
Records Management Policy

Administration Policy



July, 2018




Northern Grampians Shire Council
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Records Management Policy



Administration Policy

Responsible director

Responsible officer

Functional area

Date adopted by ELT

Review date

Director Corporate Services

Manager Governance & Civic Support

Governance

March 2012

July 2022

Purpose

The purpose of the Records Management Policy is to establish a Council wide consistency in the management of records and a framework for the creation, capture, access, management, storage and disposal of records of all agency functions, irrespective of format, within the Northern Grampians Shire Council.

Background

There is a requirement under the *Public Records Act 1973 (s.13)* for Councils to make and keep full and accurate records of the business of the office and to carry out a program of records management. There is a high risk to Council to not manage its records, including vital records, effectively.

It is acknowledged that records are necessary to support management, administration and service delivery, to provide efficient customer service, to provide evidence of actions and decisions and precedents for future decision making and to protect Council's rights and interests and that of its clients and citizens.

Having given consideration to Council's business continuity management plan (BCMP), legal requirements, community expectations and good governance, Council acknowledges sound recordkeeping as a fundamental function and is committed to implementing recordkeeping practices and systems that meet its statutory obligations, accountability requirements, business needs and stakeholder expectations. Council places great value on its records which are a major component of its corporate memory and an important business asset.

Policy

Council is committed to meeting its legislative obligations for records management which will be progressively integrated with information management and knowledge management policies and strategies, including those regarding information communication technologies, Freedom of Information (FOI), information privacy, information security, procurement and risk management.

In order to fully meet its recordkeeping obligations under the Act, it is acknowledged that adequate procedures need to be in place. Council is committed to the underlying open and transparent management principles and practices set out in the *Australian Standard for Records Management AS:ISO 15489* and the adherence to and application of Standards, Guidelines, Advice, Retention & Disposal Authorities and Forms established by the Public Records Office Victoria (PROV).

The policy applies to records of all work done by or on behalf of Council, and in all media or formats (ie paper, digital or audiovisual) and in all business systems, whether registered files, working papers, electronic documents, emails, online transactions, data held in databases or on tape or disks, maps, plans, photographs, and sound and video recordings.

Recordkeeping Systems

Council's primary recordkeeping system is MagiQ Docs an electronic document and records management system (EDRMS) consisting of imaged and electronic borne files and documents.

Records will be actively managed and maintained as authentic evidence of business activity, kept accessible to authorised users for as long as is required and will be disposed of in a managed, systematic and auditable way.

Council will implement and maintain the EDRMS to capture, maintain, access, manage and store all corporate administrative records.

While the EDRMS constitutes Council's preferred primary records system for all corporate administrative records, there are a number of databases, software applications and paper based systems which will operate outside of the EDRMS and also function as records systems.

Wherever possible and appropriate, these will be integrated into the EDRMS. Council recognises that records may be maintained in systems other than the EDRMS and is committed to ensuring these systems comply with legislative obligations and standards of practice.

Staff must not use alternative systems to store or manage their records, eg staff members should not store or manage records in email folders, local drives, portable storage devices or shared drives because they lack the required records management functionality.

Records will only be destroyed when authorised (as set down in disposal procedures) to ensure the records created and received are retained in an accessible format for as long as required.

Creation and Capture of Records

All staff are obliged to create full and accurate records that adequately document the official business activities of Council.

All incoming correspondence to Council's official mailing addresses, including official email addresses, is to be captured as a record by the records team.

It is the responsibility of the author to ensure that all incoming and outgoing correspondence, including emails, which is Council business is captured as a record in the EDRMS.

Internal documents such as memos, reports or emails, which are Council business must be captured as a record by the author.

Council is presently assessing options for keeping sufficient records from web-based activity, acknowledging the increasing use of websites as a method of delivering both information and services to residents.

Access to Records

Employees

All records received or created by employees (including volunteers and contractors) in the course of their duties **are corporate records that belong to Council** and, subject to the following considerations, are to be available and accessible to any authorised employee.

An employee's right to access records will be determined by the relevance of the records to the performance of their duties, their level of delegated authority, privacy considerations, legal professional privilege, commercial-sensitivity and other specific considerations where confidentiality restricts the normal right of access to records. Authorisation from appropriate Director or Manager may be required before access is granted.

Employees are not permitted to give access to corporate records to un-authorised persons or agencies.

Access to personnel records shall be in accordance with this policy and Human Resources Department procedures.

Councillors

Councillors need to have access to information held by Council to help them make informed decisions on matters under their consideration. This information should be relevant and appropriate to the discharge of their obligations eg records relating to matters before Council or due to be considered, for which there is notification.

Council will strive to provide information electronically wherever possible.

Where Councillors require information or opinion on strategic/policy issues or other daily operational matters, the relevant Director or Chief Executive Officer should be contacted to ensure the full material and information is provided.

Contractors/Third Party providers

All records received or created in the course of fulfilling their contractual obligations or work arrangements are corporate records that belong to Council and are to be available and accessible to Council. The Contractor/third party is not permitted to give access to such records to unauthorised persons or agencies.

A service provider's right to access corporate records will be determined by the relevance of the records of the performance of contractual obligations, privacy considerations, legal professional privilege, commercial-sensitivity and other specific considerations where confidentiality restricts the normal right of access to records. Authorisation from appropriate Director or Manager may be required before access is granted.

General public

Access to public records in Victoria is regulated by various Acts and Regulations including the *Public Records Act 1973*, *Local Government Act 1989*, *current Local Government (General) Regulations*, *Privacy & Data Protection Act 2014*, *Freedom of Information Act 1982*, *Health Records Act 2001* and the *Ombudsman Act 1973*.

Access is subject to exemptions permitted by specific legislation and to privacy, legal and commercial considerations.

Protection of Records

Records will be preserved and maintained over time for as long as required to meet administrative, legal, fiscal and archival requirements.

Business Continuity Management Plans will be developed and maintained for the hard copy and electronic records of Council.

Storage and Security of Records

The security of all corporate records is critical to prevent unauthorised access, destruction, alteration or removal.

All employees, including contractors and volunteers, are responsible for the safe custody of all corporate records.

Corporate records shall be appropriately stored to ensure retrieval and use and to protect the security, privacy and confidentiality of all records.

Unauthorised alteration, removal, distribution or destruction of corporate records is prohibited.

Corporate records **must not** be left unattended in unsecured areas or vehicles. At no time shall any confidential records, such as contract files, be left unattended in areas accessible to unauthorised personnel or persons.

Personal computers or mobile devices must not be left unattended in unsecured areas without first logging out or locking access from the network connections, thus ensuring prevention of access by unauthorised users to Council information.

Removal of Records

All electronic records must be backed up systematically at appropriate intervals.

Measures should be taken to prevent the loss of hard copy records from former records systems in the event of a disaster, including conversion to electronic records, off-site storage, fireproof containment and disaster planning.

Archiving & Disposal/Destruction of Records

The records team is responsible for providing advice on and co-ordinating archival requirements.

Records should only be disposed of in accordance with the General Retention & Disposal Authority for Records of Local Government through the records team who must report any destruction to the Public Records Office of Victoria.

Any records subject to legal processes must be protected and not destroyed. The *Crimes (Document Destruction) Act 2006* and *Evidence Act 2006* make it a criminal offence to destroy a document where it is reasonably likely to be required in the future as evidence in legal proceedings and where the destruction was done intentionally to prevent the document being available for the proceedings.

Where the official version of a record is verified as being maintained in the Council's recordkeeping system, a copy may be destroyed at any time.

Policy Breaches/Compliance

Compliance with this policy is the responsibility of employees, Councillors and external service providers and breaches will be dealt with through relevant disciplinary procedures.

Council Plan Objective/Strategy

Improve Organisational Effectiveness

Legislation and Standards

As a Victorian Local Government agency, Council recognises its statutory recordkeeping requirements and will operate in accordance with the principles outlined in the following legislation and standards :

- *Public Records Act 1973*
- *Freedom of Information Act 1982*
- *Privacy & Data Protection Act 2014*
- *Local Government Act 1989 and current Local Government (General) Regulations*
- *Crimes (Document Destruction) Act 2006*

- *Electronic Transactions Act 1999*
- *Evidence Act 2008*
- *Health Records Act 2001*
- *Australian Standard for Records Management AS ISO 15489.1-2002 Records Management General*
- *AS ISO 15489.2-2002 Records Management Guidelines*
- *Public Records of Victoria (PROV) Recordkeeping Standards for capture, control, storage, access and disposal*

This Policy aligns with various Council documents including :

- *Privacy & Data Protection & Health Records Policy*
- *Risk Management Policy*
- *Business Continuity Management Policy*
- *Governance Code*
- *NGSC Staff Code of Conduct*
- *Records EDRMS Procedure*
- *Records Digitisation Policy*
- *Social Media Policy*
- *ICT Strategy 2013-2017*
- *Business Transformation Strategy 2017-2021*
- *Occupational Health & Safety Document Control Procedure*
- *Occupational Health & Safety Policy and procedures*

Responsibilities

The **Council** is responsible for adequately funding, resourcing and staffing (by appropriately qualified and experienced staff) a records management program.

Councillors are responsible for ensuring that full and accurate records of activities undertaken in the course of their official duties as Councillors are created, managed and disposed of appropriately to meet the Council's organisational needs and accountability requirements.

The **Chief Executive Officer** is responsible for ensuring that Council complies with legislative requirements for recordkeeping. The Council must establish an ongoing organisation-wide records management program which is appropriate to the organisation's business needs, organisational culture, legislative and technological environment and exposure to risk.

Section 13 of the *Public Records Act 1973* provides that the **Chief Executive Officer** :

- *shall cause to be made and kept full and accurate records of the business of the office*
- *shall be responsible, with advice and assistance of the Keeper of Public Records, for the carrying out within the office of a Program of Records Management in accordance with the standards established under the Act by the Keeper of Public Records; and*
- *shall take all action necessary for the recovery of any public records unlawfully removed from the office.*

The **Executive Leadership Team**, in addition to their responsibilities as employees, are ultimately responsible for ensuring a successful records and information management system, including supporting and promoting records and information management policies, procedures, standards and guidelines.

The **Director Corporate Services** is responsible for ensuring that the records and information management program is adequately supported and resourced.

The **Manager Business Transformation** reports directly to the Director Corporate Services and is responsible for ensuring the reliability, continuing operation and full functionality of computerised systems that generate records; and the development, implementation and monitoring of IT Disaster Recovery Plans for these systems.

The **Manager Governance & Civic Support** reports directly to the Director Corporate Services and is responsible for overseeing all aspects of the Records Management Program, in conjunction with the **records team** including :

- Maintenance of the corporate recordkeeping system
- Monitoring and reviewing compliance of corporate information and recordkeeping practices
- Development and implementation of policies, procedures and corporate standards for recordkeeping.

The Manager is the Council's **Privacy Officer** and **Freedom of Information Officer** and is responsible for ensuring compliance with privacy and Freedom of Information legislation with regards to access and release of personal information and documents.

The **records team** is accountable for all aspects of records management, including :

- Design, implementation and maintenance of records systems and their operations
- The proper creation, management, protection and disposal of records in all formats
- Training users to be compliant with records management policy and procedures and records systems operations as they affect individual practices.

The team will provide assistance to employees on all aspects of records management.

All **Managers / Team Leaders / Co-ordinators / Supervisors**, in addition to their responsibilities as employees, are responsible for monitoring staff under their supervision to ensure that they understand and comply with records management policies and procedures.

They are also responsible for fostering and supporting a culture within their work group that promotes good record management practices and for incorporating records management strategies into agency-wide planning.

External service providers who have been contracted by Council to fulfil an organisational function or to provide a service to Council and where it has been determined through contractual agreement that the records are the property of Council are required to return all documents/files to the Council officer responsible for the agreement.

External service providers are responsible for ensuring complete records are accurately created and managed that properly record evidence of the business activities of their work function and for respecting and protecting the confidentiality of Council's records from unauthorised access and release.

All **members of staff** (including volunteers and contractors) have a responsibility to create, capture and manage appropriately complete and accurate records of the Council's business, including records of work-related decisions made, actions taken and transactions of daily business, in accordance with organisational policies and procedures.

It is mandatory that all members of staff ensure that the records which they create or receive and which document Council's business are incorporated into the records system through compliance with the Council's records management program as documented in its policies, procedures and processes.

Stakeholders

Records management is the responsibility of all Council employees, councillors, contractors, consultants, volunteers, temporary and casual staff, and other authorised personnel of the Northern Grampians Shire Council.

Review

Assessment of the policy will be undertaken at least every four years to ensure it remains current with the Council's goals, processes, aims and requirements and as a means by which to reduce Council's exposure to

risk. Triggers for an earlier assessment include legislative changes and introduction of new systems or procedures.

Regular communication with managers of business units regarding changes in records management practice will assist with targeting internal changes.

Communication and implementation

The policy will be communicated to all stakeholders and levels of business through the following means :

- posting of the policy in the policy folder in the EDRMS
- regular reference through staff newsletters
- induction and training
- records management staff guidance
- to be referenced in procedures and contract documents.

References

AS ISO 154.89.1 & 2 – Australian & International Standard on Records Management

PROV PROS 10/10 Strategic Management Standard

PROV Guideline 1 : Records Management Policy

Suite of PROV Records Management standards, procedures, systems and procedures to create, capture, access, manage, store and dispose of records.

Council's records management staff can assist with understanding this policy.

Charter of Human Rights compliance

It is considered that this policy does not impact on any human rights identified in the *Charter of Human Rights & Responsibilities Act 2006*.

Definitions

Term	Definition
Access	Right, opportunity; means of finding, using or retrieving information.
Capture	Systematic creation and capture by robust and compliant systems of full and accurate records and decisions of all agency activities and decisions.
Corporate records	Recorded information in any form, including data in computer systems, created or received and maintained by Council in the transactions of business or the conduct of affairs and kept as evidence of such activity.
Destruction	Process of eliminating or deleting records beyond any possible reconstruction.
Disposal	A range of processes associated with implementing appraisal decisions which are documented in disposal authorities and include retention, destruction or deletion of records in or from recordkeeping systems. Includes migration or transmission of records and transfer of ownership or custody.
File	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 chronological order, ie the most recent document is placed on top.
Public Records	All information created, sent and received by a Victorian public sector employee in the course of carrying out the business of the agency including electronic documents, emails, websites, audio-visual records, databases and system-generated records, as well as physical documents and files

- Records Management** The systematic management of records during their "life cycle" including creation, maintenance, storage, retrieval, dissemination and disposal.
- Storage** The process involving placement and retention of physical and digital data and documents in a storage area for subsequent retrieval and use.
- Vital records** Records that are so essential that Council could not function without them and that are needed to operate the organisation including archive minutes, historical, financial, rating, health and welfare records.

Review history

Date	Review details	Action
March 2012	Records Management Policy	Adopted by EMT 14 March 2012
July 2014	Policy updated in line with infoXpert EDRMS implementation	Adopted by EMT 21 July 2014
July 2018	Four yearly review. Policy updated in line with new style guide and MagiQ Docs	N/A