


Council Policy

Records and Information Management



COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h2>RECORDS AND INFORMATION MANAGEMENT POLICY</h2>
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Policy Number:	GOV-13
Responsible Department(s):	Information Services
Relevant Delegations:	As per the Delegations Register and as detailed in this Policy
Other Relevant Policies:	Council Member Conduct Policy
Relevant Procedure(s):	Internet and Email Procedure Internet and Email Usage Agreement Social Media Procedure Records and Information Management for Council Member Procedure
Relevant Legislation:	<i>State Records Act 1997</i> <i>Freedom of Information Act 1991</i> <i>Local Government Act 1999</i> <i>Electronic Communications Act 2000</i> <i>Evidence Act 1929</i> <i>Surveillance Devices Act 2016</i> <i>Independent Commissioner Against Corruption Act 2012</i> <i>Public Interest Disclosure Act 2018</i> <i>Copyright Act 1968 (Cth)</i>
Policies and Procedures Superseded by this policy on its Adoption:	Records & Information Management 14 February 2017, Item 14.5, 109/17 Records and Information Management Policy, 22 September 2022, Item 12.8, 218/20
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Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
<i>1.0</i>	<i>14/02/2017</i>	<i>New Policy</i>	<i>Council - Res 109/17</i>
<i>2.0</i>	<i>22/09/2022</i>	<i>Policy Review</i>	<i>Council - Res 218/20</i>
<i>3.0</i>	<i>26/04/2023</i>	<i>Policy Review</i>	<i>Council - Res 79/23</i>

RECORDS AND INFORMATION MANAGEMENT POLICY

1. INTRODUCTION

The Records and Information Management Policy provides a framework for the management and continuous improvement of official record keeping practices within the Adelaide Hills Council.

All official records (digital and hard copy) are assets that form part of business activities undertaken by Council. To manage official records Council is committed to implementing accurate and auditable record keeping practices and systems that enable the creation, capture, retrieval, maintenance, security and disposal of all official records in accordance with legislative requirements. Record keeping practices will also provide evidence of accountability, support decisions and protect the interests of citizens, Council Members, and staff.

2. OBJECTIVES

South Australian Local Government Councils are defined as 'Agencies' under the *State Records Act 1997*. This policy will ensure Adelaide Hills Council meets appropriate objectives by adhering to required records management practices.

Objectives include:

- 2.1. To demonstrate efficient, compliant and accountable official record keeping practices by all persons employed or engaged by Council in accordance with legislative requirements.
- 2.2. To enhance customer service delivery (internal and external) and maintain a history of transactions and business processes by systematic control which is vital for the efficient provision of Council's ongoing business activities.
- 2.3. To ensure legal, evidential, risk and accountability requirements are adhered.

3. DEFINITIONS

"CEO" means Chief Executive Officer.

"Copyright" is a type of intellectual property that provides a legal right to the works of authorship.

"Council" means Adelaide Hills Council.

"Council Members" are people who have been appointed or elected as a member of the council under the *Local Government Act 1999*.

"Destruction" means the destruction process that must be followed dependent on if the record is official or not.

"EDRMS" means Electronic Document Records Management System. These systems ensure the protection of Council's "corporate memory" through sound record keeping practices. Council's approved EDRMS's include Records Hub, Open Office, My Community, and Customer Relationship Management System.

“Freedom of Information” is a legal process that enables public access to official documents and records or to provide for the correction of public documents and records.

“General Disposal Schedule 21” affords Council with appropriate means to destroy certain hardcopy records upon accurate digitisation being completed.

“General Disposal Schedule 40” affords approved Information Management staff only with appropriate means to destroy specific hardcopy records upon end of archival life.

“Information Management” is the way in which any official record is created, captured, retrieved, maintained, and secured. It ensures every official record has adequate metadata and format applied in accordance with legislative requirements.

The primary aim for information management is to ensure that the right information is available to the right person, in the correct format and medium, at the right time.

“Information Management Team” is the team operationally responsible for the professional management of Council’s official records (physical and electronic). They are available to assist all individuals identified in the scope with advice or training.

“Non-official Records” means a record that is not an official record.

“Normal Administrative Practice (NAP)” permits the disposal of temporary (including draft) records which have no ongoing value to Council.

“Official Record” means any record made or received by Council in the conduct of its business, but does not include:

- a) A record made by any individual identified in the scope as a draft only and not for further use or reference.
- b) 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 Council.
- c) A Commonwealth record as defined by the *Archives Act 1983 (Cth)* as amended from time to time, or an Act of the Commonwealth enacted in substitution of that Act.
- d) A record that has been transferred to the Commonwealth.

An official record does not include records that are merely draft, temporary, personal, or private in nature.

“Record” can be written, graphic or pictorial matter including a disk, tape, film, social media, webpage, or other object that contains information or from which information may be reproduced.

“Record Management” includes the manner in which records are created.

“Security” includes the manner in which records are securely held either within an appropriate EDRMS or hard copies stored on or off site in fire safe environments.

4. SCOPE

This policy applies to all Council Members, Council employees, volunteers, representatives, consultants, contractors and sub-contractors employed or engaged by the Council.

It outlines the strategy required when managing any official record, in any format to ensure they are legally contained in an approved Council EDRMS business system.

5. LEGISLATIVE FRAMEWORK

This policy takes into account the requirements of various legislation including, but not limited to, the *Local Government Act 1999*, the *State Records Act 1997*, the State Records Information Management Standard and the International Standard ISO:15489-2017.

The *State Records Act 1997* ("the Act") and applicable Regulations govern the obligations and responsibilities of councils in relation to the management of official records. Under this legislation, Council has a legal duty to maintain official records in its custody in an order that is able to be preserved for future requirements.

In addition to its record management obligations under the Act, Council is obliged to keep adequate records in order to fulfil its responsibilities under other forms of legislation such as the *Freedom of Information Act 1991*, for legal processes, such as discovery and subpoenas, requirements by Royal Commissions, Independent Commission Against Corruption (ICAC), the South Australian Ombudsman, the Courts of South Australia, *Electronic Communications Act 2000*, *Evidence Act 1929*, *Surveillance Devices Act 2016*, auditors and other bodies.

6. PRINCIPLES

The security of all Council's systems including their EDRMS is crucial. Official records provide evidence of business transactions, support management decisions and ensure public accountability requirements are met. All official documents, matter or things prepared or written in the bounds of one's employment will vest with the Council as their intellectual property right.

All individuals identified in the scope will be conscientious in the use of official information and should not use any information for personal gain.

7. RESPONSIBILITIES

All individuals identified in the scope must comply with this policy and Council Members must also comply with Records and Information Management for Council Members Procedure whilst performing their duties.

Under the *Local Government Act 1999*, Section 99 outlines the CEO must ensure that official records required under any legislation are kept and maintained accurately.

All individuals identified in the scope should report breaches of this Policy to an appropriate Responsible Officer, the Team Leader Information Management or the CEO.

The Information Communication Technology section of Council will ensure all those noted in the scope who should have access to a working EDRMS will have to ensure official documents are saved correctly.

8. POLICY STATEMENT

The Council is committed to ensure information management practices are adhered. It recognises the importance of all official records and how these valuable assets must be accurately managed and maintained within Council.

The Council is committed to:

- 8.1. Legally creating, capturing, protecting, and disposing of official records to ensure a correct history of the transactions and business processes of Council including the responsible stewardship of the community's information.
- 8.2. Ensuring public sector accountability and transparency and treating official records as a business asset to be managed consistently across the business and throughout their statutory lifecycle.
- 8.3. Ensuring the management of official records is performed in accordance with all compulsory legislative requirements and relevant internal policies and procedures.
- 8.4. Utilising security classifications and measures to protect its information assets in all systems from loss, unauthorised access, disclosure, damage, or destruction whilst retaining maximum accessibility across the organisation.

The Council will demonstrate this commitment by:

- 8.5. Capturing all official records in approved EDRMS corporate systems in order to meet legislative requirements.
- 8.6. Ensuring all records are appropriately named when being saved by using a description of what the document outlines (e.g. Email from NAME requesting to hold a wedding event at XX park on DATE).
- 8.7. Providing the required financial, technical, and corporate resources for the proficient management of official records.
- 8.8. Regularly auditing and completing appropriate risk analysis of official records, processes used and systems to ensure Council are aligned with legislative requirements.
- 8.9. Providing all individuals identified in the scope appropriate knowledge and training in records management to ensure legislative requirements are upheld.
- 8.10. Supporting and fostering a culture which actively seeks and embraces continual improvement in information management methodologies and systems to ensure risk management, security and legal obligations are adhered too.
- 8.11. Ongoing review and creation of systems and processes to improve information management, including easy retrieval, the reduction of information duplication, effective search tools, linkages between core line-of-business systems and high-level Information planning.
- 8.12. Ensuring that in accordance with appropriate legislation requested information is available to the public.
- 8.13. Continuing disposal practices of both hard and soft copies to enable cost savings, efficient searching, and ongoing management of records.

9. DESTRUCTION OF RECORDS

Official Records - The destruction of official records must only occur by the Information Management team. Destruction must be in accordance with the General Disposal Schedules for Local Government Authorities. The CEO (or delegate) is the only person with the authority to dispose of official records. Unauthorised or illegal destruction carries penalties of a \$10,000 fine or up to two years imprisonment, which may be placed on an individual.

Non-Official Records - Non-Official records are identified as having no ongoing value to the Council and can be destroyed by any individual noted in the scope under Normal Administrative Practice. The Information Management team should be contacted if you are unsure if a record meets the non-official criteria.

“Normal Administrative Practice (NAP)” - permits the disposal of temporary (including draft) records which have no ongoing value to Council.

10. COPYRIGHT

Any copyright requirements made to Council will be administrated by way of a separate policy and procedure. Information Management will assist with any research or requesting of off-site files.

11. FREEDOM OF INFORMATION

Any Freedom of Information request will be administered in accordance with the *Freedom of Information Act 1991* and will utilise any official records legally permitted to be issued. Information Management will manage this process with all people noted in the scope of this policy to have input if required.

12. DELEGATION

The Chief Executive Officer has the delegation to:

- Approve, amend, and review any procedures that shall be consistent with this Policy; and
- Make any formatting, nomenclature, or other minor changes to the Policy during the period of its currency.

13. AVAILABILITY OF THE POLICY

This Policy will be available via the Council’s website www.ahc.sa.gov.au.