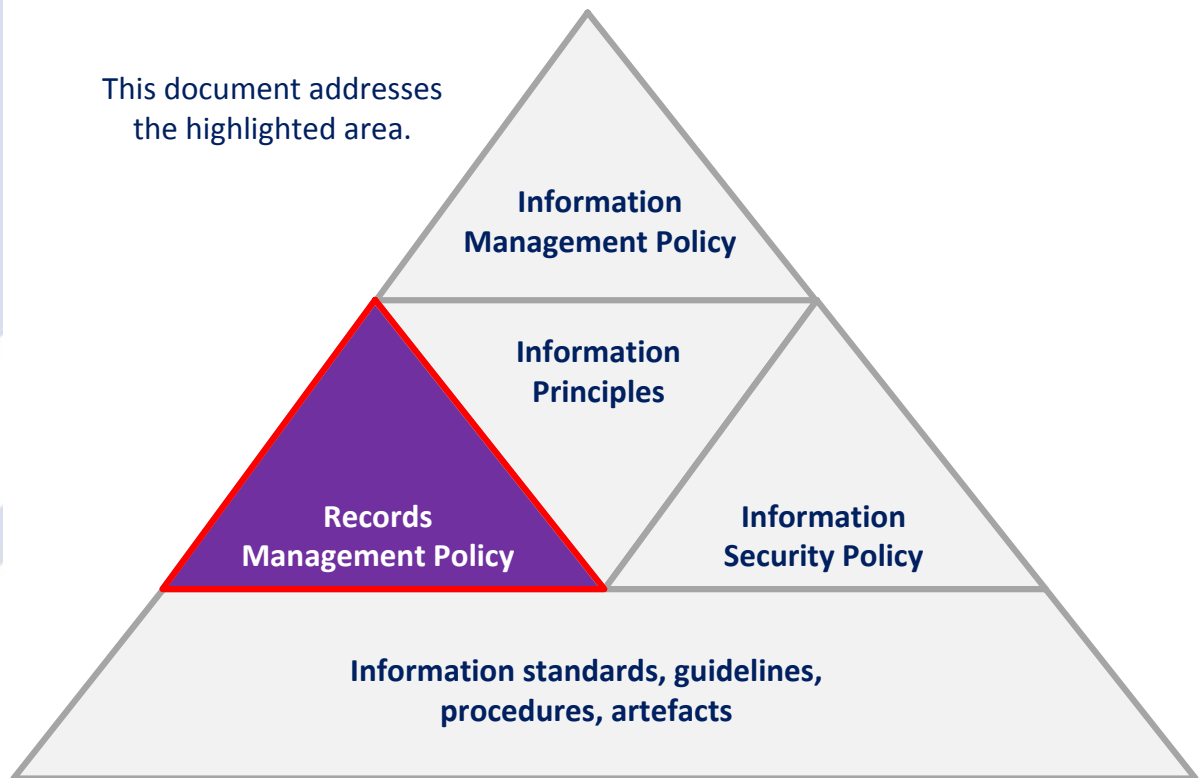# Records Management Policy

Summary: This Policy articulates records management principles and records management roles and responsibilities

FACS Information Management Policy Framework

This document addresses the highlighted area.

- Information Management Policy
- Information Principles
- Records Management Policy
- Information Security Policy
- Information standards, guidelines, procedures, artefacts

Document approval

The Records Management Policy has been endorsed and approved by:

<u>Signature on file</u>

Margaret Crawford

Deputy Secretary Corporate Services

Approved: January 2016

<u>Signature on file</u>

Tim Hume

Chief Information Officer (CIO)

Approved: January 2016

Document version control

Distribution:	All staff
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This document replaces:	Records Management Policy, Community Services Records Management Policy, ADHC Records Management Policy, HNSW; and Records Management Policy, AHO.
File name:	FACS Records Management Policy
Authoring unit:	ICT
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Table of contents

1 Purpose of Policy

1.1 Purpose

The purpose of this Policy is to:
1. outline how responsibility for records management has been assigned across the organisation; and
2. communicate the expectations for all staff to contribute to and interact with the records program, to make their records accessible and be accountable for their actions and decisions through sound recordkeeping.

The key objectives of this Policy are to:
- ensure that records of all activities and decisions are created, managed and retained for the length of time required;
- ensure the efficient and effective management of the records of the Department in support of business objectives; and
- clarify records management responsibilities within the Department.

This Policy supersedes:
- Records Management Policy, Community Services
- Records Management Policy, ADHC
- Records Management Policy, HNSW; and
- Records Management Policy, AHO.

The following FACS documents are linked to this Policy:
- Information Management Policy
- Information Principles; and
- Information Security Policy.

This Policy should be read in conjunction with:
- Records Management Guidelines for Staff; and
- Records Management Program Implementation Guidelines.

2 Definitions

Term	Definition
Archive/State archive	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*, s.3(1)).
Business systems	Systems that create, process and manage data to support business processes.
Disposal	The destruction of records or their transfer to State Records Authority of NSW.
Disposal Authority	A disposal instrument approved by the Board of the State Records Authority of NSW. A disposal authority identifies the records required as State archives and provides approval for the destruction of other records after the mandatory minimum retention periods have been met.
Information Security	The preservation of the confidentiality, integrity and availability of information.
Outsourced functions	Arranging, procuring and managing the performance of FACS business or the provision of goods and services by an external contractor or consultant, or by using external bureau services.
Records	Any information created, received and maintained as evidence of the transaction of business. Examples include: email messages, outward correspondence, financial transactions, and entries in client databases.
Records Management	Records management is the practice or discipline of controlling and managing the records of an organisation, from creation, capture, maintenance, and use through to eventual disposal. This work includes a range of managerial activities (planning, directing, organizing and training) to ensure appropriate and trustworthy records, in any format and generated by any process, are available to the organisation.
Records Management Program	A records management program encompasses the management framework, the people and the systems required within FACS 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.
Sentencing	Applying a disposal authority to a record.

3 Scope and application

3.1 Application

This Policy covers all divisions of the Department of Family and Community Services (FACS) Cluster (including the Aboriginal Housing Office, Land and Housing Corporation, and Multicultural NSW). It applies to all officers, consultants, contractors, and service providers who have been contracted to undertake outsourced FACS business activities.

This Policy applies to all records created and captured in the course of the normal business activities of FACS, including records and information managed in all business processes, business systems and all formats.

The scope of this Policy relates to corporate service records and client and service delivery records which are created and held in multiple systems.

3.2 Service providers and outsourcing arrangements

FACS conducts its business using both internal resources and outsourcing arrangements. This Policy applies to any party/ies contracted to perform services including:

- contractors and consultants; and
- any parties contracted to perform FACS activities.

Outsourcing can take many forms, including:

- engaging a private sector organisation, contractor or consultant
- funding agreements with not-for-profit or non-government organisations
- sharing arrangements with other government agencies eg. a small office using the resources of a larger office
- shared services internal to FACS and cluster agencies; and
- shared services procured from centralised whole-of-government services, or from private sector organisations.

The *State Records Act 1998* does not apply to private sector service providers as a matter of course. FACS must ensure that any service provider it engages will manage properly the records of FACS business it has outsourced. FACS records management requirements must be incorporated into all procurement, contractual or other government arrangements for outsourcing, cloud or other service providers. Each contract/arrangement should specify how those requirements will be monitored and reported for compliance.

Where FACS makes outsourcing arrangements with other government agencies the *State Records Act 1998* will apply. It is appropriate that in these contractual arrangements or service level agreements to specify records management requirements.

4 Legislation

This Policy ensures compliance with the [Standard on records management](#) and the [Standard on the physical storage of State records issued by the State Records Authority of NSW](#).

Compliance to the above standards supports compliance with the *State Records Act 1998*.

5 Policy statement

Managing records effectively underpins the delivery of secure, seamless and efficient operational services. Sound recordkeeping provides the basis for informed decision making, accountability for actions and decisions, and the measure upon which to evaluate performance. It also enables FACS to meet legislative and regulatory requirements.

FACS has an important role in improving the lives of vulnerable people in NSW. FACS Corporate Services supports that role and ensures the effective performance of these key functions.

This Policy outlines principles for effective records management for FACS. It complements the Information Management Policy. This Policy creates the framework for managing records created, received and used in conducting FACS business, in all formats, both physical and digital records.

FACS is transitioning to digital recordkeeping in line with NSW Government policies to conduct business digitally, as far as is practical. This Policy supports the changing administrative structure, functions and technology environment of FACS.

5.1 Benefits
This Policy assists FACS to:
- create trustworthy, useful and accountable records
- ensure availability of records for business needs
- ensure that records are meaningful, accurate, reliable and useable
- establish sustainable systems to support business needs, even where administrative structures, technology and business methods change
- effectively manage resources; and
- reduce costs and records volumes.

5.2 Ownership and custody of records

FACS provides shared corporate services to former agencies[1] that have been merged into FACS and FACS has acquired ownership of their records. Corporate services include financial management, human resource and personnel management, records and information management, property and accommodation, communications, technology and other common administrative services.

All business records created in FACS are State records. Management and control of these records is the responsibility of FACS.

FACS may obtain support for recordkeeping and records management form an internal shared service provider or an external provider. However, the responsibility for appropriate management and control remains with FACS.

In the event of an administrative change that impacts the location of functions across government, the responsibility for the management and control of records follows that transfer of functions.

There are guidelines issued by NSW State Records for the accountable transfer of records that applies in this instance.

5.3 Regulatory and business context

FACS operates within a highly regulated environment. FACS is accountable to Ministers, Parliament, clients and the public for its decisions and actions.

To achieve good management practice, FACS is responsible for maintaining records documenting its administration with obligations from legislation, regulations and standards, described below. FACS must comply with obligations for records within specific legislation it administers, as well as the records management legislation and standards for recordkeeping, access and security and privacy protection which apply to all NSW Government agencies.

Staff must be aware of the legislation, regulations and standards that govern how records should be managed, in order to comply with NSW laws.

The legislative and business context describes FACS recordkeeping requirements. The records program includes maintaining awareness of the recordkeeping requirements drawn from legislation and regulatory sources including:

- State Records Act 1998, including:
  - standards and retention and disposal authorities under the Act
- State Records Regulations 2015
- Aboriginal Housing Act 1998
- Adoptions Act 2000
- Boarding Houses Act 2012

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[1] The former agencies were: Housing NSW, Community Services, and Ageing, Disability and Home Care.

- Carers (Recognition) Act 2010 (NSW)
- Child Protection (International Measures) Act 2006 (NSW)
- Children and Young Persons (Care and Protection) Act 1998
- Children and Young Persons (Savings and Transitional) Regulation 2000 (NSW)
- Community Housing Providers (Adoption of National Law) Act 2012
- Community Services (Complaints, Reviews and Monitoring) Act 1993 (NSW)
- Community Welfare Act 1987 (NSW)
- Disability Inclusion Act 2014
- Electronic Transactions Act 2000
- Evidence Act 1995
- Guardianship Act 1987 (NSW)
- Government Information (Public Access) Act 2009
- Government Sector Employment Act 2013
- Health Records and Information Privacy Act 2002
- Housing Act 2001 (NSW)
- NSW Government Digital Information Security Policy
- Privacy and Personal Information Protection Act 1998
- Public Finance and Audit Act (s11)
- Australian Standard Records Management AS ISO 15489-2002
- NSW Treasury Policy & Guidelines Paper TPP15-03- Internal Audit and Risk Management Policy for the NSW Public Sector
- AS/NZS ISO/IEC 27001 Information technology - Security techniques - Information security management systems – Requirements; and
- AS/NZS ISO/IEC 27002 Information technology - Security techniques - Code of practice for information security management.

5.4 AS/NZS ISO 31000 Risk management – Principles and guidelines non-compliance

The Principal Records Manager is to be informed as soon as practicable of any actual or suspected breach of this Policy. Non-compliance or breaches of this Policy, without an appropriate exception, will be investigated and misconduct escalated with Human Resources which may result in disciplinary action in accordance with the FACS Code of Ethical Conduct.

5.5 Procedures for requesting exceptions

The Principal Records Manager should be contacted to initiate a policy exception. Requests for exceptions must have a justifiable business case documented. The business case should include any relevant information such as the reason for the request, a designated owner, a scope and a timeframe for implementation. Exceptions must be approved by the relevant business manager and the Records Management Policy owner and must be recorded.

5.6 Records Management Principles

These principles[2] are intended to guide the planning, resourcing, and implementation for records management. Each principle is supported by guidelines for implementation and requirements to measure performance.

Principle 1. Records should be managed within a framework, where responsibility is clearly assigned

To support shared corporate services and all other business operations, FACS has established its records management program within the wider Information, Communication and Technology (ICT) Governance Framework. FACS recognises records as a strategic asset, and manages its records appropriately.

Principle 2. Records management supports business

The role of records management is to ensure that records are created and maintained in the course of business activities, and remain useable to support business operations. Records are kept as long as needed before being disposed of accountably or retained permanently as archival records.

Principle 3. Records are well managed

Records management ensures that records are trustworthy, useful, accessible and retained for as long as they are needed, covering records in all formats, in all business environments and service delivery methods, and in all types of systems.

6 Roles and responsibilities

The main roles and responsibilities for implementation of this Policy are as follows:

6.1 The Secretary

The Secretary of FACS is responsible for:
- compliance of the FACS cluster with the requirements of the *State Records Act 1998* and the standards and requirements issued under the Act (Section 10 of the Act);
- allocating responsibility for records and information management throughout the organisation down through various levels of management; and
- holding ultimate responsibility for records and information management in accordance with business requirements and relevant legislation.

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[2] Based on State Records NSW Standard on Records Management, Oct 2014

6.2 Chief Information Officer

The Chief Information Officer is responsible for:
- ensuring records are managed as information assets and governed in the context of FACS' role and objectives, long term strategies and whole-of-government policy
- ensuring resources are appropriate and supports the records management program to ensure its success
- cascade responsibility for records and information management throughout the organisation down through various levels of management; and
- identifying and assigning records and information management responsibilities to business owners and systems owners.

6.3 Director Information Management

The Director, Information Management is identified as the Senior Responsible Officer for records management for FACS. The Director, Information Management liaises with Senior Responsible Officers for records management at the Aboriginal Housing Office and the Land and Housing Corporation and any other entities within the FACS cluster. The Director, Information Management is responsible for:
- providing strategic direction and oversight of the records management program
- issuing the FACS Records Management Policy and FACS corporate records and information strategies
- issuing standards and procedures consistent with this policy
- reporting to the Executive on the Records Management Program
- ensuring the records management program meets business needs and complies with relevant legislation and regulations
- identifying and mitigating risks to records and information
- ensuring FACS has skilled records management staff or access to appropriate skills
- identifying systems and repositories containing records and their business owners
- building capability in FACS for managing high risk records and systems; and
- responding to monitoring/reporting requests from the State Records Authority of NSW.

6.4 Enterprise Architect

The Enterprise Architecture is responsible for:
- ensuring the records management program meets business needs and complies with relevant legislation and regulations in digital records systems
- identifying and mitigating risks to records and information
- identifying and enforce the management of all FACS records and information across all operating environments, including diverse system environments and physical locations

- addressing the safeguarding, management and preservation of records and information with long term value (includes digital and physical records); and
- oversight, monitoring and ensuring compliance with this policy, identifying gaps, changes to business systems activities and priorities, and determining remedial action.

6.5 Chief Technology Officer

The Chief Technology Officer is responsible for:
- providing IT infrastructure and resources to ensure successful operation of records management systems
- resourcing and supporting the technical implementation of the records management system
- developing and testing business continuity plans for records management systems
- ensuring that records and information are migrated appropriately through systems and service transitions
- ensuring records and information from de-commissioned systems are migrated or disposed of in accordance with retention and disposal requirements for records and information held in the system
- implementing information security and access requirements according to business needs, legislation and regulatory requirements and whole-of-government policy
- implementing records access and security requirements according to business needs, legislation and regulatory requirements and whole-of-government policy
- administering and maintaining records management systems for corporate services; and
- test and audit systems to ensure that they are operating routinely and that there are no issues affecting records and information integrity, usability or accessibility.

6.6 Principal Records Manager

The Principal Records Manager is responsible for:
- cooperating and liaising with State Records NSW
- providing records management policies, procedures and business rules which support business and comply with legal and regulatory requirements
- developing key performance indicators around elements of the records management program, including capture, storage, maintenance and monitoring, disposal and transfer. Assessing performance against these indicators through periodic audits, identify noncompliance and make recommendations
- identifying systems and repositories containing records and their business owners
- monitoring and reviewing performance and compliance of the records management program to assess how it meets business needs and accountability requirements

- identifying all records and information required to meet or support business and recordkeeping requirements, including accountability and community expectations
- identifying and mitigating risks to records and information
- working with Business Managers to confirm that management strategies are in place:
  - to ensure that high risk, high value areas of business and systems managing such business are identified and assessed, and that records and information management is integrated into high risk and high value business activities, systems and processes
  - to identify and address records management requirements in contractual arrangements for outsourced, cloud or other service providers based on risk assessments
  - to identify and advise business unit managers on the requirements for recordkeeping in outsourcing and service delivery contracts
  - to ensure records are protected from unauthorised or unlawful access, destruction, loss, deletion or alteration; and
  - ensure that access to records and information is managed appropriately in accordance with legal and business requirements.

6.7 Staff Support Centre – Records Management Business

- effective planning and management of business activities involving the collection of information and the creation of records in accordance with business needs and regulatory requirements, including protecting sensitive records
- records are maintained and protected when technology, systems, services and processes change
- provide records management training for all staff
- liaise with State Records regarding approval and maintenance of retention and disposal authorities.
- design and oversee the implementation and execution of records disposal processes and documentation, including the destruction of records, identification of State archives and transfer of custody and/or ownership of records and State archives
- provide records management control tools to govern how records are created, captured and stored, including developing business rules and procedures in collaboration with business managers
- provide access to records designated as State archives, in accordance with Access Directions, where records are not open to public access by default; and
- facilitate appropriate re-use and sharing of records inside and outside of FACS.

6.8 All Managers

- incorporate records management responsibilities into staff role descriptions and performance management plans
- ensure records management is integrated into business activities, systems and processes

- ensure staff have the knowledge of systems and local business rules to capture records of work they do and use to do their work
- work with the Director, Information Management and the Principal Records Manager to improve records and information capabilities
- ensure staff and contractors comply with this Policy
- monitor staff to ensure they understand and comply with FACS Records Management Policy and associated procedures
- advise the Principal Records Manager of high risk and high value areas of business and the information captured, used and managed in such business
- plan and manage business activities involving the collection of information and the creation of records in accordance with business needs and regulatory requirements, including protecting sensitive records
- ensure records and information requirements are considered and that records are maintained and protected when technology, systems, services and processes change
- advise the Principal Records Manager that records and information management risk have been considered as part of the development process when moving to a new service environment, systems or service (including cloud based services), or when improving existing work processes, systems or services
- authorise the destruction of records according to approved records retention and disposal authorities
- provide records management training and professional development opportunities; and
- ensure that records management requirements are incorporated in contractual arrangements for outsourced, cloud or other service providers based on risk assessments.

6.9 Service providers, contractors and consultants

- comply with records management requirements specified by FACS in contractual arrangements
- understand their responsibility for creating and capturing accurate records of their actions, decisions and events, to provide evidence of their work, including making records of work where records are not automatically created (e.g. minutes of meetings, notes of telephone conversations)
- return all records created or used as part of the service arrangement when required. All records created and managed during the service arrangement remain the property of FACS
- monitor and report to FACS to demonstrate how they:
  - understand the records management responsibilities associated with their role and the need to keep records
  - know and apply the FACS Records Management Policy and associated procedures
  - use records management control tools to create and keep full and accurate records of business activities as the business is conducted
  - create and keep adequate records of their actions, decisions and provide evidence of their work, that can be audited

- manage records in accordance with this Policy
- use and share records appropriately to support collaboration and re-use of information
- undertake records management training and professional development
- understand requirements for retaining and disposing of records
- know and apply requirements for creating, capturing and managing personal records
- protect records from inappropriate or unlawful access, loss or damage; and
- ensure personally identifying records are used solely for the purposes for which they were created, unless lawfully authorised.

6.10 All Staff

- understand the records management responsibilities associated with their role and the need to keep records
- understand their responsibility for creating and capturing accurate records of their actions, decisions and events, to provide evidence of their work, including making records of work where records are not automatically created (e.g. minutes of meetings, notes of telephone conversations)
- know and apply FACS Records Management Policy and associated procedures
- use records management control tools to create, capture and maintain full and accurate records of business activities as business is conducted
- use and share records appropriately to support collaboration and re-use of information
- undertake records management training and professional development
- understand requirements for retaining and disposing of records
- know and apply requirements for creating, capturing and managing personal records
- protect records from inappropriate or unlawful access, loss or damage; and
- ensure personally identifying records are used solely for the purposes for which they were created, unless lawfully authorised.

7 Monitoring, evaluation and review

It is the responsibility of the Principal Records Manager to monitor and update this Policy when required. This Policy will be reviewed annually and when any significant new information, legislative or organisational change warrants amendments to this document.

8 Support and advice

You can get advice and support about this Policy from the Principal Records Manager who has carriage of this document. If you are reviewing a printed

version of this document, please refer to the intranet to confirm that you are reviewing the most recent version of the Policy. Following any subsequent reviews and approval, this Policy will be uploaded to the internet and/or intranet and all previous versions removed.

9 Appendix – Records Retention and Disposal Authorities

Below is a list of records retention and disposal authorities current for FACS. These authorities describe FACS core functions, types of records created in the process of conducting business, and how long records need to be retained before they can be legally destroyed or the requirement to retain them permanently as archival records.

The retention and disposal of records is regulated by the State Records Authority of NSW, which has a formal role in reviewing and authorising disposal authorities developed by agencies for their core functions.

The State Records Authority of NSW also publishes general disposal authorities for administrative functions which are common to all agencies and departments. For example, human resources, financial management, strategic management etc. FACS uses the published general disposal authorities in conjunction with its own functional authorities to make systematic and accountable decisions about records created across all business activities.

Business area	Disposal Authority Number
Ageing, Disability and Home Care	FA306
Housing NSW and Aboriginal Housing Office	FA 303
Family and Community Service / Community Services	FA 318
Land and Housing Corporation	FA 303
Staff Support Centre	GA 28 and GA30

All authorities are reviewed and revised/superseded periodically. Please refer to the State Records Authority of NSW website for the most current version www.records.nsw.gov.au/recordkeeping/rules/retention-and-disposal-authorities/retention-and-disposal-authorities

You can get advice and support regarding records disposal authorities and how to implement them from the Staff Support Centre, Records Management Unit. Please call for assistance to phone 9765 3999 or email RecordsManagementFACS@facs.nsw.gov.au