

Records Management Policy

Classification	Council Policy
Responsible Officer	Chief Executive Officer
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1. Introduction	1
2. Scope	1
3. Policy statement	1
4. Our responsibilities	7
5. Availability of Policy	8
6. Review	9



Records Management Policy

1. Introduction

- 1.1. This Policy is to establish guidelines for best practices in records management in compliance with the *State Records Act 1997*. It provides a framework for implementing and maintaining an effective records management system. Town of Walkerville (TOW) operates in an accountable and community-focused environment and is committed to maintaining a records management system that meets both its operational needs and legal and accountability obligations.

2. Scope

- 2.1. This Policy applies to all TOW Council business, including electronic communications. It covers records that are created, collected, processed, used, retained, stored and disposed of in the conduct of official TOW business. This Policy applies to all TOW workers and elected Council Members.
- 2.2. Electronic communications relevant to information gathering, policy formulation or decision-making processes within TOW are included within the scope of this Policy. All procedures and records management systems must align with the standards and guidelines outlined in this Policy.

3. Policy statement

3.1. Objectives of the records management system

- 3.1.1. To ensure that the management of our information resources and records system delivers timely, comprehensive information to support business needs, fulfil accountability obligations and meet community expectations.
- 3.1.2. To safeguard the TOW's 'corporate memory' by maintaining sound record-keeping practices and capturing accurate information to satisfy legal, evidential and accountability requirements.

3.2. Obligations of records users

- 3.2.1. Workers must not intentionally damage, alter, dispose of or remove official Council records without proper authorisation. They are expected to handle Council records with care and respect to prevent damage. Workers must ensure that all TOW records, in any format – including electronic documents and hard copy – are captured in the EDRMS, with assistance from the Records Management Officer (RMO) if necessary.
- 3.2.2. Electronic records must be preserved as functioning records by maintaining their structure, context and content. To retain their evidential

Records Management Policy

value, electronic records must remain unchanged and cannot be altered or manipulated throughout their retention period.

- 3.2.3. Non-compliance with this Policy may result in disciplinary action under the TOW Code of Conduct and Disciplinary Procedure, and/or criminal proceedings if applicable. Any breaches of this Policy should be reported to the RMO and People, Governance & Risk (PGR).

3.3. Confidential records

- 3.3.1. If a worker believes that a record submitted to the records management system is highly sensitive or confidential, they should inform the RMO. The RMO will then determine whether the record will be classified as confidential and if access to it should be restricted.

3.4. Destruction methods

- 3.4.1. Official records must be disposed of only in accordance with the General Disposal Schedule GDS 40, which is accessible via the State Records website at www.archives.sa.gov.au . Transitional, temporary, personal or private records may be destroyed under normal practice. Individual workers are permitted to destroy records only if they have been identified as non-official and are of no continuing value to the Council.
- 3.4.2. The destruction of records must ensure complete irretrievability. Physical records should be destroyed by shredding, while electronic records should be destroyed by reformatting, rewriting or demagnetising. Simply using the 'delete' function in the EDRMS is insufficient, as deleted data can still be recovered. With the RMO's consent, electronic file-shredding software may be used to ensure the thorough destruction of electronic records.

3.5. Freedom of Information (FOI)

- 3.5.1. This section outlines the Council's approach to managing requests for information under the *Freedom of Information Act 1991*.
- 3.5.2. **Right to access documents**
 - 3.5.2.1. Members of the public have a legal right to access documents held by TOW, subject to exemptions provided under the *Freedom of Information Act 1991*.

Records Management Policy

- 3.5.2.2. Access may be requested for records that contain information about the Council's operations or policies, as well as personal records concerning the applicant.

3.5.3. Lodging FOI Applications

3.5.3.1. Applications must:

- be in writing and clearly state that the request is being made under the *Freedom of Information Act 1991*;
- provide sufficient information to identify the requested document(s); and
- include the required application fee, as prescribed by regulation.

- 3.5.3.1. Applications should be submitted to the designated FOI officer at the Council.

3.5.4. Processing FOI requests

- 3.5.4.1. Applications will be processed by an accredited FOI officer in accordance with the *Freedom of Information Act 1991*, ensuring compliance with the specified 30-calendar-day response timeframe.

- 3.5.4.2. The FOI officer will determine whether access can be granted and notify the applicant of the outcome, including reasons for any refusal, in writing.

3.5.5. Exempt documents

- 3.5.5.1. Access may be restricted if the requested document is classified as exempt under the *Freedom of Information Act 1991*. Exemptions may include, but are not limited to:

- documents affecting personal privacy, business affairs or legal privilege; and
- documents compromising law enforcement or public safety.

3.5.6. Amendment of personal records

- 3.5.6.1. Individuals may request amendments to Council records if they believe the information is incomplete, incorrect, out-of-date or

Records Management Policy

misleading. Requests must be submitted in writing and provide supporting details.

3.5.7. Internal Review and Appeals

- 3.5.7.1. Applicants who are dissatisfied with the FOI determination can request an internal review.
- 3.5.7.2. Applications for review must be lodged within 30 days of receiving the determination.
- 3.5.7.3. Further external review options are available through the South Australian Ombudsman or the South Australian Civil and Administrative Tribunal (SACAT).

3.5.8. Fees and Charges

- 3.5.8.1. Fees for lodging applications and accessing documents are set by regulation. Waivers or reductions may be granted in cases of financial hardship as prescribed in the *Freedom of Information Act 1991*.

3.5.9. Responsibilities

- 3.5.9.1. Council's designated FOI officer/s is/are responsible for:
 - ensuring compliance with the *Freedom of Information Act 1991*;
 - helping applicants and ensuring timely processing of requests; and
 - maintaining appropriate records of FOI applications and determinations.

3.6. Guidelines for determining what are official records

- 3.6.1. The following guidelines cover common types of records that workers may create, send, receive, forward or transmit. This is not a full list, but rather a tool to help assess whether information, in any format, qualifies as an official record under the *State Records Act 1997*.

3.6.2. Audio & Video Recordings

- 3.6.2.1. TOW creates audio recordings of its meetings, including both in-person and those held via Microsoft Teams, as well as Committee

Records Management Policy

Meetings and Ordinary Council Meetings. These audio recordings qualify as “official records” under the *State Records Act 1997* and must be managed in accordance with proper records management guidelines outlined in this Policy.

3.6.2.2. Each worker is responsible for filing their own videos, audio and body recordings. The RMO can assist by creating a file for these records.

3.6.2.3. When a meeting is open to the public, the TOW cannot prevent a member of the public from making their own audio recording. However, we may intervene if the act of recording obstructs, hinders or disrupts the meeting. TOW is not obligated to retain audio recordings made by members of the public, as these are not created by TOW and are therefore not considered “official records” under the *State Records Act 1997*.

3.6.2.4. If audio recordings made by a member of the public are provided to TOW, they will become “official records” upon receipt. Once received, these recordings must be forwarded to the RMO for proper classification and disposal in accordance with the Act and GDS 40.

3.6.3. **Diaries/appointment books/calendars**

3.6.3.1. Diaries, appointment books and calendars are primarily used to record appointments but may also contain messages, notes or other information relevant to organisation business. To ensure that all “official records” are captured and retained in accordance with the *State Records Act 1997*, workers should include their diaries, appointment books in the EDRMS at the end of each calendar year.

3.6.4. **Drafts**

3.6.4.1. A draft record is an initial version of any written material, whether in electronic or physical format. IT can include outlines, speeches, reports, correspondence, file notes or earlier iterations of documents. Drafts may be circulated for feedback or revision, but they are not always shared with others.

3.6.4.2. Draft records typically have no long-term value and can be disposed of when they are no longer needed for reference if they:

Records Management Policy

- contain notes, reports, or correspondence that are not shared with others, or
- have been circulated for comment, but only minor editorial revisions were made.

3.6.4.1. Drafts that document significant decisions, rationale or actions, or that contain key information not found in the final version, have ongoing value and must be stored in the EDRMS. Examples of such drafts include:

- drafts with substantial change or important annotations;
- drafts related to the development of legislation, legislative proposals or amendments;
- drafts involved in the creation of policies and procedures, where the draft reflects the process or includes information beyond the final version; and
- drafts of legal documents (e.g. contracts, tenders) with important modifications.

3.6.5. Duplicates

3.6.5.1. Duplicates are identical copies of records that already exist in the EDRMS as the original or authorised version. These duplicates generally hold no ongoing value and can be destroyed once they are no longer needed, such as when they are:

- issued to a worker by the Council for informational or reference purposes (e.g. annual reports, brochures); and/or
- records received by a worker from external sources that are relevant to the Council's business activities that have continuing value and should be properly filed.

3.6.6. Working papers

3.6.6.1. Working papers (both electronic and hard copy) are documents, notes and reference materials used to prepare or complete other documents. Once finalised, these documents become official records and should be submitted into the EDRMS.

Records Management Policy

3.6.6.2. Working papers that do not relate to key decisions, actions or have significant information—and where the final document has been captured in the EDRMS—have no ongoing value and may be destroyed once they are no longer needed for reference.

3.6.6.3. Working papers that document important decisions, rationale, actions or contain valuable information (even if not included in the final document) have lasting value and must be incorporated into the records system.

3.6.7. Election material

3.6.7.1. Election materials or records created or received by a Council Member about electioneering are private records of the Council Member, and do not need to be forwarded to the Council.

3.6.7.2. Any records created or received by the Council that relate to the preparation of elections have continuing value and are to be forwarded to the Electoral Commissioner for incorporation into their EDRMS. Such records include:

- public notification;
- nominations;
- ballot papers;
- vote cards;
- postal votes;
- how to vote cards;
- arrangements;
- polling stations; and
- declaration of eligibility.

4. Our responsibilities

4.1. Records security

4.1.1. The security of all Council records is essential, as these records provide evidence of business transactions, support management decisions and ensure compliance with public accountability requirements. Records, regardless of format, will be stored securely to prevent unauthorised

Records Management Policy

access, alteration, destruction or removal. These records are housed in secure locations, including the EDRMS and the fireproof Records Room safe (with a four-hour fire rating).

- 4.1.2. All workers and elected Council Members are responsible for the safe custody of files and documents distributed to them. Sensitive or confidential records must not be left in areas where others could access them. To ensure security, all records storage areas within the Council are locked overnight, and access is controlled by Council's security system to prevent unauthorised entry.
- 4.1.3. Access to the Council's EDRMS is restricted to authorised, trained personnel, with the system providing secure access and full audit capabilities.
- 4.1.4. Council records should never be stored at home or left unattended in vehicles, as they could be lost, damaged, or stolen. Vital records are securely stored in the EDRMS, with any physical records stored in a fire-resistant safe at the Civic Centre. Access to vital records is restricted to individuals with a legitimate need to view them, depending on the content. Confidential records are also securely stored in the EDRMS, with any physical copies kept in a locked bay within the access-controlled Records Compactus.

4.2. Power to make the Policy

- 4.2.1. This Policy is established in compliance with TOW's obligations and statutory requirements under the *State Records Act 1997* and Section 99(1)(h) of the *Local Government Act 1999*. Council has legal responsibilities regarding records management, as records are subject to legislation such as the *Freedom of Information Act 1991* and legal processes, including subpoenas. Additionally, records may be required by Royal Commissions, the Ombudsman, courts, auditors and other authorised individuals or entities.

5. Availability of Policy

- 5.1. This Policy will be available for inspection at Council's principal office during ordinary business hours and on Council's website: www.walkerville.sa.gov.au
- 5.2. Copies will also be provided to interested members of the community upon request and payment of associated fees in accordance with Council's schedule of fees and charges.

Records Management Policy

6. Review

- 6.1. This Policy shall be reviewed once every council term, or more frequently if required by legislation or Council.