



Information and Records Management Policy

Strategic Reference	Provide leadership, good governance, and efficient, effective and responsive Council services
File Reference / Record No	18/067/229
Responsibility	Chief Executive
Version Number	3.0
Effective Date	October 2021
Last Revised Date	February 2014
Next Review Date	November 2023
Applicable Legislation	State Records Act 1997 Adequate Records Management Standard 2013 Freedom of Information Act 1991 Local Government Act 1999 Independent Commissioner Against Corruption (ICAC) Act 2012 Ombudsman Act 1972 Evidence Act 1929 Surveillance Devices Act 2016 Privacy Act 1988 (Commonwealth) Copyright Act 1968 Development Act and Regulations 1993
Related Policies	Elected Members Induction Policy
Related Procedures / Documents	Local Government Association's Training Standards Elected Members Register of Allowances and Benefits

1. Objective

- 1.1. The objective of this Policy is to provide guidance and direction in creating, receiving handling and managing information to support the Council in meeting business needs, community expectations and legislative requirements.
- 1.2. The policy defines the responsibilities and obligation of the Elected Members and Council staff when handling and managing information about the business and administration of the District Council of Yankalilla.

2. Scope

- 2.1. This Policy applies to all Council staff, Elected Members, contractors, sub-contractors and volunteers who each have an obligation to abide by this Policy.

Council must always:

- Meet legislative requirements
- Provide evidence of business transactions
- Provide accountability, especially in the case of FOI, dispute or litigation
- Protect the interests of Council.

3. Policy

- 3.1. Accurate and authentic Council information is a critical corporate asset. Correct management of these assets is vital to support the business functions and activities of Council ensuring compliance with legislative requirements, reliability of information and maintaining quality customer service.
- 3.2. An official record is information that is created or received by Council in the conduct of its business. A record is determined by the content not to the format. It can include physical and electronic records e.g. emails, social media, photographs, voicemail messages, file notes, diaries. The records are the assets of Council which provide corporate memory, historic information and evidence of business transactions.
- 3.3. The State Records Act 1997 governs the obligations and responsibilities of Councils in relation to the management of official records. Both physical and electronic must be retained ensuring the quality and integrity of the record is maintained throughout its lifecycle.
- 3.4. Management of Information
- 3.4.1. Council's information must be created, captured and maintained by everyone subject to this policy. Information created should provide a reliable and accurate account of business decisions and actions. It should include all necessary information to support business needs, including names, dates, times and other key information to capture the business context.
- 3.4.2. All electronic information must be captured into the EDRMS (Electronic Document Records Management System) or other line of business systems which meet information management requirements. Any new line of business systems will need to identify how it will meet requirements prior to it being implemented as a source of managing information. This must be discussed with the information management team.

- 3.4.3. All physical records must be accurately tracked and maintained to ensure they are protected and they must always be kept in a secure location where they cannot be tampered with or lost.

3.5. Reducing Paper

- 3.5.1. Council is moving towards a digital environment encouraging the use of electronic records management and less paper to reduce the carbon footprint.
- 3.5.2. The majority of Council business is to be created and made available electronically. All Council members are to choose to use electronic records when available and to only print if necessary.

3.6. Access to Information

- 3.6.1. Information is a corporate resource to which all staff may have access, except where the nature of the record is sensitive therefore requires restricted access. Access restrictions should be put in place if it's a business need or required by legislation.
- 3.6.2. Access restrictions should protect:
- Individual staff, or client privacy
 - Sensitive material
- 3.6.3. Access restrictions should also ensure that information:
- Is available, when appropriate, for use
 - Is not subject to unauthorised use
 - Cannot be altered, and
 - Cannot be inappropriately destroyed

3.7. Security

- 3.7.1. Records should be stored securely ensuring they cannot be tampered with, altered, lost or destroyed.
- 3.7.2. Electronic records are to be captured into the Councils EDRMS.
- 3.7.3. Sensitive and confidential information must either be stored in a secure storage area or if electronic, saved within the correct system with security applied.
- 3.7.4. Council records should not be stored at home or left in vehicles as they are at risk of being lost or stolen.

- 3.7.5. Highly confidential records that contain personal information e.g. personnel records, must be kept in a locked cabinet with only authorised staff having access.

3.8. Email Management

- 3.8.1. The capture of emails within the EDRMS is crucial to the organisation's accountability and future decision-making processes and in meeting legal requirements. It is the responsibility of individuals to capture emails that are of business value and to ensure these emails are not deleted.
- 3.8.2. Emails must be kept in their current form to ensure integrity, and not altered as it will no longer be reliable evidence. Save each email just as it is without cutting or pasting any further information.
- 3.8.3. Emails with business value, as with all other records, cannot be deleted without applying the General Disposal Schedule (GDS40).
- 3.8.4. Elected Members and staff must use their Council email address for all Council/Elected Member related correspondence. If personal email accounts are used, it creates the possibility of those accounts becoming legally available to Council for a Freedom of Information request, or in the case of dispute or litigation.
- 3.8.5. Refer to Council's Email Management Procedure for how to manage emails.

3.9. Training

- 3.9.1. The Council's induction for all new employees outlines the responsibility of each employee in information management. Training is provided to new staff, and if employees require further training, they are to contact the Customer Contact and Information Management Team.
- 3.9.2. Elected Members are provided training when requested from the Information Management Team.

3.10. Retention and Disposal

- 3.10.1. Records must be maintained for the minimum period set out in relevant General Disposal Schedules for Local Government Authorities in South Australia. The disposal schedules are a legal document outlining the minimum period in which a record must be kept for. A copy of the schedules can be accessed via the State Records SA website at www.archives.sa.gov.au
- 3.10.2. Records which have reached the minimum retention period and have been deemed to have no ongoing value can be destroyed through the correct disposal procedure. Transitory or ephemeral records may be destroyed in accordance with normal administrative practice.

- 3.10.3. Unauthorised or illegal destruction carries penalties of a \$10,000 fine or up to two years imprisonment, which may be placed on an individual.

3.11. Normal Administrative Practise

- 3.11.1. NAP (Normal Administrative Practice) provides for the routine destruction of records when the information is of no more than transitory or temporary value to Council. A record is transitory or ephemeral in nature if it is of little or no continuing value and only needs to be kept for a limited or short period of time, such as a few hours or few days. Ephemeral or transitory records may include drafts and duplicates.

3.12. Version Control

- 3.12.1. The latest and valid version of a record is to be forwarded for filing in the corporate files and to be managed as the record. Any subsequent versions must be submitted for filing and may replace the previous version where required.

3.13. Integrity

- 3.13.1. Under the Freedom of Information Act 1991 and legal discovery the public may have access to the documents and records of Council, so it is important that a professional approach be taken in relation to document and record content and file notes. Comments of a personal or derogatory nature should not be documented in or on records, including emails. This includes "Post it Notes" as they can become part of the official record. A file note should be created where there is substantial additional information required rather than writing on the record as this could compromise the integrity of the original.

3.14. Roles and Responsibilities

- 3.14.1. Information management underpins and supports the delivery of core business. All employees have a responsibility to ensure that reliable and useable information is created and managed and is kept for as long as it is needed for business, accountability and historical purposes.

Responsibilities include:

3.14.2. Chief Executive Officer (CEO)

The CEO is ultimately responsible for the management of information within the Council, ensuring that the Council has a program for managing its information to meet business objectives and legislative requirements.

3.14.3. Elected Members

- Support of, and adherence to, this policy by promoting a culture of compliant information management.

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- Complying with the relevant legislation in their dealing with records, this includes the State Records Act 1997, Freedom of Information Act 1991 and the Copyright Act 1968.
- Recognising that the records they create and receive in the conduct of Council's business are the property of the District Council of Yankalilla. And must be afforded the care and protection identified in this Policy.
- Ensuring records are accessible when required and protect the privacy of individuals in relation to personal information contained within records
- In the case of a Freedom of Information (FOI) request, all emails and correspondence in relation to a request must be provided to the FOI Accredited Officer.
- Not removing, destroying or deleting Council records without proper authority to do so.
- Only use the Council email allocated for all actions relating to Council.
- All documentation/emails received must be registered within Council's EDRMS.
- Council related emails, including responses, must be forwarded to govadmin@yankalilla.sa.gov.au to be registered into the EDRMS.
- Hardcopy records e.g. letters, including responses in relation to Council must be brought into the Council office to be registered into the EDRMS.

3.14.4. Senior Management/Management

- Support of, and adherence to, this policy by promoting a culture of compliant information management.
- Ensure business processes and procedures define records to be made and kept for business and accountability purposes.
- Ensure line of business systems meet recordkeeping requirements.
- Ensure staff receive information management training relevant to their roles and responsibilities.
- Ensure digital and physical records are retained for required periods and disposed of according to the relevant General Disposal Schedules.
- Act as the CEO's delegate for destruction of records approval in their business units.

3.14.5. Information Management Team

The Information Management Team is responsible for overseeing the management

of information across the Council. This includes:

- Provision of training, advice and general support to staff, including induction.
- Coordinating the development and implementation of information management practices including policies, standards, guidelines and procedures.
- Guides information security risk assessments and audits and communicates outcomes to management.
- Monitoring compliance with business and legislative requirements.
- Advising management of any risks associated with non-compliance.
- Coordination of the transfer of permanent records to State Records.
- Coordination of the transfer of temporary records to offsite storage and manage the storage contract on behalf of business units.
- Coordination of the sentencing and destruction of temporary physical records held in offsite storage, and provision of advice on in-house sentencing and destruction for business units.
- Facilitation of the reporting.

3.14.6. All employees

- All staff are responsible for the creation and management of information as defined by this policy and its related legislation.
- Maintain awareness of this policy and the legislation which impacts Council's information management requirements and obligations.
- Comply with organisational policies, standards and procedures.
- Create and maintain full and accurate records of all business activities to fulfil business requirements, demonstrate accountability and provide evidence made and actions taken
- Capture records in approved business systems during the business process or as soon as practical after completion
- Maintain individual responsibility for records created and captured including filing physical records within the correct file
- Protect records in their possession
- Manage records for as long as they are required for business, legislative, accountability and cultural needs. Adhere to information retention requirements and ensure that disposal of records is undertaken in a lawful and authorised manner

- In the case of a FOI (Freedom of Information) request all records relating to the request, including emails, must be provided to the FOI Accredited Officer and FOI Officer
- Always seek confirmation from the Information Management Team when unsure if to keep a record

3.15. Public Access to Information

- 3.15.1. Requests by the public or media for access to information that is not already publicly available come under the Freedom of Information Act 1991 and are managed by the Freedom of Information Accredited Officer identified in Schedule 5 of the Local Government Act 1999 will be made available for access by the public
- 3.15.2. The Freedom of Information Act 1991 (FOI Act) provides members of the public with a legally enforceable right of access to information held by South Australian Government agencies, subject to certain restrictions (or exemptions) that are set out with the legislation.
- 3.15.3. Individuals can submit a Freedom of Information request to Council at any time. The Accredited FOI Officer and the FOI Officer are responsible for making a determination on the request ensuring compliance with internal and external guidelines.

3.16. Social Media

- 3.16.1. Social media records can be defined as information which contains evidence of Council's business activities. However, if it is information already developed approved and captured in the EDRMS and later posted then it doesn't need to be captured again. If the information only exists in the social media site, then it will need to be captured.
- 3.16.2. Council will capture and respond to genuine enquiries sent through Messenger however the public are encouraged to send any written enquiries through the main Council email address.
- 3.16.3. Comments to posts, e.g. Facebook posts are not considered a formal request, therefore do not require a formal response from Council.

Definitions

Access means the right, opportunity, means of finding, using or retrieving information.

Capture means deliberate action that results in the registration of a record into a recordkeeping system. For certain business activities, this action may be automated, so that the capture of records is concurrent with the creation of records in electronic systems.

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.

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

Council Staff means a person employed by Council (full time, part time and casual), volunteers, trainees, work experience placements, independent consultants and contractors and other authorised personnel offered access to the Council's resources.

Elected Member means a person appointed or elected as a councillor of a council under the Local Government Act 1999.

Dispose of means 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.

Electronic Document and Records Management System (EDRMS) means an automated system used to manage the creation, use, management and disposal of physical and electronically created documents and records for the purposes of supporting the creation, revision and management of digital documents, improving an organisation's work-flow and providing evidence of business activities.

Normal Administrative Practice - a provision for the routine destruction of drafts, duplicates and publications created, acquired or collected by Council staff or Council Elected Members 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.

Record means 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 (AS ISO 15489)

Social Media means group term for a range of on-line communication channels, which enable content sharing and collaboration. Including but not limited to: social networking sites (e.g. Facebook, LinkedIn); microblogging sites (e.g. Twitter); blogs: podcasts: forums and discussion boards; wikis.

4. Further Information

This policy will be available for inspection at the Council office listed below during ordinary business hours and provided to interested parties as per Council's Fees and Charges

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Note: electronic version in the Synergy Records Management System is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy as reference, verify that it is the current version.

Register. Copies are available to be downloaded, free of charge, from Council's website:
www.yankalilla.sa.gov.au/policies

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5. Grievances

Any grievances in relation to this policy or its application should be forwarded in writing addressed to the Chief Executive Officer of Council.

6. Review Cycle

This document is subject to review in two (2) years from the date of authorisation.

7. Document History

Date	Version	Council Resolution No.	Description of changes
	1	C	Adoption of Policy
19 October 2021	3	C21218	Review of Policy and renaming, Update to new template and merger with Elected Members Records Management Policy