

Elected Member Records Management Policy



1. RATIONALE

To provide for the capture, storage and maintenance of official Records that document council business activities and transactions to/from Elected Members.

2. POLICY STATEMENT

To ensure that official Records of Elected Members are captured, stored and maintained to;

- comply with legislative responsibilities,
- encourage transparency and accountability,
- meet the expectations of other external 'reviewing' agencies regarding access to corporate records/information upon council business activities and transactions as a public authority.

3. PRINCIPLES

This policy requires Elected Members to provide official Records that document council business activities and transactions to be captured, stored and maintained within the City of Marion's record keeping software program. This policy is based upon the principles of good governance, transparency and mutual trust.

4. POLICY SCOPE AND IMPLEMENTATION

This policy incorporates official Records (regardless of the medium the Record takes) to/from Elected Members in their role as public servants and representative of the constituents of the City of Marion.

All Elected Member emails sent and received from the corporate email address will be automatically captured by the record keeping software.

All other Official Records to/from Elected Members are required to be provided to the Records Management Unit in accordance with this policy and, as such will be;

- recorded in the City of Marion's record keeping software program.
- the property of the City of Marion.
- subject to the provisions of legislative responsibilities in accordance with the *State Records Act 1997 (SA)*, *Freedom of Information Act 1991 (SA)*, *Local Government Act 1999 (SA)*.
- Securely stored and not intentionally deleted, destructed or altered unless the Record/s in question adhere to provisions in the *State Records Act 1997 (SA)*.

Official Records provided for capture are confidential and should not be interpreted, acted on or responded to by staff.

All Elected Member Records will be securely locked down and only accessed by relevant staff in order to comply with a legislative obligation (e.g. Freedom of Information Application) or upon appropriate formal request (e.g. Code of Conduct investigation or assisting individual Elected Members to access their own records). The relevant Elected Member and the Chief Executive Officer will be notified if records are to be accessed by staff unless there is a duty of confidence (e.g. Independent Commission Against Corruption Investigation).

Temporary or transitory Records are not required to be forwarded for capture and may be deleted under Normal Administrative Practice (NAP) in accordance with the Local Government General Disposal Schedule (GDS 20).

Elected Members may, at any time may seek clarification or assistance to any records captured in accordance with this policy, by request to the Unit Manager Governance and Records.

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5. DEFINITIONS (in the context of this policy)

- Access:** means of finding, using or retrieving information/record.
- Council business/activity/transaction:** any dealings, communication, proceeding or discussion that involve council.
- Official Record:** means a record made or received by an agency in the conduct of its business, but does not include—
- (a) a record made or received by an agency for delivery or transmission to another person or body (other than an agency) and so delivered or transmitted; or
 - (b) a record made by an agency as a draft only and not for further use or reference; or
 - (c) a record received into or made for the collection of a library, museum or art gallery and not otherwise associated with the business of the agency; or
 - (d) a Commonwealth record as defined by the *Archives Act 1983* of the Commonwealth, as amended from time to time, or an Act of the Commonwealth enacted in substitution for that Act; or
 - (e) a record that has been transferred to the Commonwealth;
- Document:** an item of a factual or informative nature which can take the form of a letter, email, tape recording, video, audio, transcript etc.
- Elected Member:** a person appointed or elected as a councillor or mayor of council as described within the Local Government Act 1999.
- Normal Administrative Practice:** Normal Administrative Practice provides for the routine destruction of drafts, duplicates and publications, with the test that it is obvious that no information of more than transitory or temporary value to the Council will be destroyed. Material that can be disposed of under Normal Administrative Practice comprises items of a temporary or transitory nature created, acquired or collected by Council staff or Council Members in the course of their official duties. Such material has no ongoing value and is not usually incorporated into the Council's record management system.
- Public access:** means of finding, using or retrieving information by the general public.

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Record:

- (a) written, graphic or pictorial matter; or
- (b) a disk, tape, film or other object that contains information or from which information may be reproduced (with or without the aid of another object or device);

Temporary/Transitory Record:

A Record is transitory or temporary in nature if it is of little or no continuing value to the Council and only needs to be kept for a limited or short period of time, such as a few hours or a few days.

6. REFERENCES

Please read this policy in conjunction with the following references;

- *State Records Act 1997 (SA)*
- *Freedom of Information Act 1991 (SA)*
- *Local Government Act 1999 (SA)*
- Information Technology - Provision And Use Of Equipment (Elected Members) Policy

7. REVIEW AND EVALUATION

This policy expires at the end of the 2014 Council term (2018) and will be reviewed and evaluated by the Manager Corporate Governance in December 2018.

Revision Ref. No.	Approved/ Amended/ Rescinded	Ratified Date	Evaluation Date	Council Committee EMG	Resolution Number	Document Reference
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