

1 PURPOSE

The purpose of this policy is to provide an effective framework for Burnie City Council's recordkeeping practices and document management procedures. It covers the creation of records, and their maintenance, storage, accessibility and retention, along with the individual responsibilities of Councillor's and staff with regard to their records management obligations.

The Burnie City Council is committed to establishing and maintaining records management practices that meet its business needs, are in accordance with stakeholder expectations, meet legislative and statutory obligations and are designed to mitigate risk to the Council.

The benefits of compliance with the policy will be trusted information which is accurately described, stored in known locations with appropriate security, which is easily retrieved when needed.

2 OBJECTIVE

To ensure that the Burnie City Council complies with its obligations in recording, maintaining and disposing of corporate records in accordance with the *Archives Act 1983*.

3 SCOPE

This policy applies to the management and maintenance of records through their lifecycle from creation, receipt or capture, to preservation and disposal under the provision of the *Archives Act 1983*. It applies to records in any format including, but not limited to paper documents, electronic documents, emails, web-pages, information in databases, photographs, film, charts, and information on social media.

This policy covers the work practices of staff, councillors and consultants who:

- Create information
- Access information
- Have responsibility for information including storage, retrieval, dissemination and disposal
- Have management responsibilities for officers engaged in any of these activities
- Manage or have design input into information technology infrastructure

The Information Management Policy will:

- Align with the Council's operating environment, strategic direction, policy framework and recordkeeping program;
- Ensure compliance with legislative and statutory obligations;
- Promote a corporate culture of sound recordkeeping practices;
- Provide protection of information for an important part of the local cultural heritage;

- Reduce the risk associated with the loss or destruction of essential information;
- Increase the capture and retention of corporate history, knowledge and expertise within Burnie City Council.

4 POLICY

Responsibilities for records management

Every Councillor and staff member of the Burnie City Council has an individual obligation to register and maintain their corporate records as defined in the *Archives Act 1983* and in accordance with the Policy.

It is a requirement that each individual ensures that they have an appropriate level of awareness about these responsibilities under the Policy and are sufficiently trained in creating and maintaining corporate records in the Council's electronic document management system.

Creation and maintenance of records

Corporate records must provide a reliable and accurate account of business dealings, decisions and actions. Therefore, when creating corporate records in the EDMS it is important to include all necessary information including the names, company details, dates and times, and other key information needed to capture the business context.

Corporate records can be documents and data created in any format, e.g. scanned, email, paper or completed electronic forms, received or maintained as evidence and information of requests of Council, work done for, or on behalf of, the Council, business transactions or evidence of decisions. Examples of Council's corporate records include, but are not limited to:

- Agendas, minutes and papers
- Complaint correspondence
- Contracts and agreements
- Correspondence received from members of the public, private and public sector organisations that require action or decision
- Documents related to events organised with or for external organisations
- Facilities hire forms and documentation
- Invoices and supporting information to support payments and reimbursements
- Media releases and articles
- Personnel information
- Policies and guidelines
- Recruitment and appointment documentation
- Reports and submissions
- Risk management registers and documentation
- Social media

Information Management (Recordkeeping)

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- Training program documentation
- WorkCover documents and files

An overarching business rule is that if a transaction or request comes into the Council from an external party, the information is to be captured by the recipient as a business transaction. Equally each time the Council communicates with a company or individual outside of the Council, this too is a corporate record, and the individual charged with communicating with the external party is required to capture the dealing.

Ultimately, if the record contains a business transaction or evidence of any decision that has been made on behalf of the Council it must be kept for the required time

Records that do not have to be kept

Some records do not belong in the Council's recordkeeping system on the basis that they are not corporate records and have no long term value in being retained. These records include:

- External advertising material
- Externally published newsletters that do not contain material created by or referencing the Council
- Internal e-mails received by "carbon copy" (cc) or "blind carbon copy" (bcc)
- Junk e-mail
- Personal correspondence including e-mail
- Rough notes, working papers and calculations used solely to assist in the preparation of other records such as correspondence, non-auditable reports and statistical tabulations
- Copies of any external documents, preserved solely for reference
- Published external material preserved solely for reference
- Working documents that do not show how a decision or a calculation was made.
- Work in Progress documents whereby it is unclear if a document will be submitted for approval and therefore become a corporate record.

Documents of this nature may be destroyed, as defined by the Tasmanian Archive & Heritage Office Retention and Disposal Schedule for short-term value records.

Systems used to maintain corporate records

Records generated within the Council in the course of normal business practice or received from an external source are to be registered and captured in the Council's recordkeeping system. The following software application is the business system used by the Burnie City Council:

- Electronic document management system – Content Manager

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The endorsed system appropriately supports information and records management processes and is approved by the Tasmanian Archive and Heritage Office as the Council's only record management software system. Therefore corporate records must not be maintained in email folders, shared folders, personal drives or external storage media as these are not approved records management systems and they lack the necessary functionality to protect business information and records over time. Records created when using social media applications or mobile devices may need to be captured into an endorsed system.

Access to records (Internal)

Information is a corporate resource which all staff should have access to, except where the nature of the information is sensitive and requires a higher level of protection because of its confidentiality.

Therefore access restrictions to corporate records should not be imposed unnecessarily. The Burnie City Council will assess the records sensitivity and confidentiality before securing the information. Information which is requested to be secured will be required to meet one of the following categories or be endorsed by the appropriate Director or the General Manager:

- Council business that might affect its capacity to make decisions or operate, public confidence or the stability of the marketplace;
- Personal information about an individual;
- Commercial interests, whose compromise could significantly affect the competitive process by providing unfair advantage;
 - Legal professional privilege;
 - Law enforcement operations whose compromise could adversely affect investigations, legal proceedings or adversely affect personal safety;
 - Personal information which is required to be safeguarded under the *Personal Information Protection Act 2004 (Tas)*, or other legislation.

Access to Information (Public)

One of the overarching principles of the Council's information management framework is that information should be freely available, easily discoverable accessible and published in ways that allow its reuse in accordance with State and Federal governments open data commitments.

In accordance with our obligations under the *Right to Information Act 2009* access to publicly available information will be provided on Councils website. The public have legislative rights to apply for access to information held by our organisation under the *Right to Information Act 2009*.

This applies to all information held by the Council, whether in officially endorsed records management systems or in personal stores such as email folders or shared and personal drives.

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Responses to applications for access under Right to Information legislation are the responsibility of the General Manager or Delegated Officer/s.

Retention and disposal of records

Council records are destroyed when they reach the end of their required retention period set out in the Records Retention and Disposal Schedules issued by the Tasmanian Archive and Heritage Office (TAHO). Retention periods in disposal schedules take into account all business, legal and government requirements for the records.

The Burnie City Council uses a number of general and Council-specific schedules to determine retention, transfer and destruction actions for its records. Records cannot be disposed of other than in accordance with all relevant Retention and Disposal Schedules and Destruction Authorities authorised by the State Archivist.

In addition to this, records cannot be disposed of without the approval of either the General Manager or *Delegated Officer under the Archives Act (TAS) 1983* and the Information Management Coordinator. Some records can be destroyed in the normal course of business. These are records of a short-term, facilitative or transitory value that are destroyed as short term value records such as rough working notes and drafts not needed for future use.

Central to the Council's accountability process is the requirement it maintains a Register of Records Destroyed. This is the Council's formal evidential record of destruction and must be retained permanently by the Council. The Register must be clearly identified as the Register of Records Destroyed under Section 20(2)(b) of the *Archives Act 1983*.

Records identified as having 'permanent' status in an authorised retention & disposal schedule should be transferred to TAHO after business use ceases. Council may make application to TAHO for earlier transfer of particular groups of records and TAHO may also initiate an earlier transfer arrangement (for example Permanent records that are at risk or records of agencies or parts of agencies that have been privatised).

Monitoring the records management program

The records management program will be monitored for breaches of this Policy by the Director Corporate Services.

Day-to-day and periodic records management audit activities will be coordinated by the Coordinator Information Management who will facilitate training as required.

5 LEGISLATION

Archives Act (TAS) 1983
Audit Act 2008
Building Act (TAS) 2016
Criminal Code Act (TAS) 1924
Electronic Transactions Act (TAS) 2000
Evidence Act (TAS) 2001
Financial Management Act 2016
Financial Transaction Reports Act (CTH) 1988
Freedom of Information Act (CTH) 1982
Income Tax Assessment Act 1997
Limitations Act (TAS) 1974
Local Government Act (TAS) 1993
Personal Information Protection Act (TAS) 2004
Right to Information Act (TAS) 2009

6 RELATED DOCUMENTS

Office of the State Archivist - Information Management Framework – Tier 1 – Policies

- Tasmanian Government Cloud Policy
- Open Data Policy
- Cybersecurity Policy, and:
- Tasmanian Information Acquisition Policy

Office of the State Archivist – Information Management Framework – Tier 2 – Standards

Classification and Retention Schedules in Content Manager (CM) Guideline GL-CBS-IM-010

Scanning Standards for Content Manager (CM) Guideline GL-CBS-IM-008

Security and User Permissions in Content Manager (CM) Guideline GL-CBS-IM-009

Information Management Forms and Instructional Videos

Record Number 18/13/425 - Register of Records Destroyed under Section 20(2)(b) of the *Archives Act 1983*

CP-CBS-SG-024 - Councillors Code of Conduct

WP-OGM-HR-012 - Code of Conduct for Workers

7 RESPONSIBILITIES

Parties or Persons	Responsibilities
General Manager	The Act places on the General Manager a duty to ensure that the Council complies with its requirements, and with those of any relevant Regulations
Director Corporate and Commercial Services	Responsibility for monitoring compliance and suitability of this policy. Planning, leading and managing the overall information management function for the Council
Manager Information and Customer Services	Operational responsibility for alignment with this Policy, including undertaking performance auditing to ensure compliance with all Acts and Standards relating to recordkeeping
Information and Customer Service Officers	Duties associated with the day to day implementation of the records management program <ul style="list-style-type: none"> • Implementation of the policy and practices and ensuring information security • Notify the Coordinator Information Management of any problems or breaches that may occur • Training and mentoring of staff in relation to information management systems and procedures
Councillors	Councillors have an individual obligation to create and maintain corporate records with regard to their actions and decisions
Individual Staff	Every staff member has an obligation to create and maintain corporate records in accordance with this Policy



COUNCIL POLICY

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Policy Endorsement

Responsibility:	The General Manager has ultimate accountability for this Policy. It is the responsibility of the Director Corporate and Commercial Services to ensure this policy is implemented organisationally and regularly reviewed.
Minute Reference:	AO125-21
Council Meeting Date:	24 September 2024
Strategic Plan Reference:	Through the Enabler: Data
Previous Policies Replaced:	This revised policy replaces the previous version which was approved by Council on 27 July 2021 (decision AO125-21).
Date of Commencement:	24 September 2024
Publication of Policy:	This Policy may be accessed on the Council's website or internal Intranet, in addition to being available through Content Manager (refer 21/18420).