

Council Member Records Management Policy

Reference Number:	CR14/63687
Type:	Council Policy
Responsibility:	Director Corporate Services
Responsible Officer:	Principal Governance Advisor
Initial Adopted Date:	Council 16/12/2014
Last Review Date:	February 2020
Next Review Date:	February 2024
Legislation:	<i>State Records Act 1997</i> <i>Freedom of Information Act 1991</i> <i>Local Government Act 1999</i>
Related Documents:	Australian Records Management Standard AS ISO 15489-2002 Protection of Information Policy Council Member Communication Protocol

1 Purpose

- 1.1 To provide for the capture, storage and maintenance of official Records that document council business activities and transactions between Council Members and other parties.
- 1.2 Adherence to this Policy will ensure Council Members:
 - meet their legislative responsibilities;
 - improve transparency and accountability;
 - protect their interests and those of Council, meeting the expectations of other reviewing agencies regarding access to corporate information, of council business activities and transactions as a public authority.
- 1.3 This policy requires Council Members to provide official Records that document council business activities and transactions to be captured, stored and maintained within the City of Prospect's record keeping software program. This policy is based upon the principles of good governance, transparency and mutual trust.

2 Scope

- 2.1 The policy applies to all Council Members and corporate records created and received in the conduct of their role, including emails and letters and 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 (including the Mayor) 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.

6 Application of Policy

- 6.1 It is the responsibility of all Council Members to adhere to this Policy
- 6.2 Council Members are responsible for ensuring:
 - 6.2.1 Record Creation
 - i. 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.
 - ii. Records are created in all appropriate circumstances immediately, or as soon as practicable, after an event, decision, agreement or business action.
 - iii. Records should be complete, accurate and meaningful to provide a valid and reliable account of what they document.
 - 6.2.2 Records Capture
 - i. 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 Content Manager.
 - ii. 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 Content Manager.
 - 6.2.3 Records Retention and Disposal
 - i. 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.

- ii. The illegal destruction of records carries penalties under the *State Records Act 1997*. If prosecuted penalties will apply to the individual Council Members involved.

6.2.4 Access and Privacy

- i. Access to Council held information by Council Members will be in accordance with the Council Member Communications Protocol.
- ii. Records may contain information that is confidential in nature and should not be divulged to other parties.

6.2.5 Public Access to Information

- i. 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.

6.2.6 Mail Opening

- i. 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.

6.2.7 Council Systems

- i. All 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.

6.2.8 Integrity of Information

- i. 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.
- ii. 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 can be reviewed once per Council term or as required by legislation.

8 Access to the Policy

8.1 The Policy is available to the public:

www.prospect.sa.gov.au

Customer Services, 128 Prospect Road, Prospect SA 5082.

9 Further Information

For further information about this policy please contact:

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