



NAMBUCCA SHIRE COUNCIL RECORDS MANAGEMENT POLICY AND PROGRAM POLICY NO: CS

Our Vision

Nambucca Valley ~ Living at its best

Our Mission Statement

'The Nambucca Valley will value and protect its natural environment, maintain its assets and infrastructure and develop opportunities for its people.'

1.0 Policy objective

- 1.1 To ensure that full and accurate records of all activities and decisions of Nambucca Shire Council are created, managed and retained or disposed of appropriately, and in accordance with relevant legislation.
- 1.2 To provide a framework for the records management program and outline responsibilities for the operation of the program.
- 1.3 To ensure that Council's corporate records provide timely and comprehensive information to meet operational business needs, accountability requirements and community expectations.
- 1.4 To ensure the preservation of Council's corporate memory through appropriate record keeping practices.

2.0 Related legislation

This policy is to be read in conjunction with the following:

- State Records Act 1998 and Regulation 2015
- Government Information (Public Access) Act 2009 and Regulation 2018
- Privacy and Personal Information Act 1998
- Evidence Act 1995
- Electronic Transactions Act 2000 No 8
- Local Government Act 1993
- Other Government Acts and Regulations that relate to functional activities of Council
- International Standard AS ISO 15489 Records Management
- State Records GA-39 – General Retention and Disposal Authority – Local Government Records
- State Records GA-45 – General Retention and Disposal Authority – Copied Records
- State Records and Archives Authority of NSW – Standard on Records Management
- State Records and Archives Authority of NSW – Standard on Physical Storage of State Records
- Nambucca Shire Council Related Policies – Requests and Complaints, Code of Conduct, Social Media, Councillor Records Management and Privacy Management Plan

- Nambucca Shire Council CM9 Training Manual, Procedural Guidelines and Business Rules

3.0 Definitions

- 3.1 The Records Management Program is issued under the authority of the General Manager
- 3.2 Ownership of this policy and responsibility for its implementation rests with the nominated Senior Responsible Officer, Manager Information Communications & Technology

4.0 Policy Content

- 4.1 Nambucca Shire Council recognises that records are a vital asset to:
- a) Facilitate information accessibility and enhance business by supporting program delivery, management and administration
 - b) Deliver customer services in an efficient, fair and equitable manner
 - c) Provide evidence of actions, decisions and precedents for future decision making
 - d) Protect the rights and interests of Government, Nambucca Shire Council and its clients and residents
 - e) Provide open and transparent government in accordance with the objectives of the Government Information (Public Access) Act 2009.
- 4.2 A small percentage of Nambucca Shire Council's records will become archives, part of the cultural resources of the State of New South Wales.
- 4.3 For the purposes of this policy and associated procedures, records will refer to any information created, received, and maintained as evidence and information by an organisation or person, in the pursuance of legal obligations or in the transaction of business. This can be any document or other source of information compiled, recorded or stored in any written form or on film, or by electronic process, or in any other manner or by any other means.
- 4.4 Council will maintain its records in an electronic format in preference to a paper format wherever possible and is committed to the ongoing development and maintenance of an electronic document management system and other corporate electronic information systems throughout the organisation.
- 4.5 Nambucca Shire Council is also committed in maintaining digital and other technology dependent records in authentic and accessible form for as long as they are required in accordance with s.14 of the State Records Act 1998.
- 4.6 The Records Management Program is planned, organised and monitored to comply with the State Records Act 1998, s.12 (2). The objectives to be achieved through the program include:
- a) To have complete information and records of all Council operations to support ongoing business activities and customer services, meeting accountability requirements and community expectations

- b) To ensure that records are managed efficiently and can be accessed and used for as long as they are required
 - c) Cost effective storage of records and disposal in a timely and efficient manner when no longer required
 - d) Compliance with all legislative requirements concerning records and records management practices
 - e) Records of longer term value are identified and protected
 - f) Procedures are in place to minimise the impact in the event of accident or disaster.
- 4.7 All records which are made or received by Council or Council staff during the conduct of Council business are corporately owned by Council and consequently, are subject to record-keeping practices and guidelines, and this policy.
- 4.8 Records management guidelines and instructions are provided to all staff to facilitate compliance with this policy.

5.0 Responsibilities and Accountabilities

This policy applies to all Nambucca Shire Council employees. The State Records Act 1998 requires Council to make and keep full and accurate records as evidence of business activities. Council is responsible for the protection and safe custody of all State Records under its control. This responsibility falls onto all employees.

5.1 General Manager

- a) Responsible for ensuring that Nambucca Shire Council complies with the requirements of the State Records Act and the standards and requirements issued under the Act. This includes the requirement to ensure that any records requiring technology to be read and understood remain readable and accessible for as long as they are required.

5.2 Nominated Senior Officer - Manager Information Technology

- a) Responsible for the implementation and efficient operation of Council's Records Management Program
- b) Ensures that the Records Management Program is adequately resourced
- c) Has ownership of the Records Management Policy
- d) Ensures the preservation of physical and digital records across all corporate record systems is addressed in policy, planning and implementation of the Records Management Program, including disaster management
- e) Reports to the State Records and Archives Authority on the Records Management Program.

5.3 Records Officer

- a) Compiles and reviews Records Management Policy, procedures and standards in relation to all aspects of Council's electronic document records management system, Content Manager (previously named Trim)

- b) Monitors compliance with procedures and standards across the organisation and makes recommendations for improvement or modification of practices
- c) Operationally responsible for the efficient management of Council held records (physical and electronic) incorporating sound recordkeeping principles and records management best practice guidelines
- d) Responsible for the effective management and system administration of Council's primary electronic document record management system, Content Manager
- e) Undertakes sentencing of records and manages disposal schedule
- f) Assists staff in fulfilling their recordkeeping responsibilities by providing advice and training.

5.4 **All Staff**

5.4.1 The State Records Act 1998 Part 2 Section 12 requires public officials to "make and keep full and accurate records of their business activities". This includes maintaining adequate documentation to support any decision in the performance of their duties. All staff must follow Council policy and authorised procedures to:

- a) Ensure that records are created to support the conduct of their business activities
- b) Create records that would otherwise not be created
- c) Register records into Council's corporate record keeping systems, whether paper or electronic.

5.4.2 Council staff shall not alienate, relinquish control over, or destroy records of Council without authority to do so.

5.4.3 Records or files should not leave Council premises except where normal administrative practice permits (eg building site inspections).

5.4.4 Electronic devices used by staff that capture or hold corporate records are to be password protected and not left unattended.

5.4.5 Staff must handle physical records with care and respect to avoid loss or damage.

5.4.6 Staff shall refrain from accessing corporate records, whether physical or electronic, except in accordance with the function of their position.

5.4.7 All employees have a legal responsibility to protect confidential and personal information to which they may have access to in the course of carrying out their duties.

5.5 **Contractors of Council**

5.5.1 All records created by contractors in performing work on behalf of Nambucca Shire Council belong to Council and are State Records under the State Records Act 1998 and the Government Information (Public Access) Act 2009. This includes the records of contract staff working on the premises as well as external service providers.

- 5.5.2 Contracts should clearly state that ownership of associated records resides with Council and provide instructions regarding creation, management and access to the records created.

6.0 Records Management Program

6.1 Create and Capture

- 6.1.1 Records must be created in all instances where there is a need for Council or an individual to be accountable for, and/or provide evidence of, decisions made or actions taken.
- 6.1.2 Records come in many formats and may include (but not be limited to) email, file notes, phone discussions, inwards and outwards going correspondence, minutes of meetings, decisions, contractual agreements, commitments, photographs, voicemail, text messages, webpages or social media postings.
- 6.1.3 Complete records should be captured into Content Manager (or other approved corporate record keeping systems such as Authority, Merit, Vault, Reflect etc) as soon as they are created or received using the methods provided through either templates, training, training manuals, guidelines or procedures.
- 6.1.4 Content Manager is the software system that holds the electronic document records of Council. All records on capture into Content Manager receive a unique identifying number. Records that are not supported by electronic objects, ie remain as paper documents, must have a note appended to the Content Manager record advising of the location of the physical record.
- 6.1.5 Content Manager file reference numbers should be displayed on outgoing correspondence.
- 6.1.6 Care should be exercised in the titling of records and the correct completion of all metadata fields to enable easy future retrieval. Relationships between records must be maintained to provide continuity, history and a complete record.
- 6.1.7 Security of records is to be maintained in accordance with established procedures and guidelines.
- 6.1.8 Records staff will create Content Manager containers/folders, classifying and titling them according to the *Keyword for Councils: A Thesaurus of Local Government Terms*. Requests for new files should be made to Records staff.
- 6.1.9 Records created, stored and processed in other business systems of Council must be managed in accordance with the identified guidelines and procedures for those systems.

6.2 Storage and Security

- 6.2.1 All archived records are to be packed, shelved and stored in a manner that ensures they are secure, accessible and minimises deterioration. In doing so, the privacy and confidentiality of all records should be protected.
- 6.2.2 General files, personnel files and insurance records prior to the introduction of Council's electronic document management system are to be held in either Council's secure off-site archive storage facility, the Records Section or in the case of legal documents and Council Minutes, Council's strong room. All locations have access restrictions.

- 6.2.3 Archived files, including State Archives and Building and Development Application files are stored securely in Council's off-site archive storage facility.
- 6.2.4 Records staff will establish and maintain an archival data base of all physical records contained in Council's storage facilities.
- 6.2.5 Electronic records are retained online (on servers) or offline (on CD's, magnetic disks or other removable media). Backup copies of vital records are to be held securely in Council's designated off-site facility.
- 6.2.6 Originals of imaged records are to be held in the Records section in day boxes until such time as conditions for their destruction, if appropriate under GDA 45, have been met.
- 6.2.7 Certain classes of records may not be permitted to be destroyed under GDA 45 as well as those records that management of Nambucca Shire Council has decided to retain as a paper record. These records are stored on-site until such time as they are further appraised or archived.
- 6.2.8 Legal documents (eg leases, contracts, deeds, certificates of title, licences and agreements etc) are to be scanned and stored electronically in Content Manager with details also added to the Legal Documents Register file. The originals of all Legal documents are to be filed in the Legal Documents file area within Council's strong room. Access to original Legal Documents is restricted to the Records Officer.
- 6.2.9 Unauthorised alteration, removal, distribution or destruction of Council's records is prohibited.
- 6.2.10 Personal computers or electronic devices must not be left unattended in unsecured areas without first logging out from network connections, thus ensuring prevention of access to Council information by unauthorised users.

6.3 Access to Council Records

6.3.1 Internal Access

- 6.3.1.1 Records must be available to authorised staff requiring access to them for business purposes.
- 6.3.1.2 Access to Content Manager electronic records is controlled by a security matrix whereby each Content Manager user has a login with password protection configured to match the access and security requirements to carry out the functions of their position.
- 6.3.1.3 An audit log within the administration system of Content Manager provides a history of access and modifications to records contained within the system.
- 6.3.1.4 Procedural guidelines dictate that records requiring elevated levels of security have the appropriate security and/or caveats applied at the point of capture into Content Manager.
- 6.3.1.5 Requests for access to original documents or archived paper files are to be made to the Records section or in the case of archived Development Application Files, Customer Service Staff.
- 6.3.1.6 Staff are prohibited from internally accessing corporate records that are unrelated to the functions of their position

6.3.2 External Access

6.3.2.1 Public access to Nambucca Shire Council's records is in accordance with the relevant legislation; ie Government Information (Public Access) Act 2009 (GIPA Act) and Regulation 2018, State Records Act 1998, Privacy and Personal Information Protection Act 1998, Evidence Act 1995 and the Environmental Planning and Assessment Act 1979.

6.3.2.2 Council publishes open access information to its website when possible and provides access to public documents by other means if unavailable through the website.

6.3.2.3 Council provides public access to documents whenever it is legally able to do so however some requests may require a formal GIPA application. Access to information through formal GIPA applications will be determined by the Right to Information Officer after weighing up the public interests considerations prescribed in the GIPA Act.

6.3.2.4 Proactive release of Council information is promoted and documents proactively released are either published to the website or made available by other means.

6.4 Appraisal and Disposal of Records

6.4.1 Disposal of Council's records is governed by the State Records Act 1998 and must be carried out under the *General Retention and Disposal Authority – Local Government Records (GA39)*.

6.4.2 Originals of imaged records may be disposed of in accordance with *General Retention and Disposal Authority – Imaged Records GA45* after meeting the conditions therein.

6.4.3 Appraisal is to be undertaken by the Records Officer within a program of sentencing, regular culling, transfer, archiving or destruction of appropriate records.

6.4.5 A register documenting the details of the disposal of records and the Authority under which they have been approved shall be maintained by the Records Officer.

6.4.6 Disposal of ephemeral or facilitative records, some draft documents and some working papers and certain other classes of records is permitted as 'Normal Administrative Practice' as described in Schedule 2 of the State Records Regulation 2015.

7.0 Review and History

7.1 This Records Management Policy will be reviewed every two years or earlier if circumstances arise to warrant revision, and amended as required in consultation with relevant managers and staff of Council.

Department:	Corporate Services	Last Reviewed	Resolution Number
Policy Category	Council	October 2011	
Endorsed By:	General Manager	15 November 2018	
Approval Authority	Council		
Policy Owner	Records Officer		
Contact Officer	Records Officer		
Document No.	40619/2018		
First Adopted	19 February 2009		
Resolution No:	999/09		
Review Date:	November 2020		