Elected Member Records Management Policy

1. PURPOSE

1.1 This Policy establishes the responsibilities of Elected Members for creating, protecting, retaining and providing records arising from Council business. Effective records management supports accountability, sound decision-making, continuity of administration and compliance with legislation.

1.2 The Policy has been developed having regard to the *State Records Act 1997*, applicable State Records standards and approved records disposal authorities.

2. SCOPE

2.1 This Policy applies to all Elected Members of the District Council of Karoonda East Murray (Council) and to records created, received or held in performing their Council duties, regardless of whether they are paper-based, electronic, audiovisual or held on a personal device.

2.2 Purely private or personal material, including material created solely for an individual election campaign, is generally outside this Policy. Material relating to Council business remains subject to this Policy regardless of the account or device used.

3. LEGISLATIVE FRAMEWORK AND KEY TERMS

3.1 The Policy is to be read in conjunction with and any relevant legislation, including but not limited to the following:

- *Local Government Act 1999;*
- *Local Government (Procedures at Meetings) Regulations 2013;*
- *State Records Act 1997;*
- *Freedom of Information Act 1991;* and
- *Surveillance Devices Act 2016*

The legislation prevails over this Policy in the event of inconsistency.

3.2 Official Record has the meaning given in the *State Records Act 1997*, including its statutory exclusions. Council business included communications, transactions, actions and decisions undertaken in an Elected Member's official capacity.

3.3 Transitory records are records with little or no continuing business value. They may be disposed of only where an applicable approved disposal authority permits. A record is not automatically disposable simply because it is routine or duplicate.

4. DEFINITIONS

For the purposes of this policy:

Elected Member	means a Council Member of the District Council of Karoonda East Murray.
Council business	means any dealings, communication, proceeding or discussion that involve Council.
Disposal	means authorised destruction, transfer or other disposal of a record in accordance with the *State Records Act 1997* and an applicable approved disposal authority.
Official Record	means a record made or received by an agency in the conduct of its business, but does not include— (a) a record made or received by an agency for delivery or transmission to another person or body (other than an agency) and so delivered or transmitted; or (b) a record made by an agency as a draft only and not for further use or reference; or (c) a record received into or made for the collection of a library, museum or art gallery and not otherwise associated with the business of the agency; or (d) a Commonwealth record as defined by the Archives Act 1983 of the Commonwealth, as amended from time to time, or an Act of the Commonwealth enacted in substitution for that Act; or (e) a record that has been transferred to the Commonwealth Record means written, graphic or pictorial-matter; a disk, tape, film, or other object that contains information or from which information may be reproduced (with or without the aid of another object or device).

Record	means: (a) written, graphic or pictorial matter; or (b) a disk, tape, film, or other object that contains information or from which information may be reproduced (with or without the aid of another object or device).
Transitory	Transitory records are defined as a record that is of little or no continuing value to Council and only needs to be kept for a limited period of time such as a few hours or a few days.

5. ROLES AND RESPONSIBILITIES

5.1 The Chief Executive Officer (**CEO**) is responsible for ensuring appropriate records management systems, secure transfer arrangements, guidance and training are available to Elected Members.

5.2 Elected Members must:

5.2.1 Create or retain sufficient records to document substantive Council business, significant decisions and actions.

5.2.2 Protect records in their possession, including confidential or sensitive information.

5.2.3 Provide Official Records to Council for capture in its records management system.

5.2.4 Use Council provided email accounts for Council business and not private email accounts.

5.2.5 Maintain the integrity of records and not independently destroy, alter or dispose of Official Records without lawful authority.

5.2.6 Advise the Records Officer when material being transferred is sensitive or subject to a confidentiality restriction.

5.3 Electronic records must be forwarded to council@dckem.sa.gov.au or provided through another Council-approved process. Original hard-copy Official Records must be given to the Records Officer. Records must be transferred securely where confidentiality or personal information is involved.

6. IDENTIFYING RECORDS REQUIRING CAPTURE

6.1 The need to capture a record depends on its content and evidentiary value, not the format in which it is created. Records documenting substantive advice, decisions, actions, commitments, complaints, directions, recommendations, policy matters or Council transactions should be provided for capture.

6.2 Correspondence and Messages

6.2.1 Relevant letters, emails, text messages, voicemail, handwritten notes and messages received through other communication platforms may be Official Records. Elected members should ensure that substantive communications are transferred to Council, including where they originated outside Council systems.

6.3 Verbal Conversations and Meetings

6.3.1 Where a telephone call or face-to-face discussion involves significant Council business, an elected member should make a concise file note or email recording the date, participants, subject, commitments and any action required. Routine exchanges of information that have no continuing business or evidentiary value need not ordinarily be documented.

6.4 Diaries

6.4.1 The Mayor's official diary must be provided to Council for retention and management in accordance with the applicable disposal authority. Other diary entries should be assessed for their value in documenting substantive Council business.

6.5 Photographs and Digital Images

6.5.1 Photographs and digital images documenting significant Council events, activities or evidence relevant to an action or claim must be provided to Council. Where several images are substantially alike, the clearest and most informative examples should be retained, provided no unique evidentiary information is lost.

6.6 Duplicates, Draft and Transitory Material

6.6.1 Exact duplicate copies do not normally require separate capture where the authoritative record is already held by Council. However, annotated copies, externally sourced material, drafts relied upon in decision-making or copies with unique context may need to be retained. Disposal must remain consistent with approved disposal authorities.

6.7 Election Material

6.7.1 Records created or received solely for personal election campaigning are generally private records. Any material that also documents Council business remain subject to this Policy.

7. AUDIO AND VIDEO RECORDINGS

7.1 Council and committee meetings are conducted in accordance with the Local Government Act 1999 and the Local Government (Procedures at Meetings) Regulations 2013, as applicable. This Policy does not establish separate meeting procedures or authorise any recording or disclosure prohibited by law. Statutory minutes remain the formal record of meeting proceedings; recordings do not replace them.

7.2 Council may make official recordings of meetings or other proceedings where lawful and in accordance with Council requirements. Elected members should not routinely make personal recordings where an official Council recording is being made. Any recording must comply with the Surveillance Devices Act 2016 and applicable confidentiality requirements.

7.3 Particular care must be taken with matters considered in confidence under sections 90 and 91 of the Local Government Act 1999. The making, use, storage and disclosure of recordings must not contravene confidentiality orders or other legal restrictions.

7.4 Where an elected member makes an audio or video recording in the course of Council business, including using a personal phone or device, it must be assessed and managed as a Council record. A recording must be securely provided to the CEO or nominee within five (5) business days of creation unless the CEO authorises an alternative timeframe. This is a Council policy requirement, not a statutory deadline.

7.5 Recordings must be provided in their original, unaltered format wherever practicable. Before transfer, elected members must protect recordings from unauthorised access, use or disclosure. They must not independently edit, publish, delete, destroy or otherwise dispose of recordings constituting Official Records.

7.6 Following capture, Council will determine appropriate access, retention and authorised disposal in accordance with legislation, approved disposal authorities and any applicable disposal freezes. Use of a personal device does not remove these responsibilities.

8. CONFIDENTIALITY, ACCESS AND SECURITY

8.1 Elected Members must identify sensitive or confidential records when providing them to Council, including records associated with confidential meeting matters. The CEO or nominee will determine appropriate access restrictions in accordance with legislation, any applicable confidentiality orders and Council procedures.

8.2 Records must be protected against loss, unauthorised access, alteration or disclosure while in an elected member's custody. Confidential records should be transferred using Council-approved secure methods rather than ordinary unsecured channels.

8.3 Records may be subject to lawful access requests, including under the Freedom of Information Act 1991. The existence of sensitive information does not, by itself, determine whether access can lawfully be granted or refused.

9. RETENTION AND DISPOSAL

9.1 Council is responsible for classifying, retaining, sentencing and disposing of Official Records under the State Records Act 1997, General Disposal Schedule 40 (GDS 40), any other applicable approved disposal authorities and relevant disposal freezes.

9.2 Elected members must not independently authorise destruction or disposal of Official Records. If unsure whether a record should be captured or retained, members should refer the matter to the Records Officer before taking action.

10. DOCUMENT AND ADMINISTRATION CONTROL

COUNCIL POLICY	
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