

HUNTER'S HILL COUNCIL

POLICY REGISTER



POLICY NO.	FA.1
POLICY TITLE	Records Management Policy & Program
STATUS	Internal
SERVICE	Access to Information
DOCUMENT ID	509381

POLICY STATEMENT

The purpose of the policy is to ensure that Council:

- complies with the State Records Act 1998 and meets other legislative requirements concerning records and systems
- records are managed efficiently, can be easily accessed and are maintained in an authentic and accessible form for as long as they are required
- has the records it needs to support and enhance Council and community requirements
- staff are educated in recordkeeping responsibilities.

A State record is any record created, received and kept by any person in the course of exercising official functions of a public office. Records tell us what, where and when something was done or why a decision was made. They also tell us who was involved and under what authority. In other words, records provide evidence of government and individual activity.

In accordance with the *State Records Act 1998* all Council representatives are responsible for:

- creating records routinely
- using official systems
- understanding this policy
- preventing unauthorised access to information
- never destroying a record without approval
- treating records and information with care.

Information and records are Council's organisational memory and provide evidence of decision making, helping to build trust with our community.

SCOPE

This policy applies to all Council representatives.

DEFINITIONS

Council representative	Councillors, contractors, consultants, volunteers, delegates of the Council and members of Council committees who represent or act on behalf of Hunters Hill Council.
Business Systems	Council's approved software systems which store, process and provide access to the organisation's business information. All approved systems are supported by policies, procedures and delegated authorities for accessing and processing information.
Cloud Computing	Cloud computing is internet-based computing whereby shared resources, software and information are provided to computers and other devices on demand. Cloud computing is a general term for anything that involves delivering hosted services over the Internet.
Disposal	Range of processes associated with implementing records retention, destruction or transfer decisions which are documented in disposition authorities or other instruments. <i>AS ISO 15489.1 2017 Part 1, Clause 3.8</i>
Electronic Document and Records management System (EDRMS)	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. Essentially it manages unstructured records and information. The EDRMS automates business processes such as workflows and approvals and be integrated with other business systems.
Ephemeral	Records of little value that only need to be kept for a limited or short period of time. Records that are ephemeral have no continuing value to the public office and, generally, are only needed for a few hours or a few days.
Full and accurate records	<p>Full and accurate records are sources of detailed information and evidence that can be relied on and used to support current activities.</p> <p>Records regardless of form or structure, should possess the characteristics of authenticity, reliability, integrity and useability to be considered authoritative evidence of business events or transactions and to fully meet the requirements of the business.</p>
Records	<p>Record means 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. <i>State Records Act 1998, section 3</i></p> <p>Information created, received, and maintained as evidence and as an asset by an organization or person, in pursuit of legal obligations or in the transaction of business. <i>AS ISO 15489.1 2017 Part 1, Clause 3.15</i></p>
Records Management Program	A records management program encompasses the management framework, the people and the systems required within an organisation to manage full and accurate records over time. This includes the identification and protection of records with longer-term value that may be required as State archives.

POLICY

1. KEY CONCEPTS

Digital Records Management

Council has a legal obligation to manage its information and must be able to account for its actions and expenditure of resources. Information is an asset and needs to be managed well to realise its value.

A State record is any record created, received and kept by any person in the course of exercising official functions of a public office.

Digital management of records enables Council to make the best use of new technologies and creates efficient and effective ways of doing business.

All information and records must be created or captured electronically in approved business systems. Council no longer supports the creation of hardcopy records.

Creation and Capture

Records are created every time someone in Council writes an email, drafts a brief, writes a report or records minutes, adds data to a spread sheet or takes a photo. This information is created as part of a specific business process, and needs to be managed so that it can be searched, shared, reused and repurposed, and increasing its value to Council.

All Council Representatives are required to make and keep full and accurate records of their business activities. Council Representatives are responsible for creating and capturing records including emails to the business systems that document:

- What happened, the order of events
- What was decided or recommended
- What advice or instruction was given
- When it happened and who was involved.

Personnel Records

Personnel records document the management of employees and are important records. These records may need to be maintained longer after an employee has left Council, in order to protect ongoing rights and interests of the employee and the Council.

Personnel records contain personal and health information about individuals. Personnel records are categorised, handled as sensitive information and protected accordingly.

Only the General Manager and the Manager People and Culture have access to personnel records. Respective Manager's may also access some personnel records in order to appropriately manage staff.

Access to Information

Council requires open access to information and records unless the record itself requires protection. Protecting our information and records are governed by:

- Government Information (Public Access) Act (GIPA) 2009
- Privacy and Personal Information Protection Act 1998

Many Council records are public documents and must be managed to provide easy access by our community.

Access is not permitted to Council Information that is not directly related to any Council Representatives specific duties. Under the Code of Conduct it is considered inappropriate for a Council Representative to access any record that relates to a private or personal matter. Access to such information must be applied for in the same manner as a member of the public, under the Government Information (Public Access) Act 2009 (GIPA).

2. RECORDS MANAGEMENT PROGRAM

The Records Management Program is conducted across all of Council for the management of records, recordkeeping activities and recordkeeping systems. It is a planned, coordinated set of standards, codes of best practice, policies, procedures, and systems required to manage records. It also incorporates the people required to undertake recordkeeping.

Council's Records Management Program is established in accordance with Part 2 s.12(2) of the State Records Act 1998. This policy provides the framework and outlines the responsibilities for the operation of Hunters Hill Council's Records Management Program.

An effective Records Management Program entrenches formalised standards, codes, policies, procedures, recordkeeping systems and controls for future expansion and requirements.

There are several components and associated documents that are mandatory and are used to ensure that the Records Management Program is operating effectively.

Type	Component
Standards	<ul style="list-style-type: none"> Standard 12 – Standard on Records Management Standard 13 – Standard on The Physical Storage of State Records
Codes	<ul style="list-style-type: none"> Code of Best Practice ISO 15489.1:2017 Council's Code of Conduct
Disposal Authorities	<ul style="list-style-type: none"> Local Government Records (GA39) – (primary authority) Original or source records that have been copied (GA45) – (primary authority) Personnel (GA28) Provision and Regulation of Childcare Services (FA404) Video / Visual surveillance records (GDA8) Audio visual programs and recordings (GDA11) Source Records that have been Migrated (GA48) Normal Administrative Practice Guidelines (NAP)
Legislation	<ul style="list-style-type: none"> State Records Act 1998 State Records Regulation 2015 Local Government Act 1993 Copyright Act 1968 Privacy and Personal Information Protection Act 1998 Government Information (Public) Access Act 2009 Workplace Surveillance Act 2005 Evidence Act 1995 Any other State or Local legislation that affects recordkeeping

3. RESPONSIBILITIES

All Council Representatives have accountability requirements for Councils records management program. The table below outlines responsibilities in accordance with State Records Act (Part 2 s.10) and Standard 12 - Standard on Records Management.

General Manager	Ensure Council complies with the regulations and requirements of the State Records Act.
Director Finance and Corporate Strategy	Provide direction and support for records and information management.
Manager Digital and Customer Information	Oversight of records and information management, including the effective implementation, management and operation of the Records Management Program, ensuring recordkeeping compliance is meeting all business and legislative requirements.
Digital and Customer Information Team	Support and delivery of the requirements of the Records Management Program through: <ul style="list-style-type: none">• development of formal documentation• classification and capture of records• maintenance of access and security• retention, disposal, storage and transfer• providing support, training, guidance and advice to all Council representatives.
All other Council Representatives	Must comply with the Records Management Program and Policy; this includes: <ul style="list-style-type: none">• keep full and accurate records in approved business systems, this includes emails• do not save records permanently on network, group or personal drives, USB's or cloud locations• ensure personal and confidential information is kept securely• never destroy records without approval• undertake mandatory training, and keep up-to-date with policies, procedures and guidelines when requested.

4. RETENTION AND DISPOSAL

Council records must be protected, maintained and accessible for their total retention period and must be disposed of in accordance with the State Records Act 1998 and Council's disposal procedures. Disposal Authorities are applicable to any record in Council irrespective of record format or type.

Hardcopy and digital records of short-term value will be disposed of at suitable intervals, records of long term or archival value will be retained electronically and will be managed in accordance with retention, disposal and / or transfer rules.

General staff cannot destroy or dispose of Council records. Only authorised staff may destroy or dispose of Council records. The General Manager, Director Finance & Corporate Strategy and Manager Digital and Customer Information have delegated authority to approve disposal authorities in accordance with the requirements of *GA39 General retention and disposal authority: local government records* which is prescribed under provisions of the *State Records Act 1998*.

Records can only be destroyed in accordance with:

- The General Disposal Authorities
- Council specific Disposal Authorities
- Transferred to State Archives for permanent retention.

Information and records, which staff deem as ephemeral, may be destroyed using a procedure called 'Normal administrative practice (NAP)'. This practice usually occurs because the records are duplicated, unimportant or for short-term use only.

As a general guideline, all Council Representatives can securely dispose of the following information and records:

- duplicates
- drafts and working papers of a routine nature
- computer support
- facilitating instructions
- solicited and unsolicited advertising material
- ephemeral messages or outgoing correspondence

Drafts or working papers must not be disposed of if they document significant decisions, discussions, reasons and actions or contain significant information that is not contained in the final version of the record.

5. BUSINESS SYSTEMS

Records should be stored within approved recordkeeping systems to prevent unauthorised destruction, alteration or removal. Council's approved recordkeeping systems have a full audit log, appropriate security settings, access restrictions and are managed and monitored.

Council records must be stored only in Council's official recordkeeping systems for example EDRMS, Finance System and Customer Relationship Management System.

Documented recordkeeping assessments are performed on existing business systems, and include recordkeeping activities, system functionality and processes. Assessments are undertaken using the minimum compliance requirements of the principles contained in Standard 12: Standard on Records Management.

The Standard is used in conjunction with the Code of Best Practice 15489.1:2017 to ensure that the application and objectives of the Records Management Program are achieved and where necessary any corrective actions are undertaken to address issues encountered in existing business systems.

Implementing or Decommissioning Systems

Acquisition of all new business systems must include preparation of a business case, which documents project implementation and ongoing maintenance costs. Business system risk assessments (which may include network penetration testing) needs to be also undertaken. Business cases that are recommended to the Executive, need to be reviewed and endorsed by Manager Digital and Customer Information (or their delegate).

Records and information management requirements should be addressed in specifications for system acquisitions including integration requirements or information management issues addressed in any the contractual arrangements.

When decommissioning systems or transitioning a process is required to support business and accountability requirements. This should include:

- a documented migration strategy
- the retention and disposal of records and information contained in the system
- the migration of records and metadata from one system to another is a managed process which results in trustworthy and accessible records
- the portability of records and information
- adequate system documentation is maintained.

Cloud and Outsourced Services

Where there is an outsourced, cloud or similar service arrangement, records and information management responsibilities should be identified and where required included in service contracts and instruments.

Prior to engaging in a cloud service arrangement, Council must complete the NSW State Archives and Records cloud computing recordkeeping requirements checklist. This includes analysis and assessment of:

- Jurisdiction, ownership and rights over data and information
- Roles and responsibilities
- Value, accessibility and retrieval
- Service management and disaster recovery
- Sensitivity and security
- Records disposal requirements
- Termination of cloud services.

Compliance Monitoring

Council is required to meet compliance in line with State Records legislation, stringent governance standards expected by Auditors and to be able to respond effectively to requests under Subpoena, the Government Information (Public Access) Act 2009 (GIPA), or any internal or external investigative inquiry.

Non-compliance in recordkeeping can result in:

- problems for or with customers
- monetary losses
- litigation
- formal investigations and inquiries
- unwarranted adverse publicity
- loss in reputation and embarrassment to Council

Recordkeeping performance is measured and monitored across Council for effectiveness, planning and improvement purposes, and conformity with the State Records Act and associated standards and codes of best practice.

The Digital and Customer Information team oversees the coordination of recordkeeping and conducts regular audits to ensure that it is performed, compliant, accountable and meets business and legislative requirements.

RELATED POLICIES/PROCEDURES

- IT Usage and Surveillance Policy
- Personal Mobile phone Policy and Procedure
- Access to Information Policy
- Council Code of Conduct
- [NSW Records Brochure: Recordkeeping Fundamentals – Your responsibilities in NSW Local Government](#)

POLICY AUTHORITY

The policy authority is Executive. Minor amendments can be authorised by Director of Finance and Corporate Strategy.

GETTING HELP

For further information regarding this policy please contact the Manager Digital and Customer Information.

REVIEW

This policy to be reviewed every two years.

ADOPTED BY EXECUTIVE:

DATE: 07 April 2021

RESOLUTION NO: 9.2

VERSION CONTROL TABLE

DATE	VERSION	RES. NO.	KEY CHANGES	AUTHOR
07/04/2021	1	9.2		Reed, Jade