



Records Management Policy

Application	All Staff
Responsible Officer	Director Corporate and Community Services
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Authorised by	Council
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Purpose

The purpose of this policy is to provide a framework for the management of Carrathool Shire Council's (CSC) 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 CSC 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.

CSC has implemented Magiq software as the official compliant business management system Electronic Document Management System (EDMS).

Definitions

The definitions used in this policy are derived from those in the State Records Act 1998.

CSC:	Carrathool Shire Council
Archives:	Those records which are no longer required for current use, but have been selected for permanent retention because of their evidential or informational value.
Disposal Schedule:	A systematic listing of record types created by an organisation that plans the life of these records from the time of their creation to their disposal.
Documents:	The smallest complete unit of recorded material which is accumulated to form a file.
Electronic/Digital Records:	Records communicated and maintained by means of electronic equipment.
Legal Documents:	Original legal documents, ie. leases, contracts, licences, deeds, certificates of title, etc.
Record:	Something created and kept as evidence of agency or individual functions, activities and transactions. To be considered evidence, a record must possess content, structure and context and be part of a recordkeeping system. A record can be a document (including any written or printed material, email) or object (including sound recording, coded storage device, magnetic tape or disk, microfilm, photograph, film, map, plan or model, painting or other pictorial or graphic work) that is, or has been kept by reason of any information or matter that it contains or can be obtained from it by reason of its connection with any event, person, circumstance or thing.

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- State Records:** Any records 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.
- Vital Records:** Those records that are essential for the ongoing business of an agency, and without which the agency could not continue to function effectively.

Reference

This policy complements other legislation and where it is silent on matters referred to in the following legislation such matters must be followed in accordance with the legislation.

- Local Government Act 1993
- State Records Act 1998
- Government Information (Public Access) Act 2009 (GIPA Act)

Policy statements

The objectives of this policy are to define a framework for council to:

- manage records efficiently and effectively;
- meet accountability requirements and community expectations; and
- comply with legislative and policy requirements relating to record keeping practices.

RESPONSIBILITIES

General Manager

The General Manager has a duty to ensure that CSC complies with the requirements of the State Records Act 1998 and Regulation and the standards issued under that Act.

Director Corporate and Community Services

The Director Corporate and Community Services, functions as CSC's Corporate Records Manager (CRM) for the purposes of the Records Management Program. The CRM is accountable for the management of the program as well as ensuring CSC's compliance with the State Records Act 1998 standards. The CRM is responsible for making and administering arrangements for the monitoring of the program as required by the State Records Act 1998, s.12(3).

Corporate Services Coordinator

The Corporate Services Coordinator reports directly to the Director Corporate and Community Services and is responsible for the implementation and efficient operation of CSC's Records Management Program and the provision of services to users.

The Corporate Services Coordinator has the authority to develop standards for information management across CSC to define the rules and requirements associated with records and information management operations and record keeping systems; and in conjunction with the Administration Officer to monitor corporate information and record keeping practices.



Corporate Services Administration

Corporate Services Administration are responsible for the daily management of and the monitoring compliance of corporate information and record keeping practices. The Administration Officers are also responsible for the efficient and accurate registration of business records and information into Magiq.

Directors

Each Director is responsible for ensuring that members of staff who have access to confidential information are instructed regarding their rights and obligations when dealing with such matters.

Managers

Each Manager is responsible for ensuring that staff respond to correspondence and action tasks in a timely manner and recording this information into Magiq in accordance with protocols determined by the Director Corporate and Community Services. Audits will be undertaken in accordance with relevant risk assessments.

Staff

All staff are accountable for compliance with this policy and related policies, standards and guidelines. Staff members are responsible for capturing business records for registration into Magiq.

These records will include:

- decisions
- oral decisions and commitments, including telephone discussions
- meetings
- other events
- business activities in which they take part.

All staff will:

- capture information for accurate registration into Magiq in accordance with protocols outlined by the Corporate Services Coordinator.
- handle records and information sensibly and with care and respect so as to avoid damage to the records and prolong their life (hardcopy records in particular).
- not alienate, relinquish control over, damage, alter or destroy records of Council without authorisation from the Director Corporate and Community Services.
- access only the official records that they are authorised to access
- identify vital records in consultation with the Corporate Services Coordinator.

The Local Government Act 1993 specifically addresses the issue of mishandling of records by staff.

Councillors

Councillors must create and capture full and accurate records of any significant business undertaken in the course of their official duties for Council. Significant business can include:

- Providing advice, instructions or recommendations
- Giving permissions and consents
- Making decisions, commitments or agreements binding for the Councillor or Council.

In addition, Councillors should capture:

- draft documents for Council containing significant annotations or submitted for comment or approval by others
- correspondence received and sent relating to their work undertaken for Council.



Records of Council business that are created or received by Councillors (with the exception of those sent from Council) are to be forwarded to Council and saved into the official record system as soon as possible after the event to ensure the information is accurate as required by legislation.

Contractors

Contractors must manage records that they create on behalf of CSC 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 CSC may be subject to access applications under the Government Information (Public Access) Act 2009.

MANAGING RECORDS AND INFORMATION

Records Management Program

The State Records Act 1998 s12(2) requires that CSC maintains a Records Management Program. This program is an organisation wide program that covers the full range of CSC records and information including but not limited to the following records:

- hardcopy
- digital
- image
- audio
- e-mail
- portable media
- internet and web-based
- social media.

The Records Management section within the Corporate and Community Services Department is responsible for providing a corporate records and information management service.

The objectives of the Records Management Program are to:

- have full and accurate records and information of all Council operations to support ongoing business activities and accountability requirements under the State Records Act 1998 and the Government Information (Public Access) Act 2009 (GIPA Act)
- ensure that records and information are managed in a compliant Enterprise Content Management System (ECM)
- have information management systems and practices that comply with the State Records Act 1998 and relevant standards. These standards would include the standard on digital recordkeeping, standard on counter disaster strategies for records and recordkeeping systems, standard on physical storage of state records and standard on the appraisal and disposal of state records.
- maintain a current Disaster Recovery Plan to ensure that records in all formats and recordkeeping systems and critical data required to reconstitute electronic records are protected. This plan will operate in conjunction with the Business Continuity Plan.
- develop a tactical plan for the overall approach to records and information management that reflects the Council's Community Strategic Plan.
- develop meaningful performance indicators and collect relevant statistics to support the performance indicators for the program.
- monitor records management activities through regular audits to evaluate performance and compliance.

Records Management Systems

Council uses Magiq for the management of records and documents (including electronic documents). Other information systems are used to capture and store records and information such as Practical Plus, Reflect, server network (File server), GIS and AutoCAD systems.



When purchasing or implementing new systems, an assessment must be undertaken to identify the types of records that will be created or stored within that system and consultation must take place with the Director Corporate and Community Services / Corporate Services Coordinator to determine the appropriate management of those records.

Document Management Rules

All staff are to use Magiq to record all substantive official business. Staff are not to maintain individual or separate files or recordkeeping systems or unmanaged electronic repositories for Council records except as otherwise authorised by the Director Corporate and Community Services.

All incoming correspondence and information that require an action or represents Council business will be registered and tasked in Magiq in accordance with protocols determined by the Director Corporate and Community Services. The Magiq documents Business Rules are outlined in the 'Record Management Business Rules' document finalised 13 July 2020

It is the responsibility of the Corporate Services Coordinator to ensure all of CSC business records and information received are registered accurately: -

- by post
- to the CSC fax number: 02 6965 1379
- e-mails received at:
council@carrathool.nsw.gov.au

Vital Records

Vital records include records needed to:

- operate the CSC during a disaster
- re-establish the CSC functions after a disaster
- establish and protect the rights and interests of the CSC, its employees, customers and stakeholders.

Vital records are those records that are essential for the ongoing business of the Council, and without which the Council could not continue to function effectively. The identification and protection of such records is a primary object of records management, risk management and disaster management planning.

Managing vital records involves:

- identifying and documenting vital records
- finding measures to protect them
- ensuring they are priorities for salvage in a disaster

Such records may be considered vital only in the short term, or may retain this status indefinitely. These records include original signed copies of agreements, contracts, leases.

Staff are responsible for identifying and managing vital records in consultation with the Corporate Services Coordinator.

Scanned Records

The Corporate Services section undertakes the scanning of all incoming and outgoing correspondence. These images are captured within Magiq with appropriate metadata stored with each record. Other business units are also to undertake the scanning of hardcopy records to meet their business requirements.

Council has an obligation to ensure that all digital records are accessible over time and are kept for as long as required in accordance with approved disposal authorities.

The original of scanned images can be destroyed under certain circumstances and must be done in accordance with approved disposal authorities. Where originals have been destroyed,



the digital copy must be retained for the full retention period as required under the relevant disposal authority.

Incoming original correspondence can be destroyed once scanned except for the following:

- Records that are subject to a Government policy or directive not to be destroyed
- Records that are considered to have intrinsic value eg. original artworks
- Original proclamations, testimonials and intergovernmental agreements or treaties
- Records that are subject to pending or current legal proceedings or an application for access under legislation such as Government Information (Public Access) Act 2009 should be considered for exclusion from destruction based on a risk assessment of the records that fall into this category.

Corporate Services staff will follow guidelines issued under the original or source records that have been copied (GA45) in relation to quality control measures for scanned documents and in determining which original records will be destroyed.

Consultation will take place with the relevant section to determine individual needs of the section as they arise in determining which hardcopy records can be destroyed once they have been scanned.

Hardcopy files

Various hard-copy records are maintained by Council. These include files created prior to the introduction of the Electronic Management System in 1990, files related to development applications, personnel files and legal files. The tactical plan for the overall approach to records and information management under the Records Management Program will develop procedures for the ongoing management of hardcopy files including:

- completeness
- accuracy
- currency.

Contracts and Legal Documents

All original contracts or legal documents must, as soon as practicable after signing, be sent to the Corporate Services Coordinator where:

- the document is scanned
- the scanned document is registered in Magiq
- the original document is placed on the relevant Legal File and stored in the legal file archive in the Fire Proof Safe and cross-referenced to the Magiq document.
- After termination/expiry of the contract, the hard copy document is retained for a further 7 years and marked for final disposal.

Location and Movement of Records

The current location of digital corporate records and information is controlled through Magiq. Magiq has sophisticated security and classification protocols to ensure that confidential and classified records and information cannot be accessed by unauthorised persons.

Records required by courts or solicitors, must be recorded and issued according to the approved protocol to ensure the information is not lost to Council.

Council Officers who are required to attend court on behalf of Council and need to produce records (photocopies preferred if acceptable) and information, require the consent of the Director Corporate and Community Services before removing records or information from Council.

Hard-copy records prior to the introduction of the Magiq and Legal Files are controlled through a computerised file tracking system and are held within either the records storage area, archives or State Records. The location of every file must be accurate and up to date in Magiq



at all times. Council Officers moving or transferring files must inform the Corporate Services Coordinator so the tracking system can be kept up to date.

Storage and Security of Records

Under the State Records Act 1998 all physical records must be appropriately stored to ensure that:

- Records are protected, secure and accessible for as long as they are required to meet business accountability needs and community expectations
- Records of continuing value which will be transferred to State Records control and/or custody as State archives are stored in the best conditions possible
- Records are stored in the most cost-effective manner possible
- Legal Documents (eg. leases, contracts, deeds, certificates of title, licences, etc) are to be scanned and registered into Magiq.
- Unauthorised alteration, removal, distribution or destruction of Council records is prohibited
- All electronic records must be backed up systematically at appropriate intervals
- The management of storage facilities on-site and off-site is the responsibility of the Corporate Services Coordinator so that records are protected from damp and vermin.

Archiving, Disposal and Destruction of Records

Archival appraisal and disposal of records has central place in the records management program for public offices. It is important to make sound decisions about how long to retain records and when to dispose of them. A structured appraisal and destruction project plan is the best bench mark.

Local government business records are governed by a specific disposal authority that has been approved under the State Records Act 1998 (GA39). A retention and disposal schedule has been determined by the GA39 and applied to all Carrathool Shire Council records.

No business records should be destroyed without the approval of the Director Corporate and Community Services / Corporate Services Coordinator. A list of all records destroyed (physical and digital) is to be retained in Magiq.

Disposal of Digitised Records

When records have been digitised, the original record must be kept for an agreed time period for quality control purposes. This will depend on the type of record and will be agreed upon in conjunction with the section responsible for a particular record class.

Where routine scanning is undertaken by various sections, the original documents may be disposed of by those sections, however discussion must be held with the Corporate Services Coordinator prior to this occurring and all scanning and disposal must be undertaken in accordance with this policy and related guidelines.

Disposal of digital records is undertaken by the Corporate Services Coordinator and approval is to be obtained by a relevant manager.

Disposal of Physical Records

Disposal of hardcopy records or files is not to be undertaken without approval (with the exception of those records identified above) and is the responsibility of the Director Corporate and Community Services / Corporate Services Coordinator.

All destruction undertaken by the Corporate Services Section will be done in accordance with approval disposal authorities. Records may be kept for longer if required for administrative, fiscal, legal or historical reasons.

All records due for destruction will be documented and approval will be obtained by the relevant Manager prior to any destruction taking place.



Disposal of 'Day Files'

Council scans and registers incoming correspondence in Magiq daily then stores the original documents in a 'month file'. Month files are retained for a period of 12 months for quality control purposes consistent with GA45 (Original or Source Records that have been copied) and are securely disposed of after 12 months consistent with GA39.

ACCESS TO COUNCIL RECORDS AND INFORMATION

The Director Corporate and Community Services as Public Officer is deemed responsible for the keeping of full and accurate records, compliance with NSW recordkeeping standards and internal practices.

The public will not be permitted access to any area that records may be kept including strong room, archives shed or staff work areas.

The Ombudsman Act provides for access to Council's records associated with an investigation by the Ombudsman in relation to a complaint against the Council.

These requests shall be referred to the Corporate Services Coordinator for consideration on receipt and registration.

No record of Carrathool Shire Council is to be removed or temporarily removed by any Councillor or Staff member without having first obtained the consent of the General Manager or Director Corporate and Community Services. The exceptions are those records required for on-site inspections or those required in the normal course of duty.

The Director Corporate and Community Services is to be notified whenever any physical records or information need to be sent outside the organisation, i.e. to Council's solicitors.

Records that are classified as State Records and are over 20 years old will become open access public documents unless a closed access direction has been put in place. A full list of access directions relevant to Carrathool Shire Council can be found on the Register of Access Directions for State Records held by the Museum of History NSW.

Revision Table

Minute /Date	Amendment Reason or Reference
0253 / 21.09.2004	
0594 / 18.04.2014	Reflect staff structure, repeal s.12 of the Local Government Act 1993
1056 / 20.08.2019	Reword policy in line with Council record keeping practices, guidelines and legislative requirements
0654/19.09.2023	Minor amendments in line with new practices and new legislative requirements.

Associated Documents

- Councillor Interaction with Staff
- Information Guide
- Access to Information
- Code of Conduct

Review

This policy may be amended from time to time and will be reviewed within four years of its adoption (or latest amendment) with reference to any relevant legislation and best practice guides.