

A5. Record Keeping and Management Policy

Policy Objective

To define the principles of the Shire's records management function and to document an efficient approach to the management of records.

Policy Scope

This policy applies to all external and internal records, which are handled, received or generated by the Shire of Dundas, regardless of their physical format or media type.

Definitions

Ephemeral Records: Duplicated records and/or those that have only short-term value to the Shire of Dundas, with little or no on-going administrative, fiscal, legal, evidence or historical value. Ephemeral records include items such as messages, insignificant drafts, rough notes or routine enquires. Officers, Elected Members and Contractors may dispose of ephemeral records when reference to them ceases in accordance with the General Disposal Authority for Local Government Records.

General Disposal Authority (GDA): The General Disposal Authority for Local Government records is designed to provide consistency throughout Local Government for the retention and disposal of records.

Government Record: records created or received by a government organization or one of its employees in the course of their work for their organization.

Records: information recorded in any form which is created, received and maintained by the organization in its transaction of business and kept as evidence off such activity.

Records Disposal: way of depositing records in the State Archives, managing the records as designated by State Archives, or by destruction in accordance with policy.

Significant Records: contain information, which is of administrative, legal, fiscal, evidential or historical value, and are not recorded elsewhere on the public record. They describe an issue, record who was involved, why a decision was made, and may include actual guidelines.

State Archive: A State record that is to be retained permanently.

Vital Records: are essential to the continued business of the Shire of Dundas. Vital records include those that protect the rights of the individual and the organisation and are absolutely essential for reconstruction in the event of a disaster.

Policy Statement:

The policy incorporates applicable legislative requirements into standard practices and identifies basic records management requirements to ensure compliance with the State Records Act 2000.

Records are recognized as an important information resource in the Shire and it is accepted that sound record management practices contribute to the overall efficiency and effectiveness of the Shire.

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- 1) All new administration employees will be provided with an introduction to record keeping pack and provided with basic records registration training by the Records Officer. Any further required training shall be provided as needed, by accredited training organizations.
- 2) All records are to be managed according to whether they are significant or ephemeral records, vital or non-vital records, and in accordance with their security classification.
- 3) All communications in the form of records, whether paper or electronic, and whether internal or external, are to be captured within the appropriate record keeping system.
- 4) Registers are to be maintained of all records series and special categories, including but not limited to, registers of policies, databases, FOI applications, assets, tenders and quotations, forms, vital records, files and contracts.
- 5) All contractual arrangements are to ensure Shire of Dundas ownership of significant records.
- 6) Any records/files loaned to individual staff is to be recorded within the Shire's electronic record keeping system by the records officer, as too is their return.
- 7) All records maintained by the Shire of Dundas are to be disposed of in accordance with the state records office's general disposal schedule for local government records.
- 8) Records are not to be removed from the Shire of Dundas site unless in accordance with the approved retention and disposal schedule, or in the custody of an officer performing official business.

Access to the Shire of Dundas Records

- 1) by staff and contractors will be in accordance with designated access and security classifications (see "Security and Protection" below).
- 2) by the general public will be in accordance with the *Freedom of Information Act 1992* and the Shire's Freedom of Information Statement,
- 3) by elected members will be via the CEO in accordance with the *Local Government Act 1995*.

Roles and Responsibilities

Elected Members

All Elected Members are to create and maintain records relating to their role as an Elected Member for the Shire of Dundas in line with legislation and state policies and procedures for the management of records. Political and personal records of Elected Members are exempt.

Chief Executive Officer

In accordance with section 5.41 of the *Local Government Act 1995*, the Chief Executive Officer is to "Ensure that records and documents of the local government are properly kept for the purpose of this act and any other written law."

All Staff

All staff (including contractors) are responsible for creating, retaining and registering records relating to business activities they perform. They are to;

1. Identify significant and ephemeral records, ensuring that the significant records are captured into the record keeping system, and that all records are handled in a manner compliant with legislation and the Shire of Dundas policies and procedures for record keeping.
2. Ensure that only authorized disposal of records occur in accordance with the General Disposal Authority (GDA) for Local Government.

Records Staff

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Records staff are responsible for the naming conventions, creation and closure of all files and for providing a records management service, which complies with the Shire of Dundas records management policy and procedures, and WA State Records Office requirements.

Records staff is to maintain and monitor website on a regular basis to ensure that it reflects correct and current information about the Shire. Any changes are to be assessed to determine the storage and recordkeeping requirements.

Security and Protection

- 1) All records should be categorized as to their level of sensitivity, adequately secured and protected from violation, unauthorized access or destruction. They should be kept in accordance with necessary retrieval, preservation and storage requirements.
- 2) The Shire's compactus shall remain locked at all times and access shall be limited to the CEO, MFA and records officer.

Legislative Requirements

Due to legislative requirement, the Shire of Dundas is obliged to maintain a records management system that completely, accurately and reliably creates and maintains evidential records, and to dispose of those records only through an approved scheme. *The State Records Act 2000* states that the commission can impose a penalty on an officer if they are not compliant under section 78.

It States:

Offence

- 1) *A government organization employee who does not keep a government record in accordance with the record keeping plan of the organization commits an offence.*
- 2) *A government organization employee who, without lawful authority, transfers, or who offers to transfer, the possession of a government record to a person who is not entitled to possession of the record, commits an offence.*
- 3) *A government organization employee who destroys a government record commits an offence unless the destruction is authorized by the record keeping plan of the organization.*
- 4) *A person who destroys a government record while the record is the subject of a notice under section 52 or an application made, or order or warrant issued, under section 53, commits an offence.*
- 5) *A person who has unauthorized possession of a government record and who destroys that record, commits an offence unless the person owns the record.*
- 6) *It is a defense to a charge of an offence under subsection (2), (3), (4) or (5) to prove that the alleged act was done pursuant to –*
 - a. *A written law; or*
 - b. *An order or determination of a court or tribunal*
- 7) *It is a defense to a charge of an offence under subsection (5) to prove that the person had no reasonable cause to suspect that the record was a government record.*

Penalty: \$10,000.

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