

	CENTRAL HIGHLANDS REGIONAL COUNCIL POLICY	
	Information Management Policy	POLICY REF NO CHRCP: 0004

1.0 Policy Purpose

- 1.1 This policy defines council's commitment to the management of all council records in accordance with statutory requirements and obligations under the *Public Records Act 2002* (the Records Act). Further, all practices concerning recordkeeping within council are to be in accordance with this policy.
- 1.2 This policy applies to all:
- 1.2.1 aspects of council business;
 - 1.2.2 records created or received regardless of the format during the conduct of business activities;
 - 1.2.3 business applications, systems and software used to create records; and.
 - 1.2.4 council employees, contractors, volunteers and elected members.

2.0 Policy Statement

- 2.1 The Records Act requires public authorities to make and keep full and accurate records of its activities and have regard to any policy, standards and guidelines made by the archivist (Queensland State Archives) about making and keeping public records.
- 2.2 The Records Act also provides authority for Queensland State Archives to monitor, investigate and report on council's compliance in creating, keeping, preserving, managing and disposing of council's public records.
- 2.3 Council is committed to the Queensland State Archives Governance Policy which sets out the foundational principles of recordkeeping for public authorities to meet minimum recordkeeping requirements now and into the future.
- 2.4 Council will develop, document, implement, maintain and review appropriate Information Management controls specified in the Records Act and the *Information Privacy Act 2009* (the IP Act). In developing and applying these controls, council will adopt all mandatory principles of information management as specified in the Queensland Government Records Governance Policy.
- 2.5 Council will establish appropriate information management policies and procedures, in accordance with this policy, with effective governance across council adopting all relevant industry frameworks, standards and regulated reporting requirements.

3.0 Objectives

- 3.1 Compliance with the Records Act and associated framework.
- 3.2 Compliance with the IP Act and *Right to Information Act 2009*.
- 3.3 Processes are in place to systematically and effectively manage complete and reliable records.
- 3.4 Ensuring information is adequately recorded and records are secured, preserved and accessible.

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- 3.5 Recorded information can be retrieved efficiently, in a cost-effective manner when required.
- 3.6 Protection and preservation of council's records and corporate knowledge.
- 3.7 Council employees, contractors, elected members and volunteers are aware of their recordkeeping obligations.

4.0 Application

4.1 Council will apply the following practices:

- 4.1.1 Ensure that compliance and effective records management is supported at all levels of the business. Council staff including contractors, volunteers and elected members are ultimately responsible for compliant recordkeeping.
- 4.1.2 Ensure that records management is integrated into core and operation functions and will develop performance metrics that align with the intent and objectives of this policy and with the strategic objectives of council.
- 4.1.3 Ensure complete and reliable records depict an entire story. This means the records contain context and detail from essential metadata like descriptions, relationships, history and can be trusted, is accurate, authentic and useable. Complete and reliable records provide evidence of business activities conducted by council and ensure business efficiency and compliance.
- 4.1.4 These records have the highest priority for council to retain and manage the retention of when developing and implementing governance practices.
- 4.1.5 Ensure recordkeeping systems (including record systems and other business systems that create and maintain records), procedures and practices work reliably and be secure to ensure that records are credible and authoritative regardless of format. Recordkeeping systems will be secure from unauthorised access, damage and misuse to ensure that records are protected from tampering, unauthorised alteration and from accidental or intended damage or destruction.
- 4.1.6 Ensure that records are retained and disposed of in a planned and authorised way in consultation with the Queensland State Archives, bearing in mind that the CEO is ultimately accountable for the creation, management, appraisal and retention of council's public records.

5.0 Responsibilities and obligations

Councillors

5.1 Councillors have the following responsibilities in relation to recordkeeping:

- 5.1.1 Councillors should ensure records relating to council activities, actions and decisions which are created or received in an official capacity as a councillor are captured, described and stored in an approved recordkeeping or business system.
- 5.1.2 Councillors should use their council email account for council related business. Any emails regarding council business received or sent from personal email accounts must be onforwarded to the councillor's council email account.
- 5.1.3 Councillors should ensure that any of their social media accounts (i.e. facebook, Instagram, twitter, websites, messaging applications) that contain council related business is captured for record keeping.

Council employees

5.2 Council employees have the following responsibilities in relation to recordkeeping:

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- 5.2.1 Ensure records relating to council activities, actions and decisions which are created or received in an official capacity as a councillor are captured, described and stored in an approved recordkeeping or business system.
- 5.2.2 Ensure that records created by contracted service providers or others (i.e. volunteers) involved in council activities are captured in an approved recordkeeping or business system.
- 5.2.3 Ensure records are not destroyed relating to council activities, actions and decisions unless it is authorised under an approval or authority from the CEO.
- 5.2.4 Ensure the safe custody of records.
- 5.2.5 Protect the privacy of information contained in council records.
- 5.2.6 Ensure all information contained in council records is objectively expressed, correct, up-to-date and not misleading.

Chief Executive Officer

5.3 In addition to the above responsibilities of council employees, the CEO is responsible for ensuring council's compliance with the Records Act and the principles and standards established by Queensland State Archives, and includes:

- 5.3.1 The safe custody of-
 - (a) all records about the proceedings, accounts or transactions of the local government or its committees.
 - (b) All documents owned or held by the local government.
- 5.3.2 The responsibility for ensuring council complies with its public record keeping obligations.

6.0 Compliance

6.1 Inadequate management of public records can constitute corruption. It can also result in dismissal and/or civil legal action against the individual and organisation involved. The consequences can include:

6.1.1 Being charged with and convicted of a criminal offence under the Records Act if an individual unlawfully disposes of (including destroying, damaging, abandoning, transferring, donating, giving away or selling) a public record or any part of a public record.

Note: the maximum fine is 165 penalty units for an individual.

6.1.2 Being charged and convicted of a criminal offence under the *Right to Information Act 2009* if an individual cannot, without reasonable excuse, produce the requested public records.

Note: the maximum fine is 100 penalty units for an individual.

6.1.3 Being charged and convicted of various criminal offences under the *Queensland Criminal Code (Criminal Code Act 1899)* including; official corruption, computer hacking/misuse, misconduct in relation to public office, abuse of authority and other offences.

Note: these offences carry various penalties of imprisonment for up to 10 years.

7.0 Public Access to Records

7.1 Members of the public may apply for access to council's records under the provisions of the *Information Privacy Act 2009* and *Right to Information Act 2009*.

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8.0 Definitions

TERM	DEFINITION
Archiving	shall mean the process of migrating or transferring inactive information for longer-term storage, preservation and access.
Capture	shall mean the action which results in the registration of a record into a recordkeeping system.
Destruction	shall mean the process of eliminating or deleting records that do not have continuing value
Disposal	shall mean the final decision concerning the fate of records.
Information	shall mean a collection of data in any form that is maintained by an agency or person.
Permanent Record	shall mean a record with high archival value which cannot be destroyed and must be retained indefinitely by either the agency or Queensland State Archives.
Record	shall mean information created, received and maintained in pursuance of legal obligations or in the transaction of business.
Retention	shall mean the act of keeping records for as long as they have administrative, business, legislative, historical and archival value.
Right to Information	is a process giving the public the right, granted by law, to inspect or otherwise have access to information held by local authorities, subject to specified exclusions.

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Strategic Link	Section 7, 13, 21, 25, Public Records Act 2002 Section 13, Local Government Act 2009 <i>Information Privacy Act 2009</i> <i>Right to Information Act 2009</i> <i>Electronic Transaction Act 2001</i> <i>Crime and Corruption Act 2001</i> <i>Evidence Act 1977</i> <i>Criminal Code Act 1899</i> Queensland Government Records Governance Policy
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Lead Business Unit	Governance
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Record Keeping	ECM, Vine and Council Website
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