

# Records Management Policy

As at September 2020

	<h1>RECORDS MANAGEMENT POLICY</h1>		
<b>RESPONSIBILITY</b>	Chief Executive Officer		
<b>DATE ADOPTED</b>	28 June 2010	<b>MINUTE</b>	
<b>REVISED</b>	September 2020	<b>REVIEW</b>	2021
<b>ECM No</b>			
<b>ASSOCIATED POLICIES/ DOCUMENTS</b>	<ul style="list-style-type: none"> <li>x Strathfield Council Code of Conduct</li> <li>x Strathfield Council Procedures for the Administration of the Model Code of Conduct May 2019</li> <li>x Strathfield Council Access to Information Policy and Guidelines</li> <li>x Strathfield Council Councillors Record Keeping Policy</li> <li>x Strathfield Council Personnel Records Policy</li> <li>x Strathfield Council Privacy Management Plan</li> </ul>		
<b>ASSOCIATED LEGISLATION</b>	<ul style="list-style-type: none"> <li>x <i>State Records Act 1998</i></li> <li>x <i>State Records Amendment Act 2005</i></li> <li>x <i>Government Information (Public Access) Act 2009 (GIPA)</i></li> <li>x <i>Privacy and Protection of Personal Information Act 1998</i></li> <li>x <i>Evidence Act 1995</i></li> <li>x <i>Public Finance and Audit Act 1983</i></li> <li>x <i>Copyright Act 1968</i></li> <li>x <i>Environmental Protection and Assessment Act 1979</i></li> <li>x <i>Health Records and Information Privacy Act 2002</i></li> <li>x AS ISO 15489</li> </ul>		

## 1.0 Introduction

### 1.1 Title and Commencement

This policy is titled *Records Management Policy*. This policy was approved by the General Manager and adopted on 28 June 2010.

### 1.2 Background and Purpose of Policy

The purpose of this policy is to provide a framework for the management of Strathfield 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 Strathfield 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, staff, customers and the community.

### 1.3 Objectives of the policy

The objectives of this policy are to set out Council's requirements for managing records to:

- Manage records efficiently and effectively
- Meet accountability requirements and community expectations
- Comply with legislative and policy requirements relating to record keeping practices

### 1.4 Coverage of the Policy

This policy applies to all Council officials, including staff, contractors, consultants and volunteers, in their conduct of official business for Strathfield Council. This policy applies to records in all formats, including electronic records.

Councillors are required to register records they create or receive that relate to the business of Council, which are not captured by other methods. The *Councillor's Record Keeping Policy* sets out the requirements and processes for registration of these records into Council's record keeping systems.

### 1.5 Definitions

**Active Records** – records in frequent use, required for business transactions or information.

**Archives** - Those records that are appraised as having continuing value.

**Business Activity** – broad term covering all functions, processes, activities and transaction of an organisation and its employees.

**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.

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

**Electronic Messaging** – A general term covering all forms of electronic mediated communication. This includes electronic mail for text messages as well as recording of sound or video.

**File** – Is a collection of documents, which can be paper based or electronic.

**Personal information** - Information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual (whether living or dead) whose identity is apparent or can reasonably be ascertained from the information or opinion. (Schedule 4(4)[1] GIPA Act)

**Record (1)** - 'Any document or other source of information compiled, recorded or stored in written form or by electronic process, or in any other manner or by any other means.' (Clause 10 Schedule 4 GIPA Act)

**Record (2)** – '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.' (The Australian Standard AS ISO 15489)

**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.

**Retention and Disposal Authority** - Documents authorised by the Board of State Records NSW that set out recommended retention periods for classes of records. There

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are two main types: functional retention and disposal authorities authorise the retention and disposal of records unique to a specific organisation and/or general retention and disposal authorities authorise the retention and disposal of records common to more than one organisation.

**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.

## **2.0 Policy Statement**

Strathfield Council records are valuable corporate assets that are necessary for the effective and accountable conduct of its business. These records support policy formation and decision-making, protect the interests and rights of the Council, its employees and stakeholders.

Strathfield Council is committed to developing and implementing best practice in its records management practices and systems. All practices and procedures concerning records management within Strathfield Council are to be in accordance with this policy.

## **2.1 Principles of Records Management**

Strathfield Council is committed to the following principles regarding records management:

- that Council's records management programs comply with approved standards and procedures.
- 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

## **2.2 Corporate Asset**

The records of Strathfield 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, staff, customers and community.

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

Certain Council records are maintained as State archives, part of the cultural resources of the State of NSW.

## **2.3 Access to Council records**

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

## **2.4 Confidentiality and Privacy**

Council officials 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 released in accordance with relevant legislation by authorised Officers only.

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Section 8.11 of Council's Code of Conduct states that

'In addition to your general obligations relating to the use of council information, you must:

- a) only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
- b) protect confidential information
- c) only release confidential information if you have authority to do so
- d) only use confidential information for the purpose for which it is intended to be used
- e) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
- f) not use confidential information with the intention to cause harm or detriment to the council or any other person or body
- g) not disclose any confidential information discussed during a confidential session of a council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

## **2.5 Creation of Records**

All employees are obliged to create full and accurate records that adequately document the official business activities of the Council in which they take part, and to ensure that information and processing systems that support business activities create appropriate records as part of supporting those activities.

Staff should ensure that they create official records of all decisions and actions made in the course of their official business. This includes letters, reports, file notes of conversations on phone, interview or in-person, meeting minutes, publications etc.

Documentation for all business decisions must be maintained in the recordkeeping system regardless of format eg verbal, written, electronic etc

Records must be maintained regarding release of council information under the *Government Information (Public Access) Act 2009*.

## **2.6 Protection of Records**

Under the *State Records Act 1998* (NSW), Council records are deemed to be State records. Employees are obliged to handle records sensibly and with care and respect so as to avoid damage to records and to prolong their lifespan.

Employees must not alienate, relinquish control over, damage, alter or destroy Strathfield Council records.

## **2.6 Disposal of Records**

Council records are disposed of in accordance with the General Retention and Disposal Authority: Local Government Records (GA39), authorised by the NSW Government State Archives and the Guidelines of Normal Administrative Practice (Schedule 1, *State Records Act 1998*).

Employees who wish to initiate the archiving and/or disposal of records are required to contact the Records Department or the Director – Corporate and Financial Services.

Disposal of records requires the approval of the Chief Executive Officer.

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### **3.0 Monitoring and Breaches**

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

Breaches of this policy are considered to be breaches of Strathfield Council's Code of Conduct and therefore invoke the relevant sanctions outlined in that Code. Persons in breach of any legislation may be subject to fines and legal action.

### **4.0 Responsibilities**

#### **4.1 Chief Executive Officer**

The Chief Executive Officer has the authority to approve disposal of Council records in accordance with the provisions of the *State Records Act 1998*, Regulations or any standard and code approved by the State Records Authority pursuant to section 13 of the *State Records Act*.

#### **4.2 Director Corporate and Financial Services**

Director Corporate and Financial Services is responsible to the Chief Executive Officer for ensuring that Council complies with the regulations and requirements of the State Records Act and has the authority to issue policy, procedures and guidelines on records management and monitor compliance.

Director Corporate and Financial Services will provide regular reporting to the Chief Executive Officer on the compliance of records and ensure that managers and supervisors meet obligations for records management within resource allocation.

#### **4.3 Staff (General)**

All staff must ensure that they comply with their records keeping obligations as per section 8.21 to 8.24 of Council's Code of Conduct (May 2019). Further it is vital that Staff understand these responsibilities and keep full and accurate records as evidence of business activities. This means registering records into Council's official records systems (ECM) when the record is created.

Staff **must not** dispose of records, which record the business activities of Council, without permission of the Chief Executive Officer.

Staff must protect records from unauthorised access and maintain confidentiality of Council records where required.

Records must be handled with care and respect to avoid damage and prolong their life span.

#### **4.4 Managers and Supervisors**

Managers and supervisors are responsible for ensuring that accurate, timely and complete records are created and managed within their area of supervision to comply with Council's record management responsibilities

#### **4.3 Corporate Services Department**

Corporate Services are responsible for:

- development, implementation and management of the Information Management Framework and Records Information Strategies
  - operational management and monitoring of Council's records management program
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- developing standards in relation to records management
- monitoring compliance

#### 4.4 Contractors

Contractors must manage records that they create on behalf of Strathfield 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*.

#### 5.0 Version Control

Version #	Date	Details	Council Meeting Date
	May 2020	Administrative update - update titles to from General Manager to CEO and Director Corporate Services to Director Corporate and Financial Services Update Sections 2.4 with correct section of Council's Code of Conduct, 2.6 with new Disposal Schedule and include Executive Manager Administration as contact for disposals and 4.3 to add reference to obligations under Council's Code of Conduct.	Adopted Administratively – Executive 14 May 2020
	September 2020	Administrative changes	September 2020