

Councillor Information & Workshop Session

Tuesday 9 April 2019 commencing at 6.15pm
Prospect Petanque Club, 14-32 Buchanan St, Nailsworth

Chair: Cate Hart, Chief Executive Officer

Agenda

1. **Workshop Opening**
 - Apologies
 - On Leave
2. **Confirmation of Notes from previous Councillor Information & Workshop Session**
3. **Items for Discussion**
 - 3.1 Records Management..... 3
 - 3.2 Foundation Cyber Resilience 3
 - 3.3 Council Member Work Health & Safety Responsibilities..... 4

Guidelines

The following details provide an overview of the procedures to be observed:

1. Councillor Information & Workshop Sessions will be held on the first and second Tuesday of each month, other than January of each year, between the hours of 6.15pm and 9.30pm (commencing with a light meal for council members and staff from 6pm).
2. Additional Councillor Information & Workshop Sessions may be held subject to the determination of the CEO.
3. The Councillor Information & Workshop Sessions for 2019 will be held at the Prospect Petanque Club, 14-32 Buchanan Street, Nailsworth, although the location may vary subject to availability of other Council venues.
4. The Councillor Information & Workshop Session will be open to the public and media with notice of the session being given on the Council's website.
5. The Agenda and any associated information will be provided to Councillors by the Friday preceding the Councillor Information & Workshop Session so that Councillors are able to brief themselves on the items thereby allowing the session to focus beyond the basic information.
6. The purpose of the Sessions is to provide an opportunity for discussion in respect to a wide range of strategic issues across the Council area, as well as those of State and National significance. They are designed to provide an opportunity for staff and presenter to provide information and updates only; no decisions will be made. A confidentiality declaration may be determined by the CEO if necessary in accordance with Council's Informal Gatherings Policy.
7. The format for the Councillor Information & Workshop Session may vary on a meeting by meeting basis and could include training, planning, presentations, and discussions.
8. External parties may make Presentations/ deputations to the Councillor Information & Workshop Session, subject to prior agreement by the CEO.
9. The CEO or proxy will convene and chair the Sessions to ensure the smooth running of the meeting. A proxy will be determined by the CEO on a needs basis.
10. Notes will be made of the general issues and items covered by the Councillor Information & Workshop Session. No decisions can be made, meaning the notes will be quite general in nature. Notes will be distributed to Council Members following the meeting.
11. Council Members, employees and consultants will be required to disclose any financial and/or conflicts of interest in matters to be discussed. The disclosure of such interest and participation in the Councillor Information & Workshop Session will need to be made as if the matter was considered in accordance with the Local Government Act 1999. A record of the disclosures of interest will be made and maintained by the CEO.

Protocol

The following protocols provide a set of guiding principles that aim to achieve enhanced, meaningful engagement of members and to facilitate an equal and equitable participation of all members.

1. The Chair ensures that every members' input is heard and not overlooked or lost, and will enforce a limit on speakers' time if it is required.
2. Discussion must be focussed on the issues and matters being the subject of discussion. Councillors make a commitment to active listening and disciplined talking, whilst displaying both courtesy and respect to one another.
3. Council Members and staff are to be addressed by their first name and not by their title of office they hold.
4. Problems and solutions expressed by members are a healthy part of the discussion and may lead to positive outcomes, and should not be frowned upon but rather encouraged.
5. The imperatives for a successful conduct of these workshops are that all members need to work together, displaying courtesy and respect to each other.

Councillor Information & Workshop Session Items

3.1 Records Management

Anticipated duration: 30 minutes

Responsible Director: Ginny Moon, Director Corporate Services

Presented by: Zoey Squires – Senior Information Officer

This workshop session has been developed to highlight the importance of records management in Council and inform you of your records management responsibilities as a Council Member.

The following areas will be covered in this session:

- Management of Council records
- Importance of managing records
- Legislation relating to the management of records
- Benefits of good records management
- Implications of poor records management
- Council Members Records Management Policy.

Attachments:

Council Members Records Management Policy (2014)

3.2 Foundation Cyber Resilience

Anticipated duration: 90 minutes

Responsible Director: Ginny Moon, Director Corporate Services

Presented by: Alex Heidenreich - Executive Director Diamond Cyber Security

City of Prospect Councillors, employees and contractors are exposed to a range of cyber threats of increasing sophistication. In order to generate increased cyber resilience, especially against high profile targets, City of Prospect is investing in cyber resilience training delivered through an offensive cyber specialist.

The training will provide detailed insights into cyber effects, with a view to de-mystify the problem, visually demonstrate common attacks, and promote resilience through best practice insights at a personal level.

The training will be delivered by Alex Heidenreich, Executive Director at Diamond Cyber Security. As a former Australian special forces commander with more than two decades of experience in the cyber realm, Alex will share lessons learnt in an interactive and visual format.

Attachments: Nil

3.3 Council Member Work Health & Safety Responsibilities

Anticipated duration: 60 minutes

Responsible Director: Ginny Moon, Director Corporate Services

Presented by: Stevie Sanders, LGA Workers Compensation Scheme

Pursuant to the WHS Legislation, which sets that Council has a duty of care to everybody in the workplace and everyone attending the workplace has responsibilities for their own health and safety and that of others that they may affect, Council is looking to meet their duty of care by providing this session to Elected Members

Council Members of Local Government have responsibilities under the WHS Act both as individuals and as a decision making body that can expose them, the Council and the Administrative function in terms of potential WHS breaches.

This workshop will provide information regarding responsibilities in undertaking specific (Council Member) roles.

Attachments:

Nil

Council Members Records Management Policy

Reference Number:	CR14/63687
Type:	Council Policy
Responsibility:	Director Corporate Services
Responsible Officer (s):	Manager Knowledge and Information
Initial Adopted Date:	Council 16/12/2014
Last Review Date:	November 2014
Review History:	V.1.0 – December 2014 V.1.1 – November 2018 Administrative change from Elected Members to Council Members and update to Council Members email address.
Next Review Date:	March 2019
Legislation:	The State Records Act 1997 Freedom of Information Act 1991 Local Government Act 1999 Australian Records Management Standard AS ISO 15489-2002
Related Documents:	City of Prospect Privacy Policy City of Prospect Knowledge and Information Management Policy

1 Purpose

1.1 The Council Members Records Management Policy (the Policy) outlines and directs the practices of Council Members of City of Prospect (Council) in relation to the management of their records.

Records of Council are created and received as a result of interaction with residents and ratepayers, other agencies, government departments and businesses.

1.2 Adherence to this Policy will ensure Council Members are able to:

- Meet their legislative responsibilities;
- Provide evidence of business transactions and accountability;
- Validate and support their decisions and actions;
- Protect their interests and those of Council.

1.3 Records are critical to establish the history, corporate memory, build context, meet legislative requirements and to ensure the transparency, accountability and security of Council.

2 Scope

2.1 The Policy applies to all:

- Records created and received by Council Members in the conduct of their role, including emails and letters;
- Records in all formats and media (paper and digital).

3 Definitions

- 3.1 The definitions within the Policy have been taken from the Glossary of Records Management Terms produced by State Records of South Australia.

Access - Right, opportunity, means of finding, using or retrieving information.

Capture – Deliberate action that results in the registration of a record into a recordkeeping system assigning a unique identity on its entry into an EDRMS. 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.

Destruction – Process of eliminating or deleting records, beyond any possible reconstruction.

Digital Documents/Records - A record created, and/or maintained by means of digital computer technology. Includes records that are 'born digital' or have undergone conversion from a non-digital format (i.e. digitised using OCR or imaging technology).

Disposal – The range of processes associated with implementing records retention, destruction or transfer decisions, which are documented in disposal authorities or other instruments.

Document(s) – Structured units of recorded information, published or unpublished, in hard copy or electronic form, and managed as discrete units in information systems.

Council Member – A person appointed or elected as a councillor of a Council under the Local Government Act 1999. Councillors play a very important policy-making role, requiring the identification of community needs, setting objectives to meet those needs, establishing priorities between competing demands and allocating resources.

Electronic Document Records Management System: EDRMS - 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 organisations work-flow and providing evidence of business activities.

File – An organised unit of documents accumulated during current use and kept together because they deal with the same subject, activity or transaction.

Record – Information created, received and maintained as evidence and information by an agency or person, in the pursuance of legal obligations or in the transaction of business (e.g. email, letter, image). State Records Act 1997 defines an "official record" as a record made or received by an agency in the conduct of its business.

Stakeholder - Client, customer, organisation, other agency or government department who conducts business and/or has a relationship with Council.

4 Policy Statement

- 4.1 The business activities of the Council Members of City of Prospect will be documented, recorded and managed to protect the integrity, enhance the efficiency, preserve the history and provide a business context of Council.
- 4.2 The policy applies to the records and information created and received by Council Members.

5 Legislative Requirements

- 5.1 Council Members have an obligation under the *State Records Act 1997*, *Local Government Act 1999*, the *Freedom of Information Act 1991* and other relevant legislation to create and manage documents and records.
- 5.2 The Policy is to be read and implemented in conjunction with relevant legislation, standards and policies, including:
 - 1. *The State Records Act 1997*
 - 2. *Freedom of Information Act 1991*
 - 3. *Local Government Act 1999*
 - 4. *Australian Records Management Standard AS ISO 15489-2002*
 - 5. City of Prospect Privacy Policy
 - 6. City of Prospect Knowledge and Information Management Policy

5.3 *State Records Act 1997*

Council Members are subject to the *State Records Act 1997*, and as such are required to manage their records in accordance with the provisions of the Act.

Under the State Records Act 1997 - Section 3—Interpretation agency means:

- (d) a person who holds an office established by an Act; or
- (h) a municipal or district council.

Section 17—Damaging etc of official records

- (1) If a person, knowing that he or she does not have proper authority to do so, intentionally—
 - (a) damages or alters an official record; or
 - (b) disposes of an official record or removes an official record from official custody, the person commits an offence.

Maximum penalty: \$10 000 or imprisonment for 2 years.

5.4 *Freedom of Information Act 1991*

The *Freedom of Information Act 1991* defines the rights of the public to obtain access to information held by the Council.

In certain circumstances an agency may refuse access to a document (e.g. an exempt document under Schedule 1 of the Freedom of Information Act 1991).

5.5 *Local Government Act 1999*

The *Local Government Act 1999* assigns the overall responsibility and accountability for the proper management of official records to the Chief Executive Officer of the agency. The Act has specific requirements relating to the creation and access of information.

5.6 City of Prospect Privacy Policy

The Council is committed to a culture that protects privacy and endeavours to protect the personal information it collects, stores, discloses and uses. Council's Privacy Policy outlines how Council adopts a 'best practice' approach to the management of personal information.

5.7 City of Prospect Knowledge and Information Management Policy

Council is committed to ensuring compliance with Records Management legislation whilst striving towards best practice and cutting edge technologies.

The Policy applies to all representatives of Council and guides their responsibilities.

6 Application of Policy

- 6.1 It is the responsibility of all Council Members to adhere to this Policy
- 6.2 Attendance as required at Council Members Awareness training which will be delivered by an authorised and appropriately qualified Information Management staff member or external consultant.
- 6.3 The Mayor and Council Members are responsible for ensuring:
- 6.3.1 Record Creation
 - (1) Records created within the conduct of their role at City of Prospect are the property of Council and therefore must be managed and cared for in accordance with the Policy, associated policies and legislation.
 - (2) Records are created in all appropriate circumstances immediately, or as soon as practicable, after an event, decision, agreement or business action.
 - (3) Records should be complete, accurate and meaningful to provide a valid and reliable account of what they document.
 - 6.3.2 Records Capture
 - (1) Electronic records, such as emails should be copied or forwarded upon creation or receipt to CouncillorsFiling@prospect.sa.gov.au. These records will then be captured into the corporate Electronic Document Records Management System (EDRMS) HP TRIM.
 - (2) Council Members should not be retaining hard copy original documentation. All original hard copy documentation including records handed to Council Members must be forwarded to the Governance Officer at Council Meetings or Workshops as soon as practicable. These records will then be captured into the corporate Electronic Document Records Management System (EDRMS) HP TRIM.
 - 6.3.3 Records Retention and Disposal
 - (1) There is to be no intentional deletion, destruction or alteration of official records. Records are only to be disposed of in accordance with the provisions of the *State Records Act 1997* by authorised Information Management staff.
 - (2) The illegal destruction of records carries penalties under the *State Records Act 1997*. If prosecuted penalties will apply to the individual Council Members involved.
 - (3) The Mayor's diary will be retained as a permanent record.
 - 6.3.4 Access and Privacy

- (1) Access to Council held information by Council Members will need to be requested through the CEO.
- (2) Records may contain information that is confidential in nature and should not be divulged to other parties.

6.3.5 Public Access to Information

- (1) Requests by the public or media for access to Council information and records are to be managed by a Freedom of Information Accredited Officer. Access by the public or media to information is protected by provisions in the *Freedom of Information Act 1991* and advice should be sought from the Governance Officer or a Freedom of Information Accredited Officer when enquiries are received prior to allowing access.

6.3.6 Mail Opening

- (1) All mail coming into Council, including mail marked Private and Confidential, will be opened by the Information Management Team regardless of addressee and processed in accordance with Council Records Management policies and procedures.

6.3.7 Council Systems

- (1) The Mayor and Council Members will only utilise Council systems for official correspondence created or received in the conduct of their role in Council, i.e. personal email accounts will not be used.

6.3.8 Integrity of Information

- (1) Under the *Freedom of Information Act 1991*, Ombudsman's investigations and legal discovery, the public may apply to access Council records. It is important that a professional approach be taken in relation to documenting and recording all forms of communication with staff, council members and customers, actions, transactions, decisions and agreements.
- (2) Comments of a personal or derogatory nature should not be documented in or on records, including emails, under any circumstance. This includes comments on "post it" notes as they become part of the official record.

7 Review

The Policy will be reviewed in line with the Corporate Governance Framework, or as required by legislation.

8 Access to the Policy

The Policy is available for public inspection on Council's website www.prospect.sa.gov.au and from Customer Service at the Civic Centre, 128 Prospect Road, Prospect SA 5082.

9 Further Information

For further information about this policy please contact:

Director Corporate Services or Manager Knowledge and Information Management

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128 Prospect Road
Prospect SA 5082

Phone: 8269 5355
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