



<b>Records Management for Councillors</b>
<b>Strategic</b>

**1. Purpose**

To provide the framework for elected representatives of Warrumbungle Shire Council to accurately and transparently manage the records of activities and decisions of Councillors.

**2. Policy Objectives**

To ensure that full and accurate records of the activities and decisions of Councillors, in the course of their official duties for Council, are created, managed and disposed of in accordance with Council’s organisational needs and the *State Records Act 1998 (NSW)* (hereafter referred to as ‘the Act’) and the *Government Information (Public Access) Act 2009 (NSW)*.

**3. Scope**

This policy applies to all Councillors of Warrumbungle Shire Council.

Councillors must comply with this policy in their conduct of official business for Council. Official business includes business relevant to the performance of the function and duties of the office of Councillor. This policy applies to records in all formats, including electronic records.

**4. Relevant Legislation and Associated Documents**

<b>ASSOCIATED POLICIES</b>	<ul style="list-style-type: none"> <li>• Records Management Policy (Operational Policy)</li> <li>• Code of Conduct</li> <li>• Interaction between Councillors and Staff Policy</li> <li>• Policy for the Payment of Expenses and the Provision of Facilities</li> </ul>
<b>ASSOCIATED LEGISLATION</b>	<ul style="list-style-type: none"> <li>• <i>State Records Act 1998 (NSW)</i></li> <li>• <i>Government Information (Public Access) Act 2009 (NSW)</i></li> <li>• <i>Local Government Act 1993 (NSW)</i></li> <li>• <i>Privacy and Personal Information Act 1998 (NSW)</i></li> <li>• <i>Evidence Act 1995 (NSW)</i></li> <li>• <i>Limitations Act 1969 (NSW)</i></li> </ul>
<b>ASSOCIATED DOCUMENTS</b>	<ul style="list-style-type: none"> <li>• Records Management for Councillors Procedure</li> <li>• State Records <i>General retention and disposal authority: local government records (GA39)</i></li> <li>• State Records <i>Recordkeeping Fundamentals for Councillors</i> leaflet</li> <li>• Australian Standard AS4390 Records Management</li> </ul>

**5. Definitions**

To assist in interpretation, the following definitions apply:

Term	Definition
<b>Access</b>	Right, opportunity, means of finding, using or retrieving information.
<b>Act</b>	<i>State Records Act 1998 (NSW)</i>

Term	Definition
<b>Appraisal</b>	The process of evaluating business activities to determine which records need to be captured and how long the records need to be kept, to meet business needs, the requirements of organisational accountability and community expectations.
<b>Archives</b>	Those records that are appraised as having continuing value.
<b>Business Continuity Plan</b>	A plan for measures to be taken for disaster prevention, disaster response and recovery and vital records protection.
<b>Classification</b>	Systematic identification and arrangement of business activities and/or records into categories according to logically structured conventions, methods and procedural rules represented in a classification system.
<b>Council</b>	Warrumbungle Shire Council
<b>Disposal</b>	A range of processes associated with implementing appraisal decisions. These include the retention, deletion or destruction of records in or from recordkeeping systems. They may also include the migration or transmission of records between recordkeeping systems, and the transfer of custody or ownership of records.
<b>Recordkeeping</b>	Making and maintaining complete, accurate and reliable evidence of business transactions in the form of recorded information.
<b>Recordkeeping Requirements</b>	Requirements arising from regulatory sources, business needs and community expectations that identify the types of records that should be created and the management framework needed in order to have, and accountably manage, all the business information that is necessary for an organisation.
<b>Recordkeeping Systems</b>	Business information systems capable of capturing, maintaining and providing access to records over time.
<b>Records</b>	Information created, received, and maintained as evidence and information by an organisation or person, in pursuance of legal obligations or in the transaction of business.
<b>Records Management</b>	Field of management responsible for the efficient and systematic control of the creation, receipt, maintenance, use and disposal of records, including processes for capturing and maintaining evidence of and information about business activities and transactions in the form of records.
<b>Records Management Program</b>	A program that encompasses the management framework, the people and the systems required within an organisation to manage full and accurate records over time. This includes the identification and protection of records with longer-term value that may be required as State archives.

Term	Definition
<b>Retention and Disposal Authority</b>	Documents authorised by the Board of State Records NSW that set out appropriate retention periods for classes of records. There are two main types: <ul style="list-style-type: none"> <li>• <b>Functional retention and disposal authorities</b> authorise the retention and disposal of records unique to a specific organisation.</li> <li>• <b>General retention and disposal authorities</b> authorise the retention and disposal of records common to more than one organisation. Such records may include general administrative records, common records that relate to unique functions and records relating to the unique functions of like organisations such as local councils, universities and public health services.</li> </ul>
<b>State Archive</b>	A State record that State Records Authority NSW has control of under the <i>State Records Act 1998</i> (NSW).
<b>Vital Records</b>	Those records that are 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 object of records management and disaster planning.

#### 6. Background and Related Legislation

Council is bound by the *State Records Act 1998* and the *Government Information (Public Access) Act 2009* which establish rules for recordkeeping to ensure transparency and accountability. Councillors, in undertaking their role as an elected member, are subject to these rules and must ensure proper records management, as set out in this policy and the associated procedure.

#### 7. Policy Statement

The associated Records Management Procedure is to be applied when dealing with Council records.

Any document of information held, created or received relating to Council business falls within the definition of 'Government Information' under the *Government Information (Public Access) Act 2009* (NSW).

Any correspondence directed to Councillors via Warrumbungle Shire Council will be opened by Records staff and processed in accordance with the attached procedure.

#### 8. Responsibilities Councillors

- Shall ensure that full and accurate records of their dealings with Council business are captured in accordance with the Record Management for Councillor Policy and Procedure.



## Records Management for Councillors

### Strategic

#### General Manager

- Shall monitor the effectiveness of the of Records Management for Councillors Policy and Procedures and report from time to time (at least annually).

#### Staff

- Shall implement and carry out the actions listed in the Record Management for Councillors Policy and Procedures.

#### 9. Getting Help

The staff member/s who can assist with enquiries about the policy:

Position: Manager Corporate Services

Department: Corporate and Community Services

#### 10. Version Control

Review Date: This Policy has a life of four (4) years. It will be reviewed by September 2021, and at least every four (4) years thereafter.

Staff Member Responsible for Review: Director Corporate and Community Services.

Policy Name	Action	Resolution No.	Date
Records Management for Councillors	Adopted	156/2021	19 November 2020