

Policy title	Records Management
Responsible manager(s)	Corporate Manager Governance and Administrative Services
Contact officer(s)	Coordinator Customer Service and Information
Directorate	Corporate and Commercial Services
Approval date	11 October 2022
Outcome area	5 Our engaged community with progressive leadership
Strategy	5.1 Acknowledge our shared responsibility through an informed community
Delivery Program	5.1.3 Provide a welcoming and easy to deal with Council where customers have a positive experience
Operational Plan	5.1.3.3 Provide effective records management

Purpose

Eurobodalla Shire Council's Records Management Policy provides records and information management guidance to deliver effective records and information management which in turn supports and facilitates good business across all operating environments.

The policy also ensures that Eurobodalla Shire Council records management meets legislative requirements in relation to capture, control, use, maintenance, disposal, sentencing and archiving.

Policy aims

This policy aims to:

- Ensure the capture and creation of full and accurate Council records;
- Protect, maintain and control Council records;
- Appropriately use and provide access to Council records;
- Maintain a records management system and securely store records;
- Ensure records are appraised and disposed of appropriately;
- Follow and utilise the regulations and services of State Archives and Records for training, state archiving and compliance.

Policy details

1	<p>Application</p> <p>This policy applies to all external and internal records, which are handled, received or generated by Eurobodalla Shire Council in the course of its business or functions, regardless of the records' physical format or media type.</p> <p>All records made or received by Eurobodalla Shire Council or an individual staff member during the course of Council business or functions, are corporately owned by Council, and therefore subject to the records management policy and procedures of Council.</p> <p>Any information or data which is not required to be compiled, recorded or stored by Council in the course of its business or functions is not a record held by Council, for the purposes of this policy. Information which is unsolicited and not relevant to Council's business or functions is not a record held by Council, for the purposes of this policy.</p>
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<p>2</p>	<p>Legislation</p> <p>Eurobodalla Shire Council complies with relevant legislation such as:</p> <ul style="list-style-type: none"> • <i>Local Government Act 1993</i> • <i>Government Information (Public Access) Act 2009</i> • <i>Privacy and Personal Information Protection Act, 1998</i> • <i>State Records Act 1998</i> • <i>General retention and disposal authority: local government records GA39</i> • <i>General retention and disposal authority: Childcare Service FA404</i> • <i>Health Records and Information Privacy Act 2002</i> • <i>Model Code of Conduct for Local Councils in NSW, 2020</i> • <i>Evidence Act 1995</i> <ul style="list-style-type: none"> - Electronic copies can be introduced to court as evidence – original document rule is removed and copies, including digital, are acceptable. • <i>Electronic Transactions Act 2000</i> <ul style="list-style-type: none"> - Digital communication is deemed to have equivalence to paper versions in most situations.
<p>3</p>	<p>Creation and capture</p> <p>Records are to be created in the normal course of conducting business to provide evidence and facilitate business. They are to be created automatically as part of a business transaction or consciously created to document business or activity that has been done.</p> <p>It is the responsibility of the sender to capture correspondence they send externally and internally. Incoming correspondence from an external source is to be captured by the initial recipient of the correspondence.</p>
<p>3.1</p>	<p>Records management system</p> <p>All Eurobodalla Shire Council records are required to be captured within Council’s record-management system. Electronic records and paperless systems of storage and retrieval are used in preference to hardcopy.</p> <p>Council’s electronic and hardcopy incoming mail are to be captured in the Council Records Management System in a timely manner upon arrival and distributed through a registration process to enable efficient and effective response from staff and Councillors.</p> <p>Outgoing correspondence and business records are to be stored electronically in the Records Management System by the respondent or Council representative dealing with the item of business.</p>
<p>3.2</p>	<p>Record identification</p> <p>Records are to be registered into the corporate Records Management System as soon as they are received or created to enable immediate identification and location. All</p>

	<p>electronic documents are to be allocated a document number when stored in the electronic storage system.</p>
3.3	<p>Record location</p> <p>The location of physical records are to be maintained in a recording system that ensures that physical items can be located as required. All staff are responsible for keeping this system up to date and accurate.</p> <p>Electronic records are to be located in Eurobodalla Shire Council's Record Management System.</p>
4	<p>Registration, control and protect</p> <p>All incoming correspondence is to be assessed and categorised according to its content, intent and actions required. Records are then to be registered into the Eurobodalla Shire Council Record Management System and assigned for information or action to an appropriate person or persons within the Council and stored according to its category and level of sensitivity. Council's Record Management System is to be adequately secured and protected from violation, and unauthorised access or destruction.</p> <p>Records will be kept in accordance with the necessary retrieval, preservation and storage requirements as determined by the <i>State Records Act 1998</i>.</p>
4.1	<p>Registration and control</p> <p>Registration and keying of an electronic record involves creating the meta data and identifiers of the record:</p> <ul style="list-style-type: none"> • Reading and assessing the record • Application of a unique identifying number known as a document ID • Application of a quick add profile where possible • Linking to applicable indexes such as customer, land id and subject • Application of a descriptor of the record known as a precis • Classifying the record • Applying security or access levels • Assignment of a business process to a person or persons for information or action.
4.1	<p>Record Classification</p> <p>Eurobodalla Shire Council will classify its records using a thesaurus classification scheme of State Records Authority of NSW - 'Key words for Councils'.</p> <p>This classification system provides a consistent method across local government and covers terminology common to business functions and activities undertaken by councils and records created or received by councils in the course of its business.</p>
4.2	<p>Record Security</p> <p>Registration of records in to the Records Management System at Eurobodalla Shire Council will apply access and security settings to all electronic records in line with organisational functions, activities, transactions to provide security and confidentiality.</p>

	Hard copy records are to be recorded, controlled and tracked through the Records Management System and stored in locked storage systems that are accessed only by authorised personal.
5	Use and access to records
5.1	Public access to records Public access to Eurobodalla Shire Council's records will be dealt with in accordance with relevant provisions of the <i>Government Information (Public Access) Act 2009</i> , <i>Privacy and Personal Information Protection Act 1998</i> , <i>Health Records and Information Privacy Act 2002</i> , <i>Copyright Act 1968</i> , <i>NSW Privacy Code of Practice for Local Government</i> , Council's Privacy Management Plan, and relevant Council policy and procedure.
5.2	Access by elected members Access to Eurobodalla Shire Council's records by elected members will be via the General Manager and Public Officer in accordance with the <i>Local Government Act 1993</i> and the current version of the Office of Local Government NSW <i>Model Code of Conduct for Local Councils in NSW</i> .
5.3	Access to records by employees and contractors Access to and use of Eurobodalla Shire Council's records by employees and contractors will be in accordance with the designated access and security classifications. When records are removed from storage, the staff member using the file will be responsible for its security. The Records Management System is to record file movement out of storage and between officers. Records will not leave Eurobodalla Shire Council premises unless it is for the purposes of property inspections or movement between offices. If possible, a copy of relevant documents should be taken to meetings etc. outside Council premises. Staff will not take record files home. If it is necessary to work on a file at home, a copy of relevant documents should only be used.
6	Store and maintain records Eurobodalla Shire Council will ensure the safe custody and proper preservation for the records it has control of. When hard copy records are identified as State Archives and are no longer required for use by an organisation, custody will be transferred to the State Records Authority.
6.1	Paper based records Eurobodalla Shire Council will store its archive, paper based records in a clean, secure environment, within an accessible distance from the Council Administration Centre. Records are labelled and packaged and a system is to be used to track and locate records.
6.2	Digital records Eurobodalla Shire Council stores its digital records in a corporate system. Meta data is to be applied to all digital records.

	The system must capture, maintain and provide access to the electronic records and have security access levels for authorised users.
6.3	Transfer of State Records The Government Records Repository (GRR) manages records storage services for semi-active records created by NSW public sector bodies, including Government agencies, local councils, public hospitals and universities. Eurobodalla Shire Council will transfer appraised hard-copy state archives to the GRR.
7	Disposal of records All records kept by Eurobodalla Shire Council will undergo appraisal before being disposed of in accordance with the <i>General retention and disposal authority: local government records</i> , produced by the State Records Authority of New South Wales and approved under section 21(2)(c) of the <i>State Records Act 1998</i> .
8	Disaster recovery/ business continuity All reasonable steps are to be taken to ensure that Council's records are at minimal risk of damage or loss due to accident or disaster. Council will develop and maintain a disaster recovery plan or business continuity plan which details all procedures to be followed in the event of a disaster. The plan will include all information necessary to implement the procedures. In the event of an accident or disaster Council will take all reasonable steps to ensure records are conserved according to current best practice.

Implementation

Requirements		Responsibility
1	Councillors All elected Councillors are to create and maintain records relating to their role in line with legislation and state policies and procedures for the management of records. Political and personal records of Councillors are exempt, however all correspondence and email sent and received via Council's records management systems (including Councillor email addresses) is subject to the public disclosure provisions of the <i>Government Information Public Access Act 2009</i> . Access to Eurobodalla Shire Council's records by elected councillors will be via the General Manager and Public Officer in accordance with the <i>Local Government Act 1993</i> .	Councillors
2	General Manager In accordance with section 335 of the <i>Local Government Act 1993</i> , the General Manager is "to conduct the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council".	General Manager

3	Managers All managers are to ensure that there are records management processes established to manage the records under their control. They are also to ensure that all new staff are inducted as to their records management responsibilities.	Managers
4	Staff All staff will be responsible for ensuring that this policy is implemented appropriately within their work area, after they have received appropriate training to do so.	Council officers
5	Corporate Manager Governance and Administrative Services The Corporate Manager Governance and Information is responsible for providing a records management service which complies with Eurobodalla Shire Council Records Management Policy and procedures, and NSW State Records Office requirements.	Corporate Manager Governance and Administrative Services
6	Consultation Any consultation deemed necessary will occur as required with key stakeholders, which may include (but not be limited to) the community, other agencies, statutory and industry bodies. Proposed substantive changes to this policy will be placed on public exhibition with public submissions invited for consideration during the exhibition period.	As applicable

Review

This policy will be reviewed every 4 years. It may also be reviewed and updated as necessary when legislation requires it; to ensure consistency with current legislation; if Council's business, functions, structure or activities change; or when technological advances or new systems change the way that Council manages its Records.

The policy may be revoked at the expiration of twelve months after the declaration of the poll for the next general NSW local government election, unless Council revokes it sooner.

Reviews of the effectiveness of this policy could include the following:

Performance indicator	Data source(s)
Delivery Program/Operational Plan outcomes achieved	Council reporting
Concerns or complaints registered	Council records
Customer feedback, survey responses	Surveys
Internal or external review	Audit

Definitions

Term	Definition
Archives	Archives are records that are appraised as having continuing value (i.e. they need to be kept permanently). They may have continuing value because they meet an ongoing legal or evidential requirements, or because they

	<p>meet a research need for an organisation or community. Archives can be in any format, including digital. Archives provide:</p> <ul style="list-style-type: none"> • ‘Long term memory’ enabling better planning, decision making, access to past experience, expertise, knowledge and historical perspective. • Evidence of continuing rights, entitlements and obligations • Instruments of power, legitimacy and accountability. • A source of understanding and identification • A vehicle for communicating political, social and cultural values.
Appraisal	Appraisal is the process of evaluating business activities to determine which records need to be captured and how long the records need to be kept, to meet business needs, the requirements of organisational accountability and community expectations.
General Disposal Authority (GA39)	The General Disposal Authority for Local Government records (the schedule) is designed to provide consistency throughout Local Government in disposal activities and decisions. It is a continuing authority for the disposal and archival of records which document a Local Government’s operations.
Government Record	A record created or received by a government organisation or a government organisation employee in the course of their work for the organisation.
Record	<p>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</i> Section 3, <i>Government Information Public Access Act</i> Schedule 4 Clause 10).</p> <p>The knowledge of a person is not a record for the purposes of this policy.</p>
Record disposal	Disposal is by way of depositing records in the State Archives, managing the records as designated by State Archives, or by destruction in accordance with policy.
Significant records	Significant records contain information, which is of administrative, legal, fiscal, evidential or historical value, and are not recorded elsewhere on the public record. They describe an issue, record who was involved, why a decision was made, and may include actual guidelines.
State Archive	Records that are appraised as having continuing value and have been selected for permanent preservation.
Digital record	<p>Records that have been manipulated, transmitted or processed by a computer or electronic device. For the purpose of this policy it is digital information, captured at a specific point in time that is kept as evidence of Council business activity. Digital records include:</p> <ol style="list-style-type: none"> 1. Records that are ‘born digital’ such as email, web pages, digital photographs, and GIS files or data base records. 2. Scanned versions of paper records that have been digitised in business processes.

	Corporate telephone and mobile phone data and recording (voicemail, messages, call logs etc) does not constitute a digital record for the purposes of this policy.
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Governance

This policy should be read in conjunction with any related legislation, codes of practice, relevant internal policies, and guidelines.

Related legislation and policies

Name	Link
Related Council Policy or Code of Practice	www.esc.nsw.gov.au/council/governance/council-policies
<i>Local Government Act 1993</i>	www.legislation.nsw.gov.au/view/html/inforce/current/act-1993-030
<i>Government Information (Public Access) Act 2009</i>	www.legislation.nsw.gov.au/view/html/inforce/current/act-2009-052
<i>Privacy and Personal Information protection Act, 1998</i>	www.legislation.nsw.gov.au/#/view/act/1998/133
<i>State Records Act 1998</i>	www.legislation.nsw.gov.au/inforce/0af9a3e2-72ac-ef57-83b5-9bd797f62f37/1998-17.pdf
<i>General retention and disposal authority: local government records GA39</i>	www.records.nsw.gov.au/recordkeeping/rules/retention-disposal-authorities
<i>Health Records and Information Privacy Act 2002</i>	www.legislation.nsw.gov.au/view/html/inforce/current/act-2002-071
<i>Evidence Act 1995</i>	https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-1995-025
<i>Electronic Transactions Act 2000</i>	www.legislation.nsw.gov.au/view/html/inforce/current/act-2000-008

Related external references

Name	Link
Office of Local Government	www.olg.nsw.gov.au
State Archives and Records	Archives State Archives and Records NSW

Supporting documents

Name	Link
Public Access to Information at Eurobodalla Shire Council	www.esc.nsw.gov.au/council/governance/public-access-to-information

Change history

Version	Approval date	Approved by	Minute	File	Change
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1	22 Sep 2009	Council	09/291	06.0380 E09.3418	Policy reviewed and adopted.
2	10 Sep 2013	Council	13/272	E13.7095 E06.0380	Updated template, review date, references, extensively revised and expanded
3	12 Sep 2017	Council	17/291	E16.0297 E06.0380	Reviewed and updated (start of new Council term)
4	11 October 2022	Council	22/266	S004- T00060	Reviewed and updated (start of new Council term) Report

Internal use

Responsible officer		Corporate Manager Governance and Administration Services		Approved by	Council
Minute	22/266	Report	GMR22/100	Effective date	11 October 2022
File	S004- T00060	Review date	11 October 2022	Pages	9