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*A prosperous and progressive community*

# Objective

The purpose of this policy is to ensure that full and accurate records of all activities and decisions are created, managed and retained or disposed of appropriately, and in accordance with relevant legislation. It will allow us to meet our obligations for accountability while ensuring that it protects the rights of the Mid-Western Regional Council, its staff, customers and the community.

This policy provides us with a framework and outlines responsibilities for the operations of our Records Management Program.

The policy has been formulated to outline our Records Management responsibilities and to identify areas and processes which can be improved.

Mid-Western Regional Council is committed to a Records Management program which meets legislative requirements, reflects our business needs, provides us with evidence of our business transactions and protects our interests. Corporate records promote organisational memory and provide us with precedents which can be used to make consistent decisions.

# Legislative requirements

## Legislative and Government Requirements for Recordkeeping

Note: It is the responsibility of managers to examine legislation and government directions which govern their activities, and ensure that records arising from these activities conform to recordkeeping requirements.

### RELATED LEGISLATION

- State Records Act 1998.Local Government Records General Disposal Authority (GA39).

- State Records general retention and disposal authority: Original or source records that have been copied (GA45).

- Australian Standard on Records Management - AS ISO15489-2002.

- Australian Standard AS4390-1996 - Records Management.

- Government Information (Public Access) Act (GIPAA) 2009.

- Privacy and Personal Information Protection Act 1998.

- MWRC Agency Information Guide

### ACKNOWLEDGEMENT

Mid-Western Regional Council acknowledges the use of the Records Management Policy documents provided by State Records NSW and the State Library of NSW.

# Related policies and plans

- Access to Information Policy.

- Complaints Policy.

- Councils Naming Convention.

# Policy

A Records Management program is a planned, coordinated set of policies, procedures, people, systems and activities that are required to manage records.

The objectives of this policy are to outline our requirements for managing records to:

- Support our ongoing business activity and customer services.

- Meet legislative requirements and community expectations.

- Manage records efficiently and effectively.

- Be accessible to meet our business needs.

- Store them cost effectively and when no longer required are disposed of in a timely and efficient manner.

- Ensure that records of longer term value are identified and protected for historical and other research.

- Maintain digital and other technology dependent records in an accessible format for as long as they are required.

- To comply with all external requirements relating to record keeping practices.

# Scope

This policy applies to all Council Staff and Councillors at Mid-Western Regional Council who deal with corporate records and to anyone performing work on our behalf including casuals, volunteers, contractors and consultants.

It applies to any corporate record in any format, created, received or maintained by Council for official business. Communications sent or received via an electronic message system (see definition) which are relevant to the information gathering, policy formulation or decision making processes of Council are included in the scope of this policy.

# Principles

## Records Management

Council's Records Management Program seeks to ensure that:

- The General Manager has authority to issue policy, procedures and guidelines on records management and monitor compliance.

- The Manager Customer Services and Governance is responsible for implementation of the Records Management program, along with the efficient management and security of all Council records.

- Each Departmental Manager is accountable for the effective management of records within their department.

- All Council staff & Councillors are responsible for the capture, maintenance and security of records related to their business transactions. This includes records in any format, including hard copy, electronic documents and electronic messaging (as required due to content).

- Records Management operations must comply with relevant legislation and approved standards and procedures:

  — It has the records it needs to support and enhance ongoing business and customer service, meet accountability requirements and community expectations.

  — These 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 and records management practices including the NSW Government's objectives for recordkeeping.

## Creation and Capture

- All staff are obliged to create and maintain records of all decisions and actions made in the course of their official business. This includes recording key points of business transacted by telephone and minutes of official meetings. Council staff must adhere to Councils Naming Convention as distributed by Records.

- Managers are responsible for monitoring their staff to ensure that they create and capture records of business transactions.

- Mid-Western Regional Council will support business activities by providing an Electronic Records Management system (ERMS) to assist staff to create and maintain records. Note - Business rules for capture of official records are documented and published on the intranet.

- MWRC must keep full and accurate records of business activities and store them in the corporate records system.  This includes letters, emails, file notes of telephone conversations (as required due to content), minutes of meetings, oral decisions or commitments and social media. This includes entering correct Key wording i.e. short name, record type and document type into Councils ERMS.

- MWRC must ensure Records are placed on an official file. Files are registered in the records management system and given a unique number. File titles are developed within a Business Classification Scheme based on that provided by NSW State Records (GA39).

## Access to Council Records

Access to Council Records will be considered in conjunction with the requirements of:

- Privacy and Personal Information Protection Act 1998.

- Government Information (Public Access) Act (GIPA) 2009.

- MWRC Code of Conduct (Part 8)

Staff should be considerate of the following when accessing Council Records;

- Staff are reminded to only view documents related to their position, even if they come across something by accident or design.

- Staff are reminded that confidentiality of all records is expected as part of their employment within MWRC.

Staff are reminded that all documents can be audited and that any comments made in feed, extra notes or while delegating or passing workflow forward are part of the record and can be required to be provided for GIPA requests (the old FOI's), or for legal proceedings.

## Records Security

- Records of 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 allocated to them and confidential information must be stored securely. Files should be returned to the records section when action is complete.

- Councils Electronic Records Management System (ERMS) has a number of different security classifications, so that confidential documents, stored electronically are only available to nominated officers.

- Electronic records should be retained on line (on servers) or offline (on CDS, DVDs, magnetic disks or other removable media).

- Records which are no longer active and rarely used should be transferred to Councils Authorised Archival Storage Facility or in the case of State Records e.g. Minute Books, the NSW State Archives (Government Records Repository GRR).

## Tracking

- Files can be located in the Records Strong Room or the Records Archive Shed.

- File locations are updated in the ERMS by Records or Planning Administration Staff when the physical location of the record has changed.

- Staff should be aware of their mandatory responsibility to record movement of files through training, policy and procedures.

## Disposal and Destruction of Records

- Staff cannot initiate the disposal or destruction of corporate records without consultation with Records Coordinator, and on approval from Manager Customer Services & Governance.

- Hardcopy Records can only be destroyed in accordance with the General Authority (GA39) but when the record is also captured electronically in a corporate records management system, the hardcopy record can be destroyed under General Authority (GA45) - Original or Source records that have been copied.

- Records that are identified as State archives must be retained indefinitely; either on site, with Councils Authorised Archival Storage Facility or in the case of State Records e.g. Minute Books, the NSW State Archives (Government Records Repository GRR).

- Council records must be protected, maintained and easily located for their total retention period and must be disposed of in accordance with the State Records Act 1998 and Council's disposal procedures.

- Council staff are to individually determine Corporate Value of documents and they should be retained as required. If not required, low value documents can be disposed of in the Secure Waste Bins located throughout MWRC.

## Normal Administrative Practice with Recordkeeping

- Council staff are required to secure all sensitive/confidential information in their workspace at the conclusion of the work day and when they are expected to be away from their workspace for an extended period of time. This includes both electronic and physical hardcopy information. Computer workstations/laptops must be locked (logged out or shut down) when unattended and at the end of the work day. Portable devices like laptops and tablets that remain in the office overnight must be shut down and stored away.

- Mass storage devices such as CD, DVD, USB drives, or external hard drives must be treated as sensitive material and locked away when not in use.

- Printed materials must be immediately removed from printers or fax machines. Printing physical copies should be reserved for moments of absolute necessity. Documents should be viewed, shared and managed electronically whenever possible.

- All sensitive documents and restricted information must be placed in the locked confidential disposal bins. Please refer to the records retention policy for additional information pertaining to document destruction.

- Filing cabinets and drawers containing sensitive information must be kept closed and locked when unattended and not in use.

- Passwords must not be written down or stored anywhere in the office.

- Keys and physical access cards must not be left unattended anywhere in the office.

The State Records Act provides for limited disposal of low value records without specific authorisation of State Records under the Normal Administrative Practice provisions. These include records of little value that only need to be kept for a short period or routine instructional documents which need to be kept for a few hours or a few days. These documents can be disposed of in the Secure Bins located throughout MWRC only.

State Records Guidelines No 8, Normal Administrative Practice outlines what can be disposed of under this provision of the Act and should be used to make a decision if in doubt.

The following is a list of documents that could be destroyed under Normal Administrative Practice;

- Draft documents and working papers of a routine nature.

- Working papers/records of an instructional nature which have been used to prepare a final version of a document and are not required for accounting purposes.

- Information copies or duplicates of records that have already been captured in the recordkeeping system.

- Computer records which have been acted upon or superseded and not required for ongoing business transactions.

- Instructions that can be disposed of may include correcting typing errors, file creation or retrieval, formatting documents, internal distribution lists.

- Messages in the form of email, voice mail, fax, post it notes, telephone messages, file notes can be disposed of if they only have short term value or have been captured into a recordkeeping system.

- Unused stationery, printed forms or letterheads.

- Junk mail such as brochures, catalogues or price lists.

## Value of Records as a Corporate Asset

The records of Mid-Western Regional Council are an essential resource for information as they:

- Are a vital asset which document precedents Council can use to make future decisions.

- Exist for a variety of administrative, functional, historical and legal reasons.

- Are the major component of the Council's corporate memory and provide evidence of business transactions and decisions.

- Support policy formulation and consistent and equitable decision making.

- Are evidence of business activity ensuring staff meet their legislative and administrative responsibilities.

# Responsibilities

## General Manager

The General Manager is responsible for ensuring that Mid-Western Regional Council complies with:

- The requirements and standards of the State Records Act 1998.

- Other legislation relating to records management and recordkeeping.

## Manager Customer Services & Governance

- Manager Customer Services and Governance is the onsite Corporate Records Manager (CRM).

- Ensures that the Records Management Program is adequately resourced, trained and skilled

- Represents records management interests at Executive, through the Director Community.

- Ensures the preservation of digital records is addressed in policy, planning and  Procedures.

- Authorises the disposal of records, in liaison with Records Coordinator.

- Ensures that records and information management is integrated into work processes, job descriptions, systems and services.

- Records and information management responsibilities are identified and addressed in outsourced, cloud and similar service arrangements.

- Continue to identify high risk and high value areas of business and the systems, records and information needed to support these business areas.

- Ensure that the design and configuration of Records and Information Management Systems is documented and maintained where high risk and/or high value business is undertaken.

## Records Coordinator

- To ensure that records and information are managed and stored securely and routinely across all operating environments, be that digital or physical locations (including contracted).

- Monitor and review records and information management to ensure that it is performed, accountable and meets business needs.

- Access to records and information is managed appropriately in accordance with legal and business requirements.

- Ensure that records and information are identifiable, retrievable and accessible for as long as they are required.

- Supervise Records Staff in day to day functions.

- Conduct ERMS training and refresher training when required.

- Ensure any user support requests are appropriately reported and monitored, and to liaise with ICT team as required.

## Manager ICT

- Ensures the migration of digital records or digital control records/metadata is conducted in line with the conditions stated in the General Retention and Disposal Authority.

- Ensure the records and information are protected from unauthorised or unlawful access, destruction, loss, deletion or alteration.

- Ensure Councils ERMS servers and operating system is functional for users and will liaise with Records Coord as required for any user support requests.

## Records Department

- Implementation of the Records Program is the responsibility of the Manager Customer Services & Governance in conjunction with Records Coordinator and Records staff who:

- Monitor compliance with Records Management Policy and related procedures.

- Ensure that all staff are aware of their recordkeeping responsibilities.

- Are responsible for the standard set in Recordkeeping for the organisation.

- Identify and document records and information with long term value and arrange storage as per General Disposal Authority.

- Ensure that records and information are systematically and accountably destroyed when legally appropriate to do so.

## All Managers

- Ensure that records which are created and managed within their section comply with the Records Management Policy.

- Ensure that staff in their department are trained in how to create and manage records and their responsibilities regarding confidential matters.

- Ensure that departmental business rules and procedures for high risk and/or high value processes support and adheres to the Records Management Policy.

- Ensure that all digital and physical records and information are retained for as long as needed for business, legal and accountability requirements and then forwarded to records staff for retention and/or destruction (as per General Disposal Authority).

- Ensure that all contractors are inducted to comply with the Records Management Policy and ensure that as part of their contract, they are aware that all records created while performing work on behalf of Council belong to Council, and are State records under the *State Records Act 1998.* This includes the records of contract staff working on the premises as well as external service providers.

- Ensure that records and information are protected from unauthorised or unlawful access, destruction, loss, deletion or alteration.

## All Staff

- Must comply with the Records Management Policies and Procedures.

- Must keep full and accurate records of business activities and store them in the corporate records system.  This includes letters, emails, file notes of telephone conversations, minutes of meetings, oral decisions or commitments and social media.

- Must protect records from unauthorised access and obtain approval for their disposal or destruction.

- Identify and report high risk and/or high value processes to ensure adherence to the Records Management Policy.

- Must name documents in accordance with Councils Records Naming Convention.

- Ensure adequate metadata is added to ensure meaning and context is associated with the record. Specifically the Short Name (summary line), Document Type and Record Type.

- Must adhere to the guidance around maintaining clean desks (also refer to the section on Normal Administrative Practice).

## Contractors

- Manage records that they create on behalf of Mid-Western Regional Council according to the terms of their contract.

- Be aware that as part of their contract, that all records created while performing work on behalf of Council belong to Council, and are state records under the *State Records Act 1998.* This includes the records of contract staff working on the premises as well as external service providers.

## Councillors

- Be aware of their responsibilities regarding Recordkeeping during their term as a Council Official.

- Must comply with the Records Management Policies and Procedures.

- Must keep full and accurate records of business activities and have them stored in the corporate records system. This includes letters, emails, file notes of telephone conversations, minutes of meetings, oral decisions or commitments and social media.

- Must protect records from unauthorised access and obtain approval for their disposal or destruction.

- Identify and report high risk and/or high value processes to ensure adherence to the Records Management Policy.

## Training

- Council will support staff by including Record's Management training in induction programs and by providing training in the use of the Electronic Records Management System.

- All staff who require use of Councils ERMS must undertake training and refresher training when required.

# Definitions

| | |
|---|---|
| Active Records | Records in frequent use, required for business transactions or information |
| Archives | Records which have been appraised as having continuing value to the organisation or required as State Archives |
| Business Activity | Umbrella term covering all the functions, processes, activities and transaction of an organisation its employees (AS 4390 Part 1 – Clause 46) |
| 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 (AS ISO 15489 Part 1 Clause 35) |
| Disposal | A range of processes associated with appraising documents and files for retention, deletion or destruction |
| Electronic Messages | Communications sent or received via an electronic messaging system. These may be in the form of electronic mail, voice mail or electronic data interchange (EDI) messaging and includes attachments. Messages may be received or sent internally and/or externally |
| File | A file is a collection of documents, which show organisational activities through an identifiable sequence of transactions. A file can be physical or electronic |
| Normal Administrative Practice | Is a provision under the State Records Act 1998 that provides for the destruction of records whose destruction is not otherwise covered by a specific law or an authorised records authority |
| Record | A document or other source of information in any format, created, received or maintained by Council |
| Recordkeeping | Making, maintaining and capturing a complete, accurate and reliable evidence of business activities |
| 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 (AS ISO 15489 part 1 Clause 316) |
| Sentencing | The method used to action records according to a retention and disposal authority |
| Social Media | Social media is a form of electronic communication (as web sites for social networking and microblogging) through which users create online communities, to share information, ideas, personal message, and other content (such as videos) |
| State Record | 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 State Records Act 1998 (NSW) |