

**Policy Title: RECORDKEEPING POLICY**

**Policy Statement:**

To ensure that the Mindarie Regional Council (MRC) effectively manages its records to provide for accountable and transparent decision-making.

The MRC's core business is waste management delivered on behalf of seven Member Councils across Perth. The MRC makes decisions on a daily basis that impacts its Member Councils and the local community, these decisions create corporate records. This Policy establishes the MRC's position in relation to appropriate definitions, records accessibility, destruction of records, management of ephemeral records, training and education.

**Objective:**

To ensure that the Mindarie Regional Council (MRC) complies with *The States Records Act 2000* which sets out the framework for records management in local government.

**1. Scope:**

This Policy applies to all MRC Councillors, MRC staff, and MRC contractors.

**2. Records and Definitions:**

Records can take many forms including file notes of decisions and accounting judgements, letters, memos, emails, photos, videos, recordings and social media posts. They are important because they are the corporate knowledge of the MRC, independent of staff turnover. They may also form important evidence in legal proceedings or have priceless value as an historic record.

“**corporate record**” means any hard-copy, digital or online record that meets one or more of the following criteria:

- a. It conveys information essential or relevant in decision-making processes.
- b. It conveys information upon which others will, or may, use to make decisions affecting the MRC's operations, rights and obligations under legislation.
- c. It commits the MRC to certain courses of action, the commitment of resources or the provision of services.
- d. It conveys information about matters of public safety or public interest, or involves information upon which contractual undertakings are entered into.
- e. The information is likely to be needed for future use, or is of historical value.

“**ephemeral record**” means any record that has no continuing value to the MRC and is generally only needed for a few hours or a few days. The MRC uses the guidelines contained within the *General Disposal Authority for Local Government Records* to determine which records are considered ephemeral.

### **3. Details:**

#### **3.1 General Recordkeeping:**

Under s5.41(h) of the *Local Government Act 1995*, one of the primary functions of the CEO is to ensure that records and documents of the MRC are properly kept for the purposes of the Local Government Act and any other written law.

All MRC Councillors, staff and contractors are responsible for maintaining complete, accurate and reliable evidence of all business transactions, and ensuring all corporate records are retained within the MRC's official recordkeeping systems at the point of creation, regardless of the format, being in accordance with the following:

- ***Evidence Act 1906***
- ***Freedom of Information Act 1992***
- ***Local Government Accounting Directions 1994***
- ***Local Government Act 1995***
- ***State Records Act 2000***
- ***Electronic Transactions Act 2011***

#### **3.2 Access:**

- a. Access to corporate records by MRC staff and contractors will be in accordance with designated access and security classifications, as determined by the Records Manager.
- b. Access to corporate records by the general public will be in accordance with the *Freedom of Information Act 1992*.
- c. Access to corporate records by MRC Councillors will be via the Chief Executive Officer in accordance with Section 5.92 of the *Local Government Act 1995*.

#### **3.3 Destruction:**

The Records Manager coordinates an annual disposal program of corporate records in accordance with the *General Disposal Authority for Local Government Records*, the Chief Executive Officer provides the final authorisation for the disposal of corporate records.

#### **3.4 Ephemeral Records:**

Ephemeral records may not be required to be placed within the MRC's official recordkeeping systems. Elected Members, staff or contractors may dispose of such ephemeral records once reference ceases.

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### 3.5 Training and Education:

Training in recordkeeping practices and the use of the MRC's electronic document and records management system is available to all newcomers upon commencement and ongoing training is available upon request to the Records Manager.

MRC Councillors are made aware of their recordkeeping responsibilities as part of the Elected Member Induction Program with their respective Councils and also reminded of obligations when on boarded onto the MRC.

<b>Legislation</b>	Local Government Act 1995, State Records Act 2000, Evidence Act 1906, Freedom of Information Act 1992, Local Government Accounting Directions 1994, Electronic Transactions Act 2011, General Disposal Authority for Local Government Record, MRC Recordkeeping Plan
<b>Responsible Officer</b>	Chief Executive Officer
<b>Council Meeting Date</b>	29 September 2022
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<b>Revision History</b>	
<b>Delegation to the Chief Executive Officer</b>	Nil