Policy Number: 061
Records Management

September 2016
<table>
<thead>
<tr>
<th>Policy Details</th>
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</tr>
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<tbody>
<tr>
<td>1. Owner</td>
<td>Manager Business Operations</td>
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<tr>
<td>2. Compliance is required by</td>
<td>State Records Act 1998</td>
</tr>
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<td>3. Approved by</td>
<td>The Commissioner</td>
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<td>4. Driver</td>
<td>State Records Act 1998,</td>
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<td></td>
<td>Standard on Records Management, State Records NSW</td>
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<tr>
<td>5. Date created</td>
<td>October 2016</td>
</tr>
<tr>
<td>6. Date of this review</td>
<td>N/A</td>
</tr>
<tr>
<td>7. Next review due</td>
<td>October 2019</td>
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<tr>
<td>8. Contact Officer/Maintained by</td>
<td>Senior Responsible Officer  (Deputy Commissioner (full-time))</td>
</tr>
<tr>
<td>9. Search terms</td>
<td>Policy, procedure, guidelines , records management</td>
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<td>10. Compliance assurance method</td>
<td>Monitoring and reporting of compliance</td>
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<tr>
<td>11. Procedure Number</td>
<td>061</td>
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<td>12. Policy Document Location</td>
<td>TRIM TD17/1427</td>
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</table>
1. **Purpose**

The Mental Health Commission’s records are vital assets to support business activities and preserve public knowledge for reference and reuse. As a body charged with reviewing, monitoring and improving the mental health system in NSW and the mental health of people in NSW, effective record and information management is crucial to achieving the Commission’s goals and ensuring accountability and compliance with legislative requirements.

The Commission maintains a records management program which is consistent with the State Records NSW Standard on Records Management and codes of best practice.

This Policy provides the foundation for the Commission’s records management program and guides the creation, protection, preservation and management of information and records in the Commission.

2. **Scope**

This Policy applies to all persons employed or engaged by the Commission on a temporary or permanent basis and includes contractors, consultants and volunteers (referred to as ‘staff’ in this Policy, See Definitions, Appendix A).

3. **Definitions**

Terms used in this Policy and related procedures are defined in the State Records legislation and the State Records NSW Glossary of Record Keeping Terms. Definitions of terms in this Policy and a selection of common recordkeeping terms are included in Appendix A.

4. **Creation and Capture of Records**

4.1 **Legislative basis for recordkeeping obligations**

Staff of the Commission have a legal obligation to make and keep full and accurate records of the activities of the Commission under the *State Records Act 1998*. Additional legislative or policy requirements may apply to specific records or records in particular business areas of the Commission, including:

- Records of notifiable incidents under the *Work Health and Safety Act 2011*, s 38
- Records detailing workplace injuries (Register of Injuries) under *Workplace Injury Management and Workers Compensation Act 1998*, s 256
- Records relating to financial operations under the *Public Finance and Audit Act 1983*, s 41
- Records containing a person’s personal information collected by the Commission under the *Privacy and Personal Information Protection Act 1998*, s 12, 16.
- Records of access applications and government contracts (disclosure log and government contracts register) under the *Government Information (Public Access) Act 2009*, s 25, 27.
- Gift and Benefits / Conflict of Interest Registers under NSW Health / Commission policy
4.2 Commission's records captured in TRIM

4.2.1 HP TRIM – Commission's recordkeeping system

All records of the Commission including emails, electronic and (scanned) paper documents must be captured and maintained in TRIM in accordance with this Policy and related Procedures.

HP TRIM is the Commission’s primary recordkeeping system to ensure the creation, maintenance and accessibility of records over time.

Records created or received before the complete implementation of TRIM in December 2015 are located in the I Drive of the network, which is locked to ‘read only’. Some of these records have also been migrated to TRIM.

Records, (including working drafts), must not be kept solely on local or network drives, separate databases or USBs except where expressly permitted by this Policy.

4.2.2 Other business systems

Commission records may be made and kept in other business systems including Customer Relationship Management (CRM), SAP (in a shared service arrangement), cloud-based Microsoft servers (email) and Treasury online portals.

Records may also be made on Network drives for the purposes of work in programs such as Cabplans, Illustrator and Photoshop.

See further: Procedures for the creation and capture of records in TRIM

4.3 What records must be captured?

4.3.1 Records

This policy applies to records as defined in the State Records Act 1998 (See Definitions in Appendix A).

Commission records covered by this Policy may be located in any of the Commission’s business systems and include:

- Physical documents such as file notes, meeting minutes, paper briefs, reports
- Electronic records
- Information on social media
- Email
- Text messages
- Information in databases

State records are records created or received in the course of official function by a public office, such as the Commission. All records created and received by the Commission in the course of Commission business are State records, referred to in this Policy as ‘records’.
4.3.2 Records of continuing value must be captured in TRIM

Records and information of continuing value to the Commission must be captured and maintained in TRIM. This includes records created or received by staff in any business system in the course of Commission business.

Records are considered to be of continuing value if they are of administrative, business, financial, legal, evidential or historic value to the Commission.

Examples of these records include:

- Commission plans, strategies, policies and reports
- Drafts that document significant decisions, discussions, reasons and actions or contain significant information that is not contained in the final version of the record (See Appendix B, Guidelines on what constitutes normal administrative practice, paragraph 4)
- Minutes of meetings, approvals, briefs
- Financial and accounting records
- Agreements, contracts and insurance claims
- Personnel records relating to work health and safety, staff development, salaries, payroll, compensation, industrial relations
- Complaints
- Records relating to public reports of the Commission, such as ‘Living Well’ and ‘One Year On’
- Correspondence in any format received by the Commission from the public, relating to its core functions of reviewing and improving the mental health system of NSW.

4.3.3 Facilitative or ephemeral records of no continuing value need not be captured in TRIM

Records or information created or received in accordance with normal administrative practice, that have no continuing value to the Commission, can be lawfully disposed of under the State Records Act 1998 and do not need to be captured in TRIM.

Guidelines on what constitutes normal administrative practice are in Schedule 2 of the State Records Regulation 2015 and attached to this policy as Appendix B. Examples of these records may include:

- Messages that arrange meetings or deliveries, minor queries, matters that do not relate to the business activities of the Commission
- Drafts or working papers that may be disposed of under the State Records Regulation 2015 - Guidelines on what constitutes normal administrative practice (paragraphs 5 and 8) (See Appendix B) Duplicate copies of records, documents, policies where no significant annotations have been made
- Information material created or published by other agencies (eg brochures, annual reports)
- Reference sets of contact details kept for information only
- Incomplete email chains where the final, complete email chain has been captured

Any action or inaction relating to record keeping that is corrupt, fraudulent, unlawful, or for the purpose of concealing evidence or wrongdoing is not considered to be done in accordance with normal administrative practice.

See further: Guidelines on what constitutes normal administrative practice, Schedule 2, State Records Regulation 2015 (Appendix B).
4.4 Preservation of Records

4.4.1 Safe custody and proper preservation

Commission staff have a legal obligation to ensure the safe custody and proper preservation of records for as long as required for short term and long term business needs, legal compliance, accountability and community expectations.

Staff must consider and account for the preservation of records across all system environments and physical locations in the Commission. Staff must consider records preservation obligations at all stages in the recordkeeping process, including document creation, storage (digital and physical) and transfer (if relevant).

Staff must consider and identify high risk / high value business activities and records and ensure their preservation in accordance with this Policy. If unsure, staff must seek advice or guidance from their manager.

Preservation of Digital records

The Commission preserves its digital records to ensure their authenticity and accessibility over time. In this section, digital records include:

- ‘born digital’ records such as email, Word documents or
- Digitised copies of analogue documents

The obligation to preserve records, and in particular, high risk / high value records, must be considered in the design, acquisition and decommissioning of recordkeeping systems by the Commission, including in relation to metadata requirements to ensure records maintain integrity, readability and accessibility over time.

Records of long term value and those required as State archives must be migrated, if necessary, to stable long term formats. Migration of records must be documented, planned, quality controlled, secure and tested to ensure preservation of authenticity.

Records in unique or legacy formats, where migration is not possible, must be supported in the system for as long as the records are required to be preserved in accordance with this Policy.

See further: Digital Records Preservation Policy, State Records NSW

Preservation of physical records

Physical records are to be stored by the Commission in accordance with the State Records NSW’s Standard on Physical Storage of State Records to ensure optimal conditions for the security and care of the records.

This Standard covers records with a physical format including:

- Paper files and documents
- Photographic media including negatives, film, microforms
- Magnetic media such as digital tape, video and audio cassettes
- Optical media such as CDs and DVDs
4.4.2 Commission records of long term value – Retention and Disposal Authorities

The Commission has in place an approved Functional Retention and Disposal Authority FA 369 assessing the Commission’s recordkeeping requirements and identifying records required for long term or archival preservation.

Such records include:

- Final versions of publications or materials aimed at promoting awareness of mental health issues
- Certain records related to awards and grants programs to support service improvement in mental health
- Records relating to the development of the strategic plan for mental health
- Reports relating the implementation, monitoring and reporting on the strategic plan for mental health
- Records relating to the development of mental health policy
- Final reports detailing results, findings or outcomes of mental health related projects

The General Retention and Disposal Authority: Administrative Records GA 28 also identifies potential Commission records with long term value. They include certain records in the areas of:

- Personnel / Human resources
- Work Health and Safety
- Audit records and correspondence
- Audit and Risk Committee records
- Financial management
- Contracts

Records identified in these and other relevant disposal authorities must be preserved in readable, useable and accessible form, for at least the required retention period. Records required as State archives must not be destroyed and must be transferred to State Records when no longer in use for official purposes, in accordance with this Policy and procedures.

Legislative requirements may also affect the retention period of Commission records.

4.4.3 Identification and management of high risk / high value records

Staff, in conjunction with Team Managers must identify and consider which business areas are high risk / high value in terms of the Commission’s functions and objectives and ensure related records, in all formats, are effectively preserved and managed in accordance with this Policy.

Most high risk / high value records are located in TRIM, however, some may be located on the Commission’s I drive of the network. High risk / high value physical records are stored by the Commission in accordance with the Commission’s Procedures on physical storage of records and Storage Plan.
Vital records

Vital records are records, in any format, that are essential to the survival of the Commission and its critical functions.

The Commission’s vital records include:

- The Commission’s Business Continuity Management Plan
- Data critical to the reconstitution of the Commission’s electronic records
- Current personnel and payroll records
- Current financial and tax records
- State archives located in the Commission or records required to be kept as State archives or for long term retention periods
- Significant Contracts
- Funding agreements

Vital records are managed in accordance with the Commission’s Business Continuity Management Plan.

See further: Commission Policy – Business Continuity Management Plan

4.5 Protection of records

Staff of the Commission must ensure the safe custody of Commission records, including the protection of all records from unauthorised or unlawful access, destruction, loss or alteration. The confidentiality, integrity and accessibility of Commission records are protected in accordance with this Policy.

4.5.1 Information security – Digital information

Staff ensure the protection of the Commission’s digital records by understanding and implementing the requirements set out in the Commission’s Digital Information Security Policy. This policy mandates practices to protect the confidentiality and integrity of digital information, including in relation to classification, labelling and handling of records, the use of secret authentication information to access digital information and protection of privileged access rights.

The Commission attests annually to compliance with the NSW Government Digital Information Security Policy which requires the Commission to maintain:

- A risk-based information security management system
- Compliance with information security controls including in relation to outsourced providers
- A designated Senior Responsible Officer to be a member of the Digital Information Security Community of Practice

See further: Procedures for the creation and capture of records in TRIM

Commission Policy - Digital Information Security Policy
4.5.2 Information security - Storage of physical records

Staff must ensure the confidentiality and protection of physical records in accordance with this Policy and the Digital Information Security Policy.

4.5.3 Protection of records in outsourced contracts

The Commission is accountable for the protection and management of records made and received by contracted service providers. Contractors must comply with this Policy in accordance with the definition of staff in Appendix A.

If the Commission contracts with an external service provider for the provision of services (including cloud or similar service arrangements), the contract must provide for protection and portability of the Commission’s records in accordance with this Policy.

In contracts with outsourced service providers, the Commission must specify compliance with all relevant legislation, including the State Records Act 1998, the provisions of relevant Commission policies, including this Policy and the Commission’s Digital Information Security Policy, by notifying such legislation and policy to the service provider in the contract.

Contracts with outsourced service providers must contain provisions relating to the ownership of records and copyright created and received by the service provider. Records made or created in the course of Commission business are owned by the Commission unless expressly stated in a contract.

Contracts with outsourced service providers must be managed and monitored by Commission staff with specific attention to recordkeeping deliverables to ensure that contractual obligations are met.

See further: Commission Policy - Procurement Policy

www.procurepoint.nsw.gov.au – Prequalification Scheme conditions

4.6 Accessibility of Records

Staff must ensure that records are identifiable and retrievable (from digital or physical storage) for as long as required for business and compliance needs. Access restrictions may be placed on Commission records in accordance with procedures.

Staff must use the Document Naming Convention to ensure records are retrievable by search, in accordance with the Procedures for the creation and capture of records in TRIM.

4.6.1 Public access to records in the open access period

Commission staff preserve records for accountability and transparency. The principle underpinning government recordkeeping is that all records will be open to the public in due course, except if there is a contrary public interest reason.

State records are in the open access period when they are at least 30 years old. When State records enter the open access period, the public office responsible for the records may make a public access direction to allow public access to the records.
Commission records required to be kept as State archives will be in the open access period in 2042. At that time, the Commission will assess the information and make appropriate access directions.

Staff are to take account of the future open access period when organising and storing affected records.

4.6.2 Public access under Government Information (Public Access) Act 2009 and privacy law

In accordance with accountability and transparency obligations, the Commission must make certain information and records public under the Government Information (Public Access) Act 2009.

Access to the Commission’s records includes:

- mandatory release of open access information, such as the Commission’s policies and information about the Commission’s structure and functions
- proactive release of certain information
- informal release of some information
- release of specific records by formal application

Individuals may have access rights to Commission information under other legislation such as the Privacy and Personal Information Protection Act 1998.

Information published by the Commission, such as Annual Reports and open access information is to be uploaded to OpenGov.

See further: Commission Policy - Public Access to Commission Information

4.7 Disposal of Records

Staff must not dispose of records, except in accordance with this Policy.

It is an offence for a person to dispose of a State record except with the authorisation of State Records NSW. This does not include records that are created or received by a public office in accordance with normal administrative practice (See paragraph 4.3.3 of this Policy).

One of the ways the State Records NSW authorises disposal of records is in accordance with approved disposal authorities under s 21(2)(c) of the State Records Act 1998.

The Commission implements the approved Functional Retention and Disposal Authority: FA 369 as authorisation for the disposal of certain Commission records after the required minimum retention period, subject to compliance with other legislation and Commission procedures.

The State Records NSW’s General Retention and Disposal Authority: Administrative records GA28 is also relevant to Commission records.

The Senior Responsible Officer is responsible for authorising and overseeing the sentencing and destruction of records in the Commission, in accordance with the relevant disposal authorities and procedures.
Staff must not dispose of any records where they are aware of possible legal action and the records are, or may be required as evidence in a judicial proceeding (*Crimes Act 1900*). See further: Guidelines for what constitutes normal administrative practice (Appendix B)

**Functional Retention and Disposal Authority:** FA 369

**General Retention and Disposal Authority:** GA28

### 4.8 Monitoring and Review

The Commission has a responsibility, in conjunction with State Records NSW to monitor the management of records in the Commission to meet compliance and performance requirements.

The Senior Responsible Officer must make arrangements with the State Records NSW for the monitoring of the Commission’s record management program by the Authority. The Senior Responsible Officer must report to State Records NSW on the implementation of the Commission’s records management program in accordance with agreed arrangements.

#### 4.8.1 Compliance monitoring

The Commission monitors its records management program for compliance with legislative requirements, Standards and codes of best practice in line with the Commission’s adherence to the Internal Audit and Risk Management Policy for the NSW Public Sector, (NSW Treasury Policy Paper 15-03).

Changes to legislation and relevant policies are monitored and addressed using compliance checklists and self assessment tools. Compliance is reported to the Commission’s Audit and Risk Committee annually.

Records management is also internally audited as necessary in accordance with the Commission’s Internal Audit Plan.

The records management program is integrated into the Commission’s risk management framework through the Risk Register to allow risks related to records management to be identified, monitored, managed and mitigated.

#### 4.8.2 Performance monitoring

The Commission’s records management program is monitored to ensure that records management practices are effective and efficient to meet the Commission’s business needs and objectives.

Records management practices are monitored through staff feedback, testing and audits to ensure the integrity, accessibility and useability of records are protected in accordance with this Policy. Any issues are addressed for practice and functionality improvement.

This Policy is to be reviewed every three years, or after any significant change to the Commission’s business activities, priorities or circumstances affecting recordkeeping activities.
5. **Roles and Responsibilities**

This section defines the duties and responsibilities of all Commission staff with respect to record management.

5.1 **The Commissioner**

The Commissioner has the responsibility to:

- Ensure the Commission’s compliance with the *State Records Act 1998* including the maintenance of a records management program and the requirement to ensure records are readable and available over time and through technological change
- Authorise and promote compliance with this Policy to ensure it meets business and compliance needs
- Provide direction and support for the strategy, design, resourcing and maintenance of the record management program
- Support and foster a culture of good recordkeeping in the Commission
- Nominate the Senior Responsible Officer for recordkeeping

5.2 **Deputy Commissioner (full-time) / Senior Responsible Officer**

The Deputy Commissioner is the Senior Responsible Officer for recordkeeping purposes and has the strategic and managerial oversight of records and information management. The Deputy Commissioner / Senior Responsible Officer has the responsibility to:

- Provide direction and support for the records management program to ensure it meets business and compliance needs
- Support and foster a culture of good recordkeeping in the Commission
- Ensure Managers are aware of recordkeeping obligations
- Monitor compliance and processes to address inadequacies of recordkeeping practice
- Ensure that a records and information management program, including policy and procedures is in place and monitored so that it is effective to support the Commission’s business needs and compliance obligations with regular reporting to the Executive leadership
- Advise State Records NSW of details of the Commission’s Senior Responsible Officer
- Liaise with State Records NSW about monitoring of the Commission’s records management program
- Develop strategy and plans for records and information management in the Commission
- Ensure adequate staffing and training of Staff to support records management
- Liaise with management about records management issues and work processes
- Ensure records management is addressed in any outsourced service arrangements
- Represent records management interests on the Executive
- Identify, manage and mitigate information risks
• Ensure that decommissioning of systems and migration of records takes into account retention and disposal requirements and that essential characteristics of digital records are identified and accounted for in migration and preservation processes
• Ensure records required as State Archives are routinely transferred to State Records NSW when no longer required for official purposes
• Authorise destruction of Commission records in accordance with State Records NSW authorities and Commission Policy and procedure
• Oversee monitoring, audits and testing of the records management program

5.3 Director, Strategic Operations and Communications

The Director, Strategic Operations and Communications has the responsibility to:
• Provide direction and support for the records management program to ensure it meets business and compliance needs
• Support and foster a culture of good recordkeeping in the Commission
• Ensure Managers are aware of recordkeeping obligations
• Monitor compliance and processes to address inadequacies of recordkeeping practice
• Manage the release of open access information and applications for access under the Government Information (Public Access) Act 2009

5.4 Team Managers

Managers of each team have the responsibility to:
• Ensure that staff in their Team understand their obligations in relation to recordkeeping and that they create and manage records in accordance with this Policy
• Provide direction and support to staff in relation to record and information management as it relates to business activities in their Team
• Ensure records management is integrated into work processes, systems and services and addressed in any outsourced service arrangements
• Identify high risk / high value areas of their business area and ensure proper preservation of related records and systems
• Monitor and report the outcomes of migration processes to ensure records remain authentic, complete, accessible and useable
• Identify and document business and system owners and ensure recordkeeping obligations are assigned and addressed in systems and processes used
• Ensure staff are provided with necessary training in relation to recordkeeping obligations
• Liaise with the Senior Responsible Officer regarding the destruction of Commission records in accordance with Commission procedures
• Consult with the Senior Responsible Officer before the introduction of new recordkeeping or information systems
• Identify, manage or mitigate any risks associated with records management in their business area, including in relation to changes to work processes or systems
• Consult with the Senior Responsible Officer as to what records in the Team business activities need to be captured
• Be aware of legislative requirements affecting records in their particular business area and liaise with the Senior Responsible Officer about system changes or improvements

5.5 Business Services Co-ordinator

The Business Services Co-ordinator has the responsibility to:

• Monitor performance of the Commission’s records management program to ensure it meets business needs and objectives
• Promote and monitor compliance with the approved record management systems and policies
• Maintain and review the records management system, plans and strategies
• Provide advice and assistance to staff on records management issues and HP TRIM
• In consultation with the Manager, Business Operations and the Senior Responsible Officer, assist in the management of records retention and disposal in accordance with the procedures
• In consultation with the Manager, Business Operations, and Senior Responsible Officer, manage the storage of physical records in accordance with relevant Standards
• Liaise with IT support staff to ensure accessibility of HP TRIM

5.6 Corporate Governance Officer

• Monitor the records management program for compliance with legislation, Standards and relevant policies

5.7 All Staff

Staff, (including contractors in accordance with Definitions) have the responsibility to:

• Understand and comply with records management obligations under this Policy and related procedures
• Make and keep full and accurate records of all Commission business activities in accordance with this Policy and related procedures
• Ensure no records are destroyed without proper authorisation in accordance with this Policy
• Identify and consider proper management of high risk / high value records
## Appendix A:

Definitions and selected terms from the Glossary of Recordkeeping Terms, State Records NSW and State Records legislation.

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Archives</td>
<td>Those records that are appraised as having continuing value. AS 4390 Part 1 Clause 4.5</td>
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<td></td>
<td>Traditionally the term has been used to describe records no longer required for current use which have been selected for permanent preservation. Also referred to as permanent records. The place (building/room/storage area) where archival material is kept. An organisation (or part of an organisation) responsible for appraising, acquiring, preserving and making available archival material.</td>
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<td></td>
<td>Ellis (ed), <em>Keeping Archives</em>, p. 463</td>
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<tr>
<td>Business Systems</td>
<td>Automated systems that create or manage data about an organisation’s activities.</td>
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<td>Capture</td>
<td>A deliberate action which results in the registration of a record into a recordkeeping system. For certain business activities, this action may be designed into electronic systems so that the capture of records is concurrent with the creation of records. AS 4390 Part 1 Clause 4.7</td>
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<td>Continuing value</td>
<td>Records that have administrative, business, fiscal, legal, evidential or historic value to the public office.</td>
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<td></td>
<td><em>State Records Regulation 2015</em>, Schedule 2, clause 2</td>
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<tr>
<td>Digital records</td>
<td>Records communicated and maintained by means of electronic equipment. AS 4390 Part1 Clause 4.13</td>
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<tr>
<td><strong>Records</strong></td>
<td>Records capable of being processed in a computer system and/or stored at any instant in a medium which requires electronic or computer equipment to retrieve them. Ellis (ed), <em>Keeping Archives</em>, p. 469</td>
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<tr>
<td><strong>Dispose of</strong></td>
<td>Means by dispose of by destruction or by any other means. <em>State Records Act 1998</em>, s 3</td>
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| **Document** | Recorded information or object which can be treated as a unit. *AS ISO 15489 Part 1 Clause 3.10*  
Document means any record of information, and includes:  
- anything on which there is writing, or  
- anything on which there are marks, figures, symbols or perforations having a meaning for the person qualified to interpret them, or  
- anything from which sounds, images or writings can be reproduced with or without the aid of anything else, or  
- a map, plan, drawing or photograph. *Evidence Act 1995 (NSW)*  
Some documents are records because they have participated in a business transaction, or were created to document such a transaction. Conversely, some documents are not records because they do not function as evidence of a business transaction. |
<p>| <strong>Disposal</strong> | A range of processes associated with implementing appraisal decisions. These include the retention, deletion or destruction of records in or from recordkeeping systems. They may also include the migration or transmission of records between recordkeeping systems, and the transfer of custody or ownership of records. |</p>
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Ephemeral</td>
<td>In respect of records, means records of little value that only need to be kept for a limited or short period of time. Records that are ephemeral have no continuing value to the public office and, generally, are only needed for a few hours or a few days.</td>
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<td></td>
<td>State Records Regulation, Schedule 2, Clause 2</td>
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<tr>
<td>Electronic documents</td>
<td>A collection of electronic data which may be produced by the creation of original data (typically a text document, small database, spreadsheet, graphic created within the office environment) or by the combination of existing data (which may include data extracted from data files and databases). It should be managed as a unique entity by means of a standard set of descriptors.</td>
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<td>Information Exchange Steering Committee, <em>Management of Electronic Documents in the Australian Public Sector</em>, p. 12</td>
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<td>Evidence</td>
<td>Information that tends to prove a fact. Not limited to the legal sense of the term.</td>
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<td>Facilitative</td>
<td>In respect of records, means records of little value and of a routine instructional nature that are used to further some activity. Most records that are facilitative have no continuing value to the public office and, generally, are only needed for a few hours or a few days.</td>
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<td>State Records Regulation 2015, Schedule 2, Clause 2</td>
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<tr>
<td>Information Management</td>
<td>Information Management enables organisations to control and administer information assets throughout their lifecycle - that is, to capture, distribute, use, maintain and dispose of data and information in a secure, efficient and accountable manner.</td>
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<td></td>
<td>Department of Finance and Services, <em>Information Management: A common approach</em>, p.7</td>
</tr>
<tr>
<td>Metadata</td>
<td>Data describing data and data systems. In records management, recordkeeping metadata is data that describes the context, content and structure of records and their management through time. AS ISO 15489 Part 1 Clause 3.12</td>
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<tr>
<td>Migration</td>
<td>The process of moving records from one system to another, while maintaining the records’ authenticity, integrity, reliability and useability.</td>
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<tr>
<td>Normal Administrative Practice</td>
<td>Disposal of ephemeral or facilitative records without the formal authorisation of State Records. See <em>State Records Act 1998</em> s. 22 and <em>State Records Regulation 2015</em></td>
</tr>
<tr>
<td></td>
<td>See Guidelines for what constitutes Normal Administrative Practice (Appendix B)</td>
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<tr>
<td>Preservation</td>
<td>Process and operations involved in ensuring the technical and intellectual survival of authentic records over time. AS ISO 15489 Part 1 Clause 3.14</td>
</tr>
<tr>
<td>Recordkeeping</td>
<td>Making and maintaining complete, accurate and reliable evidence of business transactions in the form of recorded information. AS 4390 Part 1 Clause 4.19</td>
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<td>Recordkeeping includes the following:</td>
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<tr>
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<td>a. the creation of records in the course of business activity and the means to ensure the creation of adequate records;</td>
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<td></td>
<td>b. the design, establishment and operation of recordkeeping systems; and</td>
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<td></td>
<td>c. the management of records used in business (traditionally regarded as the domain of records management) and as archives (traditionally regarded as the domain of archives administration).</td>
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<tr>
<td></td>
<td>AS 4390 Part 3 Foreword</td>
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<tr>
<td>Recordkeeping systems</td>
<td>Recordkeeping systems are business information systems capable of:</td>
</tr>
</tbody>
</table>
- capturing
- maintaining and
- providing access
to records over time.

**Records**

Record means any document or other source of information compiled, recorded or stored in written form or on film, or by electronic process, or in any other manner or by any other means.

State Records Act 1998 (NSW)

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 Part 1 Clause 3.15

**Records Management program**

A records management program encompasses the management framework, the people and the systems required within an organisation to manage full and accurate records over time. This includes the identification and protection of records with longer-term value that may be required as State archives.

**Retention and Disposal Authority**

Documents authorised by the Board of State Records NSW that set out appropriate retention periods for classes of records. There are two main types:

Functional retention and disposal authorities authorise the retention and disposal of records unique to a specific organisation.

General retention and disposal authorities authorise the retention and disposal of records common to more than one organisation. Such records may include:

- general administrative records
- common records that relate to unique functions, and
- records relating to the unique functions of like organisations such as local councils, universities, and public health services.

**Retention period**

The period of time, usually based on an estimate of the frequency of current and future use, and taking
into account statutory and regulatory provisions, that records need to be retained before their final disposal. Sometimes also used to indicate the length of time records are to be retained in offices before being transferred to secondary storage. Ellis (ed), *Keeping Archives*, p. 479

<table>
<thead>
<tr>
<th>Sentencing</th>
<th>The process of identifying and classifying records according to a retention and disposal authority and applying the disposal action specified in it.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>All persons employed or engaged by the Commission on a temporary or permanent basis and includes contractors, consultants and volunteers.</td>
</tr>
<tr>
<td>State record</td>
<td>Any record, made and kept, or received and kept, by any person in the course of the exercise of official functions in a public office, or for any purpose of a public office, or for the use of a public office. State Records Act 1998 (NSW)</td>
</tr>
<tr>
<td>Vital records</td>
<td>Those records that are essential for the ongoing business of an agency, and without which the agency could not continue to function effectively. The identification and protection of such records is a primary object of records management and disaster planning. Ellis (ed), <em>Keeping Archives</em>, p. 480</td>
</tr>
</tbody>
</table>
Appendix B

Guidelines on what constitutes normal administrative practice

State Records Regulation 2015, Schedule 2 and clause 6

Part 1 Preliminary

1 General
These guidelines give guidance as to what constitutes normal administrative practice in a public office.

2 Definitions
In this Schedule:

continuing value, in respect of records, means records that have administrative, business, fiscal, legal, evidential or historic value to the public office.

ephemeral, in respect of records, means records of little value that only need to be kept for a limited or short period of time. Records that are ephemeral have no continuing value to the public office and, generally, are only needed for a few hours or a few days.

facilitative, in respect of records, means records of little value and of a routine instructional nature that are used to further some activity. Most records that are facilitative have no continuing value to the public office and, generally, are only needed for a few hours or a few days.

Part 2 Drafts

3 Definition of “draft”
In this Part:

draft means any version, other than the final version, of a record, such as an address, speech, report, correspondence, table, statistics, file note, plan or sketch prepared prior to approval or production of the final version of the record.

4 Drafts that must not be disposed of
Drafts that must not be disposed of are drafts that document significant decisions, discussions, reasons and actions or contain significant information that is not contained in the final version of the record. For example:
(a) drafts containing significant or substantial changes or annotations, and
(b) drafts relating to the formulation of legislation, legislative proposals and
amendments, and
(c) drafts relating to the formulation of policy and procedures, where the draft provides evidence of the processes involved or contains significantly more information than the final version of the record.

5 Drafts that may be disposed of
Drafts that may be disposed of are drafts that are of a routine nature (other than drafts referred to in clause 4). For example, drafts annotated with only facilitative instructions for formatting or the correction of typographical, grammatical or spelling errors.

Part 3 Working papers and records

6 Definition of “working papers and records”

In this Part:
working papers and records means papers, background notes and reference materials that are used to prepare or complete other records.

7 Working papers and records that must not be disposed of
Working papers and records that must not be disposed of are those that document significant decisions, discussions, reasons and actions or contain significant information that is not contained in the final version of the record. For example:
(a) working papers and records of a project officer or investigative officer that are the substantive record of the project or investigation (that is, they contain substantial and valuable information not found elsewhere), and
(b) working papers and records in an unofficial filing system where a registered file has not been created or kept within a public office’s record-keeping system.

8 Working papers and records that may be disposed of
Working papers and records may be disposed of when they are primarily facilitative and when the retention of the final version of a record is sufficient to meet the record-keeping requirements of a public office, so long as they are not required to be retained in order to account for policies, decisions, reasons and actions or not required to function as evidence. For example:
(a) audio recordings of conferences and meetings used to prepare correspondence, papers, minutes and transcripts, and
(b) calculations, and
(c) rough notes (including rough notes of meetings and conversations where a formal record has been made), and
(d) statistics and figures.

Part 4 Duplicates of records

9 Definition of “duplicates”
In this Part:

*duplicates* means reproductions of records the original or authorised copies of which are contained within a public office record-keeping system.

10 Duplicates that must not be disposed of

Duplicates that must not be disposed of are:

(a) duplicates of records sourced from outside the public office that should properly be captured in an appropriate way within the record-keeping system of the public office, and

(b) duplicates of internal public office records that in themselves may form part of a record, for example an authorised copy of a document sent from a central office to a regional area where that copy should be captured in the record-keeping system of the regional area.

11 Duplicates that may be disposed of

Duplicates that may be disposed of are:

(a) information copies of records that have already been captured within a record-keeping system elsewhere in the public office and that are generally held for reference purposes (for example, copies of correspondence, reports and memos), and

(b) duplicates of publications (for example, external annual reports, price lists, trade journals, catalogues, brochures and leaflets).

Part 5 Computer support records

12 Computer support records that must not be disposed of

Computer support records that must not be disposed of are those that support significant functions of the public office and that may be needed as evidence of particular activities (for example, records that provide audit trails).

13 Computer records that may be disposed of

The following computer records may be disposed of once they have been acted upon or superseded and are not required for ongoing business requirements:

(a) input and output formats from electronic business and records systems, such as the following:

(i) error or control reports,

(ii) input forms for data entry,

(iii) output used for checking and verifying,

(iv) regular batch reports,

(v) system reports,

(vi) transaction reports used for checking and control purposes,

(b) reference copies of user manuals and similar documents,

(c) superseded computer logs,

(d) superseded or obsolete computing software,

(e) systems back-ups,

(f) test data.
Part 6 Facilitating instructions

14 Definition of “facilitating instructions”

In this Part:

*facilitating instructions* means records that contain routine or facilitative instructions to officers.

15 Facilitating instructions that must not be disposed of

The following facilitating instructions must not be disposed of:

(a) those that are identified as having continuing value (for example, records that are part of an actual business transaction itself),
(b) those that have policy or procedural implications,
(c) those that are identified as important to the public office.

16 Facilitating instructions that may be disposed of

Facilitating instructions that can be disposed of are those that are ephemeral. They may relate to such activities as the following:

(a) correcting typing errors,
(b) file creation or retrieval,
(c) filing a letter,
(d) formatting records,
(e) internal distribution lists for informational purposes,
(f) running off duplicates.

Part 7 Outgoing correspondence

17 Definition of “outgoing correspondence”

In this Part:

*outgoing correspondence* means original correspondence that is sent from a public office in the course of normal business activities.

18 Authorised copies of outgoing correspondence must not be disposed of

Authorised copies of outgoing correspondence are to be captured in an appropriate way within the public office’s record-keeping system and must not be disposed of.

19 Outgoing correspondence may be sent after capturing authorised copies

After an authorised copy of outgoing correspondence has been captured in an appropriate way within the public office’s record-keeping system, the original may be sent from the public office.

Part 8 Messages

20 Definition of “messages”

In this Part:
**messages** includes messages in the form of e-mail, voice mail, SMS (short message service) messages, instant messaging, facsimiles, telephone messages, transmission reports or similar records.

**21 Messages that must not be disposed of**
Messages that must not be disposed of are those that are identified as having continuing value.

**22 Messages that may be disposed of**
Messages that may be disposed of are:
(a) those that are ephemeral, or
(b) those of which a copy has been placed on the relevant file or captured in an appropriate way within a public office record-keeping system.

**Part 9 Stationery**

**23 Stationery that may be disposed of**
Unused stationery items, such as unused letterhead, volumes or forms, may be disposed of.

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Schedule 2 Guidelines on what constitutes normal administrative practice
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**Part 10 Solicited and unsolicited advertising material**

**24 Definition of “solicited and unsolicited advertising material”**
In this Part:
*solicited and unsolicited advertising material* refers particularly to advertising and other material generally known as “junk mail”. It includes (but is not limited to) the following:
(a) advertising “flyers”,
(b) brochures,
(c) catalogues,
(d) price lists.

**25 Disposal**
Solicited and unsolicited advertising material may be disposed of. Some catalogues may need to be placed on the appropriate equipment or purchase files.

**Part 11 Temporarily taking records out of the State**

**26 Object**
From time to time it may be necessary for records to be taken out of the State for the conduct of official business.
27 Disposal
It is acceptable for an authorised person (who is employed in a NSW Department or other NSW public office) to take records temporarily out of the State for official business, but only if those records are relevant or necessary to the conduct of that official business. Such records are to remain in the custody of the authorised person and are to be returned to the public office when no longer required for the conduct of that business.