

## Policy Details

<b>Directorate:</b>	Organisational Services
<b>Branch:</b>	Corporate Governance Branch
<b>Responsible Manager:</b>	Corporate Governance Manager
<b>Date adopted:</b>	04/12/2019 (minute number 188/2019)
<b>Date for review:</b>	2 years from the date of adoption or date of last review
<b>Legislative basis:</b>	<i>Public Records Act 2002</i> <i>Local Government Act 2009</i> <i>Right to Information Act 2009</i> <i>Information Privacy Act 2009</i> Right to Information and Privacy Guidelines Records Governance Policy (Qld State Archives) Information Standard 34 - Recordkeeping metadata standard and guideline Local Government Sector Retention and Disposal Schedule General Retention and Disposal Schedule
<b>Related Documents - forms and procedures</b>	Social Media Policy (DM: 12039545) Social Media Procedure (DM: 12873871) Information and Records Management Procedure (DM: 12923337) Information Privacy Policy (DM: 13315298) Information Privacy Procedure (DM: 13315310) Code of Conduct for Staff (DM: 13269084) Code of Conduct for Councillors in Queensland

## 1. Policy Purpose

The purpose of this policy is to:

- (a) provide a framework for the governance of recordkeeping within Council ensuring information and records are managed in accordance with relevant legislation, policies and guidelines, including the Queensland *Public Records Act 2002*.
- (b) set the standards and outline best practice for recordkeeping within Logan City Council, enabling public records and the corporate memory to be maintained in accordance with the Queensland *Public Records Act 2002*.
- (c) provide guidance and direction on the creation and management of information and data ensuring practices meet business needs, accountability and stakeholder expectations.

This policy should be read in conjunction with the Information and Records Management Procedure.

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## 2. Scope

This policy applies to all employees, councillors and contractors working for Council regardless of whether they are permanent, temporary, full-time, part-time or casual. For the purposes of this policy, the term contractor includes on-hired temporary labour services (agency staff) and sub-contractors.

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## 3. Policy Statement

The Queensland *Public Records Act 2002* requires public authorities to make and keep complete and reliable public records as part of any business activity undertaken or business decision. These records must be saved into Council's corporate records management system or other approved business system and applications.

This policy encompasses all public records regardless of their format.

All employees, councillors and contractors must take all reasonable steps to ensure that the records and information that is captured is relevant, complete, meaningful and accurate.

Council is committed to adhering to the Queensland State Archives Records Governance Policy. The policy sets out the foundational principles of recordkeeping for Queensland Government agencies and public authorities to meet minimum recordkeeping requirements now and into the future.

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. Consequences can include:

- (a) Being charged with and convicted of a criminal offence under the *Public Records Act 2002* 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. The maximum fine is 165 penalty units (equating to \$20,814.75 as at 1 July 2017) 1 for an individual.
- (b) 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. The maximum fine is 100 penalty units for an individual.
- (c) Being charged and convicted of various criminal offences under the *Queensland Criminal Code* including official corruption, computer hacking/misuse, misconduct in relation to public office, abuse of authority and other offences. These offences carry various penalties of imprisonment for up to 10 years.

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## 4. Definitions

TERM	DEFINITION
Appraisal	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, organisational accountability and cultural needs.
Approved Business Systems	Council systems that are listed in the "Guideline for managing records outside the eDRMS" and "Business Rules".
Correspondence	Any written or digital communication exchanged by two or more parties.
Corporate Memory	The accumulated body of information, records and knowledge created in the course of an organisations existence.
Deletion	The process of removing, erasing or obliterating recorded information from a medium outside the disposal process.
Destruction	The process of eliminating or deleting records that do not have continuing value, beyond any possible reconstruction (such as incineration, shredding, pulping or deletion).
Disposal	When the Council sells, transfers, destroys or abandons public records.

<b>TERM</b>	<b>DEFINITION</b>
Disposal authority	A document issued by the State Archivist authorising the disposal of public records.
Disposal class	A group of public records performing or recording similar activities and therefore having the same retention period and disposal action.
Document	An item with writing or meaningful marks, symbols or figures on it from which images, writing or messages can be produced irrespective of the medium the document utilises - electronic or physical.
Information	A collection of data in any form that is maintained by an agency or person and which may be transmitted, manipulated, and stored - records are the subset of information that constitutes the evidence of activities.
Public record - ( <i>Qld Public Records Act 2002</i> )	Any of the following documents: (a) a record made for use by, or a purpose of, a public authority, other than a minister or assistant minister (b) a record received or kept by a public authority, other than a minister or assistant minister, in the exercise of its statutory, administrative or other public responsibilities or for a related purpose (c) are not defined by their medium and include (but not limited to): physical records, e-mails, electronic documents, photos, diaries, social media posts, comments and blogs.
Record	Is any form of recorded information, both received and created in the course of your duties, that provides evidence of the decisions and actions of a public authority. A record is not dependent on the medium used and includes: (a) anything on which there is writing - either electronically or physically (b) anything on which there are marks, figures, symbols or perforations having a meaning for persons, including persons qualified to interpret them (c) anything from which sounds, images or writings can be reproduced with or without the aid of anything else; or (d) a map, plan, drawing or photograph.
Sentencing	The process of identifying and classifying records according to a disposal authority and applying the disposal action specified in it.
Source records	Documents or records that have been copied, digitised, converted or migrated from one format or system to another.
Transitory Records	Records that have low or limited value and only required to be kept for a short period of time (e.g. 1 day, 2 weeks or a month). These records are generally created as part of routine transactional business practices and not required to support the business function or activity.

#### Document Control

<b>File:</b>	1163844-1	<b>Document Id:</b>	12712744
Amendment History			
<b>Version Number</b>	<b>Description of Change</b>	<b>Author / Branch</b>	<b>Date</b>
1.0	Creation	Corporate Governance	4 December 2019
2.0	Updated doc Id for Code of Conduct for Staff	Corporate Governance	10 June 2020
3.0	Updated list of related documents	Corporate Governance	27 July 2020
4.0	Amended	Corporate Governance	28 October 2020