

## Records Management

### Policy Objective

1. To incorporate the principles of current government records legislation and standards into the Shire of Broome's record keeping functions. The main aim is to ensure uniformity and consistency in the creation and maintenance of record keeping systems at the Shire of Broome.
2. To define the roles and responsibilities of individuals who manage or perform record keeping processes for, or on behalf of the Shire of Broome.
3. To prescribe a systematic and organised approach in the management of the Shire's government records.

### Policy Scope

This Policy applies to all records created or received by Shire of Broome employees (permanent, temporary and casual); Councillors in their official capacity; or organisations performing outsourced services (contractors) on behalf of the Shire of Broome, regardless of their physical format, storage location or date of creation.

### Policy Statement

The Shire of Broome recognises its records as a corporate asset.

The effective maintenance of all corporate records will ensure all corporate records are maintained effectively to ensure there is a full and accurate history of the Shire's business dealings, accountability and transparency in decision making and support compliance with relevant evidentiary and statutory requirements.

### Councillors

All Councillors are to create, collect and retain records relating to their role as a Councillor for the Shire of Broome in a manner commensurate with legislation and the Shire's policies and procedures for record keeping. Council electioneering and personal records of Councillors are exempt.

The policy approach of the State Records Commission in monitoring the record keeping obligations in respect to Local Government Councillors is:

"The State Records Commission policy regarding the records of councillors requires the creation and retention of records of the communications and transactions of councillors which

constitute evidence affecting the accountability of the Council and the discharge of its business. This policy applies regardless of a record's format or where it was received.

Councillors must create and keep records of communications or transactions, which convey information relating to local government business or functions. Records that should be captured include:

- Communications from ratepayers, work diaries, telephone conversations, meetings and other verbal conversations regarding local government projects or business activities, presentation and speeches.

Records that do not need to be captured include:

- Duplicate copies, draft or working papers, publications, invitations, telephone, meetings and other verbal conversations that do not relate to local government projects or business activities, electioneering and Personal records.

Destruction of records – return all records to the local government for authorised and legal destruction.”

## **Chief Executive Officer**

The Chief Executive Officer is responsible for ensuring that records and documents of the local government are properly kept for the purposes of the Local Government Act 1995 and any other written law.

## **All Staff**

All staff are to ensure all records created or received in their official capacity are appropriately captured and retained within approved central corporate record keeping system/s. This includes identifying and appropriately capturing vital/significant records and appropriate handling of ephemeral or non-records.

## **Contractors**

All external contracts entered into by the Shire, are to include the following provisions relating to record keeping:

Manuals, drawings, computer programs or other records supplied by the Shire to the Contractor during the Contract shall be returned to the Shire upon termination or completion of the Contract.

The Contractor shall ensure that all records relevant to or created during this Contract are held in a safe and secure manner in line with industry best-practice, i.e. Backups completed, paper records held in fire-proof environment.

The Shire will be provided access to all records held by the Contractor associated with this Contract within 24 hours of written request. Such requests will be in the support of Contract performance measuring, general information resource for the Shire, or to meet Freedom of Information legislation requirements”

## Custodianship of Records

Ownership and proprietary interest of records created or collected during the course of business (including those from outsourced bodies or contractors) is vested in the Shire of Broome.

## Creation of Records

All Councillors, staff and contractors will create full and accurate records, in the appropriate format, of the Shire's business decisions and transactions to meet all legislative, business, administrative, financial, evidential, and historical requirements.

## Capture and Control

All records created and received in the course of Shire business are to be captured at the point of creation, regardless of format, with required metadata, into appropriate record keeping and business systems that are managed in accordance with sound record keeping principles.

## Security and Protection of Records

All records are to be categorized as to their level of sensitivity and adequately secured and protected from violation, unauthorised access, or destruction, and kept in accordance with necessary retrieval, preservation and storage requirements.

## Access to Records

Access to the Shire's records will be in accordance with designated access and security classifications as determined by the Chief Executive Officer and as administered by the Coordinator Records.

Access to the Shire's records by Councillors will be through the Chief Executive Officer (CEO) in accordance with the *Local Government Act 1995*, sections 5.41 and 5.92.

Inspection of the Shire's records by contractors, third parties and the public will be in accordance with the *Local Government Act 1995* section 5.94 and the *Freedom of Information Act 1992*.

## Appraisal, Retention and Disposal of Records

All records kept by the Shire will be disposed of in accordance with the General Disposal Authority for Local Government Records, produced by the State Records Commission.

## Statutory Obligations

There are legislative requirements for managing records. The primary legislation relating to the keeping of public records is the State Records Act 2000. Other legislation that affects records management includes (but not limited to):

- Cemeteries Local Law 2012

- Criminal Code Act Compilation Act 1913 (Section 85)
- Electronic Transactions Act 2011
- Evidence Act 1906
- Fair Work Act 2009
- Freedom of Information Act 1992
- Heritage of Act 2018
- Local Government Act 1995
- State Administrative Tribunal Regulations 2004  
And
- Australian Records Management Standard ISO/AS 15489-2002 Parts 1 & 2
- General Disposal Authority for Local Government Records DA 2015-001/1
- Shire of Broome Recordkeeping Plan 2019 which is lodged with the State Records Office

## Record Keeping Plan – Comprehensive Review

The Shire's Record Keeping Plan will be reviewed no less than every five (5) years.

## Annual Report Compliance

State Records Commission Standard 2 – Record Keeping Plans, Principle 6: Compliance requires each government organisation (which includes Local Government Authorities) to include within its Annual Report an appropriate section that addresses the following four (4) points:

- The efficiency and effectiveness of the organisation's record keeping systems is evaluated not less than once every five (5) years.
- The organisation conducts a record keeping training program.
- The efficiency and effectiveness of the record keeping training program is reviewed from time to time.
- The organisation's induction program addresses employee roles and responsibilities in regard to their compliance with the organisation's Record Keeping Plan.

### **The brief report will include the following information:**

Statement regarding the organisation's commitment to good and compliant record keeping practices;

- Details of the Record Keeping Training Program and key findings from the annual review;
- Brief statement regarding how the Record Keeping Induction addresses employee record keeping roles and responsibilities;
- Annualized Corporate Record Keeping Indicators (including a comparison to the previous year);
- Brief statement regarding results of Record Keeping Audits conducted during the year;
- Brief statement regarding any significant improvements or developments of the Record Keeping System; and
- If the Annual Report is published after a five-year comprehensive review of the Record Keeping System, details of key findings and recommendations of the review.

## Definitions

**Record (State Records Act 2000)** For the purposes of this document, a record is defined as meaning “any record of information however recorded” and includes –

- a) Anything on which there is writing or Braille;
- b) A map, plan, diagram or graph
- c) A drawing, pictorial or graphic work, or photograph;
- d) Anything on which there are figures, marks, perforations or symbols having meaning for persons qualified to interpret them;
- e) Anything from which images, sounds or writings can be reproduced with or without the aid of anything else; and
- f) Anything on which information has been stored or recorded, mechanically, magnetically or electronically.

**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, record why a decision was made, and may embody actual guidelines.

**Vital Records:** are records that are essential to the continued business of the Shire. Vital records include those that protect the rights of individuals and the Shire and are essential or the Shire’s reconstruction in the event of a disaster. Examples of vital records include, Employment contracts, and agreements, performance appraisals, employee salary and superannuation details, core computer system records, Council and Committee Minutes and Agendas, Financial and Budget records, Title Deeds, Policy and Procedure Manuals, Registers, Contracts/Tenders, Licences, Historical documents, Delegation of Authority, Insurance Policies, Town Planning Scheme deeds/information and any document detailing approvals of some kind.

**Ephemeral Records:** are duplicated records and/or those that have only short-term value to the Shire, with little or no on-going administrative, fiscal, legal, evidential, or historical value. They may include insignificant drafts and rough notes, and for records of routine enquiries.

**Non-Records:** are documents that are generally available in the public domain and do not form part of a business process in respect to the Shire’s activities. They are generally used for reference and information purposes, such as reports or plans from another organisation, a published directory, or a training manual of a third-party Roles and Responsibilities.

Document Control Box					
<b>Document Responsibilities:</b>					
<b>Owner:</b>	Director Corporate Services		<b>Owner Business Unit:</b>	Information Services	
<b>Reviewer:</b>	Manager Information Services		<b>Decision Maker:</b>	Council	
<b>Compliance Requirements:</b>					
<b>Legislation:</b>	<a href="#">State Records Act 2000</a> <a href="#">Freedom of Information Act 1992</a> <a href="#">Local Government Act 1995</a>				
<b>Industry:</b>					
<b>Organisational:</b>					
<b>Document Management:</b>					
<b>Risk Rating:</b>	Low	<b>Review Frequency:</b>	4 Yearly	<b>Next Due:</b>	12/2026
<b>Version #</b>	<b>Decision Reference:</b>	<b>Synopsis:</b>			
1.	19 March 2009	Initial Adoption			
2.	12 December 2019	Review and converted to New Policy Template			
3.	18 November 2021	Desktop Review and new logo			
4.	15 December 2022	Review, minor amendments – OMC Minute No C/1222/013			
5.	30 October 2023	Desktop review – no amends			