



## ***Records Management Policy***

<b>Policy Classification</b>	Council Policy
<b>First Issued:</b>	14 November 2012
<b>Next Date of Review:</b>	April 2026
<b>Version Number:</b>	5
<b>Applicable Legislation:</b>	<i>Local Government Act 1999</i> <i>State Records Act 1997</i> <i>Freedom of Information Act 1999</i> <i>Copyright Act 1968</i> <i>Electronic Transactions Act 2000</i> <i>Ombudsman Act 1972</i> <i>Independent Commission Against Corruption Act 2012</i>
<b>Related Policies or Documents:</b>	Privacy Policy Complaints Against Council Employees Policy Code of Conduct For Elected Members Policy Computer Systems Usage Policy Council use of Surveillance Systems Policy
<b>Associated Forms:</b>	NA
<b>Responsible Manager:</b>	Director Corporate Services
<b>Approved by Council:</b>	12 April 2022
<b>Minutes Reference:</b>	C130:2022

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## **Records Management Policy**

### **1. Preamble**

- 1.1. The State Records Act (1997) governs the obligations and responsibilities of Councils in relation to the management of official records. Under this Act, the Council has an obligation to maintain official records in its custody in good order and condition. Not only does this include obligations in relation to the capture, storage, maintenance and disposal of physical records but also records in electronic format.
- 1.2. An official record is a record made or received by Council in the conduct of its business. This means that, because Elected Members and Council Employees act as representatives of the Council, any record created, sent, received, forwarded or transmitted by Council Employees and/or Elected Members in the discharge of their functions and duties may be classified as official records. However, records that are merely ephemeral, transitory, personal or private in nature will fall outside the definition of "official records".

### **2. Purpose**

- 2.1. This Policy provides the policy framework for the Council to effectively fulfil its obligations and statutory requirements under the Act. The establishment of an effective and efficient record keeping environment ensures standardisation, protection and retrieval of information, hence, improving levels of quality customer service. The Council has selected SynergySoft as the Electronic Document Records Management System (EDRMS) to ensure this effective and efficient records keeping environment is maintained.
- 2.2. Good records management is of key importance to good governance. Records are a vital component in the support of Council's ongoing business activities. The Council is committed to managing its records of continuing value and their timely transfer to the State Records Office.
- 2.3. Council has certain legal obligations in relation to records management and records are themselves subject to legislation, such as the Freedom of Information Act (1991), and legal processes, such as discovery and subpoenas. The records may also be required by Royal Commissions, the Independent Commissioner Against Corruption, the Ombudsman, the Courts, Auditors and other people or bodies to whom or which they may be subject.

### **3. Scope**

- 3.1. This Policy applies to all Council business, including electronic business. It concerns records, which are created, collected, processed, used, sentenced, stored and disposed of in the conduct of official business. It applies to all Council Employees and Elected Members.
- 3.2. Electronic communications which are relevant to the information gathering, policy formulation or decision-making processes of Council are part of the scope of this Policy. Electronic messages, which document business activity, should be captured into Council's EDRMS. All procedures and records management systems are to be consistent with this policy.

#### 4. Definitions

- 4.1. **Continuing Value** means Records of continuing value are those that contain information that is of administrative, legal, fiscal, evidential or historical value to the Council.
- 4.2. **Correspondence** means Electronic [email] or Physical mail.
- 4.3. **Council Business** may include the provision of services, delivery of programs, development of policies, decision making, performance of Council functions and other similar types of transactions.
- 4.4. **Council Employees** means persons employed by the Council, volunteers, trainees, work experience placements, independent consultants/contractors and other authorised personnel offered access to the Council's resources.
- 4.5. **EDRMS** means Electronic Document Records Management System.
- 4.6. **Elected Members** means the Elected Members and Mayor
- 4.7. **Dispose of** - to dispose of an official record means to:
- destroy or abandon the record;
  - carry out an act or process as a result of which it is no longer possible or reasonably practicable to reproduce the whole or a part of the information contained in the record; or
  - transfer or deliver ownership or possession of or sell the record, or purport to do so,
- but does not include to transfer or deliver the record to the State Records Office or between the Council and another agency.
- 4.8. **Ephemeral/Transitory Record** means a record is ephemeral or transitory in nature if it is of little or no continuing value to the Council and only needs to be kept for a limited or short period of time, such as a few hours or a few days. For example, information relating to personal activities, drafts, reference material, duplicates etc.
- 4.9. **External Staff Members** means those members of staff that predominately work outside or have limited computer access (eg Asset Services)
- 4.10. **General Disposal Schedule (GDS)** means this Records Management tool being applied to determine a minimum for when official records should be archived or destroyed. These Schedules are provided by State Records of South Australia.
- 4.11. **Normal Administrative Practice (NAP)** provides for the routine destruction of drafts, duplicates and publications, with the test that it is obvious that no information of more than ephemeral or transitory value to the Council will be destroyed. Material that can be disposed of under Normal Administrative Practice comprises items of an ephemeral or transitory nature created, acquired or collected by Council Employees or Elected Members in the course of their official duties. Such material has no ongoing value and is not usually incorporated into the Council's record keeping system.

4.12. **Official Record** means a record made or received by the Council in the conduct of its business, but does not include:

- a record made or received by an agency for delivery or transmission to another person or body (other than an agency) and so delivered or transmitted; or
- a record made by an agency as a draft only and not for further use or reference; or
- a record received into or made for the collection of a library, museum or art gallery and not otherwise associated with the business of the agency; or
- a Commonwealth record as defined by the Archives Act 1983 of the Commonwealth, as amended from time to time, or an Act of the Commonwealth enacted in substitution for that Act; or
- a record that has been transferred to the Commonwealth.

4.13. **Record** means:

- written, graphic or pictorial matter; or
- a disk, tape, film or other object that contains information or from which information may be reproduced (with or without the aid of another object or device).

4.14. **Sentence** means the act of applying relevant General Disposal Schedules (GDS) to records. Local Government predominately utilises GDS20.

## 5. Policy Statement

### 5.1. Obligations of Records Users

5.1.1. Council Employees and Elected Members must not intentionally damage, alter, dispose of or remove official records of the Council without authorisation to do so. Council Employees and Elected Members are required to handle Council records with care and respect in a sensible manner to avoid damaging records and with a view to prolonging their life span. Council Employees and Elected Members should not eat, drink or smoke near Council records or in records storage areas.

5.1.2. Council staff and Elected Members shall ensure that Council records in any format, including electronic documents and electronic messages, which they personally receive or send are to be captured into the Council's record keeping systems within 7 business days of receipt.

5.1.3. Assistance will be readily provided by the Records Management Officer for those that require guidance. Records must be readily accessible to meet business and accountability requirements. The Records Management Officer is required to follow authorised procedures in carrying out records management functions.

5.1.4. Those Council Employees who do not have access to Council's Records Management System by nature of their work, for example External Council Employees, are required to deliver those Council Records which come into their possession, to their Supervisor within 24 hours of receipt. The Supervisor must

then organise for the Record to be registered into council's EDRMS within the required timeframe.

5.1.5. Electronic records are to be captured and maintained as functioning records by preserving their structure, context and content. In order to maintain their value as evidence, electronic records must be inviolate. That is, they cannot be altered or manipulated for as long as they are retained.

5.1.6. Council Employees or Elected Members 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. Council Employees and Elected Members should report breaches of this Policy to the Records Management Officer.

## **5.2. Confidential Records**

5.2.1. If a Council Employee or Elected Member believes that a record forwarded to the Records Management Officer for incorporation into the record keeping system is of a highly sensitive or confidential nature, he or she should advise the Records Management Officer of that view. It will be at the discretion of the Records Management Officer as to whether such information will then be treated as confidential and access to those records restricted.

## **5.3. Records Security**

5.3.1. 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.

5.3.2. Council Employees are responsible for the safe custody of all files and documents that are allocated to them. Sensitive or confidential information should be placed in a secure storage area when not in use. When the action has been completed the file/documents should be returned to the Records Management Officer for storage.

5.3.3. File storage units should be locked overnight wherever possible to prevent unauthorised access. Amongst other risk management considerations, this reduces the possibility of damage by water or fire in the event of a disaster.

5.4. Council records are not to be stored at home or left in cars unattended as they could be lost or damaged or stolen. Vital records should be stored in protective or fire resistant conditions with suitable access conditions. Confidential records must be stored in locked storage cabinets which are accessible only by authorised persons.

## **5.5. Destruction Methods**

5.5.1. Official records must only be disposed of in accordance with the General Disposal Schedule No 20 for Local Government Authorities in South Australia.

5.5.2. Only records that have been identified as non official and of no continuing value to the Council can be destroyed in accordance with Normal Administrative Practice (NAP), Elected Members and Council staff are to contact Records staff for advice or assistance with the destruction of their non official records if

required. Disposal of Council records will take place annually or as required, During this process records will be sentenced and sent to offsite storage for archiving or destroyed as per State Records SA requirements.

Method	Description
Destruction	A list of records due for destruction will be signed off by the Records Management Officer, who will then request approval from relevant Managers / Directors, prior to being submitted to the CEO for final approval.
Archiving	Records will be sentenced, boxed and archived. Records are initially sent to the Records storage area with consignments of permanent records transferred to SRSA on an as required basis.

5.5.3. Care must be taken not to destroy information which has value to the Kangaroo Island Council, which may result in legal action, embarrassment or penalties to Council.

5.5.4. Under the State Records Act 1997 section 17 – Intentional, illegal destruction, damage, alteration or removal of records could incur penalties of \$10,000 or 2 years imprisonment of the individual responsible.

5.5.5. Copies of Records containing confidential or sensitive information, such as:

- a. Financial details
- b. Outstanding Rates
- c. Commercial in Confidence information
- d. Staff/Customer Personal Details

SHOULD NOT be placed in open or recycling bins – MUST be shredded or placed within the confidential shredding secured bin.

5.5.6. Any video footage captured under Council use of Surveillance Systems Policy is classed as an official Council record under the State Records Act 1997 (SA). Section 23 of the State Records Act 1997 prohibits the Council from disposing of an official record except in accordance with the General Disposal Schedule 20 (GDS 20). Item 14.76.2 of GDS 20 specifically provides that 'video surveillance records; are temporary records which currently may be only be destroyed six months after the last action taken in relation to them.

## 5.6. EDRMS and Business Systems

5.6.1. The Council has selected SynergySoft as the Electronic Document Records Management System (EDRMS) to ensure this effective and efficient records keeping environment is maintained.

5.6.2. Administration utilises the following business systems where metadata is held. The source document is captured into Synergy Soft for best record keeping practices.

- a. Skytrust – a cloud base system which captures information to maintain a safe and effective working environment for council's staff, contractors and volunteers, used to manage WHS, HR and contractor information.
- b. RelianSys – a cloud base system which manages the creating and maintaining Council's Delegations and Policies Registers.
- c. ControlTrack is a cloud base system which enables Council to facilitate an integrated risk and control assessment process in the one place.
- d. AssetFinda is a cloud-based asset management system with a GIS interface and mobile app for field users.

5.6.3. Records not required to be captured into council's Corporate EDRMS system but directly into the relevant systems include the following:

- a. Dog and Cats Online – DACO system – registration and amendment to the dog and cat register records.
- b. National Heavy Vehicle Register – NHVR – consent requests, permit consent approval/refusal, contact with applicant.
- c. SA Planning Portal – applications and associated records for development planning.

## **5.7. Responsibilities**

### **5.7.1. Chief Executive Officer**

- a. The role of Chief Executive Officer of the Council, as prescribed by section 99 of the Local Government Act 1999, includes ensuring that records required under any legislation are properly kept and maintained.
- b. The Chief Executive Officer is also responsible for ensuring that Elected Members are aware of their records management responsibilities and that they receive the appropriate education and training.

### **5.7.2. Council Employees and Elected Members**

- a. All Council Employees and Elected Members need to be aware of record keeping requirements that affect the performance and execution of their duties and functions. The record keeping obligations on Council Employees and Elected Members include:
  - making records to support the conduct of their business activities;
  - creating records that would not otherwise be created;
  - forwarding records to the Records Management Unit for capture into paper or electronic record keeping systems. If unable to do so themselves;
  - learning how and where records are kept within Council;



- not destroying Council records without authority from the Records Management Officer;
- not losing records; and
- being aware of records management procedures.

#### **5.7.3. Particular Obligations of Council Members**

- In 2014, The Ombudsman considered the matter of Council Members emails and the use of private email addresses to carry out council business and found that the practice was contrary to good record-keeping practice.
- Council email addresses are provided to all Council Members for the purpose of carrying out council related business and the council email addresses must be used by Members for that purpose.
- All council members' emails that concern council related matters will be captured and stored in the council's records management system in accordance with the State Records Act.

### **6. Guidelines for determining what are official records**

#### **6.1. Diaries/Appointment Books/Calendars**

6.1.1. Diaries, appointment books and calendars are generally used to record appointments. They may also be used to record messages and notes, some of which may only be an *aide memoire* of a routine nature, but others may be of significance to the conduct of Council business.

6.1.2. In order to ensure that all "official records" are captured and retained in accordance with the Act, Council staff and Council Members' diaries, appointment books and calendars should be forwarded to the Records Unit for incorporation into the Council's records management system.

#### **6.2. Drafts**

6.2.1. A draft record is the preliminary form of any writing in electronic or physical format. Draft records include outlines of addresses, speeches, reports, correspondence, file notes, preparatory notes, calculations and earlier versions of the draft. Drafts may or may not be circulated to other Council Members or Council staff for comment or revision.

6.2.2. Drafts will be of no continuing value and may be destroyed when reference to them ceases if they:

- contain addresses, speeches, reports, correspondence, file notes that are not circulated to other Council Members or staff; or
- are circulated to other Council Members, where only editorial or typographical changes have occurred.

6.2.3. Drafts which document significant decisions, reasons and actions or contain significant information that is not contained in the final form of the records and that have continuing value are to be captured in EDRMS, For example:

- drafts which contain significant or substantial changes or annotations (other than editorial changes);
- drafts relating to the formulation of legislation, legislative proposals and amendments;
- drafts relating to the formulation of policy and procedures, where the draft provides evidence of the processes involved or contains significantly more information than the final version; or
- drafts of legal documents (contracts, tenders etc).

### 6.3. Duplicates

6.3.1. Duplicates are exact reproductions or copies of records where the original or authorised copy is contained within the Council's records management keeping system.

6.3.2. Duplicates of records will be of no continuing value and may be destroyed when reference to them ceases.

### 6.4. Messages

6.4.1. Messages may be sent or received via a range of methods, such as telephone and voice mail, email, post-it or sticky notes, facsimile, pieces of paper, or transmission reports.

6.4.2. Messages may be sent or received on a variety of matters. Some messages will have continuing value, if they are considered significant to the conduct of Council business. Others, such as those very routine in nature, will only have temporary value.

For example:

- routine or simple administrative instructions, such as edit corrections, distribution lists for informational purposes, file creation requests, and social invitations and messages;
- information only messages, duplicates or working copies/memos;
- private messages or personal comments between officers which would not provide evidence or be required for accountability purposes;
- original messages that have been transferred or transcribed into appropriate formats for incorporation into Council's record keeping systems; and
- messages that do not relate to the business functions of Council, have no continuing value and may be destroyed when reference to them ceases.

6.4.3. Messages that will have continuing value are to be captured in EDRMS, For example:

- contain information relating to the business activities of the Council such as directives, proposals, recommendations, definitions or interpretations from a Council member to another party or vice versa; and
- messages that are part of an actual business transaction itself, or have policy/procedure implications, or are otherwise identified as being significant to the conduct of Council's business, including:
  - a directive or approval for a particular course of action;
  - formal communications between internal officers or external agencies;
  - final versions of reports;
  - policy documents and statements; or
  - formal minutes of Council Committees,are of continuing value to the Council and must be printed and recorded in hard copy format or captured into the record keeping system.

**6.5. Working Papers**

6.5.1. Working papers are documents, background notes and reference materials that are used to prepare or complete other documents. Those final documents become an official record and are to be captured in Council's EDRMS,

6.5.2. Working papers that do not relate to significant decisions or actions, or contain significant information, and where the final document has been saved to Council's EDRMS and have no continuing value may be destroyed when reference to them ceases.

6.5.3. Working papers which document significant decisions, reasons and actions, or contain significant information (even if that information is not contained in the final form of the document) have continuing value are to be captured in Council's EDRMS.

**6.6. Telephone and Other Verbal Communications**

6.6.1. Council staff and Council Members may have telephone or other face-to-face conversations at any time on a variety of matters. Some conversations may involve the relay of information, or involve matters of significance to the conduct of Council business. These conversations should be documented in an appropriate format (eg. a file note).

6.6.2. Other conversations may only be basic or routine in nature, such as the issuing or receiving of basic instructions or information, and need not be documented.

6.6.3. Documentation of conversations which involve the exchange of routine or simple administrative instructions or information or that do not relate to Council business has no continuing value and may be destroyed when reference to them ceases.

Original notes of significant conversations that have been transferred or transcribed into appropriate formats for incorporation into Council's records management system will also have no continuing value and may be destroyed when reference to them ceases.

6.6.4. Conversations that will have continuing value and should be documented in an appropriate format are to be captured in Council's EDRMS, For example:

- relate to the business functions of Council involving the issuing of directives, proposals, recommendations, definitions or interpretations from the Council Member to another party or vice versa or that are part of an actual business transaction itself; and
- have policy/procedure implications, or otherwise identified as being significant to the conduct of Council business.

## 7. Availability of the Policy

This Policy will be available for inspection via the Council's website:  
[www.kangarooisland.sa.gov.au](http://www.kangarooisland.sa.gov.au)

Copies will also be provided to the public upon request, and upon payment of a fee in accordance with the Council's Schedule of Fees and Charges.

SIGNED:



Chief Executive Officer

Date: 12 April 2022

### History:

Date Reviewed:	Version:	Reason for Amendment:
14 November 2012	Version 1	Adopted by Council. Minute Book Reference 3.8
10 November 2015	Version 2	Periodic review and inclusion of relevant new Policy references and new Council Logo.
08 March 2016	Version 3	Inclusion of a clause at the direction of the SA Ombudsman.
08 May 2018	Version 4	Periodic Review and inclusion of new Code of Conduct for Council Employees. Council Motion C138:2018
14 May 2019	Version 5	Periodic Review Minute Ref# C170/2019
12 April 2022	Version 6	Full Policy Review incorporating new Policy Template.