

Information Management Policy

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Responsible Division	Corporate – Information Solutions
Related Documents	Council Members Information Management Policy Privacy Policy and Procedure General Disposal Schedules
Applicable Legislation	<i>State Records Act 1997</i> <i>Freedom of Information Act 1991</i> <i>Local Government Act 1999</i> <i>Independent Commissioner Against Corruption (ICAC) Act 2012</i> <i>Ombudsman Act 1972</i> <i>Evidence Act 1929</i> <i>Surveillance Devices Act 2016</i> <i>Privacy Act (cth)</i>

1. Purpose

- 1.1 The purpose of this Policy is to establish a framework for implementation and maintenance of an appropriate records management system. Council operates in an accountable and community orientated environment and is committed to maintaining a records management system that meets its business needs as well as its legal and accountability requirements.

2. Scope

- 2.1 This Policy applies to all Council:

- Business including electronic business
- Records and information created and stored in all formats
- Electronic communications which are relevant to the information gathering, policy formulation or decision-making processes of Council.

3. Definitions

Continuing Value – records of continuing value are those that contain information that is of administrative, legal, fiscal, evidential or historical value to the Council.

Council Business – may include the provision of services, delivery of programs development of policies, making of decisions, performance of Council functions and other similar types of transactions.

Council employees – includes persons employed by the Council, volunteers, trainees, work experience placements, independent consultants and contractors and other authorised personnel offered access to the Council's resources.

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 part of the information contained in the record
- 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 agency²

Email – is a service that enables people to exchange documents or messages in electronic form. It is a system in which people can send and receive messages through their computers. Each person has a designated mailbox that stores messages sent by other users. You may retrieve, read and forward or re-transmit messages from your mailbox.

Employee – means any person employed or engaged by Council, or who carries out work for or on behalf of Council, in any capacity. This includes people employed directly by Council on a full-time, part-time, casual, permanent, fixed-term, temporary or contractual basis, as well as apprentices, trainees, secondees, volunteers, work experience students, contractors, subcontractors, employees of contractors or subcontractors, labour hire workers, consultants, other authorised personnel, and any other person providing services to, or on behalf of, Council, whether or not they are employed by another party.

Normal Administrative Practice – provides for the routine destruction of drafts, duplicates and publications, acquired or collected by Council employees in the course of their official duties, with the test that it is obvious that no information of more than transitory or temporary value to the Council will be destroyed. Material that can be disposed of under Normal Administrative Practice comprises items of a temporary or transitory nature created, acquired or collected by Council employees in the course of their official duties. Such material has no ongoing value and is not usually incorporated into the Council's corporate records management system.

Official Record – 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
- a record made by an agency as a draft only and not for further use or reference
- 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
- a Commonwealth record is as defined by the Archives Act 1983 of the Commonwealth or an Act of the Commonwealth enacted in the substitution for the Act
- a record that has been transferred to the Commonwealth³

Record – defines records as "information created, received, and maintained as evidence and information by an organisation or person, in pursuance of legal obligations or in the transaction of business".

¹ See the definition in section 3(1) of the *State Records Act 1997*

^{2 3} See definition of 'official record' in section 3(1) of the *State Records Act 1997*.

- This information can take any form (written documents, information captured in a software program, audio or video tapes, e-mails etc) but is always connected to a Council business process. Conversely, if a record is missing, a Council business process or legal procedure cannot be fully reconstructed.

Sentenced – a period of time has been determined for which a record is to be retained

Vital record - is a record(s) or data sets which Council could not operate without in the event of a disaster.

4. Policy Statement

- 4.1 This Policy provides the framework for Alexandrina Council to effectively fulfil its obligations and statutory requirements under the *State Records Act 1997*.
- 4.2 The *State Records Act 1997* (the Act) governs the obligations and responsibilities of Council in relation to the management of official records. Under the Act, Council has an obligation to maintain all official records in its custody in good order and condition. This includes obligations in relation to the capture, storage, maintenance and disposal of physical and electronic records including social media.
- 4.3 Council has legal obligations in relation to records management and records are themselves subject to legislation such as the *Freedom of Information Act 1991*, legal processes such as discovery and subpoenas. Records may also be required by Royal Commissions, Independent Commissioner Against Corruption, the Ombudsman, the Courts, auditors and other people or bodies who may have authority or rights to access records.
- 4.4 Good records management is important to good governance. Records are vital in the support of Council's ongoing business activities. The Council is committed to managing its records and their timely transfer to State Records of South Australia.
- 4.5 The business activities of the Alexandrina Council are to be documented, recorded and managed to protect the integrity, enhance the efficiency and preserve the history of the Council. Business activities include decisions made, actions taken and interaction with clients/customers. Records will be managed and maintained in accordance with the procedures associated with this policy as this will:
- Provide an effective and efficient recordkeeping environment ensuring standardisation, protection and retrieval of information that underpins quality customer service
 - Support Council's Electronic Records Management System
 - Empower users to manage the records and information of Council
 - Allow intellectual property to be shared within Council
 - Meet legal and regulatory requirements for the maintenance of records

5. Roles and Responsibilities

- 5.1 It is the responsibility of all Council Members and Council employees to adhere to this Policy and the associated Administrative Procedure.

- 5.2 Council Members and Council employees 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 Members and Council employees must report breaches of this Policy to the Chief Executive Officer.
- 5.3 Council as an entity is responsible for ensuring its business activities are documented and preserved. Council is responsible for:
- Ensuring its official records are captured and stored
 - Providing complete, accurate and reliable records of its functions and activities
 - Protecting its integrity and the interests of its employees, residents and ratepayers
 - Providing a documented history of the Council. When collecting, using, storing, and disclosing personal information, Council acknowledges that the Australian Privacy Principles contained within the *Privacy Act 1988* set the standard for privacy protection and enables Council to achieve 'best practice' consistency with those standards.
- 5.4 Council will take reasonable steps to protect the personal information it holds from loss, unauthorised access, use, modification, disclosure and other misuse and to maintain systems to ensure that all personal information collected is stored safely.

5.5 Chief Executive Officer

- 5.5.1 is responsible under the *Local Government Act 1999* to ensure that records required under this, or another Act are properly kept and maintained.
- 5.5.2 is also responsible for ensuring that Council Members are aware of their records management responsibilities and that they receive the appropriate training and education.

5.6 Executives

- 5.6.1 are responsible for the Council meeting its record management compliance requirements by ensuring:
- Records Management Policy and Procedures are included in induction training
 - Record keeping responsibilities are included in the employees Position Information Document and Performance Reviews.
 - Employees adhere to the record management policy and procedures.

5.7 Council Member Responsibilities

- 5.7.1 Council email addresses are provided to all Council Members for the purpose of carrying out Council related business. Private email addresses are not to be used. All Council Member emails that concern Council related matters are required to be captured and stored in Council's Record Management System in accordance with the Act.
- 5.7.2 Council Members are responsible for ensuring that they forward to Council officers for inclusion in Council's Record Management System any records deemed to be official records regardless of their format including emails, hardcopy and social media.

- 5.7.3 All Council Members must be aware of and comply with record keeping requirements related to the performance and execution of their duties and functions including:
- Creating records that adequately reflect the business they conduct including where relevant, decisions made, and actions taken
 - Learning how and where records are kept within Council
 - Not removing, destroying or deleting Council records without proper authority to do so
 - Ensuring all official records form part of the record holdings of Council ensuring all official records are captured within Council's Record Management System
 - Recognising that the records they create and receive in the conduct of Council's business are the property of Council and must be afforded the care and protection identified in this Policy and associated Administrative Procedures.

5.8 Corporate Records Manager

- 5.8.1 Responsibility for Council's corporate records management system is assigned to the Senior Information Management Officer, under the supervision of the Manager Solutions.
- 5.8.2 The role of the Senior Information Management Officer is to provide a strategic focus for record keeping throughout the Council and is responsible for:
- ensuring official records are managed in accordance with the State Records Act 1997
 - establishing records management policies and procedures for the whole Council
 - establishing corporate standards for record keeping records storage and records management
 - measuring performance of Council business units against these standards
 - providing advisory services to Council employees
 - assist with the development of corporate electronic records management strategies
 - working with Executive and Senior Leadership team to develop coherent information architecture
 - working with all stakeholders, including FOI officers and Executive and Senior Leadership, to ensure record keeping systems support organisational and public accountability
 - providing Council employees with the tools and appropriate training to allow them to meet their information management responsibilities

- keeping abreast of latest developments in legislation, standards and guidelines and changes in industry practices
- decisions relating to information management practices and processes, in consultation with all stakeholders
- monitoring the systems and practices of employees and reporting these to senior management
- the validation or alteration of records
- the processes and decisions relating to the disposal and transfer of records to State Records SA.

5.9 Council Employees

5.9.1 Council employees are required to be aware of record keeping requirements in the performance and exercise of their duties and functions. The record keeping obligations on Council employees include:

- creating records to support the conduct of Council business activities
- ensuring records are captured into the corporate records management system
- ensuring original physical records are forwarded to the Information Management Department for ongoing management
- being aware of and learning Information Management procedures, and where records are kept within Council
- protect and care for records in their possession by storing in appropriate environments
- ensuring records containing confidential and sensitive information are protected and are not inappropriately disseminated, both internally and external
- ensuring all ongoing activity carried out on records is managed and maintained
- the awareness that all records created and received in the conduct of the Council's business are the property of the Alexandrina Council and must be afforded the care and protection identified in this Policy and associated guidelines.

5.10 Information Management Department

5.10.1 Council's Information Management Department is operationally responsible for the efficient management of all Council records (physical and electronic), incorporating sound record keeping principles and records management best practice guidelines and procedures for Council employees. This Department is also responsible for preparing the destruction of records and the transfer of records to State Records or third-party storage providers.

5.10.2 It is responsible for the effective management and system administration of the Council's primary record keeping. This area is also responsible for the system administration of Council's Electronic Document Records Management System (EDRMS).

- 5.10.3 This area will assist Council employees in fulfilling their record keeping responsibilities and provide advice and training throughout the implementation of this policy, procedure and strategies.
- 5.10.4 It will also assist Council employees in retrieving and reproducing information upon public and FOI requests, following payment of fees consistent with the Alexandrina Council's Fees and Charges Schedule or other statutory charges.

5.11 Confidential Records

- 5.11.1 Records may contain information that is confidential in nature and should not be divulged to certain parties, including other employees within Council. Employees must be aware of issues relating to confidentiality and sensitivity when managing, accessing or divulging information either on request from within the Council or from outside.
- 5.11.2 Requests by the public or media for access to information that is not already publicly available comes under the *Freedom of Information Act 1991* and are managed by the Freedom of Information Accredited Officers.

5.12 Records Storage and Security

- 5.12.1 The security of all Council records is critical, as records provide evidence of business transactions, support decisions making and ensure public accountability requirements are met. Records in all formats should be stored securely to prevent unauthorised access, destruction, loss, alteration or removal.
- 5.12.2 Council employees are responsible for the safe custody of all hardcopy 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 no longer required the file/documents should be returned to Information Management for storage.
- 5.12.3 File storage units must 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.
- 5.12.4 Council records are not to be stored at home or left in cars unattended as they could be lost, damaged or stolen. Vital records should be stored in protective or fire-resistant conditions with suitable access conditions.
- 5.12.5 In the event of an unforeseen disaster the vital records of the Council, irrespective of media and format, must be identified, salvaged, repaired and conserved.

5.13 Disposal of Records

- 5.13.1 Official records must be disposed of in accordance with the General Disposal Schedule (GDS40) and the Burials and Cremations (GDS41) or any other relevant disposal schedules.
- 5.13.2 Only records that have been identified as non-official and of no continuing value to the Council can be destroyed. Council Members and Council

employees are to contact Information Management for advice or assistance with the destruction of their non-official records if required.

- 5.13.3 Inactive temporary records should be stored in an appropriate storage environment.
- 5.13.4 Disposal of Council Records will take place annually or as required. Records will be sentenced and archived or securely destroyed.as per State Records requirements.
- 5.13.5 Prior to destruction of temporary value records, (where the retention period has elapsed) approval must be given by the Chief Executive Officer.
- 5.13.6 Under the *State Records Act 1997* section 17, the intentional illegal destruction, damage, alteration or removal of official records could incur penalties of \$10,000 or 2 years imprisonment of the individual responsible. Further penalties may be applied.
- 5.13.7 Documents that contain confidential, personal or sensitive information should not be placed in open bins, but either shredded or placed in confidential waste bins when they are being destroyed.

6. Availability of Policy

This Policy will be available for inspection on the Council's website www.alexandrina.sa.gov.au. Copies can also be provided upon payment of a fee in accordance with Council's Schedule of Fees and Charges.