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RECORDS MANAGEMENT

Strategic Outcome:	Good government	
Policy type	Statutory	
Date of Adoption:	17 August 2022	Minute Number: 252
Date for Review:	19 August 2026	
Responsible Officer:	Director Corporate Services	
Document Control:	New policy	
Delivery Program Link:	2.1.2 Meet legislative requirements for Council elections, local government and integrated planning and reporting	

1. POLICY STATEMENT

Under the *State Records Act 1998* public offices such as Berrigan Shire Council are required to establish and maintain a records management program in conformity with standards and codes of best practice approved by the State Records Authority.

Berrigan Shire Council is committed to meeting its responsibilities under the *State Records Act 1998* and to implementing best practice in its information management practices and procedures.

2. PURPOSE

The purpose of this policy is to:

- establish a framework for the implementation of a records management program in conformity with standards and codes of best practice;
- ensure effective information management and retrieval across Council and highlight the responsibilities of Council staff regarding compliance with the *State Records Act 1998*;
- ensure the preservation of Council's 'corporate memory' through sound recordkeeping practices and the accurate capture of information to meet legal, evidential and accountability requirements; and
- ensure Council's Records Management Program provides timely and comprehensive information to meet operational business needs, accountability requirements and community expectations



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3. SCOPE

This policy applies to the Chief Executive Officer, the Mayor, Councillors, contractors, volunteers, delegates and all staff of Berrigan Shire Council.

This policy applies to all Council business records including electronic and physical records. It includes records which are created, collected, processed, used, sentenced, stored and disposed of in the conduct of official Council business.

4. OBJECTIVE

This policy is developed to assist the Council with the Delivery Program Objective:

2.1.2 Meet legislative requirements for Council elections, local government and integrated planning and reporting

5. DEFINITIONS

Records Management: The discipline and organisational functions of managing records to meet operational business needs, accountability requirements and community expectations.

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

Archives: Those records that are appraised as having continuing value.

Business Activities: Broad term covering all functions, processes, activities and transactions of an organisation and its workers.

Classification: Systematic application of codes and their descriptions that are applied to documents upon registration to determine the level of security (access) to documents.

Disposal: A range of processes associated with appraising documents and files for retention, deletion or destruction in or from recordkeeping systems, and the transfer or custody or ownership of records.

Magiq: Magiq is Council's official electronic record keeping system.

EDRMS: Electronic Document Records Management System is an electronic document and records management system. It is an automated software application designed to facilitate the creation, management, use, storage and disposal of a range of both physical and digital documents and records in an integrated way.



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Ephemeral Record:	Records of little value that only need to be kept for a limited or short period of time. Records that are ephemeral have no continuing value to the public office and, generally, are only needed for a few hours or a few days.
File:	A collection of documents, which can be paper based or electronic.
Metadata:	Is data that describes records, people and business activities in a suitable amount of detail to ensure better information accessibility; improved records management, and greater accountability in business operations.
Record:	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.
Recordkeeping:	Making and maintaining complete, accurate and reliable evidence of business transactions in the form of recorded information.
State Archive:	A State record that the State Records Authority of New South Wales has control of under the <i>State Records Act 1998</i> (NSW).
State Record:	Any record made, received and kept by any person in the course of the exercise of official functions in a public office or for any purpose of a public office, or for use of a public office.

6. POLICY IMPLEMENTATION

6.1 Creation of Records

Councillors, Delegated Committees and Council staff of Berrigan Shire Council should ensure they create full and accurate records of all decisions and actions made in the course of their official business. For example, if business is transacted by telephone, file notes of the key points in the conversation should be documented. Official meetings should include the taking of minutes.

6.2 Capture of Records

All business records, documents and files **must be registered into Council EDRMS** in a timely manner.

It is the responsibility of the sender of internal and outgoing correspondence to capture the records into the recordkeeping system.

Incoming emails are to be captured by the first listed Council recipient.



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Mail that is received physically and items taken over the front counter are to be scanned and registered by Customer Service Staff.

Records of Council business that are created or received by Councillors (with the exception of those sent by Council) must be forwarded to the Chief Executive Officer's Executive Assistant (CEOEA) to capture in EDRMS. If records are of a sensitive or confidential nature, the Councillor should alert the CEOEA to this fact so appropriate security classifications may be applied.

6.3 Ephemeral Records

Ephemeral records may be destroyed once reference to them ceases. Examples of ephemeral records include unofficial drafts, rough notes, unsolicited advertising materials and catalogues, etc.

6.4 Records of a Confidential Nature

On some occasions Council workers may be required to keep matters discussed relating to Council business confidential. Confidential conversations / correspondence must still be recorded and registered in Magiq if they refer to Council business.

There are security classifications that can be used to ensure these records have limited access, but these records may still need to be produced under relevant legislation, e.g., subpoena or the *Government Information (Public Access) Act 2009*. With security controls in place records are likely to be less at risk than if they were not in the Council's EDRMS.

6.5 Records Security and Access

Records must only be retrieved and used for authorised purposes in accordance with relevant legislation and access policies. Records must be kept secure from unauthorised access, unauthorised release, alteration and unlawful destruction.

Records considered as internal, sensitive or confidential must not be provided to external parties unless appropriately authorised.

All records must be stored in a secure location, with access provided to authorised persons only.

All physical records must be handled and stored with care to prevent deterioration, damage or loss.

The location of physical records must be documented and kept up-to-date.

Records that are required to be retained but are no longer active, in current use, may be transferred to State Archives.



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6.6 Records Retention and Disposal at Berrigan Shire

All records kept by Berrigan Shire Council will undergo appraisal before being disposed of in accordance with the General Retention and Disposal Authority: Local Government Records, produced by the State Records Authority of New South Wales and approved under section 21(2)(c) of the *State Records Act 1998*.

Administrative records such as financial and personnel records are covered under the General Retention and Disposal authority: administrative records (GA39) compiled by NSW State Archives. NSW State Archives recommends disposal actions are assigned to records in all formats on creation to ensure they are managed appropriately. The Records Management Procedures contains information on how this is achieved.

No records of NSW State Archives may be disposed of unless in accordance with these retention and disposal authorities or Normal Administrative Practice. NSW State Archives has defined how Normal Administrative Practice will be applied in the Records Management Procedures. Any sentencing of records must be supervised by the Public Officer and the Records Administrator. Approval and signed authorisation for retention, destruction or transfer of records must be sought from the appropriate Program managers before any disposal takes place.

Disposal and destruction of records will be systematic, accountable, authorised and legally appropriate.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *State Records Act 1998 (NSW)*
- *Evidence Act 1995 – Evidence Amendment Act 2008*
- *Privacy and Personal Information Protection Act 1998*
- *Government Information (Public Access) Act 2009*
- *Health Records and Information Privacy Act 2002*
- *Local Government Act 1993*
- General Retention and Disposal Authority: Local Government Records (GA39)

7.2 Council policies and guidelines

- Governance Policy
- Code of Conduct
- Access to Information Policy
- Privacy Management Plan



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8. RECORDS MANAGEMENT

All Records must be kept in accordance with Council's Records Management Policy and destroyed as per the General Retention and Disposal Authority: Local Government Records (GA39).

9. REVIEW AND EVALUATION

This policy (procedure) will be evaluated and reviewed at least once every four (4) years as per Council's Governance Policy (currently under development) or as required.

10. DOCUMENT AVAILABILITY

A number of legislative instruments require Councils to have the policy available for inspection at Council's principal office (i.e. Policies made under Part 3, of the Local Government Act 1993). Each document should therefore state the ways in which the policy is available including any relevant fees and charges for access to such policy. An example of the required statement is provided below:

This policy will be available for inspection at Council's principal office during ordinary business hours as per the requirements of section 18 (c) of the *Government Information (Public Access) Act 2009* and section 167 of the *Local Government Act 1993*.

Access to the policy in digital format is free and is available on Council's website <https://www.berriganshire.nsw.gov.au/>

Printed copies of the document are available at Council's principal office (address noted below) and are subject to Council's Fees and Charges.

*Berrigan Shire Council
56 Chanter Street
BERRIGAN NSW 2712*

Ph: 03 5888 5100

Email: mail@berriganshire.nsw.gov.au

11. VERSION CONTROL

Version Number	Date	Summary	Responsible Officer
1.0	17.08.2022	New Policy document	Director Corporate Services

APPENDICES

Nil