



Information and Records Management Policy

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Responsibility	Chief Executive Officer
Version Number	4.0
Effective Date	February 2014
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Applicable Legislation	State Records Act 1997 Freedom of Information Act 1991 Local Government Act 1999 Independent Commission Against Corruption (ICAC) Act 2012 Ombudsman Act 1972 Archives Act 1983 Adequate Records Management Standard 2013 Evidence Act 1929 Surveillance Devices Act 2016 Privacy Act 1988 (Cwth) Copyright Act 1968 Development Act and Regulations 1993
Related Policies / Procedures	Elected Member Induction Policy Code of Conduct for Employees and Volunteers Behavioural Standards for Council Members (Gazetted) Information and Records Management Procedure
Related Strategic Documents	DCY Strategic Community Plan: VISION 2030
DCY Strategic Community Plan: VISION 2030	Priority 6d Good governance, well-informed decision-making and effective communications ensure Council is open and transparent.

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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 individuals who provide services to the District Council of Yankalilla (DCY), including Council staff, Elected Members, Independent Committee Members, contractors, sub-contractors, volunteers, and agency personnel. All such individuals who have access to DCY information assets are required to comply with this policy, unless a specific exemption is explicitly stated within the policy.
- 2.2. This policy applies to all information assets that are collected, processed, utilised, stored, and disposed of in the conduct of DCY official business.

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. Definition

- 3.1. For the purpose of this policy:

“Access” means in the context of this Policy, the ability to view, inspect, or obtain a copy, or the opportunity, of finding, using or retrieving information.

“Archives” refers to information that is no longer required for current use but is being retained permanently because of its historical or significant value.

“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.

“Collection” includes gathering, acquiring, or obtaining personal or sensitive information from any source and by any means. This can include collecting information inadvertently.

“Consent” means voluntary agreement to an Act, Practice, or Purpose.

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“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.

“Copyright” refers to the exclusive legal right that an owner of intellectual property has over material that they have created. It protects written works, computer programs, dramatic, artistic, or musical works, sound recordings, or broadcasts, and communicating the work to the public (i.e. making it available online). It does not protect ideas, concepts, styles or techniques. **Note:** If you are not the owner of Copyright you risk infringing the Copyright Act. Most Copyright requests are in relation to Request for Development Application Plans / Reports, where Council must obtain the permission of the Copyright owner before providing copies to the requesting property owners.

“Corporate Records” Records can be written, graphic, or pictorial matter. They can also be a disk, tape, film, or other object that contains information, or which information may be reproduced (with or without the aid of another object or device).

“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.

“Disclosure” relates to providing information to an external person, organisation, or stakeholders. It does not include an individual with information about themselves.

“Disposal” in the context of an official record means to dispose of an official record by way of the following:

- 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.
- Disposal must occur in accordance with a relevant disposal determination. Disposal does not include the transfer or delivery of the record to State Records or between the DCY and another agency.

“Disposal Determination” means: a decision made, or a direction given by State Records about whether, when or how official records can be disposed of. General Disposal Schedules (GDS) are examples of a disposal determination.

“DCY” means District Council of Yankalilla

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

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“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 workflow and providing evidence of business activities.

“Freedom Of Information Act 1991” (FOI Act): is a legislated process to enable people to seek access to documents from the District Council of Yankalilla and request amendments to documents relating to themselves that are incomplete, incorrect or misleading. The FOI Act is a legally enforceable right to access documents held by Government agencies, subject to certain exemptions. The objects of the FOI Act are to promote openness and accountability in government to encourage disclosure of information over non-disclosure where the public interest has been described as something that is of serious concern or benefit to the public.

“Information Asset” refers to information, data and corporate records in any format (whether electronic, digitised through scanning, or hard copy) that is created or received through the conduct of Council business.

“Information Management” refers to the DCY Information Management Officer. The efficient and systematic control and maintenance of records, including the safeguarding of their integrity, authenticity, and useability, and includes the manner in which records are created, the structure and process of managing the physical and electronic information of the organisation, to meet the operational business needs, and the accountability requirements (International Standard – Records Management AS ISO 15489. 1:2017)

“Metadata” means details that accompany a record such as date, author, document number, description, and the responsible officer. Metadata maintains the authenticity, integrity, and reliability of records by uniquely identifying them and giving them context and structure.

“Normal Administrative Practice” (NAP) is a provision for the routine destruction of drafts, duplicates and publications created, acquired or collected by Council Staff or Elected Members in the course of their official duties, with the test that it is obvious that no information of more than ephemeral, transitory or temporary value to the Council will be destroyed.

“Official Record” means any record created, received, sent, forwarded, or maintained by the Council as evidence of its business activities or in fulfilling legal obligations, in accordance with AS ISO 15489. An official record is determined by its content, not its format. It may exist in physical or electronic form, including (but not limited to) emails, social media posts, photographs, voicemail messages, file notes, and diaries.

“Privacy” In reference to the application of the *Privacy Act (Commonwealth) 1988*

“Sensitive Information” includes any information or an opinion about an individual such as health; finances; political opinions; memberships including a political association, professional association or trade union; race or ethnicity; religion or philosophical beliefs, or affirmations; sexual preference or practice; criminal record; genetics

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“*Social Media*” is a 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, Instagram); microblogging sites (e.g. X formerly known as Twitter); blogs, podcasts, forums and discussion boards and wikis.

“*State Records*” means the Office of State Records established under the *State Records Act 1997 (SA)*

4. Policy Statement

- 4.1. The District Council of Yankalilla recognises that accurate, reliable, and authentic information is a critical corporate asset.
- 4.2. It is the policy of Council to ensure that all official records — regardless of format — are created, captured, managed, and disposed of in a manner that supports transparency, legislative compliance, operational efficiency, and accountability.
- 4.3. Council is committed to managing information in accordance with the *State Records Act 1997*, the *Freedom of Information Act 1991*, and all relevant standards, including AS ISO 15489-1:2016.

5. Policy

5.1. Management of Information

- 5.1.1. Council prioritises the use of electronic records and systems for the creation, capture, and distribution of information. Printing should be limited to circumstances where it is essential to support operational or legal requirements.
- 5.1.2. Council's information must be created, captured and maintained by everyone in the Council supplied Electronic Data Records Management System (EDRMS) subject to this policy. Information created should provide a reliable and accurate account of business decisions and actions.
- 5.1.3. Elected Members and staff must use official Council email accounts for all Council-related correspondence. Use of personal or non-official accounts for Council business is prohibited. As Independent Committee Members are not provided official Council email accounts, they are exempt from this requirement.
- 5.1.4. 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, stolen, or lost.
- 5.1.5. Social media content created or published by Council that documents Council business is an official record and must be captured and managed accordingly. The policy does not apply to content posted by external parties. Content existing

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solely on Council-managed social media platforms will be recorded in the Council's records system.

- 5.1.6. The public should submit formal enquiries through official Council channels; social media comments are not formal requests, will not receive formal responses, and are not deemed official records.

5.2. Access to Information: Security, Confidentiality, Storage and Retention

- 5.2.1. Official Records will be stored in accordance with the best practices of the *State Records Act 1997*. Information may be accessed and viewed by those personnel with predetermined rights.
- 5.2.2. Official records must be stored securely in authorised Council storage locations. Records must not be stored in unsecured or unauthorised locations.
- 5.2.3. Access to Council records is governed by role-based permissions. Access is restricted to employees who require it to perform their official duties, in line with their roles and responsibilities.
- 5.2.4. Confidential and sensitive information must be clearly identified and protected through appropriate access restrictions and secure storage measures, to safeguard individual privacy and Council interests.
- 5.2.5. Public Access to Information
- 5.2.5.1. Schedule 5 of the *Local Government Act 1999* identifies documents to be made available by Councils.
- 5.2.5.2. Requests by the public or media for access to information not already publicly available are considered under the *Freedom of Information Act 1991*.
- 5.2.5.3. The *Freedom of Information Act 1991* 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.
- 5.2.5.4. Individuals may submit a Freedom of Information (FOI) request to Council in writing in accordance with the *Freedom of Information Act 1991*
- 5.2.6. Retention and Disposal
- 5.2.6.1. The *State Records Act 1997 (SA)* directly governs the retention and disposal of official records for South Australian public sector agencies, including Councils.

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- 5.2.6.2. Council's records are retained for the minimum period required by the relevant General Disposal Schedules (GDS) for Local Government Authorities in South Australia.
- 5.2.6.3. The disposal schedules are a legal document outlining the minimum period in which a record must be kept. A copy of the schedules can be accessed via the State Records SA website at www.archives.sa.gov.au
- 5.2.6.4. 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.
- 5.2.6.5. Council will destroy records of only short-term or negligible value in line with Normal Administrative Practice (NAP), including duplicates, working drafts, and personal or informal content.

5.3. Integrity

- 5.3.1. Under the Freedom of Information Act 1991 and legal discovery, the public may have access to Council documents. A professional approach must be taken in all recordkeeping. Personal or derogatory comments should not be documented in or on records.

5.4. Roles and Responsibilities

- 5.4.1. Information management is fundamental to the delivery of Council's core business. All employees are responsible for creating, managing, and maintaining reliable and usable information for as long as required to meet business, accountability, legal, and historical obligations.

Responsibilities include:

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.
Elected Members	• Support of, and adherence to, this policy by promoting a culture of compliant information management. • Complying with the relevant legislation in their dealing with records, this includes the <i>State Records Act 1997</i>, <i>Freedom of Information Act 1991</i> and the <i>Copyright Act 1968</i>. • 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

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	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 with 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.
Committee Independent Members	• Independent Members of Council's Committees must comply with this policy and ensure that any Council information accessed as part of their role is managed in accordance with applicable confidentiality, privacy, and security requirements.
Executive Leadership Team	• 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.
Information Management Team	The Information Management Team is responsible for overseeing the management of information across the Council. This includes: • Ensuring that official records are managed in accordance with the <i>State Records Act 1997</i> and other relevant legislation • Provision of training, advice and general support to staff, including induction. • Ensuring access to and retrieval of all official corporate

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	records (whether electronic, digital, or hardcopy) are subject to staff security levels 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 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. • Assist with the processing of Freedom of Information (FOI) requests
All Employees	• All staff are responsible for the creation and management of information as defined by this policy and its related legislation. • DCY employees must not dispose of, destroy or delete any official DCY records unless they are appropriately delegated to do so. All official records must be forwarded to Information Management for the appropriate retention or destruction. • 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 requirement's, 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.

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- In the case of a FOI 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.

6. Failure to Adhere

- 6.1. Failure to adhere to this policy may result in disciplinary action or performance management. A breach of this policy may result in a breach of the Code of Conduct for Employees and Volunteers, the Local Government Act 1999, the State Records Act 1997, or the Independent Commission Against Corruption Act 2012
- 6.2. Elected Members must use official Council email addresses for all Council business. Using personal email accounts breaches this policy and Behavioural Standard 2.1. Non-compliance compromises record-keeping obligations and increases the risk of legal exposure and governance complications. Under the FOI Act, members may be required to provide access to personal email accounts if used for Council communications.
- 6.3. Unauthorised or illegal destruction carries penalties of a \$10,000 fine or up to two (2) years imprisonment, which may be placed on an individual.

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

District Council of Yankalilla
1 Charles Street
Yankalilla 5203

Phone: (08) 8558 0200
Fax: (08) 8558 2022
Email: council@yankalilla.sa.gov.au
Office hours: Monday to Friday, 9.00am to 5.00pm (except public holidays)

8. Grievances

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

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9. Review Cycle

This document is subject to review in two (2) years from the date of adoption or more frequently if legislation or Council requires.

10. Document History

Date	Version	Council Resolution No.	Description of changes
February 2014	1.0	NA – Not in use at the time	Adoption of Policy
October 2021	3.0	C21218	Review of Policy and renaming. Update to new template and merger with Elected Members Records Management Policy.
19 August 2025	4.0	C25178	Extensive review of policy. Additional definitions added. Separated policy statements and procedure to develop supporting procedure document. Policy statements reworded for clarity and strength. Additional clarifications to Roles and Responsibilities. Included consequences of Failure to Adhere (Section 6) Updated numbering and formatting. Update to current policy suite template.

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