

RECORDS MANAGEMENT POLICY

QUALITY CONTROL			
TRIM REFERENCES	D12/11935		
RESPONSIBLE POSITION	Manager Information & Communications Technology		
APPROVED BY	Council		
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1 November 2001	Adoption	39242	
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1. INTRODUCTION

The purpose of this policy is to ensure that full and accurate records of all activities and decisions within Broken Hill City Council are created, managed, retained and disposed of appropriately, in accordance with relevant legislation. This will enable BHCC to achieve information accessibility, enhancement and accountability obligations while protecting the rights and interest of Council, employees, and the community.

Under *State Records Act 1998*, public offices such as BHCC, 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. BHCC has selected the software Content Manager (formally known as TRIM) record keeping software as the corporate records management system. Records may also be stored across other approved applications that meet BHCC record keeping standards and requirements.

The Australian Standards AS/ISO 15489.1:2017 has been adopted as a code of best practice for the NSW Public Sector, this records management policy provides the framework for the Council to effectively fulfil its obligations and statutory requirements under legislation and other Government directives.

For evidential and accountability purposes, Council needs to identify and control its records. A systematic approach to records management is vital to protect the information contained in records. Regulation of records management practices assures that all records are protected, and that information can be readily retrieved, using a standard form of identification and retrieval procedure.

The policy is applicable to all records media, both physical and electronic formats and requires Council to document business transactions fully and accurately, in compliant records keeping systems. This will enhance effective records management and retrieval in

Council and highlights the responsibilities and accountabilities of staff complying with the Act.

The Council's records are valuable and are a vital asset for effective daily functioning and operations. The records provide documentation of Council's transactions. These transactions satisfy the necessary legal, administrative and audit requirements. In the longer term, the records represent Council corporate memory, providing the principal source of continuity.

2. POLICY OBJECTIVE

The objectives of this policy are to define a framework for council to:

- manage records efficiently and effectively.
- meet accountability requirements and community expectations; and
- comply with legislative and policy requirements relating to record keeping practices.

3. POLICY SCOPE

This policy applies to all Council workers, including councillors, contractors, consultants, and volunteers, in their conduct of official business for Broken Hill City Council.

This policy applies to records in all formats, including physical and electronic records.

4. POLICY STATEMENT

4.1. What is a Record?

By definition – a record is "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".

4.2. Records as a Resource

The records of Council are a vital asset to:

- Facilitate information accessibility, and enhance business by supporting program delivery, management, and administration.
- Deliver customer services in an efficient, fair, and equitable manner.
- Provide evidence of actions and decisions and precedents for future decision making.
- Protect the rights and interests of Council, workers, customers, and community.
- Many of Council's records are important to the history, culture, and heritage of the Broken Hill City Local Government Area.

4.3. Records Management Program

A Record Management Program has been established by Council in accordance with s.12 (2) of the State Records Act 1998. A Records Management Program is a planned, co-

ordinated set of policies, procedures, people, systems, and activities that are required to manage records.

This policy provides a framework and outlines responsibilities for the operation of Council's Records Management Program.

4.4. Objectives of the Records Management Program

Council's Records Management Program seeks to ensure that:

- Council has the records it needs to support and enhance ongoing business and customer service, meet accountability requirements and community expectations.
- Records are managed efficiently and can be easily accessed and used for as long as they are required.
- Records are stored as cost-effectively as possible and when no longer required they are disposed of in a timely and efficient manner.
- Council complies with all requirements concerning records management practices including the NSW Government's objectives for recordkeeping.
- Records of longer-term value are identified and protected for historical and other research.
- Digital and other technology dependent records are maintained in an authentic and accessible form for as long as they are required

4.5. Elements of the Records Management Program

4.5.1. Creation & Capture of Records

Individuals must ensure that they create full and accurate records of all decisions and actions made in the course of their official business **at the time of receipt**. 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.

Individuals must ensure that they create official records of all decisions and actions made in the course of their official business and these are captured in approved record keeping systems.

Titling and records description protocols are to be established by each business area of Council and be applied consistently.

When new systems or workflows are being designed, the Manager Information & Communications Technology should be consulted to determine what records should be created and captured by the system and the recordkeeping rules and functionality to be applied.

Records created or received in paper format must be scanned and registered into Content Manager by the receiving officer (except for Councillors – refer to Section 4.5.2) in accordance with Council's Records management procedures and protocols.

Email and electronic records must be registered into Content Manager by the receiving officer (except for Councillors – refer to section 4.5.2) in accordance with Council's Records management procedures and protocols.

4.5.2. Creation and Capture of Records (Councillors)

Records of Council business that are created or received by Councillors (with the exception of those sent from Council as they are already captured) must be registered into Content Manager as soon as is practicable so that Council can assist with their long-term management. The Executive Assistant will capture records into Content Manager for Councillors as required.

Records created or received (in paper, email or other formats) should be forwarded to the Executive Assistant. If records are of a sensitive or confidential nature, the Councillor should alert the Executive Assistant to this fact so that appropriate security classifications can be applied.

Please refer to Definitions (Section 8) for examples of what is and what is not considered to be a Council business record.

4.5.3. 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 into Content Manager if they refer to Council business.

Access controls will be used to ensure confidential documents/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 managed.

4.5.4. Storage, Protection, and Security

Under the State Records Act 1998 (NSW), Council records are deemed to be State records.

All records of Council shall be appropriately stored to ensure their future conservation, retrieval, and use. In doing so, the security, privacy and confidentiality of all records should be protected.

Workers are obliged to handle records sensibly and with care so as to avoid damage to records and to prolong their lifespan and must ensure that:

- Hard-copy Council records are not left unattended in unsecured areas or vehicles.
- At no time shall confidential records, such as personnel files or commercial contracts be left unattended in areas accessible to unauthorised personnel or persons.
- Computers / mobile tablets etc. are not left unattended & unlocked in unsecured areas thus ensuring prevention of access by unauthorised users to Council information.
- Workers must not relinquish control over, damage, alter or destroy Council records.

4.5.5. Confidentiality and privacy

Council staff have a legal responsibility to protect confidential and personal information which they may come across in the course of their official duties. Council information must

be used and released by authorised officers in accordance with relevant legislation and Council's Code of Conduct.

4.5.6. Access to Council records

Access to Council records is made in accordance with relevant legislation and Council's Access to Information Policy.

4.5.7. Archiving, disposal, and destruction

All records must be protected, maintained and accessible for their entire retention period as outlined in the General Disposal Authority No. 39 for Local Government Records (GA39) under the NSW State Records Act 1998.

Records cannot be disposed of without the approval of the Manager Information & Communications Technology and the department head of the responsible business unit.

5. IMPLEMENTATION

5.1. Roles and Responsibilities

The following Council officers are responsible for the implementation and the adherence to this policy:

General Manager – Under the State Records Act 1998 (part 2.10), the General Manager is responsible for ensuring that Broken Hill City Council complies with regulations and requirements of the Act.

Chief Corporate and Community Officer – Has the responsibility and authority to set and issue corporate standards and to monitor and audit compliance with those standards throughout Council.

Manager Information & Communications Technology – Manages and co-ordinates, Council's Information Services and Technology and oversees and monitors, Council's records management function.

The Manager Information & Communications Technology and Information Services staff provide a strategic focus for record keeping throughout Council.

Information Services Staff – Responsible for the effective management and system administration of Council's primary record keeping system – Content Manager, and other approved records storage systems. The Information Services section will assist staff in fulfilling their record keeping responsibilities and provide advice and training throughout the implementation of this policy and strategies.

Archives Staff – Council's Broken Hill City Library is a regional repository for State Archives Authority. Council's Archives is responsible for the development and implementation of Council's Archives Program, in conjunction with the Chief Corporate and Community Officer.

Council Staff – As public-sector employees, need to be aware of record keeping requirements that affect the performance of their duties. The State Records Act 1998 requires public officials to "make and keep full and accurate records" of their business activities. The NSW Public Sector Code of Conduct requires public officials "maintain adequate documentation to support any decision made" in the performance of their duties. The Ombudsmen's Good Conduct and Administrative Practice Guidelines for

Public Authorities states that “public officials must make and create records to support accountability and corporate management”.

5.2. Communication

This Policy will be communicated to staff in accordance with Council's Policy, Procedure and Process Framework. Following approval by the General Manager, the Policy will be made available on Council's intranet.

5.3. Associated Documents

The following documentation is to be read in conjunction with this policy.

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

6. REVIEW

Review of this policy will incorporate relevant legislation, documentation released from relevant state agencies and best practice guidelines.

The standard review period will be every two years from the effective date. The responsible Council officer will be notified of the review requirements three (3) months prior to the expiry of this policy.

The Manager Information & Communications Technology is responsible for the review of this policy.

7. LEGISLATIVE AND LEGAL FRAMEWORK

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

AS ISO 15489.1:2017 – Information and Documentation – Records Management

NSW State Records Act 1998

8. DEFINITIONS

BHCC – Broken Hill City Council

Record – Records are both evidence of business activity and information assets. They can be distinguished from other information assets by their role as evidence in the transaction of business and by their reliance on metadata. Metadata for records is used to indicate and preserve context and apply appropriate rules for managing records.

State Records - is defined as records created by public offices in NSW are State records under the State Records Act 1998 (NSW)