

# *Council Policy*

## Records & Information Management



# COUNCIL POLICY

 <p><b>Adelaide Hills</b> COUNCIL</p>	<b>RECORDS &amp; INFORMATION MANAGEMENT</b>
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<b>Policy Number:</b>	GOV-13
<b>Responsible Department(s):</b>	Information Systems
<b>Relevant Delegations:</b>	None
<b>Other Relevant Policies:</b>	Code of Conduct for Council Employees Council Member Conduct Policy
<b>Relevant Procedure(s):</b>	Internet and email procedure Internet and email usage agreement Social Media procedure
<b>Relevant Legislation:</b>	<i>State Records Act 1997</i> <i>Freedom of Information Act 1991</i> <i>Local Government Act 1999</i>
<b>Policies and Procedures Superseded by this policy on its Adoption:</b>	Records & Information Management 25 August 2015, Item 14.5, 109
<b>Adoption Authority:</b>	SPDPC
<b>Date of Adoption:</b>	14 February 2017
<b>Effective From:</b>	28 February 2017
<b>Minute Reference for Adoption:</b>	SP3/17
<b>Next Review:</b>	February 2020 or as required by legislation, or when circumstances change to warrant a review

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## RECORDS & INFORMATION MANAGEMENT POLICY

### 1. INTRODUCTION

The Records & Information Management Policy provides Council (Council Members and Employees) with principles and guidelines for the management of corporate information and records. The policy will assist Council to comply with legislation relating to the capture and storage of records and information. In addition, the Policy assists in the establishment of an effective and efficient record keeping and information management environment. The hallmarks of such an environment include the standardisation of information keeping, the protection of such information and the ability to easily locate and retrieve information. An effective record and information management environment enhances customer service delivery, maintains the history of the transactions and business processes of local government and is vital for the efficient provision of Council's ongoing business activities.

The development of this policy has taken into account requirements of the *Local Government Act 1999* and other relevant legislation.

### 2. OBJECTIVES

The objectives of this policy are to set out Council's commitment to:

- 2.1 an information and records management environment that fulfils Adelaide Hills Council's legislative obligations; and
- 2.2 the preservation of the Council's "corporate memory" through sound and consistent record keeping practices and the comprehensive and accurate capture of information to meet legal, evidential and accountability requirements.

The policy also:

- 2.3 articulates the records and information management responsibilities of employees, Council Members and other relevant individuals working with one of Council's key assets – its information.

### 3. SCOPE

This policy applies to all Council Members, employees, volunteers, work experience placements, contractors and sub-contractors working on behalf of Council.

All records and information, of any format, generated or received in the conduct of Council business are within the scope of this policy.

#### 4. LEGISLATIVE FRAMEWORK

The *State Records Act 1997* ("the Act") governs the obligations and responsibilities of councils in relation to the management of official records. Under this Act, Council has an obligation to maintain official records in its custody in good order and condition. This obligation applies to the capture, storage, maintenance and disposal of records regardless of format (physical or electronic).

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 Acts such as the *Freedom of Information Act 1991*, to fulfil legal processes, such as discovery and subpoenas, and to meet any requirements by Royal Commissions, ICAC, the Ombudsman, the Courts, auditors and other bodies.

#### 5. DEFINITIONS

**Council Business** – encompasses the exercise, performance or discharge of powers, functions and duties under the Local Government Act or other Acts. This includes the provision of services, delivery of programs, development of policies, making of decisions by (or on behalf of) Council, discharging statutory roles and powers, performance of Council functions and communicating with rate payers and stakeholders.

**Information Management** – is the way in which an organisation plans, identifies, creates, receives, collects, organises, governs, secures, uses, disseminates, preserves and disposes of its information. It is also the means through which the organisation ensures that the value of that information is identified and exploited.

The primary aim of 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.

**Records Management** is the way an organisation controls, and manages the creation, capture, maintenance, disposal and use of its records as dictated by legislation.

The primary aim of records management is to ensure that information is captured, classified and made available to the right person, in the correct format and medium, at the right time whilst complying with relevant legislation.

**Record** – Information created, received and maintained by Council in the conduct of its business which provides evidence of a business transaction. It is a record if it meets any of the following criteria:

- 5.1 Forms part of a business transaction / relates to Council's business
- 5.2 Adds value to an existing record
- 5.3 Shows a transaction or how the transaction was dealt with
- 5.4 Shows a decision and how it was reached
- 5.5 Provides evidence of an event (e.g. when and where it happened)
- 5.6 Indicates advice given and who provided it
- 5.7 Requires someone to action it
- 5.8 Relates to a formal draft of a document, an agreement or legal document
- 5.9 Demonstrates compliance with statutory or other regulations

A record can be in various formats (e.g. letter, file note, calendar entry, social media post, sound recording, video file, legal titles, contracts or an email) and is determined by the *content*, not the *format*.

Where more than one copy of a record exists, the *official record* is the one used by the council as part of their work activity and retained for the length of the retention period. The official record should contain all annotations made to the document.

## 6. PRINCIPLES

The security of all Council records is crucial, as records provide evidence of business transactions, support management decisions and ensure public accountability requirements are met. Records in all formats should be stored securely to prevent unauthorised access, destruction, alteration or removal.

Information obtained by Employees or Council Members in the course of their duties and functions is respected and used in a careful and prudent manner. All intellectual Property Rights in any document, matter or thing prepared or written in the bounds of one's employment will vest with the Council.

Employees, Council Members and all relevant individuals will be scrupulous in the use of official information and should not use their position in Council for personal gain or for non-authorised purposes.

Accurately created and maintained records serve as a history of the transactions and business processes of local government. They are a fundamental tool that provides evidence of public sector accountability and responsibility. It is for these reasons that legislation exists to ensure that official records are properly maintained and preserved for future generations.

## 7. POLICY STATEMENT

The Council recognises the value of information and records to its operations and performance, and considers it a valuable asset that needs to be actively managed and maintained across the organisation.

### **The Council is committed to:**

- 7.1 accurately creating and maintaining records to provide a history of the transactions and business processes of Council, thereby ensuring public sector accountability and transparency; and the responsible stewardship of the community's information.
- 7.2 treating information and records as a business asset to be managed consistently across the business, throughout its lifecycle.
- 7.3 providing visible support at an organisational level for information and records management processes, people and systems to promote consistent practice.
- 7.4 ensuring consistent, quality information and records management across the organisation is a priority with all information including digital and paper-based records and documents managed responsibly, ethically and to the highest standard of integrity, security and privacy.

- 7.5 the creation and management of authentic, high-integrity, reliable and useable records that are capable of supporting business functions and activities into the future.
- 7.6 ensuring that the management of information and records is performed in accordance with all applicable legislative requirements and relevant internal policies and procedures.
- 7.7 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 and transparency across the organisation.
- 7.8 preserving Council's 'corporate memory' through sound record keeping practices and the accurate capture of information to meet legal, evidential and accountability requirements
- 7.9 a culture that protects privacy and endeavours to protect the personal information it collects, stores, discloses and uses

**The Council will demonstrate this commitment by:**

- 7.10 capturing full and accurate information and records in organisationally approved corporate systems in order to meet current and future needs.
- 7.11 providing the required financial and technological resources for effective and efficient management of information, records and corporate knowledge.
- 7.12 regularly auditing information to ensure organisational needs are met and use of information is appropriate.
- 7.13 providing required information to Council Employees, Council Members and the community as required by legislation.
- 7.14 providing suitable education and training to ensure staff, Council Members and other relevant individuals are able to meet their information and records management responsibilities and understand their legislative requirements.
- 7.15 supporting and fostering a culture which actively seeks and embraces continual improvement in information and records management methodologies and systems and that meets our accountability, compliance, ethical practice and active risk management obligations.
- 7.16 creating systems and processes to improve information retrieval through the reduction of information duplication, effective search tools, linkages between core line-of-business systems and high level Information planning.

## **8. RESPONSIBILITIES**

All individuals identified in the Scope need to be aware of and comply with Council's information and records management requirements against all activities they undertake in performance of their duties and functions.

Their responsibilities include:

- 8.1 creating, capturing, maintaining and retrieving all Council records in *authorised corporate systems* to support the conduct of their business activities;
- 8.2 ensuring records are created in all appropriate circumstances immediately, or as soon as practical, after an event, decision, agreement or business action.
- 8.3 learning how and where records and information are kept within Council;
- 8.4 not destroying or amending Council records without authority from the Council Records Team;

- 8.5 being aware of and complying with Council's information and records management procedures.

Council employees, Council Members and all relevant individuals who do not comply with this Policy may be subject to disciplinary action under the relevant Code of Conduct, and/or subject to criminal or civil proceedings. Section 17 of the State Records Act provides for a maximum fine of \$10,000 or imprisonment for two years. Council Employees and Council Members should report breaches of this Policy to the Chief Executive Officer.

## **9. DELEGATIONS**

The Chief Executive Officer has the delegation to approve, amend and review any procedures that shall be consistent with this Policy.

## **10. POLICY REVIEW**

This Policy will be reviewed on a 3 year basis to ensure it is current and reflects changes to legislation, systems, processes, technology and standards. The Policy will be reviewed whenever there is a change to Legislation or State Records requirements.

## **11. AVAILABILITY OF THE POLICY**

The public may inspect a copy of this policy, without charge, at the offices of council during office hours, and may obtain a copy for a fee as per Council's Fees & Charges Register. The policy is also available on Council's website [www.ahc.sa.gov.au](http://www.ahc.sa.gov.au).