

GREATER SHEPPARTON CITY COUNCIL

Policy Number 49.POL1

Records & Information Management Policy **Version 1.5**

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Business Unit:	Corporate Services
Responsible Officer:	Manager Corporate Governance
Approved By:	Chief Executive Officer
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VERSION CONTROL

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1	18/02/14	Draft for initial comment	Sharon Pearsons
1.1	31/03/14	Revised following comments received from Bev Bell	Sharon Pearsons
1.2	30/6/14	Revised – Bev Bell	Bev Bell
1.3	22/12/14	Revised – Information Services Manager	Sharon Pearsons
1.4	5/6/15	Revised – Acting Team Leader Information Management	Bev Bell
1.5	4/8/2015	Revised – Information Services Manager	Grant Barry
1.6	29/8/16	Revised – Manager – Corporate Performance	Sharlene Still
1.7	20/3/17	Revised – Team Leader Information Management	Bev Bell

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1. PURPOSE

The purpose of this policy is to establish Greater Shepparton City Council (Council) wide consistency in the management of information in the form of records, both hard copy and electronic, in order to meet evidentiary, legislative and good governance accountabilities.

The *Public Records Act 1973* (the Act) requires public sector organisations to make and keep full and accurate records of its activities. The Act also requires public agencies to ensure that such records are effectively and efficiently managed so that they are accurate, complete and available when required. These records must be protected from accidental or deliberate loss, damage or misuse and secured from unauthorised access. Council is responsible for, and is committed to, the effective management of all records and information in its care.

Council is committed to establishing and maintaining information and records management practices that meet Council's business needs, accountability requirements, legal obligations and community and stakeholder expectations, under Section 12 Public Records Act 1973, and the Keeper of Public Records published standards in relation to public records.

The purpose of the Information Management Policy is to provide a framework for the creation and management of records within Greater Shepparton, to clarify staff responsibilities and ensure compliance with Public Records Office Victoria (PROV) Standards.

2. OBJECTIVE

The objectives of the Information Management Policy are;

- To ensure that the management of Council's information resources and records management system provides timely and comprehensive information to meet the operational needs of council, accountability requirements and community expectations.
- To ensure the preservation of the Council's "*corporate memory*" through sound record keeping practices and the accurate capture of information to meet legal, evidential and accountability requirements.

3. SCOPE

- This policy applies to all Council staff and Councillors, whether permanent or temporary, including contractors and volunteers. Where services are outsourced, this policy is given effect through the inclusion of record keeping contractual clauses in the contracts of outsourced service provision.
- This policy applies to all business activities performed by or on behalf of Council, in whatever manner they are conducted.
- This Policy applies to all records, regardless of format, created during business transactions in all aspects of organisational business, and all business applications used to create and store records.

The policy will be fully integrated with information management policies, procedures and strategies, including those regarding information communication technologies, Freedom of Information (FOI), information privacy, information security and risk management and will be reviewed every two years.

All of Council policies, practices, systems, and procedures pertaining to recordkeeping are to be consistent with this policy.

The Policy also covers all business applications used to create, manage and store information and records including the official information management system, email, websites, social media applications, databases and business information systems. This Policy covers information and records created and managed in-house and off-site.

4. POLICY

4.1 Policy Statement

The purpose of this policy is to establish a framework and assign accountability across Council for ensuring a responsible and sustainable approach to the management and capture of records within Council. The records of Council are a strategic corporate asset and will be managed as such. Council is committed to implementing best recordkeeping practices and systems to ensure the creation, maintenance and protection of accurate and reliable records is in accordance with legislative and business requirements, including, but not limited to, the Public Records Act 1973, Privacy and Data Protection Act 2014 and Freedom of Information Act 1982.

The Public Records Act 1973 states that the 'Officer in Charge' (Chief Executive Officer) of a public office shall:

"cause to be made and kept, full and accurate records of the business of the office, and shall be responsible, with the advice and assistance of the Keeper of Public Records, for the carrying out within the office of a programme of records management in accordance with the standards established under the Act by the Keeper of Public Records and shall take all action necessary for the recovery of any public records unlawfully removed from the office."

Council promotes a culture of open access to corporate information and documents. Increased collaboration and content sharing within Council will enable improved productivity, reduce costs and gain community confidence. All Council officers will have access to complete, accurate and current recorded information, available anywhere within the Council's network, as long as it is relevant to their business requirements.

Selected records will be assigned restricted access via a classification system. These would include records which contain sensitive or personal information. By improving the process of managing records, Council will reduce the risks associated with litigation and non-compliance with legislation such as the Public Records Act 1973, Freedom of Information Act 1982, and the Evidence Act 2008.

Access exemptions are in place for information and documents that are considered to be of a personal or sensitive nature. Council will, in its management of such records, comply with all relevant provisions of legislation relating to the availability, protection and privacy of information. Council has Privacy and Freedom of Information Officers to ensure that relevant legislation is adhered to.

Compliance with this policy demonstrates Council is committed to the transparent and accountable management of all corporate information assets.

This Information Management Policy is fully integrated with other information and knowledge management policies and strategies, including those regarding Freedom of Information, Privacy and Risk Management.

Council information and records is a corporate asset, vital both for ongoing operations and also in providing valuable evidence of business decisions, activities and

transactions. Council is committed to creating, maintaining and protecting accurate and reliable records to meet its legal and community obligation.

Council will resource and implement fit-for-purpose information and records management practices and systems to ensure the creation, maintenance and protection of reliable records. All information and records management practices at Council are to be in accordance with this Policy and its supporting procedures, Standards set by the Public Record Office Victoria, and all relevant legislative requirements.

4.2 Policy Principles and Application

Council will apply the following fundamental principles in its approach to managing its information and records.

- Information and records are fundamental to Council's governance and provide accountability by demonstrating that due process has been followed.
- Principals apply to all systems that contain records.
- Information and records are a corporate resource to be managed and shared across the Council, except where the nature of the information requires restrictions.
- Timely and effective creation and capture of information and records is the responsibility of all employees.
- The lifecycle of information and records will be managed in accordance with the requirements of the PROV, and will either be accountably destroyed or transferred in accordance with the Public Records Office Victoria Standards & Disposal Authorities.
- Information and records that are created digitally will be maintained digitally.
- Hard copy records will be assessed for suitability for digitisation, and/or managed in hard copy in accordance with PROV requirements.
- Council to have a vital records program, and information management to be included in the disaster recovery program and/or business continuity program

4.3 Release of publicly available information:

In accordance with Council's obligations under the Information Publication Scheme and in the spirit of open-government policies, access to publicly available information will be provided on Council's website. This is the responsibility of Chief Executive Officer.

The public has legislative rights to apply for access to information held by Council under the *Freedom of Information Act 1982*, and the *Archives Act 1983*. 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. Responses to applications for access under Freedom of Information legislation are the responsibility of Manager Corporate Governance.

4.4 Policy Breaches

The Crimes (Document Destruction) Act 2006 makes it a criminal offence in Victoria to destroy documents which may be required in future legal proceedings; so it is now possible that relevant officers or their organisation can be prosecuted for such breaches.

This includes, but is not limited to unlawful removal, sale, damage, destruction, deliberate release, inadvertent release, refusal to create, refusal to release, destruction of an index or similar that makes the record unavailable an item of corporate information

Council Staff and Councillors: All Council staff and Councillors need to be aware of record keeping requirements that affect the performance and exercise of their duties and functions. The record keeping obligations on Council staff and Councillors include:

- making records to support the conduct of their business activities;
- creating records that would not otherwise be created;
- learning how and where records are kept within Council;
- not destroying Council records without authority from the Information Management Team Leader;
- protecting, and not losing records; and
- being aware of records management procedures.

5. MONITORING, REVIEW AND EVALUATION

The Manager Corporate Governance is responsible for implementing, monitoring, evaluating the Information Management Policy, and for its review every two years.

6. RELATED DOCUMENTS

6.1 Policies

- Staff Code of Conduct 46.CEOD8
- Risk Management Policy 79.POL1
- Asset Management Policy 03.POL1
- Conflict of Interest Policy 37.POL6
- Information Security Policy 52.POL4
- Email Acceptable Use CEO Directive 52.CEOD2
- Business Ethics and Fraud Policy 34.POL3 (Reviewed 2010)
- Information Privacy Policy 16.POL2
- Freedom of Information Policy 37.POL11

6.2 Guidelines

- Records & Information Management Framework
- Digitisation Plan – Pre-Action Conversion
- Staff Exit Procedures
- Staff Entry Procedures
- Councillor Code of Conduct

6.3 Strategies

- Shepparton BCP Draft v0.7 February 2017

6.4 Legislation

- Local Government Act 1989
- Crimes Act 1958 (Vic)
- Electronic Transactions (Victoria) Act 2000 (Vic)
- Evidence Act 2008 (Vic)
- Freedom of Information Act 1982 (Vic)
- Health Records Act 2001 (Vic)
- Protected Disclosure Act 2012 (Vic)
- Public Records Act 1973 (Vic)
- Privacy & Data Protection Act 2014
- Crimes Act 1958 (Section 254 & 255)
- Civil Procedure Act 2010 (specially Sections 55A & 55C)
- Evidence (Miscellaneous Provisions) Act 1958 (Section 89A)
- Greater Shepparton City Council Enterprise Agreement (or its successor)
- Ombudsman Act 1973
- Civil Procedure Act 2010
- Electronic Transactions (Vic) Act 2000

This policy complies with the following Standards and Codes:-

- *Australian Standard on Records Management AS ISO 15489*
- *Public Record Office Victoria Standards and Advice*
- *Victorian Public Service Code of Conduct*

Peter Harriott
Chief Executive Officer



Date

25/9/17