

Creating and looking after records is one of your responsibilities as a public official.

### What the Ombudsman says

Public officials must make and keep full and accurate records of their official activities. Good recordkeeping assists in improving accountability and provides for transparent decision-making.

Agencies are obliged to make and keep full and accurate records of their activities (s.12(1), *State Records Act*). Public officials should help their agency meet this obligation by creating and maintaining full and accurate records of the work in which they are involved and of the decisions they make, including the reasons for those decisions. They should ensure the routine capture of these records into recordkeeping systems, such as file systems, in the course of their duties. They should comply with requirements to keep and manage records which appear in relevant legislation, formal directives and guidelines. Public officials should also be aware of the legal and administrative requirements which apply for the retention of public records.

*From the NSW Ombudsman's Good Conduct and Administrative Practice: Guidelines for state and local government (2006).*

### Further Assistance

For assistance with records and recordkeeping issues, including creating and filing records, please contact your nominated senior officer for records management, chief information officer or the records unit within your council.



More detailed guidance on records creation and management is available from State Records' website at: [www.records.nsw.gov.au](http://www.records.nsw.gov.au) or the Future Proof website (for digital recordkeeping) at: <http://futureproof.records.nsw.gov.au>

Or contact us on:  
Email: [govrec@records.nsw.gov.au](mailto:govrec@records.nsw.gov.au)  
Telephone: (02) 8257 2900

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State Records

## What have records got to do with

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### Why are records important?

Records tell us **what**, **where**, and **when** something was done or **why** a decision was made. They also tell us **who** was involved and under what authority.

In other words, they provide evidence of government and individual activity.

Records:

- help you to do your work as a councillor more efficiently
- enable you to meet legal obligations applicable to your work as a councillor
- protect the interests of the council
- protect your rights as a councillor and as a citizen, and
- protect the rights and interests of rate payers and clients.

Records are an indispensable ingredient for accountable government. Ad hoc recordkeeping practices in the public sector contribute to inefficiencies and poor decision making.

### Who is responsible?

Making and keeping records of council business depends on the cooperation of everyone who is undertaking that business. Whilst your council's general manager, the nominated senior officer for records management and the records unit are responsible for meeting the requirements of the *State Records Act 1998* and standards issued under the Act, effective organisational recordkeeping ultimately depends on the cooperation of staff and councillors.

## So, what are your responsibilities



Simply stated, you have a number of basic obligations.

### 1. Create records routinely as part of your work

Records may naturally arise in the course of your duties as a councillor, such as receiving and sending correspondence. In other cases, where the activity does not automatically result in the creation of a record, you may need to create one. Examples include meetings, telephone conversations, informal discussions and the receipt of funds intended for council.

It is important that the record accurately reflects the transaction or activity that has taken place.

### 2. File records into official recordkeeping systems

Your council has official systems for managing its records, whether those records are created and received in paper or electronic form.

Failing to capture records into official recordkeeping systems makes them difficult or impossible to locate when they are needed. They may even end up lost or destroyed.

Do not hoard records regarding official council business in your own private store. Check with your council about how to transfer them for registration in council's official recordkeeping systems.

This applies to emails too. Emails that you send or receive in the course of business for council are official records. If an email needs to be kept to document a transaction or decision, then it should be captured into your council's official recordkeeping system.

### 3. Handle records with care

For records to survive and be available for as long as they are needed, they must be properly cared for. Avoid storing records near known hazards and try not to damage them.

Council's records are a corporate asset and do not belong to you. Do not remove them from official recordkeeping systems for extended periods of time or without authority. It is important that they remain available to other staff or councillors who need them.

### 4. Do not destroy records without authority

Your council's records, whether in paper or electronic form, cannot generally be destroyed without proper authority from the nominated senior officer for records management, business unit manager or records unit.

Some kinds of records have only ephemeral value and can be destroyed when you no longer need them, as a 'normal administrative practice'. Make sure you know which kinds of records you deal with have continuing value to your council or your own work and which are ephemeral. Your council's records staff can provide guidance about the proper disposal of records.

Failing to maintain records for the length of time they are needed puts you and your council at risk of being unable to account for what has happened or has been decided.

This can result in problems for your council or ratepayers, monetary losses from penalties or litigation, embarrassment for your council, or even disciplinary action.

### 5. Protect sensitive records from unauthorised access

Records can contain personal and confidential information which must not be disclosed to unauthorised persons.

Ensure that records storage areas are kept secure, protect passwords to your council's networked resources and data stores and do not leave sensitive records lying around.

### 6. Find out about your council's policies and procedures for managing records

Every NSW public sector body is required to establish policies and procedures for the management of their records in all forms. You can help support good recordkeeping in your council by finding out what they say and how you can better create and manage records in your daily work.

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