Management Program;
- Ensuring that the essential characteristics of digital records are identified prior to any preservation process taking place;

- Reporting to the Executive Team on the Records Management Program;
- Developing strategic and operational plans for the Records Management Program;
- Providing support and infrastructure to ensure that records kept in electronic form are managed so that they are accessible, readable, inviolate, complete, comprehensive, and authentic for as long as required;
- Ensuring the appropriate procedures for records backup and recovery are in place;
- Establishing and maintaining a customised recordkeeping metadata scheme and business rules regarding how metadata is to be managed;
- Migrating documents across many generations of hardware and software in a reliable manner;
- Establishing and implementing processes for monitoring and auditing recordkeeping practices to ensure compliance with policies, procedures and statutory obligations;
- Ensuring the Council's records management methods and recording systems shall be reviewed at appropriate intervals to ensure their continuing suitability and effectiveness;
- Ensuring that workers are aware of their recordkeeping responsibilities;

7.2.4 Section Leader Customer Resolution

The Section Leader Customer Resolution is responsible to the Group Leader Customer Services for:

- Managing the conduct of records management operations;
- Organising the disposal of records, in liaison with the Group Leader Customer Services;
- Identifying and transferring records to secondary and tertiary storage levels, as required by disposal authorities and directive of the Group Leader Customer Services.
- Ensuring that appropriate procedures are undertaken for document registration, appraisal and disposal and that these tasks are performed by suitably skilled staff;
- Assigning retention dates to records in accordance with disposal authorities;
- Assisting in the development and maintenance of the strategic and operation plans for the Records Management Program.

7.2.5 Customer Service Systems Analyst

The Customer Service Systems Analyst is responsible to the Group Leader Customer Services for:

- Implementing and coordinating a records management and applications training resource;
- Implementing and maintaining security measures at user level including document classifications and access controls for the system;
- Assisting in the development and maintenance of the strategic and operation plans for the Records Management Program.

7.2.6 Group, Business Unit and Section Leaders

Group, Business Unit and Section Leaders are responsible for:

- Ensuring that accurate, timely and complete records are created and managed within their area of responsibility to comply with Council's record management responsibilities;
- Ensuring workers within their area are aware of their record keeping responsibilities and use Council's corporate electronic document record management system (ECM) for business record keeping.

7.2.7 All Council Workers

All Council workers are responsible for:

- Ensuring that records in any format, including electronic documents and messages are captured into ECM in accordance with Council's record keeping procedures and protocols;
- Not alienating; relinquishing control over; damaging; altering or destroying records;
- Protecting records from unauthorised access and maintaining confidentiality of Council records where required;
- Handling records with care and respect to avoid damage and prolong their life span;

- Being aware of current records management procedures and training resources;
- Being aware of the corporate security classifications for documents and ensuring that documents are classified appropriately;
- Request assistance if unable to achieve these responsibilities.

7.2.8 Contractors

Contractors must manage records that they create on behalf of Council according to the terms of their contract. Access to records held by the contractor such as performance of services, information collected from members of the public or information provided to the contractor by Council may be subject to access applications under the Government Information (Public Access) Act 2009.

7.3 Capture of records (Councillors)

7.3.1 Examples of Council business records

Examples of Council business records include (but are not limited to):

- Correspondence, including emails, regarding building and development matters
- A petition received from a community group
- Declarations concerning a Councillor's pecuniary interests
- Speech notes made for addresses given at official Council events, and
- Complaints, suggestions or enquiries by rate payers about Council services

7.3.2 Examples of records that are not Council business records

Conversely, records which are created, sent or received by Councillors when they are not discharging functions of Council are not considered to be Council business records for the purposes of the State Records Act 1998.

Examples of records that are not State records include (but are not limited to):

- Records relating to political or electoral issues e.g. lobbying for votes, supportive emails from members of the community regarding elections or political stances
- Communications regarding matters of personal/general interest rather than Council interest e.g. information from environmental or other interest groups not specific to issues being considered by Councillors or Council
- Records relating to attendance at sports functions, church fetes, community functions when the Councillor is not representing Council
- Personal records of councillors such as personal emails, character references for friends, nomination for awards, and letters to local newspapers etc. that are not related to Council business