

# District Council of Elliston Policy



## Governance

### E006 Elected Members Records Management

Signature	
Policy Issued & Effective from	19 September 2023
Date of Last Review	18 June 2019
Version No.	2
Next Review Date	September 2027
Person responsible for maintaining	Chief Executive Officer

*Refer to the last page of this document for the Document History Table*

# District Council of Elliston Policy

## E006 Elected Members Record Management

### 1. Introduction

This policy outlines and directs the practices of Elected Members of the District Council of Elliston (**Council**) in relation to management of their 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).

### 2. Purpose

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

Adherence to this Policy will ensure Elected 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.

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

### 3. Definitions

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 record keeping system assigning a unique identity on its entry into an EDRMS.

**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 created digitally or have undergone conversion from a non-digital format.

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**Document(s)** - Structured units of recorded information, published or unpublished, in hard copy or electronic form, and managed as discrete units in information systems.

**Elected Member** - A person appointed or elected as a councillor of a Council, including the Mayor, 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.

## District Council of Elliston Policy

### E006 Elected Members Record Management

**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

The business activities of the Elected Members of the Council will be documented, recorded and managed to protect the integrity, enhance the efficiency, preserve the history and provide a business context of Council.

This policy applies to the records and information created and received by Elected Members.

#### 5. Legislative and Governance Requirements

Elected Members have an obligation under various legislation to create and manage documents and records. The policy is to be read and implemented in conjunction with the relevant legislation and other Standards, Code of Conduct and policies, including:

- State Records Act 1997
- Freedom of Information Act 1991
- Local Government Act 1999
- Australian Records Management Standard AS ISO 15489-2002
- District Council of Elliston Records Management Policy

#### 6. Application of Policy

It is the responsibility of all Elected Members to adhere to this policy.

The Mayor and Elected Members are responsible for ensuring:

##### ***Record Creation***

Records created within the conduct of their role at Council are the property of Council and therefore must be managed and cared for in accordance with the Policy, associated policies and legislation.

Records are created in all appropriate circumstances immediately, or as soon as practicable, after an event, decision, agreement or business action.

Records should be complete, accurate and meaningful to provide a valid and reliable account of what they document.

##### ***Records Capture***

Elected Members' electronic records, should be copied or forwarded upon creation or receipt to the Customer Services Officer. These records will then be captured into the corporate EDRMS. Emails requiring action are to be forwarded to the Chief Executive Officer (CEO).

All original hard copy documentation including records handed to Elected Members must be forwarded to the CEO or Deputy CEO as soon as possible. These records will then be captured into the corporate EDRMS.

## District Council of Elliston Policy

### E006 Elected Members Record Management

#### ***Records Retention and Disposal***

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 Council staff.

The illegal destruction of records carries penalties under the *State Records Act 1997*. If prosecuted, penalties will apply to the individual Elected Member involved.

The Mayor's diary (if maintained) will be retained as a permanent record in hard copy.

#### ***Access and Privacy***

Access to Council held information by Elected Members will need to be requested through the CEO in accordance with Section 61 of the Local Government Act 1999.

Records may contain information that is confidential in nature and should not be divulged to other parties.

#### ***Public Access to Information***

Requests by the public or media for access to Council information and records are to be managed by a Freedom of Information Accredited Officer (**FoI 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 CEO or FoI Officer when enquiries are received prior to allowing access.

#### ***Council Systems***

The Mayor and Elected 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 must not be used for Council business.

#### ***Integrity of Information***

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, elected members and customers, actions, transactions, decisions and agreements.

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 attached to a document as they become part of the official record.

#### ***Confidential Records***

If an Elected Member believes that a record forwarded to Council for capture in the EDRMS is of a highly sensitive or confidential nature, he or she should advise the CEO of that view.

It will be at the discretion of the CEO as to whether such information will then be treated as confidential and access to those records restricted

## **7. Associated Documents**

- District Council of Elliston Records Management Policy
- Elected Members Code of Conduct
- State Records Act 1997

## District Council of Elliston Policy

### E006 Elected Members Record Management

- Freedom of Information Act 1991
- Local Government Act 1999

<b>DOCUMENT HISTORY</b>				
<b>Version</b>	<b>Changes since last version</b>	<b>Approved by</b>	<b>Record No</b>	<b>Issue Date</b>
1	Original	Council		June 2019
2	Updated with new format and minor changes	Council	9.63.1/2	September 2023