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| Policy Name | Elected Members Information and Records Management |
| Policy Number | CS22 |
| Responsible Section | Governance |
| Responsible Department | Corporate Services |
| Date Last Adopted | 10 October 2023 |
| Date of Next Review | October 2026 |
| Applicable Legislation | Copyright Act 1968 Evidence Act 1929 (South Australia) Freedom of Information Act 1991 (South Australia) Independent Commission Against Corruption Act 2012 Local Government Act 1999 Ombudsman Act 1972 (South Australia) State Records Act 1997 General Disposal Schedule 40 |
| Related Governance Documents | Council Policy - Elected Members' Allowances and Support Administrative Policy – Records Management Elected Member Procedure – Information and Records Management Behavioural Support Policy |
| City Plan Theme | Leadership |

1. PURPOSE/OBJECTIVE

The purpose of the Elected Members Information and Records Management Policy is to ensure that full and accurate records of activities and decisions of the City of Port Adelaide Enfield are created, managed, retained or disposed of appropriately, and in accordance with relevant legislation. This will ensure the City of Port Adelaide Enfield has evidence of its activities that are available and accessible to ensure accountability, transparency and compliance.

The *State Records Act 1997* (the Act) governs the obligations and responsibilities of the Council in relation to the management of official records. The Council has an obligation to maintain official records in its custody in good order and condition. The obligation applies not only to the capture, storage, maintenance and disposal of hard copy records but also to records in electronic format.

2. SCOPE

This Council Policy applies to the management of all corporate official records (electronic and hard copy) created, sent or received by Elected Members (including the Mayor) in the course of their role as elected leaders within our community.

This Council Policy does not apply to the management of corporate official records created, sent or received by employees of the City of Port Adelaide Enfield (refer to the *Records Management Administration Policy*).

Other than the procedures specified in the *Elected Member Procedure – Information and Records Management*, the operational requirements associated with the management of records under this policy will be managed by the Administration under the *Records Management Administration Policy*.

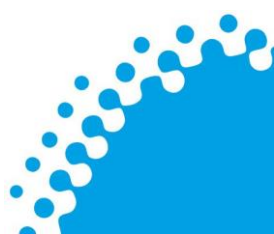
3. POLICY

Key Principles

- Good records management is of key importance to good governance and allows the Council to effectively identify and manage risks.
- Records are vital to support Council's ongoing business activities and provide evidence of transactions and will be regarded as a corporate asset.
- Good records management supports transparency and builds community trust.
- The Port Adelaide Enfield Council is committed to managing its corporate records.

The *State Records Act 1997* requires councils to comply with any Policy provided by the Minister. The General Disposal Schedule 40 (GDS40) identifies the records which are of corporate significance to Council, members of the public and the state in general and provides specifications for their management, retention and disposal. These records must be kept in an accessible format for the life of the record.

Elected Members are responsible for decision making on behalf of our community and as such, any record created, sent, received, forwarded or transmitted by Council employee and/or Elected Members in the performance and discharge of their functions and duties may be classified as an official record.



All official records will be captured and managed in Councils records management system in accordance with the provisions of the *State Records Act 1997*. Legal advice provides the following examples of what may be an official record of Elected Members:

- The diaries of the Mayor and Elected Members.
- Records relating to Elected Member representation on external committees.
- Records relating to Elected Member communication with residents or ratepayers (e.g. community ward forums).
- The activities associated with gatherings held by Elected Members to formulate, discuss, amend or resolve issues and matters pertaining to the management of the Council.
- Records relating to Elected Member participation in official Council activities.
- Records relating to Elected Member requests for access to information in accordance with section 61 of the Local Government Act 1999.
- Records relating to information provided to Elected Members.
- Records that document interaction between Council and other bodies.
- Records that document interaction between Council and other bodies on significant issues of public interest and debate, or is of value to the history of the Council.

Sitting Elected Members are entitled to request access to the official records which they have submitted for capture and management.

Only records that have been identified as non-official records may be destroyed by individual Elected Members.

Please note – The Freedom of Information Act 1991 provides that all records held by a Council may be accessible to any person upon application (exemptions apply).

The *Elected Member Procedures – Information and Records Management* provides detail on how to fulfil the requirements of this policy.

4. ROLES AND RESPONSIBILITIES

Chief Executive Officer:

Ensures that the City of Port Adelaide Enfield complies with the requirements of the *State Records Act 1999* and any regulations relating to Records.

Director Corporate Services:

- Ensures the ongoing review of the records management system.

Elected Members:

- Elected Members are responsible for ensuring they understand and comply with their recordkeeping requirements of the *State Records Act 1999*.
- Ensure they comply with the requirements outlined in this policy and associated procedures.



5. DEFINITIONS

GDS40 - General Disposal Schedule 40 is for the management of official records for Local Government agencies.

Official record -

A record should be treated as an official record if: -

- It concerns and/or is evidence of a transaction of Council business.
- Council is required to respond to the record.
- It involves a decision made by an employee on Council's behalf.
- It involves a complaint that requires investigation.
- It involves attending a formal meeting, event, conference or seminar.
- It concerns a safety issue.
- It adds to Council's knowledge base.

An official record can include a letter or acknowledgement, an email, sms, voicemail, memo or note documenting the details of conversations or action taken.

Such official records must not be intentionally damaged, altered, disposed of or removed by Council employee or Elected Members.

A record is not considered to be an official record if it is: -

- A transitory or short term item such as a phone message, notes, compliment slips, delivery slips etc.
- Rough working papers and/or calculations created in the preparation of official records.
- Published material which does not form an integral part of a Council record.
- Advertising material or 'junk' mail.
- Duplicate copies of material used for reference purposes.

Record - A record can be written, graphic or pictorial matter, a disc, tape, CD, DVD, film or other object that contains information or from which information may be reproduced.

