

Records Management Policy

Policy Statement

Effective records and information management is vital to all the operations and business activities of our Office.

All business decisions and transactions relating to governance, administration and operational transactions will be documented as records. All records, regardless of physical format will be managed within our official recordkeeping systems. The management of records is to meet operational, informational and legislative requirements. Systems for records management will enhance retrieval and ensure integrity, physical safety and security of records and support our compliance with recordkeeping legislation.

Application of Policy

This Policy applies to all staff including part time and contract staff who have responsibilities as listed below and is applicable to all external and internal records, regardless of their physical format or media type, handled by the Ombudsman's Office.

Definitions

Records are "information created, received and maintained as evidence and information by an organisation or person, in pursuance of legal obligations or in the transaction of business" (*AS ISO 15489.1 – 2002 Australian Standard. Records management. Part 1: General*)

In summary a record is recorded information, regardless of medium or characteristics. A record registers a business decision, transaction or state of knowledge and is generated as part of a business process. Examples of records include correspondence, electronic documents, forms, electronic messages, photographs, drawings, audio-visual materials etc. Electronic records are simply records originated, stored and used in electronic form and which for normal business purposes may never be converted to paper (or other, eg microform) media.

See Appendix 1 for further definitions.

Principles

The guiding principles from the State Records Commission *Principles and Standards on Government Recordkeeping 2002* will be followed in our approach to records management.

All confidential information received or gathered in the course of employment within the Office will not be disclosed or removed from the office without authorisation. For further details refer to Information Security Policy and Home Based Work Policy.

Record keeping is important and all staff share in the responsibility of ensuring significant records are kept and are retrievable.

Responsibilities

The management of government records is the responsibility of all our staff, contractors, outsourced service providers and consultants.

The following table provides an overview of the roles and responsibilities of the State Ombudsman, Records Management Staff, Line Managers and Staff of the Office.

State Ombudsman

The Ombudsman has primary responsibility and accountability for the records management system. These responsibilities will be fulfilled by:

- demonstrating commitment to achieving good records management practices;
- ensuring adequate resources are available for the implementation and management of the records management system;
- delegating and supporting the roles of the Records Management Staff in the provision of records management;
- delegating responsibility to line managers and staff to manage records generated in their business units; and
- ensuring that the overall records management practices and policies are communicated and understood.

Record Management Staff

The Records Management Staff include the member of Corporate Executive responsible for Records Management, an officer responsible for Records Management and Customer Service Officers. They have responsibility for:

- ensuring clear direction and support for records management;
- ensuring records staff are appropriately skilled;
- providing the Office with an efficient records management system and information technology for recordkeeping systems;
- the recovery of government records unlawfully removed from the Office; and
- the custody and control of government records until destruction or transfer to Archives as required by the *State Records Act 2000*.

- providing advice about records management practices;
- providing a records management service which complies with the Ombudsman's records management policy and procedures and the requirements of the State Records Act 2000 and the SRC Principles and Standards 2002.
- promoting good records management and providing guidance and advice;
- alerting staff about records management shortcomings and identifying improvements;
- organising and conducting reviews and audits and ensuring identified audit issues are fed back to Corporate Executive;
- conducting records management training to induct new employees to our Office; and
- representing our Office at meetings of State Government records managers and records management professionals.

Line Managers

Executive staff and managers have responsibility for ensuring:

- that their staff are inducted to the records management practices of the Office; and
- staff under their supervision adhere to and comply with the records management policies and practices.

Staff of the Office

All staff have responsibilities concerning records under their control or records with which they work. In particular staff responsibilities are:

- being aware of recordkeeping responsibilities as government officers and the accountabilities this entails under the Act;
- attending relevant induction programs and applying good recordkeeping practices;
- complying with records management policies and standards;
- ensuring records are created or obtained as needed and captured and registered into our recordkeeping systems;
- ensuring that the privacy and security status of records is identified and observed;
- applying controls to safeguard access to our information and PCs;
- taking extra care when traveling with sensitive information out of our Office;
- ensuring all file or record movements out of our Office for any reason are authorised by the line manager and recorded in our recordkeeping system; and
- ensuring only authorised disposal of records occurs;

Administrative Staff

Provide assistance provide assistance to staff members within their department.

Records Management Framework

The following documents provide a framework for best practice in records management.

File Classification Plan

The File Classification Plan and Security Framework is a tool used to build consistent titles for all Ombudsman electronic and physical files which enables staff to more easily locate files and documents using consistent search terms.

Recordkeeping Plan

Record keeping involves the making and maintaining of complete, accurate and reliable evidence of business transactions in the form of recorded information. The Recordkeeping Plan assists staff in improving accountability and provides for transparent decision-making.

Records Management Disaster Recovery Plan

Records are to be managed and maintained using the *Records Management Disaster Recovery Plan* to protect and preserve our records.

Records Management and TRIM User Manual

The Records Management and TRIM User Manual provides guidelines and procedures to consistently manage the organisation's records, their generation, storage, distribution, use, maintenance and disposal.

Retention and Disposal Schedules

Retention and Disposal Schedule for Functional Records

The Office has developed its own disposal schedule for core functions unique to the Office. The Retention and Disposal Schedule for Functional Records is a listing of sets of records with time lines for the length of time they are to be retained based on the organisation's administrative, evidential and historical needs and which has been approved by the SRC. It includes instructions for their ultimate disposal by either destruction or deposit in the State Archives.

General Disposal Authority

A document designed to provide consistency throughout government organisations in disposal activities and decisions. It covers records common to all State organisations. There are currently General Disposal Authorities to cover records for administrative,

human resource management, finance and accounting. The State Records Office is the authorising body for general disposal authorities.

Records Management Systems

All our official communication in the form of records, whether paper or electronic, and whether internal or external, will be captured within the Office's approved recordkeeping system. The Office has implemented an electronic records management system called TRIM (Tower Records Information Management) Context, for this purpose.

File Classification

The *File Classification Plan and Security Framework* will be used to provide consistent file titling in both the paper and electronic recordkeeping environments. All records are to be managed in accordance with their security classification.

Retention and Disposal of Records

Records pertaining to the Office's core business functions are to be destroyed according to the Retention and Disposal Schedule RD 2004249 approved by the SRAC.

The Office's administrative records are to be sentenced using General Disposal Authorities (GDAs) prescribed by the State Records Office (SRO) for:

- Financial & Accounting;
- Human Resources; and
- Administrative Records.

All records, regardless of physical format, maintained by the Office are to be included within our approved Retention and Disposal Schedule. The disposal of records needs to be authorised in accordance with our approved Retention and Disposal Schedule or a GDA published by the SRC or the SRO.

Security

Access to our government records are to be controlled and protected. Any records / files in the possession of staff are to be assigned to them and, dependant upon security classification, kept accessible or secured.

Government records must not to be removed from the Office unless otherwise authorised or in accordance with an approved retention and disposal schedule or in the custody of a staff member performing official business.

Keep confidential all information received in the course of employment within the Office; do not discuss details of your work with anyone outside the Office

Under no circumstances take out of the Office any original agency files or documents

Storage

The compactus on level 12 is the main document filing repository for the Ombudsman's Office. This record store houses active, inactive, closed and permanent archive administrative and complaint records. It contains a secure locked cabinet containing Public Interest Disclosure cases with the key held by the Principal Legal and Investigating Officer; a four drawer locked cabinet houses Human Resource files with the key being held by the Senior HR Consultant.

There is a key cabinet in this Compactus with the keys held by the Assistant Ombudsman Strategic Services, the Information Services Manager and Coordinator Records Management. This cabinet also contains a locked box with the combination to the fireproof safes. This locked box is accessible by the Assistant Ombudsman Strategic Services, and the Ombudsman's Executive Officer.

Some highly sensitive documents are not registered in TRIM in order to maintain confidentiality. They along with vital records are stored in fire proof safes. Copies of vital records are also kept in the bank.

Government records, both paper and electronic, held on and off site, are to be stored in accordance with best practice standards. Records held offsite will be housed on metal shelves in secure, air-conditioned storage facilities with fire detection systems in a commercial storage facility approved under the *Common Use Contract 123499*.

Pending official archival, records to be archived will be stored in accordance with the *SRC Guideline 2 – Storage of State Archives retained by Government Agencies*.

Vital Records

Vital records are those that without which the organization cannot establish, conduct or continue business effectively. See Appendix 2

Procedures

Background

Records are a valuable information resource. Their use goes beyond facilitating immediate operational needs. Records serve as an organisation's memory; they are of critical importance in ensuring that an organisation continues to function effectively and efficiently.

Records should be managed as an organisational asset throughout their life cycle, which consists of a number of stages: creation, capture, maintenance, usage and finally disposition by destroying or archiving. Ombudsman records are public records and are assets which belong to the Government.

Not all documentary materials used by Ombudsman's Office are records. Examples of documents that are not records include technical reports, library materials, stocks of publications and copies of documents distributed for information purposes.

Primary Legislation

The primary legislation relating to our record keeping is the *State Records Act 2000*. Under the Act all government organisations must comply with good recordkeeping practices and are subject to audits by the State Records Office (SRO) for compliance with the Act. Section 19 of the Act requires us to have a Recordkeeping Plan that has been approved by the State Records Commission (SRC).

Record Keeping Obligations

Every State government employee and contractor is responsible for ensuring all substantive business records are captured within the organisation's records management system. To assist employees to fulfill their responsibilities the SRO guide *Recordkeeping in Western Australia: Who is responsible?* is available on the Intranet.

Under Section 78 of the *State Records Act* government employees commit an offence and will be subjected to \$10,000 penalty as an individual for non compliance when:

- a government record is not kept in accordance with the Office's recordkeeping plan;
- we without lawful authority, transfer, or offer to transfer, the possession of a government (the Office's) record to a person who is not entitled to possession of the record;
- we destroy records without reference to the approved Retention and Disposal Schedule.

Filing and Registering Official Documents in TRIM

All contracts will include conditions that ensure our ownership of significant/official records

Official documents include those that provide evidence of decisions and actions relating to Ombudsman business and those which should be filed and registered in TRIM include

- Complaint correspondence
- Final reports
- Drafts referred externally or internally for formal comment
- Ministerial letters and responses
- Minutes of meetings
- Policies and procedures
- Business emails and faxes
- Contract documentation
- Media releases

- Vital records

An email message may become a record if it is part of the official business communication of the organisation. If considered a record e-mail should be captured in the same way as other records within the Office's official recordkeeping system. Storing e-mail records within a messaging system or saving e-mail records to directories are not satisfactory ways of ensuring full and accurate recordkeeping.

Documents which should be filed but not registered in TRIM include:

- Working papers, background notes and reference material used to prepare other documents; and
- Records of administrative arrangements

The following are not official documents and should be not be filed or registered in TRIM:

- Personal emails
- Duplicate copies of documents with no changes or notes
- Personal notes on status of current work, seminars, conferences etc
- Published information used for reference purposes
- Promotional material, eg for products or training courses
- Personal correspondence

See the summary sheet *What Documents Must You File and TRIM* available on the Intranet.

Training and Support

Further guidance and assistance is available from:

- Records Management Staff
- The office Records Management and TRIM User manual
- Attending training arranged by Records Management Staff

References

Legislation impacting records management includes:

- **Evidence Act 1906.** This Act directs the type of information and records that are acceptable as evidence in a court of law.
- **Limitation Act 1935 and. Limitation Legislation Amendment and Repeal Act 2005** These Acts provide direction for the periods of time within which legal proceedings may be commenced.
- **Freedom of Information Act 1992.** This Act gives members of the public the right to access documents held by the organisation subject to exemptions

designed to protect certain public and private interests. The Act also provides for amendment of personal information contained in a public record.

- **Financial Management Act 2006 (FMA)**. This Act specifies the types of financial records that are to be retained and the period of retention.
- **Public Sector Management Act 1994** This Act applies to all staff members. Section 29(1) provides for the functions of the Coordinator to include the maintenance of proper records. Section 7(h) states that “proper standards are to be maintained at all times in the creation, management, maintenance and retention of records” in the public sector.
- **The Criminal Code (Section 85)** Section 85 of the Codes states that any Public Officer who corruptly by act or omission falsifies, destroys, alters or damages any record is guilty of a crime and is liable to imprisonment for three years.
- **Electronic Transactions Act 2003**. This legislation has the effect of facilitating the conduct of electronic business by enabling electronic transactions to legally take the place of transactions on paper or in writing.
- **Privacy Act 1988** This legislation applies to the Commonwealth and outlines the 11 National Privacy Principles. The Privacy Act makes provision to protect the privacy of individuals, and for related purposes, in all practices with regard to collection of personal data.

When collecting personal information from an individual, Information Privacy Principle 2 requires that the organisations to do what is reasonable to ensure that the individual is made aware of:

- the purpose for which the information is being collected;
- whether the collection is authorised or required by or under law, and if so which law; and
- any person or agency that this kind of information is usually disclosed to, and if it is known, who this person or agency then usually passes this information to.

Australian Records Management Standard ISO/AS 15489-2002 Parts 1 and 2.

Principles and Standards on Government Recordkeeping by the State Records Commission of WA. February 2002:

- Standard 1: Government Recordkeeping
- Standard 2: Recordkeeping Plans
- Standard 3: Appraisal of Records
- Standard 4: Restricted Access Archives
- Standard 5: Compulsory Transfer of Archives
- Standard 6: Outsourcing
- Standard 8: Digital Recordkeeping

Guideline 2: Storage of State Archives retained by Government Agencies by the State Records Commission of WA, April 2003.

Recordkeeping Plan 2004

Retention and Disposal Schedule for Functional Records

Disaster Prevention and Recovery Plan.

Records Management and TRIM User Manual.

Appendix 1 - Definition of Records Management Terminology

Archives

Records that have been appraised as having continuing or permanent value warranting preservation.

Destruction

The physical destruction of records of no further value, by shredding, pulping or some other approved means, so as to completely destroy their text. For electronic records approved destruction methods include shredding or breaking the media into small pieces, melting in a furnace or applying corrosive agents.

Disposal of Records

The processing of records, which are deemed inactive, to determine whether they should be stored for a period of time and later destroyed, destroyed immediately, or deposited in the State Archives. (This process is sometimes referred to as “archiving”). The disposition of records must be done in accordance with an approved Retention and Disposal Schedule or a General Disposal Authority.

Document

Documents are structured units of recorded information, published or unpublished, in hard copy or electronic form.

Documents include hard copy or electronic documents in progress, draft versions, copies for information etc. They only become a record if they are part of a business transaction or record a business decision. Electronic documents may be referred to as a “file”. Electronic documents comprise electronic text produced using tools such as word processing systems, spreadsheets, graphic packages etc. **Not all documents are records.**

Electronic Records

Electronic records are records communicated and maintained by means of electronic equipment. An electronic record may be defined as any information that is input into a computer system and stored and accessed via that system. Electronic records include data files and databases, machine readable indexes, word processing files, electronic spreadsheets, imaged documents, electronic mail and electronic messages, intranet and internet systems as well as other text or numeric information (Australian Records Management Standard ISO/AS 15489-2002 Parts 1 and 2).

File

A container which may be in paper or electronic format for the storage of documents in sequential order.

Government Records

A Government record is a record created or received by a government organisation or a government organisation employee or contractor in the course of his or her duties regardless of whether the communication is between staff in the same organisation, government officers in different organisations or between public officers and members of the community (both private and business).

All employees in the Ombudsman's Office are considered government officers for this purpose.

Record

A record is defined as:

“any record of information however recorded and includes:

- any thing on which there is writing or Braille;
- a map, plan, diagram or graph;
- a drawing, pictorial or graphic work, or photograph;

anything on which there are figures, marks, perforations or symbols, having a meaning for persons qualified to interpret them;

anything from which images, sounds or writings can be reproduced with or without the aid of anything else; and

anything on which information has been stored or recorded, either mechanically, magnetically or electronically.”

In summary a record is recorded information, regardless of medium or characteristics. A record registers a business decision, transaction or state of knowledge and is generated as part of a business process. Examples of records include correspondence, electronic documents, forms, electronic messages, photographs, drawings, audio-visual materials etc. Electronic records are simply records originated, stored and used in electronic form and which for normal business purposes may never be converted to paper (or other, eg microform) media.

Hard copy, electronic and email records may be categorised as ‘significant’, ‘ephemeral’ or ‘vital’:

Significant Records

Significant records contain information which is of administrative, legal, fiscal, evidential or historical value relating to the business of the Ombudsman's office and which are not registered elsewhere on the public record. They may describe an issue, record who was involved, record why a decision was made or may embody actual policy.

Ephemeral Records

Ephemeral records are duplicated records and / or those that have only short term value to the Office with little or no ongoing administrative, fiscal, legal, evidential or historical value. They may include insignificant drafts and rough notes, records of routine enquires, incoming promotional material and junk mail, duplicates of documents not required to explain business decisions or transactions etc.

Note: Distinguishing between significant and ephemeral records is a matter of judgment and the above definitions can only act as a guide. **Reference to “records” in this policy document should be read as relating to significant records unless otherwise stated.**

Vital Records

Vital records are those which are essential to the continued operation of the business of the Office. Vital records include those which protect the rights of individuals and the government and are absolutely essential for the reconstruction of the Office in the event of a disaster.

Record Management

Record management is the "field of management responsible for the efficient and systematic control of the creation, receipt, maintenance, use and disposition of records, including processes for capturing and maintaining evidence of and information about business activities and transactions in the form of records" (AS ISO 15489.1 – 2002 Australian Standard. *Records management. Part 1: General*)

It is the discipline and organisational function of managing records to meet operational business needs, accountability requirements and community expectations. It entails the management of records from their creation, through their use and storage to their final disposition: either by destruction or deposit in the State Archives.

Recordkeeping

Recordkeeping is the making and maintenance of complete, accurate and reliable evidence of business transactions in the form of recorded information.

Recordkeeping Systems

Recordkeeping systems are information systems in the Office which capture, maintain and provide access to records over time. A recordkeeping system stores information about records and assists to locate and retrieve records. It includes a records register which records the unique number for each record.

Record Series

A group of identical or related records which are normally used and filed together as a unit and which permits evaluation as a unit for disposal purposes. A records series

is usually based on the subject content of the records or it can be based on the medium, for example, database or microfiche.

Retention period

The period of time during which records must be kept before they may be disposed of; usually stated in terms of years or contingent upon an event, such as the demolition of a building, disposal of a piece of equipment etc.

State Records

Definition as detailed for Government Records.

Thesaurus

A thesaurus is an alphabetical listing of all terms derived from a records classification scheme. The thesaurus acts as a guide in the allocation of classification terms to individual records. In a thesaurus the meaning of the term is specified and hierarchical relationships to other terms shown.

Appendix 2 - Ombudsman Vital Records

Back up computer tapes are housed in the safe deposit box at the basement level of BankWest located at 108 St George's Terrace, Perth. The safe deposit box number is 01898189701/1969964 and is accessible by Assistant Ombudsman Strategic Services, Coordinator IT Management, Finance and Procurement Officer and HR Consultant,

Vital Records include:

- Risk Cover Insurance Policy
 - Commercial R20-6809
 - Workers Compensation R/97-281
- Software License Files
 - 050018
 - 080004
- Contracts Files
 - 080109
 - 080110
- Credit card register
- T: Corporate Services – Business and Administration\Financial Management \Corporate Credit Cards
- Asset and Portable and Attractive Item Registers –
- Z: Assets\Ombudsman
- Appointment contracts for Staff – held by Department of the Premier and Cabinet
- Leases – held by Department of Housing and Works

Records identified as vital are to be protected against damage due to accident, disaster or unauthorised access.

Vital records are to be registered in TRIM and filed.

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