

Name of policy:	Records Management		
Adoption by Council:	24 August 2022	Minute number:	331/2022
Last review date:	August 2022		
Review timeframe:	Four years		
Next scheduled review date:	August 2026		
Related legislation:	<i>State Records Act 1998</i> <i>State Records GA39 and GA45</i> <i>Government Information (Public Access) Act 2009 (GIPA)</i> <i>Privacy and Personal Information Protection Act 1998</i> <i>Health Records and Information Privacy Act 2002</i> <i>Public Interest Disclosures Act 1994 (PID Act)</i> <i>Environmental Planning & Assessment Act 1979</i>		
Associated policies/documents:	Code of Conduct Information Management Framework ICT Strategy Digitisation Guideline Reference Privacy Management Plan State Records GA39: General Retention and Disposal Authority Local Government Records State Records GA45: General Retention and Disposal Authority Original or source records that have been copied State Archives and Records NSW Standard on records management 2015 State Archives and Records NSW Standard on the Physical Storage of State Records		
Responsible division:	Corporate Services		

Policy objective

To ensure that full and accurate records of all activities and decisions of MidCoast Council are created, managed, retained or disposed of appropriately in accordance with relevant legislation. This will enable MidCoast Council to achieve information accessibility, enhancement and improvement, and accountability obligations while protecting the rights and interest of Council, employees and the community.

A Records Management Program has been established by MidCoast Council in accordance with s.12(2) of the State Records Act 1998. This policy provides a framework and outlines responsibilities for the operation of Council's Records Management Program.

Policy statement

The State Records Act (*the Act*) requires public officers to 'make and keep full and accurate records' of their business activities. Council is committed to meeting its responsibilities under the Act by implementing best practices in records management.

MidCoast Council recognises that records are a vital asset to:

- facilitate information accessibility, and enhance business by supporting service delivery, management and administration
- deliver customer services in an efficient, fair and equitable manner
- provide evidence of actions and precedents for future decision making, and
- protect the rights and interests of Council, its staff and the community.

Council values records and information as a strategic resource and ensures that records are made, captured, maintained and disposed of in accordance with the legal, regulatory and business needs of Council.

Coverage of the policy

All staff, Councillors, committee members, contractors and volunteers must comply with this policy and associated Records Management Procedures, in their conduct of official business for MidCoast Council.

This policy applies to records in all formats, including electronic records, created, received or maintained by Council.

Strategic Plan link

- 4.2.1 Provide information management and records management services including legislative record keeping compliance, archiving and digitisation.

Policy content

1. Records Management Program

Section 12(2) of the Act requires Council to maintain a Records Management Program. This corporate program covers the full range of the organisation's records and information.

Council will aim to meet its requirements to establish a records management program under the Act and any associated standards, policies and guidelines.

Creation and implementation of this program is the responsibility of the Manager Governance with all business unit managers being responsible for records in their own area, in consultation with senior information management staff.

Council's Electronic Document Management System (EDMS) allows records to be shared between authorised users to promote consistency within the organisation while ensuring compliance and effective service delivery.

The records management program is to consist of a planned, coordinated set of corporate policies, procedures, people, systems and activities to manage Council's records in compliance with State records legislation and in accordance with Council's own business needs. e.g. Privacy Management Plan, Business Continuity Policy and Plan, Access to Information Policy (GIPA), Off Site Storage Guidelines and Digitisation Guidelines.

1.1 Council's Records

- must be created as evidence of business activity
- must relate to the functions and activities of Council
- must be created for and remain the property of Council
- must be captured as soon as possible after creation or receipt
- must be secure and maintained in Council's records management system (ECM) in compliance with corporate policies and procedures
- must be able to be located as needed
- may also include drafts, collaboration, working papers etc.

1.2 Elements of the Records Management Program

Creation and Capture

Staff should ensure that they create full and accurate records of all decisions and actions made in the course of their official business and these are captured in Council's records management system (ECM) when created and/or at time of receipt.

Where possible, Records Management is a designed component of our systems. Records creation and capture is integrated into system specification and design ensuring minimum metadata requirements are met by default.

Storage

All records originating in a digital format are required to remain digital. Current hardcopy records should be stored in Council's Secure Document Store or securely stored off site. Access to these records can be obtained via Council's Records Team.

Council will ensure that records and environmental conditions are appropriate to protect records. Council has a dedicated Secure Document Store for hard copy records and microfilm at its main administration building at Yalawanyi Ganyi 2 Biripi Way Taree South.

Hardcopy records are to be described and maintained in ECM via the Physical Locations Index.

Rarely used records or records no longer in use for official purposes that are required to be retained in accordance with current GA39 Retention and Disposal Authority are stored in secure off-site storage facilities.

Council's records held by contracted service providers

Custody of Council's records may pass to a contracted service provider through outsourcing, or records may be created by a contracted service provider which are or will be needed to ensure that the contract is performed to expectations.

Contractual requirements must be in place to ensure that the records remain the property of Council. The records must be subject to Council's record keeping requirements incorporating privacy, security and access, and be disposed of in accordance with Council policy.

Council will require the records to be returned to Council upon expiry of the contract or on demand by Council.

Maintenance and Monitoring

The Manager Governance is responsible for ensuring that digital records are backed up.

Migrations must be authorised by the Manager Governance resulting in authentic, complete, accessible and useable records.

Council has implemented a Business Continuity Plan and measures for safeguarding its information assets. Staff are required to abide by these measures at all times.

Disposal

Disposal of original source records that have been copied (digitised) may be disposed of according to GA45 if all conditions for destruction as outlined in the retention and disposal authority *Original or source records that have been copied (GA45)* are met.

2. Archiving, Disposal and Destruction of Records

NSW State Archives and Records has authorised a Functional Retention and Disposal Authority covering records relating to the core functions and activities of Local Government. Disposal actions as outlined in GA39 Retention Disposal Authority for Local Government Records are assigned to MidCoast Council's records on creation to ensure they are managed appropriately.

Council has implemented the NSW Archives and Records thesaurus 'Keywords for Councils' to ensure there is a consistent enterprise approach to describing records, aligned to GA39.

Hard copy originals of scanned documents are stored for three months for quality control purposes after the date of capture. After this time, the imaged documents are assessed against the requirements in GA45.

Disposal of digitised records will occur in accordance with the *General retention and disposal authority: Local government records (GA39)*. The disposal of these digital records will not commence until implementation of Council's new records EDMS (ECM) is completed and the required policy framework is in place.

Records that are no longer currently used, but because of their evidential or informational value have been selected for permanent retention, are archived.

3. Storage and Security of Records

Digital records are stored in Council's Enterprise Content Management (ECM) system which applies records management requirements.

The security, privacy and confidentiality of digital records are maintained via the ECM system and the application of Security Classes and Security Groups identified by business units.

This is applied at registration or as the business requires.

Internal access to records and information is role-based, with appropriate security controls put in place to safeguard and protect sensitive records and information.

The registration of personnel records is managed with the Human Resources Department. Hardcopy records are housed in secure storage areas either on site or off site.

4. Responsibilities

Records and information management is the responsibility of senior management who provide direction and support for records and information management in accordance with business requirements and relevant laws and regulations.

4.1 General Manager

The General Manager is responsible for ensuring that MidCoast Council complies with the regulations and requirements of the Act and Regulations.

4.2 Director Corporate Services and the Manager Governance

The Director Corporate Services and the Manager Governance have corporate responsibility for the oversight of records and information management.

The Manager Governance is the Corporate Record Manager as appointed by the General Manager, with responsibilities in accordance with the requirements of the *State Records Act 1998*.

4.3 ECM Solutions Specialist

The ECM Solutions Specialist supports the implementation, management, development and formulation of Council's EDMS, in accordance with legislative and business requirements.

The ECM Solutions Specialist oversees the monitoring and review of digital records and information activities in the EDMS, systems and process to ensure that they are performed, accountable and meet business needs.

The ECM Solutions Specialist:

- Oversee system administration and development of Council's EDMS
- Support the desirable behaviour in the creation, use, archiving and deletion of corporate information in the EDMS.
- Supports the Records Management Team in the education of Council staff in relation to legislative record keeping responsibilities as required by the Act

- Provide advice and guidance to staff and management in relation to effective use of the EDMS to ensure information, content and data is effectively captured for use and re-use.

4.4 Records Coordinator

The Records Coordinator leads the Records Team and is responsible for the management of Council's records (paper and electronic), all archiving services, and access to records requests.

Responsibilities:

- Develop and implement document registration strategies to enhance service delivery to internal stakeholders
- Oversee legislative compliance requirements ie develop the Records management Program, RMA actions and Records Management Audit actions
- Oversee the EDMS that supports the desirable behaviour in the creation, use, archiving and deletion of corporate information.
- Oversee the daily work tasks of Council's Records section and ensure performance standards are met
- Ensure an effective team-based approach to customers both internal and external across all areas of the records section.
- Monitor the performance of records staff and undertake regular audits to ensure compliance with policies, procedures and legislation
- Education of Council staff in relation to legislative record keeping responsibilities as required by the Act
- Provide advice and guidance to staff to ensure information, content and data is effectively captured and available
- Organising the disposal of records in accordance with the *General retention and disposal authority: Local government records (GA39)*, in liaison with the Manager Governance, ensuring these tasks are performed to agreed procedures by suitably skilled staff
- Assigning retention dates to records in accordance with disposal authorities
- Oversight of the management of Off-site Storage of council's records
- Oversight of Council's digitisation program
- Oversight of legal documents

4.5 Records Team

The Records Team will assist and support all Council staff in meeting their recordkeeping responsibilities:

- Efficient, accurate and timely delivery of record keeping services, including:

- Registration and distribution of incoming correspondence;
- Archiving and retrieval of council records;
- Access to information services;
- Provision of services to internal and external customers
- Implementing new initiatives using the EDMS, and
- Driving organisational use of electronic records.
- Assisting in the development and maintenance of the strategic and operation plans for the Records Management Program
- Regular audits of the Records Team systems and procedures
- Assisting in the implementation of the actions from the RMAT and Records Management Audit
- Off-site storage management and retrieval of documents

4.6 Business and System Owners

The cascading of responsibility to different business areas of MidCoast Council allows for different skill groups (business unit staff and information management staff) to work together to ensure that records and information management is integrated into work processes, systems and services across Council.

Business and system owners are responsible for ensuring records and information management is considered and included in systems and processes.

4.7 All Staff, Councillors, contractors and volunteers

Staff, Councillors, contractors and volunteers are responsible for:

- Understanding the records management responsibilities of their role
- Creating full accurate records of their business activities, including records of all decisions and actions made in the course of their official business.
- Ensure that all documents are registered in ECM
- Participating in any training and inductions ie Committee induction process

Public officials (staff, Councillors, volunteers) must make and keep full and accurate records of their activities in relation to Council business. This includes any emails, notes, letters, meetings (formal & informal), social media, working papers, and drafts created or received.

Email messages sent and received while undertaking Council business are State Records under the *State Records Act 1998* (the Act). Emails sent or received for council business are official records and need to be captured in Council's official EDMS. The most secure, efficient and compliant way to achieve this is using a MidCoast Council email address and not a personal email addresses when undertaking Council business.

All email records in relation to government business are government information and

are subject to Government Information (Public Access) Act (GIPA) from both a private email address and a MidCoast Council email address.

Specific responsibilities are identified in position descriptions.

5. Access to Council Records

Access to Council records will be in accordance with the relevant legislation:

- *Government Information (Public Access) Act 2009*
- *State Records Act 1998*
- *Privacy and Personal Information Protection Act 1998*
- *Evidence Act 1995*
- *Environmental Planning and Assessment Act 1979*

Council has a wide range of information that may be accessed in varying ways. Where appropriate, information may be obtained or inspected at any of the Council offices.

The Government Information (Public Access) Act 2009 makes information available in four ways. They are:

- Mandatory proactive release (open access information)
- Authorised proactive release
- Informal release in response to an informal request
- Release following determination of a formal access application.

Information is to be released unless there is an overriding public interest against disclosure and there are specific considerations that must be taken into account when applying this public interest test. Where possible, Council will attempt to deal with information requests under the first three options.

Council may require the lodgement of a formal access application if there are requirements to consult with third parties, detailed and technical public interest considerations or significant search requirements.

Copying of documents will be subject to legal requirements, including copyright restrictions, with charges applied as per Council's adopted Fees and Charges.

Customer Experience and Records staff can assist members of the public with viewing public access records electronically at Customer Service Centres, as required.

Publicly available documents relating to applications are also accessible through Application Tracking on Council's website, however signatures, email addresses and private telephone numbers are redacted from documents to comply with the information protection principles under the Privacy and Personal Information Protection Act 1998 and Council's Privacy Management Plan.

Definitions

Archives is defined as those records that have been identified as having continuing value (AS 4390 Part 1 Clause 4.5). Usually kept permanently as part of the Council Archives.

Council means MidCoast Council

Council Correspondence means any document created for the purpose of undertaking the business associated with Council activities for example emails, notes, letters, meetings (formal & informal), social media, working papers, and drafts

Digital Records is defined as records communicated and maintained by means of electronic equipment (AS 4390 Part 1 Clause 4.13)

ECM is the Enterprise Content Management system (Council's corporate records system)

EDMS means Electronic Document Management System (ECM)

GA39 means General Retention and Disposal Authority which determines the requirements for archiving and disposal of records

GA45 means Digital Records Preservation Requirements which defines retention periods for hardcopy documents that have been digitised into our corporate records system

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 (State Records Act 1998 (NSW)).

State Records is defined as records created by public offices in NSW are State records under the State Records Act 1998 (NSW)

Responsible officer (position)

Manager Governance