

COR 009: RECORDS MANAGEMENT

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Objective

1. To ensure that the Shire meets the statutory requirements of the *State Records Act 2000* and associated legislation.
2. To provide record keeping principles and processes that identify, capture and protect the Shire's corporate records of continuing value for legal, financial, administrative, accountability and historical purposes

Policy

Introduction

Corporate records provide fundamental evidence of the decisions and actions undertaken by the Shire whilst also serving as a tool for planning for the future. It is for these reasons that legislation exists to ensure that records are properly maintained and preserved for future generations. The Shire is required to capture corporate records in accordance with the following legislation;

- a) *State Records Act 2000*;
- b) *Evidence Act 1906*;
- c) *Acts Amendment (Evidence) Act 2000*;
- d) *Freedom of Information Act 1992*; and
- e) *Local Government Act 1995* – Section 5.41(h).

Records are recognised as an important information resource for the Shire of Esperance, and it is accepted that sound record management practices will contribute to the overall efficiency and effectiveness of the Shire.

The Shire's corporate records are to be managed in accordance with the Shire's Record Keeping Plan. All elected members, officers and contractors are responsible for maintaining complete, accurate and reliable records as evidence of the actions, decisions and transactions they make or undertake whilst performing their duties on behalf of the Shire.

Definitions

Corporate Record: see Government Record

Council: in this document means the Local Government Office and the Council of the Shire of Esperance.

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

Officers and contractors may dispose of such ephemeral records when reference to them ceases (in accordance with the General Disposal Authority for Local Government Records).

General Disposal Authority (GDA): is a list of mandatory minimum retention periods for different classes of corporate records which has been approved by the State Records Commission. This document identifies the minimum periods of time different classes of electronic and/or hardcopy records must be kept (retention periods) before they may be legally disposed or permanently archived.

Government organisation employee means:

- a person who, whether or not an employee, alone or with others governs, controls or manages a government organisation;
- a person who, under the *Public Sector Management Act 1994*, is a public service officer of a government organisation; or
- a person who is engaged by a government organisation, whether under a contract for services or otherwise,

and includes, in the case of a government organisation referred to in item 5 or 6 of Schedule 1, a ministerial officer, (as defined in the *Public Sector Management Act 1994*) assisting the organisation, (*State Records Act 2000*).

Government Record: is a record created or received by or for a government organisation or a government organisation employee or contractor in the course of the work for the organization (*State Records Act 2000*);

Local Government Office: the civic and administration office of the Shire of Esperance;

Records: information recorded in any form created or received and maintained by an organisation in the transaction of business and kept as evidence of such activity.

State Archive: is a State record that is to be retained permanently. (*State Records Act 2000*)

Vital Record: record that is essential for the ongoing business of an agency, and without which the agency could not continue to function effectively. The identification and protection of such records is a primary objective of records management and disaster planning.

Roles and Responsibilities

- **Chief Executive Officer:** The Chief Executive Officer is to ensure that an organisational system for the capture and management of corporate records is maintained by the Shire which is compliant with current legislative requirements and best practice standards.
- **Managers:** All Managers are to ensure record keeping policy and procedures are known and adhered to in their area of responsibility.
- **All Staff:** All staff (including contractors) are required to create, collect and retain records relating to the business activities they perform on behalf of the Shire. These records shall be handled in a manner appropriate with the Shire's record keeping requirements and captured into the Shires Record Keeping Systems.
- **Elected Members:** Elected members are required as representatives of the Shire of Esperance to capture or create records of any significant activities, interactions and

advice they provide to, or receive from, the community and forward these records onto the Shire.

Capture and Control of Records

All elected members, staff and contractors will capture or create full and accurate records, in required formats, of the business decisions, actions and transactions they make or undertake on behalf of the Shire. Records created and received in the course of Shire business are to be captured with required metadata, into the Shire's recordkeeping systems, and managed in accordance with sound recordkeeping principles.

Contractors shall be required to forward onto the Shire any records they create or receive which are of significant relevance to the contract or service they are providing on behalf of the Shire. These records shall be forwarded on completion of the contract or service or at the request of the Shire's contract representative.

Elected members are required to forward on to the Shire records they create or receive which document significant discussions, actions or advice provided as representatives of the Shire. This includes written and verbal communications such as work diaries, presentations, speeches, emails, community submissions, complaints and requests relating to Shire matters. Hardcopy records should be forwarded on a monthly basis to the Shire via the CEO's Executive Assistant in packets provided, and electronic records forwarded as received or created to shire@esperance.wa.gov.au.

Appraisal & Retention of Records

Where permitted, all records held by the Shire of Esperance will be retained and disposed of in accordance with the General Disposal Authority for Local Government Records, produced by the State Records Office of WA, following authorisation from the Chief Executive Officer.

Records are assessed and categorised according to their functional classification as they are captured into the Shire's records management system.

Security & Access to Records

All records held by the Shire of Esperance shall be stored in electronic and/or hardcopy formats in accordance with legislative requirements and protected from violation, unauthorised access or destruction.

Access to Shire of Esperance records will be controlled in accordance with the level of security and classification of the record, regardless of format (electronic or hardcopy).

Access to the Shire of Esperance's records by the general public will be in accordance with the *Freedom of Information Act 1992* and Shire of Esperance's Freedom of Information Statement.

Access to the Shire of Esperance's records by elected members will be via the Chief Executive Officer in accordance with the *Local Government Act 1995*.

..... Policy Ends