

Ms Danielle Wickman  
Director of Territory Records  
GPO Box 158  
CANBERRA ACT 2601

Dear Danielle

## **Adoption of existing records management program**

I am writing as the Principal Officer of The Legal Aid Commission (ACT) under the *Territory Records Act 2002* to advise you that I have elected to adopt the Records Management Program approved for the Justice and Community Safety Directorate, (JACS) on 4 April 2018 for use in the Legal Aid Commission (ACT).

In adopting the JACS Records Management Program I have considered all aspects of the Program and am satisfied that the recordkeeping arrangements it sets out are adequate for my agency to keep full and accurate records of its business activities in conjunction with the amendments detailed in Attachment A.

In addition, I nominate the Human Resources Manager as the senior officer responsible for records management as required by the *TRO Standard of Records Information and Data – Strategy Principle*. This position is currently occupied by Sharyn Giles who can be contacted by email at [hr@legalaidact.org.au](mailto:hr@legalaidact.org.au) or by telephone on 02 6243 3426.

Yours sincerely



John Boersig  
Chief Executive Officer  
29 June 2018

## Records, Information and Data Management POLICY

| Section                                                             | Remove                                                                                                                                                                                                                                                                                                                                                                            | Replace with                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ALL                                                                 | Justice and Community Safety Directorate (JACS)<br>Executive Director, Governance<br>Director-General JACS<br>JACS Records Manager                                                                                                                                                                                                                                                | The Legal Aid Commission (ACT)<br>HR Manager, Legal Aid Commission (ACT)<br>Chief Executive Officer, The Legal Aid Commission (ACT)<br>HR Manager                                                                                                                                                                                                                                                                 |
| Document Information/<br>Document Legislation<br>References. Page 2 | <a href="#">Territory Records Act 2002</a><br><a href="#">Freedom of Information Act 2016</a><br><a href="#">Information Privacy Act 2014</a><br><a href="#">Public Sector Management Act 1994</a>                                                                                                                                                                                | <a href="#">Legal Aid Act 1977</a><br><a href="#">Territory Records Act 2002</a><br><a href="#">Freedom of Information Act 2016</a><br><a href="#">Information Privacy Act 2014</a><br><a href="#">Public Sector Management Act 1994</a>                                                                                                                                                                          |
| S.3. Policy Statement.<br>Page 5                                    | <ul style="list-style-type: none"> <li>the TR Act</li> <li>the JACS Directorate's Records, Information and Data Management Program</li> <li>the Territory Records Office's Standard for Records, Information and Data</li> <li>the Territory Records Office's guidelines to implement the Standard for Records, Information and Data</li> <li>International standards.</li> </ul> | <ul style="list-style-type: none"> <li>The Legal Aid Act 1977</li> <li>the TR Act</li> <li>the JACS Directorate's Records, Information and Data Management Program</li> <li>the Territory Records Office's Standard for Records, Information and Data</li> <li>the Territory Records Office's guidelines to implement the Standard for Records, Information and Data</li> <li>International standards.</li> </ul> |
| S.3. Policy Statement.<br>Page 6                                    | The JACS Directorate is committed to the proper management of the records, information and data as mandated by the TR Act and will ensure records, information and data are retained for as long as required in a readily accessible form.                                                                                                                                        | The Legal Aid Commission (ACT) is committed to the proper management of the records, information and data as mandated by the Legal Aid Act 1977 and the TR Act and will ensure records, information and data are retained for as long as required in a readily accessible form.                                                                                                                                   |

Attachment A

|                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>7.1 Legislation. Page 9</p>                  | <p>In general, all business units must comply with the:</p> <ul style="list-style-type: none"> <li>• <i>Territory Records Act 2002</i></li> <li>• <i>Freedom of Information Act 2016</i></li> <li>• <i>Evidence Act 2011</i></li> <li>• <i>Information Privacy Act 2014</i></li> <li>• <i>Health Records (Privacy and Access) Act 1997</i></li> <li>• <i>Electronic Transactions Act 2001</i></li> <li>• <i>Public Sector Management Act 1994</i></li> <li>• <i>Financial Management Act 1996</i></li> <li>• <i>Work Health and Safety Act 2011</i></li> <li>• <i>Working with Vulnerable People (Background Checking) Act 2011</i></li> </ul> | <p>In general, all business units must comply with the:</p> <ul style="list-style-type: none"> <li>• <i>Legal Aid Act 1977</i></li> <li>• <i>Territory Records Act 2002</i></li> <li>• <i>Freedom of Information Act 2016</i></li> <li>• <i>Evidence Act 2011</i></li> <li>• <i>Information Privacy Act 2014</i></li> <li>• <i>Health Records (Privacy and Access) Act 1997</i></li> <li>• <i>Electronic Transactions Act 2001</i></li> <li>• <i>Public Sector Management Act 1994</i></li> <li>• <i>Financial Management Act 1996</i></li> <li>• <i>Work Health and Safety Act 2011</i></li> <li>• <i>Working with Vulnerable People (Background Checking) Act 2011</i></li> </ul> |
| <p>7.3 Associated Policies. Page 10</p>         | <ul style="list-style-type: none"> <li>• ACT Public Service Code of Conduct</li> <li>• ACT Public Service Code of Ethics</li> <li>• ACT Government Open Data Policy</li> <li>• Digital Recordkeeping Policy for the ACT Public Service</li> <li>• ACT Government Social Media Policy</li> <li>• ACT Government Protective Security Policy Framework</li> <li>• ACT Government Freedom of Information Standard Operating Procedure</li> <li>• JACS Privacy Policy</li> <li>• JACS CCTV Storage Device and Hardware Disposal Schedule Standard Operating Procedure</li> <li>• Protection of Information including Clear Desk Policy</li> </ul>   | <ul style="list-style-type: none"> <li>• ACT Public Service Code of Conduct</li> <li>• ACT Public Service Code of Ethics</li> <li>• ACT Government Open Data Policy</li> <li>• Digital Recordkeeping Policy for the ACT Public Service</li> <li>• ACT Government Protective Security Policy Framework</li> <li>• ACT Government Freedom of Information Standard Operating Procedure</li> <li>• Legal Aid ACT Privacy Policy</li> <li>• Legal Aid ACT Social Media Use Policy</li> </ul>                                                                                                                                                                                             |
| <p>8. Endorsed Locations/ Physical. Page 10</p> | <ul style="list-style-type: none"> <li>• Shared Services, Record Services, Building 7, 9 Sandford Street, Mitchell ACT</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <ul style="list-style-type: none"> <li>• Legal Aid Commission (ACT) and its storage facility at 2 Allsop Street, CANBERRA ACT 2601</li> <li>• ACT Magistrates Court, 4 Knowlles Place, Canberra, 2601</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>8. Endorsed Locations/ Digital. Page 10</p>  | <ul style="list-style-type: none"> <li>• HP Records Manager (HPRM), where it has been configured as an Electronic Document</li> <li>• Records Management System (EDRMS) in compliance with Whole of Government standards, specifically:</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                             | <ul style="list-style-type: none"> <li>• Visual Files</li> <li>• Approved business applications.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

Attachment A

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|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                               | <ul style="list-style-type: none"> <li>the Parliamentary Counsel Office (PCO) Job Management System (JMS)</li> <li>Approved business applications.</li> </ul>                                                                                                                                        |                                                                                                                                                                                                                                                                                        |
| <p>9. Ownership. Page 11</p>  | <p>All records, information and data generated by staff, volunteers, consultants, contractors and outsourced providers as part of their duties are territory records and belong to the ACT Government and not to individuals or companies.</p>                                                       | <p>All records, information and data generated by staff, volunteers, consultants, contractors and outsourced providers as part of their duties are territory records and belong to the Legal Aid Commission (ACT) and not to individuals or companies.</p>                             |
| <p>12. Enquiries. Page 13</p> | <p>Where there are questions or concerns regarding this Policy, its application, or how it relates to other policies or directives, contact:<br/>         JACS Records Manager<br/><br/>         Governance, Library, Coordination and Reporting<br/>         JACSGCR@act.gov.au or 02 620 72167</p> | <p>Where there are questions or concerns regarding this Policy, its application, or how it relates to other policies or directives, contact:<br/>         Human Resources Manager<br/>         2 Allsop Street,<br/>         CANBERRA ACT 2601<br/>         HR@legalaiddact.org.au</p> |

## Records, Information and Data Management PROGRAM

| Section                                                                | Remove                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Replace with                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ALL                                                                    | Director-General JACS<br>Executive Director Governance<br>JACS Directorate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer, Legal Aid Commission (ACT)<br>HR Manager, Legal Aid Commission (ACT)<br>Legal Aid Commission (ACT)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Authorisation. Page 5                                                  | The JACS Directorate's records, information and data management framework includes: <ul style="list-style-type: none"> <li>the <a href="#">Territory Records Act 2002</a></li> <li>the Standard for Records, Information and Data released by the Director of Territory Records</li> <li>other applicable legislation, policies and administrative directions of the ACT Government</li> <li>this Program</li> <li>the Records, Information and Data Management Policy</li> <li>the Records, Information and Data Management Standard Operating Procedure</li> <li>the ICT Business Application Portfolio</li> </ul> | The Legal Aid Commission's records, information and data management framework includes: <ul style="list-style-type: none"> <li>the <a href="#">Legal Aid Act 1977</a></li> <li>the <a href="#">Territory Records Act 2002</a></li> <li>the Standard for Records, Information and Data released by the Director of Territory Records</li> <li>other applicable legislation, policies and administrative directions of the ACT Government</li> <li>this Program</li> <li>the Records, Information and Data Management Policy</li> <li>the Records, Information and Data Management Standard Operating Procedure</li> <li>the ICT Business Application Portfolio</li> </ul> |
| 9. Protecting Records, Information and Data (Protect Principle) Page 8 | Instructions to staff and others on how to protect the JACS Directorate's records, information and data are contained in the following documents: <ul style="list-style-type: none"> <li>Business Continuity Plans</li> <li>The JACS Directorate's Records, Information And Data Management Standard Operating Procedure</li> </ul>                                                                                                                                                                                                                                                                                  | Instructions to staff and others on how to protect the Legal Aid Commission's records, information and data are contained in the following documents: <ul style="list-style-type: none"> <li>Business Continuity Plans</li> <li>The JACS Directorate's Records, Information And Data Management Standard Operating Procedure</li> </ul>                                                                                                                                                                                                                                                                                                                                  |
| 15. Enquiries. Page 9                                                  | Where there are questions or concerns regarding this Policy, its application, or how it relates to other policies or directives, contact:<br>JACS Records Manager<br><br>Governance, Library, Coordination and Reporting<br>JACSGCR@act.gov.au or 02 620 72167                                                                                                                                                                                                                                                                                                                                                       | Where there are questions or concerns regarding this Policy, its application, or how it relates to other policies or directives, contact:<br>Human Resources Manager<br>2 Allsop Street,<br>CANBERRA ACT 2601<br>HR@legalaidact.org.au                                                                                                                                                                                                                                                                                                                                                                                                                                   |

**RECORDS INFORMATION AND DATA MANAGEMENT STANDARD OPERATING PROCEDURE**

| Section                                                                  | Remove                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Replace with                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ALL                                                                      | Justice and Community Safety (JACS) Directorate<br>Director-General<br>Executive Director Governance                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Legal Aid Commission (ACT)<br>Chief Executive Officer<br>HR Manager                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Document Information.<br>Document/Legislation<br>References: Page 2      | <a href="#">Territory Records Act 2002</a><br><a href="#">Freedom of Information Act 2016</a><br><a href="#">Information Privacy Act 2014</a><br><a href="#">Public Sector Management Act 1994</a>                                                                                                                                                                                                                                                                                                                                                                   | <a href="#">Legal Aid Act 1977</a><br><a href="#">Territory Records Act 2002</a><br><a href="#">Freedom of Information Act 2016</a><br><a href="#">Information Privacy Act 2014</a><br><a href="#">Public Sector Management Act 1994</a>                                                                                                                                                                                                                                                                                                                                                               |
| 4.1 Records Assets.<br>Page 7                                            | All records created, received and maintained as part of the duties of staff, volunteers, consultants, contractors and outsourced providers are owned by the JACS Directorate and the ACT Government.                                                                                                                                                                                                                                                                                                                                                                 | All records created, received and maintained as part of the duties of staff, volunteers, consultants, contractors and outsourced providers are owned by the Legal Aid Commission (ACT)                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 5. What is the JACS Directorate Official Recordkeeping System?<br>Page 8 | Currently, the JACS Directorate's official recordkeeping system is a paper-based filing system. The only exception to this is the Parliamentary Counsel Office's Job Management System. For all other JACS Directorate business units, records are only kept via paper files.                                                                                                                                                                                                                                                                                        | Currently, the Legal Aid Commission's official recordkeeping system is both a paper-based filing system and the Commission's official electronic based recordkeeping system, 'Visual Files'                                                                                                                                                                                                                                                                                                                                                                                                            |
| 6.2 What needs to be a record?<br>Page 8                                 | <a href="#">Freedom of Information 2016</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <a href="#">Territory Records Act 2002</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 6.3 How does a document become part of the official record?<br>Page 8    | Until this time, all documents, regardless of format, that are created, received and maintained as evidence and information by an agency or person, in pursuance of legal obligations or in the transaction of business, must be registered as a physical-file to be retained by JACS Business Units until the records disposal schedule identified disposal date.<br>Any paper-file received should have a pre-determined disposal schedule. If this is not the case, contact the JACS Directorate Records Manager to determine a disposal schedule for the record. | Until this time, all documents, regardless of format, that are created, received and maintained as evidence and information by an agency or person, in pursuance of legal obligations or in the transaction of business, must be registered as a physical-file to be retained by Business Units until the records disposal schedule identified disposal date or captured in a business application or endorsed EDRMS.<br>Any paper-file received should have a pre-determined disposal schedule. If this is not the case, contact the Records Manager to determine a disposal schedule for the record. |

Attachment A

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|-----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>6.4.3 Reporting to a paper-based storage system. Page 11</p> | <p>Paper records are to be stored in an endorsed location:</p> <ul style="list-style-type: none"> <li>workplaces that accommodate JACS staff</li> <li>Shared Services, Record Services, Building 7, 9 Sandford Street, Mitchell ACT</li> <li>approved secondary storage providers specialising in records, including Iron Mountain, GRACE and TIMG.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>Paper records are to be stored in an endorsed location:</p> <ul style="list-style-type: none"> <li>workplaces that accommodate Legal Aid Commission (ACT) Staff</li> <li>Legal Aid Commission's approved storage facility, 2 Allsop Street, CANBERRA ACT</li> <li>Approved secondary storage providers specialising in records, including Iron Mountain, GRACE and TIMG.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>7.2.1 Information Security. Page 15</p>                      | <p>Staff must refer to the Protection of Information including Clear Desk Policy to ensure information is held, shared and moved in accordance with applicable security requirements.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>Staff must ensure information is held, shared and moved in accordance with appropriate policies.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>7.2.2 Moving Records To Secondary Storage. Page 16</p>       | <p>Shared Services Record Services is the secondary storage provider for the JACS Directorate. Shared Services Record Services also manage contracts with other third party storage providers on behalf of the JACS Directorate.</p> <p>To send records to offsite storage:</p> <ol style="list-style-type: none"> <li>Complete a lodgement form found on the Records Consignment page on the Shared Services website. There are lodgement forms for both registered and unregistered items.</li> <li>Determine if any of the records have exceeded their minimum retention period and can be disposed. Obtain disposal approval from the relevant business unit manager and the JACS Records Manager. Further information on the disposal process can be found in section 8.</li> <li>Forward the completed lodgement form to the JACS Records Manager at <a href="mailto:JACSGCR@act.gov.au">JACSGCR@act.gov.au</a> for sentencing validation.</li> <li>The JACS Records Manager then returns the lodgement form to the action officer.</li> <li>Files being transferred to secondary storage should be sorted by 'disposal year' and placed</li> </ol> | <p>The Legal Aid Commission manages the movement of its records through the Records Management Officer. All requests for movement of records should be made to: <a href="mailto:records@legalaidact.org.au">records@legalaidact.org.au</a></p> <p>To send records to offsite storage:</p> <ol style="list-style-type: none"> <li>All legal records should be approved for archiving by a senior manager and closed in VF</li> <li>Records should be archived as per instructions on the Commission's Intranet "Archiving a File in VF"</li> </ol> <p>To retrieve files from storage send an email request to: <a href="mailto:records@legalaidact.org.au">records@legalaidact.org.au</a> enclosing the following information:</p> <ol style="list-style-type: none"> <li>Archive Box Number (if known)</li> <li>Visual File reference number</li> <li>Employee or Client Name</li> <li>Indication of the duration the file will be required</li> </ol> |

Attachment A

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|----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                    | <p>into archival boxes. Note the same box may hold files with different years of disposal.</p> <p>6. The action officer submits a completed online Records Consignment on the Shared Services website and attaches the completed lodgement form.</p> <p>7. Shared Services will provide the action officer with the consignment number. The action officer should write the consignment number on each box that is to be collected.</p>                                                                                     |                                                                                                                                                                                                                                                                                                                 |
| <p>8.1 Locating Records.<br/>Page 17</p>           | <p>Staff can contact Shared Services Record Services (RecordsSharedServices@act.gov.au) to locate or ascertain the existence of any official files. Alternatively, the JACS Records Manager may be able to assist in locating records, information and data.</p>                                                                                                                                                                                                                                                            | <p>Staff can contact Records <a href="mailto:records@legalaidact.org.au">records@legalaidact.org.au</a> to locate or ascertain the existence of any official files.</p>                                                                                                                                         |
| <p>9.6 Records Disposal Procedure.<br/>Page 21</p> | <p>A Records Management - Disposal Authority Request and Records Management - Disposal Matrix must be completed and forwarded to the JACS Records Manager before any records are destroyed so that disposal decisions can be verified.</p> <p>The JACS Records Manager will forward the Records Management - Disposal Authority Request to the Territory Records Office for authority to destroy the records.</p> <p>When the authority to destroy the records has been obtained the records may be securely destroyed.</p> | <p>The Records Officer will seek Executive approval for any decisions on disposal of records. Once approved, a request will be made to the Territory Records Office for authority to destroy the records. When the authority to destroy the records has been obtained the records may be securely destroyed</p> |
| <p>11 Enquiries.<br/>Page 21</p>                   | <p>Enquiries regarding this Program or for further information on records management in the JACS Directorate, contact:<br/>Governance, Library, Coordination and Reporting<br/>JACSGCR@act.gov.au or 02 620 72167</p>                                                                                                                                                                                                                                                                                                       | <p>Enquiries regarding this Program or for further information on records management in the Legal Aid Commission (ACT) contact: <a href="mailto:Records@legalaidact.org.au">Records@legalaidact.org.au</a></p>                                                                                                  |







**ACT**  
Government

Justice and Community Safety

# RECORDS, INFORMATION AND DATA MANAGEMENT POLICY

JUSTICE AND COMMUNITY  
SAFETY DIRECTORATE

04 APRIL 2018

## DOCUMENT INFORMATION

### Approval

Date approved/effective: 04 April 2018

Approved by: David Pryce, Acting Director-General

Signature:



Review date: Two years from date of effect, following a significant change or there is a change in security risk

### Details

| Document Properties                    | Approval Details                                                                                                                                                                                                               |
|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy Name:</b>                    | Records, Information And Data Management Policy                                                                                                                                                                                |
| <b>Policy Number:</b>                  | JACS POL 21                                                                                                                                                                                                                    |
| <b>Policy Type:</b>                    | Governance                                                                                                                                                                                                                     |
| <b>Custodian:</b>                      | Executive Director, Governance                                                                                                                                                                                                 |
| <b>Policy Advisor:</b>                 | JACS Records Manager                                                                                                                                                                                                           |
| <b>Responsible Branch:</b>             | Governance, Library, Coordination and Reporting                                                                                                                                                                                |
| <b>Stakeholders:</b>                   | All JACS Staff                                                                                                                                                                                                                 |
| <b>Document/Legislation References</b> | <a href="#"><u>Territory Records Act 2002</u></a><br><a href="#"><u>Freedom of Information Act 2016</u></a><br><a href="#"><u>Information Privacy Act 2014</u></a><br><a href="#"><u>Public Sector Management Act 1994</u></a> |

**Amendment history**

| Version | Issue Date    | Amendment Details                        | Author               |
|---------|---------------|------------------------------------------|----------------------|
| 1.0     | 04 April 2018 | New version of Records Management Policy | JACS Records Manager |

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## 1. PURPOSE

The Justice and Community Safety (JACS) Directorate is responsible for creating and maintaining records to inform and support decisions made within the Directorate. The information contained within records is displayed in a number of formats including documents, photos, emails, etc. It is important that these records are readily available to the JACS Directorate and the community, now and in the future.

The purpose of this policy is to establish a framework for record management from creation to destruction or future re-use.

This policy forms part of the records, information and data management framework for the creation, capture and management of records, information and data of the JACS Directorate.

## 2. SCOPE

This policy applies to all full time and part time staff, volunteers, consultants, contractors and outsourced providers as per the [Territory Records Act 2002](#) (the TR Act).

This policy applies to all aspects of organisational business including all records, information and data created during business transactions, and all business applications used to create or store records, information and data including emails, cloud based solutions, business systems, databases and websites.

All staff within the JACS Directorate, contractors employed by the JACS Directorate and external service providers under contract with JACS Directorate or the ACT Government are obliged to comply with this policy, relevant legislation, policies and standards.

## 3. POLICY STATEMENT

Information, data and records are vital corporate assets and their management is the responsibility of all who work directly and indirectly for the JACS Directorate.

This policy provides the basis for how the JACS Directorate and its employees adhere to legislative and better practice requirements for records, information and data, including what is outlined in:

- the TR Act
- the JACS Directorate's Records, Information and Data Management Program
- the Territory Records Office's Standard for Records, Information and Data
- the Territory Records Office's guidelines to implement the Standard for Records, Information and Data
- international standards.

The JACS Directorate and its employees must make, keep and manage full and accurate records, information and data in a timely manner to support business needs, government accountability, legal and regulatory obligations, community expectations and historical purposes.

The JACS Directorate is committed to the proper management of the records, information and data as mandated by the TR Act and will ensure records, information and data are retained for as long as required in a readily accessible form.

This policy will be referenced in JACS Directorate policies and procedures wherever possible to ensure its application is widespread and consistent.

#### **4. DEFINITION OF RECORDS, INFORMATION AND DATA MANAGEMENT**

A record is any piece of information that is created, received and maintained as evidence and information by an agency or person, in pursuance of legal obligations or in the transaction of business<sup>1</sup>

Records, information and data management covers, but is not limited to, the creation, keeping, protection, preservation, storage, disposal and access to records of the organisation.

Information, data and records management processes may be applied by all full time and part time staff, volunteers, consultants, contractors and outsourced providers as part of their duties. Some processes are solely carried out by the Records Manager and/or relevant governance areas.

#### **5. ROLES AND RESPONSIBILITIES**

| <b>Role</b>                  | <b>Responsibilities</b>                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>All staff</b>             | All staff are responsible for the creation and management of records, information and data about the work they perform on behalf of the JACS Directorate.                                                                                                                                                                                                                                                       |
| <b>Director-General JACS</b> | The Director-General JACS: <ul style="list-style-type: none"><li>• is ultimately responsible for the management of records, information and data</li><li>• promotes compliance with this Policy</li><li>• delegates responsibility for records, information and data to Executive Director Governance</li><li>• ensures the Records, Information and Data Management Program is adequately resourced.</li></ul> |

<sup>1</sup> ASO ISO: 15489 - Records Management

| Role                                       | Responsibilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Executive Director, Governance JACS</b> | The Executive Director, Governance JACS is responsible for the active support of, and adherence to, this policy by promoting a culture of compliance with records, information and data management and overseeing the development and currency of strategic documents such as the Records, Information and Data Management Program.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>JACS Records Manager</b>                | <p>The JACS Records Manager is responsible for implementing and monitoring legislative and better practice requirements for records, information and data, including the Records, Information and Data Management Program, this policy and organisational capabilities. An important aspect includes the identification of records, information and data management requirements, and the development, implementation and support of records, information and data procedures.</p> <p>The JACS Records Manager is responsible for:</p> <ul style="list-style-type: none"> <li>• encouraging and maintaining compliance with the Records, Information and Data Management Standard Operating Procedure</li> <li>• ensuring effective communication of the JACS Directorate’s current Records, Information and Data Management Program</li> <li>• be a source of recordkeeping knowledge regarding the Records, Information and Data Management Standard Operating Procedure</li> <li>• contribute to the design, development and maintenance of recordkeeping systems</li> <li>• prepare and review policies, procedures and work instructions for efficient record management operation</li> <li>• contribute to the development and review of the Whole of Government Functional Thesaurus and Records Disposal Schedules that are utilised across the ACT Government.</li> </ul> |
| <b>ICT staff</b>                           | ICT staff, including Shared Services ICT staff, are responsible for maintaining the technology for business systems including appropriate system accessibility, security and back-ups. ICT staff should ensure that any actions such as removing data from systems or folders, are undertaken in accordance with this policy, particularly in terms of the retain principle (outlined below).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>JACS Agency Security Advisor</b>        | The JACS Agency Security Advisor provides advice on security policy and guidelines associated with the management of records, information and data.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |



| Role                                                              | Responsibilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Managers and Supervisors</b>                                   | All managers and supervisors are responsible for ensuring their staff, consultants, contractors and outsourced providers are aware of and follow their responsibilities for records, information and data management. This includes addressing records, information and data management during performance review discussions and when establishing job descriptions. Managers and supervisors must also advise the JACS Records Manager of any changes in the business environment that may affect the creation and management of records, information and data, such as the planned de-commission and procurement of business systems. |
| <b>Volunteers, contractors, consultants and service providers</b> | Volunteers, contract staff, consultants and services providers acting on behalf of the JACS Directorate must create and manage records in accordance with this policy and supporting procedures.                                                                                                                                                                                                                                                                                                                                                                                                                                         |

## 6. RECORDS, INFORMATION AND DATA MANAGEMENT PRINCIPLES

The JACS Directorate’s records, information and data will be managed according to the principles outlined in the Standard for Records, Information and Data released by the Director of Territory Records. This includes:

**Principle 1 - Strategy:** The JACS Directorate strategically manages its records, information and data by applying the Records, Information and Data Management Program and this policy.

**Principle 2 - Capability:** The JACS Directorate has established and continues to grow its capability to effectively manage records, information and data. We review our capability on a regular basis and implement plans to build our records, information and data management maturity.

**Principle 3 - Assess:** The JACS Directorate assesses its records, information and data management requirements to ensure appropriate evidence of our business activities is captured and maintained.

**Principle 4 - Describe:** The JACS Directorate maintains control over its records, information and data by ensuring it has systems in place to maintain authenticity, usability and reliability.

**Principle 5 - Protect:** The JACS Directorate ensures there are appropriate storage and preservation mechanisms in place to protect our records, information and data.

**Principle 6 - Retain:** The JACS Directorate assesses its records, information and data to determine appropriate retention periods.

**Principle 7 - Access:** The JACS Directorate ensures records are managed so they can be found, accessed, used and re-used wherever appropriate.

## 7. RECORDS, INFORMATION AND DATA FRAMEWORK

### 7.1 Legislation

The JACS Directorate must comply with a range of laws related to the creation and capture of records, information and data.

In general, all business units must comply with the:

- [Territory Records Act 2002](#)
- [Freedom of Information Act 2016](#)
- [Evidence Act 2011](#)
- [Information Privacy Act 2014](#)
- [Health Records \(Privacy and Access\) Act 1997](#)
- [Electronic Transactions Act 2001](#)
- [Public Sector Management Act 1994](#)
- [Financial Management Act 1996](#)
- [Work Health and Safety Act 2011](#)
- [Working with Vulnerable People \(Background Checking\) Act 2011](#)

Business units may also have to comply with legislative recordkeeping requirements specific to their functions. All business units are responsible for understanding and complying with the relevant standards and legislation governing its own recordkeeping requirements. The specific legislation that is applicable to JACS Directorate functions can be found in the [Administrative Arrangements](#) available on the ACT Legislation Register.

### 7.2 Standards and regulations

Standards and regulations also help guide the JACS Directorate in performing its functions. The JACS Directorate operates in line with numerous standards, regulations, schemes, notifications, directions, delegations, and memorandums that relate to the functions prescribed under the [Administrative Arrangements](#). The JACS Directorate also applies the following records management standards:

- ASO ISO: 15489 - Records Management
- SA/SNZ TR ISO: 26122 - Work Process Analysis for Recordkeeping
- AS: 5044 - AGLS Metadata Standard
- AS/NZS 5478: 2015 – Recordkeeping Metadata Property Reference Set
- ISO: 16175 - Principles and Functional Requirements for Records in Electronic Office Environments

### 7.3 Associated policies

A range of policies relevant to the management of records, information and data must be applied alongside this Policy, including, but not limited to:

- ACT Public Service Code of Conduct
- ACT Public Service Code of Ethics
- ACT Government Open Data Policy
- Digital Recordkeeping Policy for the ACT Public Service
- ACT Government Social Media Policy
- ACT Government Protective Security Policy Framework
- ACT Government Freedom of Information Standard Operating Procedure
- JACS Privacy Policy
- JACS CCTV Storage Device and Hardware Disposal Schedule Standard Operating Procedure
- Protection of Information including Clear Desk Policy

## 8. ENDORSED LOCATIONS

Only endorsed locations can be used to store records, information and data to ensure their appropriate management.

For locations to be endorsed, they must be registered with the JACS Records Manager to help ensure appropriate records management processes can be applied and, where appropriate, supported by the development of information management plans.

Endorsed locations in the JACS Directorate include:

### Physical

- Shared Services, Record Services, Building 7, 9 Sandford Street, Mitchell ACT
- approved secondary records management storage providers including Grace and Iron Mountain
- workplaces that accommodate JACS Directorate staff (note, a basement is not an endorsed location until it has been assessed and approved to hold records)

### Digital

- HP Records Manager (HPRM), where it has been configured as an Electronic Document Records Management System (EDRMS) in compliance with Whole of Government standards, specifically:
  - the Parliamentary Counsel Office (PCO) Job Management System (JMS)
- Approved business applications.

The following are not endorsed locations:

### Physical

- unoccupied outbuildings

- any location that is not under the direct control of the JACS Directorate such as a personal residence
- any other location that could reasonably be seen as representing a risk to physical records

#### **Electronic**

- HPRM, where it has not been configured as an EDRMS, including all ministerial and briefing materials outside of the PCO JMS
- Outlook
- SharePoint (including the JACS Directorate intranet)
- Shared drives (such as the G drive)
- Staff drives (such as the H drive)
- Portable devices (such as flash drives)
- Personal IT devices
- Unapproved business systems

JACS Directorate records, information and data held in non-endorsed locations remains subject to the access provisions of the [Freedom of Information Act 2016](#). Records, information and data captured in a non-endorsed location should be moved to an endorsed location as early as possible to promote accessibility and ensure appropriate management principles are applied.

## **9. OWNERSHIP**

All records, information and data generated by staff, volunteers, consultants, contractors and outsourced providers as part of their duties are territory records and belong to the ACT Government and not to individuals or companies.

## **10. REVIEWING AND REPORTING BY THE TERRITORY RECORDS OFFICE**

It is the duty of the JACS Records Manager to allow for the Director of Territory Records to examine and review the operation of the Records, Information and Data Management Program and the JACS Directorate's compliance with the [Territory Records Act 2002](#) and compliance of the JACS Directorate's Records, Information and Data Management Standard Operating Procedure.

This is to ensure process is followed correctly and is aligned with the standards outlined in section 16(d) of the [Territory Records Act 2002](#).

The JACS Records Manager must assist the Director of Territory Records in any matters on reporting on the JACS Directorate's compliance with the [Territory Records Act 2002](#) and the JACS Directorate's Records, Information and Data Management Program.

## **11. DISPUTE RESOLUTION**

Arrangements must be made for the resolution of disputes between the Director of Territory Records and the JACS Directorate about whether the JACS Directorate is complying with the [Territory Records Act 2002](#) and the JACS Directorate's Records, Information and Data Management Program.

The JACS Directorate will resolve disputes with the Director of Territory Records through the use of the following levels of escalation.

### **Level 1**

An action officer may at any time refer a problem or an issue in dispute to the Director of Territory Records or the JACS Records Manager. The JACS Records Manager will negotiate with a Policy Officer within the Territory Records Office.

Disputes not resolved to the satisfaction of the JACS Records Manager or the Territory Records Office shall be escalated to level 2.

### **Level 2**

The Director of Territory Records and the JACS Records Manager shall make every possible effort to resolve the matter by negotiation.

Disputes not resolved to the satisfaction of the JACS Records Manager (in the case of a JACS Directorate raised issue) or the Director of Territory Records (in the case of a Territory Records Office raised issue) shall be escalated to level 3

### **Level 3**

The Territory Records Advisory Council and the JACS Records Manager shall make every possible effort to resolve the matter by negotiation.

Disputes not resolved to the satisfaction of the JACS Records Manager (in the case of a JACS Directorate raised issue) or the Director of Territory Records (in the case of a Territory Records Office raised issue) shall be escalated to level 4.

### **Level 4**

A mediator shall be selected from those qualified in the field of records management. The parties will implement the determined process and conclude the matter as directed.

## 12. ENQUIRIES

Where there are questions or concerns regarding this Policy, its application, or how it relates to other policies or directives, contact:

JACS Records Manager

Governance, Library, Coordination and Reporting

[JACSGCR@act.gov.au](mailto:JACSGCR@act.gov.au) or 02 620 72167

## 13. REVIEW

This policy will be reviewed on an ongoing basis, with a formal review to occur at a minimum every two years.



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RECORDS, INFORMATION AND  
DATA MANAGEMENT  
PROGRAM

JUSTICE AND COMMUNITY  
SAFETY DIRECTORATE

04 APRIL 2018



## DOCUMENT INFORMATION

### Approval

Date approved/effective: 04 April 2018

Approved by: David Pryce, Acting Director-General

Signature:



Review date: Two years from date of effect, following a significant change or there is a change in the records management environment.

### Details

| Document Properties                     | Approval Details                                                                                                                                                                                                               |
|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Program Name:</b>                    | Records, Information and Data Management Program                                                                                                                                                                               |
| <b>Program Number:</b>                  | JACS Program 03                                                                                                                                                                                                                |
| <b>Program Type:</b>                    | Governance                                                                                                                                                                                                                     |
| <b>Custodian:</b>                       | Executive Director, Governance                                                                                                                                                                                                 |
| <b>Program Advisor:</b>                 | JACS Records Manager                                                                                                                                                                                                           |
| <b>Responsible Branch:</b>              | Governance, Library, Coordination and Reporting                                                                                                                                                                                |
| <b>Stakeholders:</b>                    | All JACS Staff                                                                                                                                                                                                                 |
| <b>Document/Legislation References:</b> | <a href="#"><u>Territory Records Act 2002</u></a><br><a href="#"><u>Freedom of Information Act 2016</u></a><br><a href="#"><u>Information Privacy Act 2014</u></a><br><a href="#"><u>Public Sector Management Act 1994</u></a> |

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| 1.0     | 04 April 2018 | New version of Records Management Policy | JACS Records Manager |

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## AUTHORISATION

In accordance with the [Territory Records Act 2002](#), and as Director General of the Justice and Community Safety (JACS) Directorate, I:

- authorise this Records, Information and Data Management Program (the Program)
- certify that this Program addresses all elements contained within section 16 of the [Territory Records Act 2002](#)
- certify that this Program meets all the requirements set out in the Standard for Records, Information and Data released by the Director of Territory Records.

This Program provides a framework to ensure records, information and data management requirements are met.

The JACS Directorate's records, information and data management framework includes:

- the [Territory Records Act 2002](#)
- the Standard for Records, Information and Data released by the Director of Territory Records
- other applicable legislation, policies and administrative directions of the ACT Government
- this Program
- the Records, Information and Data Management Policy
- the Records, Information and Data Management Standard Operating Procedure
- the ICT Business Application Portfolio.

I authorise the appropriate resourcing of this Program, which includes the:

- promulgation of this Program and the associated framework to all staff, volunteers, consultants, contractors and outsourced providers
- appropriate management of records, information and data
- annual assessments of records, information and data management capabilities
- planning for, and continual improvement of, records, information and data management capabilities.

Director General  
Justice and Community Safety Directorate

## 1. INTRODUCTION

The [Territory Records Act 2002](#) (the TR Act) obliges the Director General, JACS to ensure the organisation and its staff comply with the TR Act, including through the development, approval and implementation of this Program.

## 2. SCOPE

This document is in direct reference to the Standard for Records, Information and Data outlined by the Territory Records Office. The principles outlined are only intended as a minimum requirement to assist in achieving a robust, accessible and well communicated records management program and practice in the JACS Directorate.

## 3. COMPLIANCE WITH THE *TERRITORY RECORDS ACT 2002*

This Program addresses all elements set out in section 16 of the TR Act and meets the requirements set out in the Standard for Records, Information and Data released by the Director of Territory Records.

## 4. RESPONSIBLE EXECUTIVE

The Executive Director Governance is responsible for the active support and ongoing maintenance of the Records, Information and Data Management Program, Policy and SOP, including the implementation and regular review of this Program.

A key responsibility includes ensuring all staff, volunteers, consultants, contractors and outsourced providers understand their obligations with the policy and procedures for records, information and data management.

## 5. RELATIONSHIP WITH THE DIRECTOR OF TERRITORY RECORDS

The Director of Territory Records oversees the administration of the TR Act, provides an advisory and compliance monitoring service, may provide reports to the relevant minister on records, information and data management capabilities, and issues the standards and notifiable instruments (Record Disposal Schedules) that relate to the management and retention of records, information and data.

Therefore, arrangements are in place to liaise with the Director of Territory Records for:

- examining the operation of this Program and compliance with the TR Act
- advising on the outsourcing of any aspect of records, information and data management responsibilities
- requesting assistance, advice and training in relation to records, information and data management

- reporting on compliance with the TR Act, the Program, and records, information and data management capabilities
- resolving disputes regarding compliance with the TR Act and the Program.

## **6. CAPABILITY ASSESSMENT AND MATURITY DEVELOPMENT (CAPABILITY PRINCIPLE)**

The Director General, JACS, in association with Executive Director, Governance, will report annually to the Director of Territory Records on its records, information and data management capabilities using the Compliance Checklist Tool provided by the Territory Records Office (TRO) or as required by the Annual Report Directions.

Annual plans are developed and implemented to build capability maturity, including improvement planning, communication and training.

## **7. CREATING AND MANAGING FULL AND ACCURATE RECORDS (IDENTIFY PRINCIPLE)**

The JACS Directorate works with the TRO to develop Record Disposal Schedules that identify the records each business unit must create and keep as a full and accurate record of its activities. The JACS Directorate is committed to identifying its records, and their significance, through processes that are accountable, consistent, objective, comprehensive, contextualised and documented.

The business systems in use in the JACS Directorate that create records are identified in the ICT Business Application Portfolio.

## **8. METADATA MANAGEMENT (METADATA PRINCIPLE)**

The JACS Directorate complies with recordkeeping metadata standards endorsed by the TRO. The JACS Directorate uses the Whole of Government Business Classification Scheme/Recordkeeping Thesaurus (the Thesaurus) to classify its records according to the business functions and activities they represent. The JACS Directorate also aims to use the Thesaurus to classify and map information and data wherever possible.

Metadata requirements for business systems that contain records have been identified in systems management plans and manuals, data dictionaries and other systems documentation. This includes arrangements for the ongoing preservation and management of recordkeeping metadata.

## **9. PROTECTING RECORDS, INFORMATION AND DATA (PROTECT PRINCIPLE)**

Arrangements are in place to protect records, information and data. This includes ensuring the continued access to records, information and data for as long as they are required to be kept in

accordance with the TR Act (as defined by Record Disposal Schedules). This includes the identification of endorsed locations for records storage, both in hard copy and digital form.

Arrangements are in place to protect records, information and data in the custody of volunteers, consultants, contractors and outsourced providers to ensure the assets are returned or managed in accordance with the TR Act.

Instructions to staff and others on how to protect the JACS Directorate's records, information and data are contained in the following documents:

- Business Continuity Plans
- The JACS Directorate's Records, Information And Data Management Standard Operating Procedure

## 10. RECORDS DISPOSAL ARRANGEMENTS (RETAIN PRINCIPLE)

The Record Disposal Schedules used by the JACS Directorate are published each year in the Director of Territory Records Annexed Report to the [Chief Minister, Treasury and Economic Development Directorate \(CMTEDD\) Annual Report](#).

JACS Directorate records may only be destroyed in accordance with one of the approved Record Disposal Schedules, with non-evidentiary information destruction by the JACS Directorate's normal administrative practice. Normal administrative practice for the JACS Directorate is defined in section 9.2 of JACS Directorate Records, Information and Data Management Standard Operating Procedure. Additional arrangements are in place to protect records, information and data that may allow people to establish links with their Aboriginal or Torres Strait Islander heritage and for records, information and data that is to be retained in perpetuity for cultural and historical purposes.

## 11. PUBLIC ACCESS TO RECORDS, INFORMATION AND DATA (ACCESS PRINCIPLE)

Arrangements are in place to provide public access to records, information and data under the authority of the TR Act. These arrangements also allow for the exemption of certain information, data and record assets, and the regular review of the exemption (as defined by section 28 of the TR Act).

To monitor compliance with the Program, performance measures for records, information and data management activities have been established and include:

- information, data and records are created or captured in a full and accurate way and in endorsed locations
- information, data and records are appropriately managed for as long as required
- metadata requirements are implemented wherever possible
- capability improvement measures are planned and implemented.

The Records Manager reports to the Executive Director, Governance on records, information and data management activities on a regular basis.

## 12. DETAILED PROCEDURES

For an outline of the JACS Directorate's Records Management Standard Operation Procedure see:

- JACS Directorate Records, Information And Data Management Standard Operating Procedure
- JACS Directorate Records, Information and Data Management Policy

## 13. AVAILABILITY FOR PUBLIC INSPECTION

Arrangements are in place to ensure this Program is available for inspection by the public free of charge.

## 14. REVIEW

This Program will be reviewed at least every two years or as required.

## 15. ENQUIRIES

Enquiries regarding this Program or for further information on records management in the JACS Directorate, contact:

Governance, Library, Coordination and Reporting  
[JACSGCR@act.gov.au](mailto:JACSGCR@act.gov.au) or 02 620 72167





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RECORDS, INFORMATION AND  
DATA MANAGEMENT  
STANDARD OPERATING  
PROCEDURE

JUSTICE AND COMMUNITY  
SAFETY DIRECTORATE

04 APRIL 2018

## DOCUMENT INFORMATION

### Approval

Date approved/effective: 04 April 2018

Approved by: David Pryce, Acting Director-General

Signature:



Review date: Two years from date of effect, following a significant change or there is a change in the records management environment.

### Details

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| <b>SOP Name:</b>                        | Records, Information and Data Management Standard Operating Procedure                                                                                                                                                          |
| <b>SOP Number:</b>                      | JACS SOP 48                                                                                                                                                                                                                    |
| <b>SOP Type:</b>                        | Governance                                                                                                                                                                                                                     |
| <b>Custodian:</b>                       | Executive Director, Governance                                                                                                                                                                                                 |
| <b>SOP Advisor:</b>                     | JACS Records Manager                                                                                                                                                                                                           |
| <b>Responsible Branch:</b>              | Governance, Library, Coordination and Reporting                                                                                                                                                                                |
| <b>Stakeholders:</b>                    | All JACS staff                                                                                                                                                                                                                 |
| <b>Document/Legislation References:</b> | <a href="#"><u>Territory Records Act 2002</u></a><br><a href="#"><u>Freedom of Information Act 2016</u></a><br><a href="#"><u>Information Privacy Act 2014</u></a><br><a href="#"><u>Public Sector Management Act 1994</u></a> |

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## 1 PURPOSE

The purpose of this Standard Operating Procedure (SOP) is to outline the procedures required by the Justice and Community Safety (JACS) Directorate's Records, Information and Data Management Program for good recordkeeping, record preservation and record disposal.

## 2 SCOPE

These procedures are designed to provide directions for records, information and data management for a range of processes undertaken by all staff, volunteers, consultants, contractors and outsourced providers as part of their duties within the JACS Directorate.

Some procedures are solely carried out by the JACS Records Manager, while some should be followed by staff of all business units.

## 3 WHAT IS A RECORD

A record is any piece of information that is created, received and maintained as evidence and information by an agency or person, in pursuance of legal obligations or in the transaction of business<sup>1</sup>.

Records provide proof of what happened, when it happened and who made decisions. Records are created to support business activity and keep evidence of that activity. Because records provide evidence of business activity, they must be created and maintained in a manner that promotes the principles of accountability and open government. This includes preserving records to facilitate public access, both now and in the future.

To be relied upon, records must be complete and accurate, classified correctly, trackable and appropriately stored. A record may be paper-based or digital but regardless, must give an account of what was communicated, decided and done.

## 4 RESPONSIBILITIES

The Director-General is ultimately responsible for the management of records, information and data, and has authorised the Records, Information and Data Management Program and Policy.

The Executive Director Governance is responsible for the active support and ongoing maintenance of the Records, Information and Data Management Program, Policy and SOP, including the implementation and regular review of this Program.

A key responsibility includes ensuring all staff, volunteers, consultants, contractors and outsourced providers understand their obligations with the policy and procedures for records, information and data management.

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<sup>1</sup> AS/ISO Standard for Records Management 15489

All managers and supervisors have a responsibility to foster an environment that promotes good records, information and data management. Effective implementation requires managers and supervisors to monitor their staff, volunteers, consultants, contractors and outsourced providers to ensure that they understand and apply relevant records, information and data management procedures.

All JACS staff, volunteers, consultants, contractors and outsourced providers are responsible for determining if the documents and information they create or receive should form part of the official record.

Staff, volunteers, consultants, contractors and outsourced providers must be aware of the minimum recordkeeping requirements outlined within relevant policies and procedures, as this is often the evidence that is relied upon by audit and other accountability mechanisms to determine whether correct processes were followed.

## **4.1 RECORDS ASSETS**

The JACS Directorate is committed to ensuring records in its care are treated as valuable corporate assets, critical to the business of the JACS Directorate and the ACT Government. Particular value will be placed on the records that are sensitive in nature, confidential and those, if compromised would lead to a violation of privacy for parties involved.

All records created, received and maintained as part of the duties of staff, volunteers, consultants, contractors and outsourced providers are owned by the JACS Directorate and the ACT Government. Records do not belong to individual employees or contractors.

### **4.1.1 SENSITIVE RECORDS**

The JACS Directorate is committed and responsible for ensuring that records containing sensitive information, including those that contain personal information of citizens under the age of 18 years of age, Indigenous and Torres Strait Islanders, or other sensitive persons, are managed appropriately and preserved securely.

### **4.1.2 RECORDS MANAGEMENT POLICY AND PROCEDURE AWARENESS**

It is the responsibility of the JACS Records Manager to ensure the communication of the JACS Directorate's Records, Information and Data Management Policy and Procedure for the creation, maintenance and destruction of records.

This includes the procedures outlined in this document, the further responsibilities outlined in the JACS Directorate's Records, Information and Data Management Policy, and that all JACS Directorate staff must:

- Understand the recordkeeping obligations and responsibilities that relate to their role in the JACS Directorate.
- Adhere to ACT Government policies, procedures and standards for keeping records, documenting their activities on behalf of the JACS Directorate and the ACT Government.
- Only destroy records under an approved Record Disposal Schedule or information and data through appropriate Normal Administrative Practice (NAP).



## 5 WHAT IS THE JACS DIRECTORATE'S OFFICIAL RECORDKEEPING SYSTEM

Currently, the JACS Directorate's official recordkeeping system is a paper-based filing system.

The only exception to this is the Parliamentary Counsel Office's Job Management System. For all other JACS Directorate business units, records are only kept via paper files.

JACS Directorate staff are reminded that the following systems are not official recordkeeping systems:

- Shared drives such as the G drive
- SharePoint
- Outlook
- Portable devices such as USB sticks
- Personal ICT devices

Except where it integrates with the Parliamentary Counsel Office's Job Management System, the JACS Directorate's instance of HP Records Manager (HPRM), also known as TRIM, has not been configured to hold records. HPRM is used for tracking and workflow management and should not be relied upon as the official record.

Records created and held on the abovementioned systems should be moved to an official recordkeeping system as soon as possible after their creation or receipt by printing and placing on file.

## 6 RECORD CREATION

### 6.1 RESPONSIBILITY

All JACS Directorate staff are responsible for the creation of records. The responsibility of all staff is to determine what is required to be part of the official record. This may be in a range of formats including, but not limited to, emails, documents, policy briefs, government reports, media files. In line with the Digital Records Keeping Policy for the ACT Public Service, JACS Directorate staff are strongly encouraged to take a 'Digital First' approach to record creation and filing. This involves the digitising of potential records.

### 6.2 WHAT NEEDS TO BE A RECORD?

Under the [Freedom of Information 2016](#) and the government's Open Access policy, all documents that give evidence of a decision made, of advice given or received or a transaction with the JACS Directorate must be kept as part of the official record.

### 6.3 HOW DOES A DOCUMENT BECOME PART OF THE OFFICIAL RECORD?

Until this time, all documents, regardless of format, that are created, received and maintained as evidence and information by an agency or person, in pursuance of legal obligations or in the transaction of business, must be registered as a physical-file to be retained by JACS Business Units until the records disposal schedule identified disposal date.

## RECORDS, INFORMATION AND DATA MANAGEMENT STANDARD OPERATING PROCEDURE UNCONTROLLED IF PRINTED

Any paper-file received should have a pre-determined disposal schedule. If this is not the case, contact the JACS Directorate Records Manager to determine a disposal schedule for the record.

Part of the role of JACS Directorate staff is to identify which documents need to be considered a record and enter the records management system. To determine if a record has value and should be added to an approved recordkeeping system, ask yourself the following questions:

- Does it evidence a decision you have made?
- Does it evidence advice you have given?
- Does it evidence advice you have received?
- Does it evidence a transaction with the JACS Directorate?

If the answer to any of these questions is 'yes' then it should be retained in an approved recordkeeping system.

Documents that should not be added to an approved recordkeeping system include, but are not limited to:

- personal documents
- routine documents
- routine email conversations
- system messages such as HR21 notifications
- duplicates of documents already retained in an approved recordkeeping system.

Below is a non-exhaustive list of possible documents that may need to be added to an approved recordkeeping system:

- correspondence
- briefs
- procedures
- contracts
- reports
- publications
- policies
- media releases
- proposals
- strategic and business plans
- guidelines
- licenses
- minutes
- financial statements
- vouchers
- payments
- journals
- credit notes
- budget estimates

- remittances
- receipts

## 6.4 STANDARDS

To ensure ease of access to information in records, JACS Directorate staff will ensure that any record created meets five benchmarks that the record is:

- Complete
  - No elements of the record are redacted, removed or lacking in critical information.
- Accurate
  - That all information in the record is correct, without spelling or grammatical errors.
- Classified correctly
  - That the document is given proper security classifications (see section 7.2.1).
- Trackable
  - The record must clearly display reference information so that when archived in an EDRMS or paper-based system, the document can easily be relocated.
- Appropriately stored
  - The record must be stored in conditions appropriate in regards to security classification and fragility of the document (if it is a paper record).
  - It must also be first considered for EDRMS storage as part of the JACS Directorate's 'digital-first' approach before a paper-based record management system is used – If it can be stored on an EDRMS it should be (only for Parliamentary Counsel Office).

In cases where decisions are made as part of a process with established procedures and criteria, the records should clearly show how the established criteria has been applied. Where a decision maker departs from the norm, the reason for doing so should be documented.

### 6.4.1 SECURITY CLASSIFICATION SYSTEMS

Before a document in any format can become a record, the security classification of the potential record must be established. This is to ensure it is properly inputted into the EDRMS or into a paper-based storage system.

For most JACS business records they can be classed as unclassified.

A limited number of areas within the JACS Directorate handle classified material. Refer to section 7.2.1 for definitions and examples.

### 6.4.2 REPORTING TO AN APPROVED ELECTRONIC DOCUMENT RECORD MANAGEMENT SYSTEM (EDRMS)

As part of the JACS Directorate's 'Digital First' approach to records management, JACS staff must ensure that any records are reported via an approved EDRMS:

- HPRM, where it has been configured as an EDRMS in compliance with Whole of Government standards, specifically:
  - the Parliamentary Counsel Office's Job Management System
- approved business applications.

### 6.4.3 REPORTING TO A PAPER-BASED STORAGE SYSTEM

Paper records are to be stored in an endorsed location:

- workplaces that accommodate JACS staff
- Shared Services, Record Services, Building 7, 9 Sandford Street, Mitchell ACT
- approved secondary storage providers specialising in records, including Iron Mountain, GRACE and TIMG.

Note that a basement is not an endorsed location until it has been assessed and approved to hold records by a suitably qualified records management professional.

When deciding where to store records, staff should have due regard to both environmental and security considerations. Records held onsite must be stored in a container appropriate to their security classification.

As a general rule, physical records should not be held onsite for longer than they are required for operational or business purposes.

### 6.4.4 SPECIAL STORAGE CONSIDERATIONS

Special consideration should be given the storage of records with archival value. Records that are to that have been designated as Territory Archives must be kept in higher quality conditions, which should include:

- humidity and temperature controls appropriate for the long term preservation of the records according to format
- ultraviolet filtered lighting
- heat or smoke detection, fire alarms, sprinkler systems and fire extinguishers
- adequate security monitoring alarms and controlled access
- appropriate housing, including shelving and packaging materials.

### 6.4.5 FILE TITLING

A good file title should:

- assist in identifying the records it holds
- act as an access point for users
- distinguish it from other files
- enable searching based on keywords, phrases and numbers.

#### 6.4.5.1 THE STRUCTURED TITLE – CLASSIFICATION AND THE THESAURUS

Official files must be classified using the Whole of Government Thesaurus. The Whole of Government Thesaurus is a controlled vocabulary of terms designed for classifying, titling and indexing of records on creation. Proper classification of files at the time of creation helps to ensure that files are easily accessible throughout their existence and can be disposed of in an efficient manner. The classification terms form the structured title.

The Whole of Government Thesaurus constitutes a three level hierarchy of terms arranged by:

| Thesaurus level | Description                                                                                                                                                                                                                                                                                          |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>FUNCTION</b> | Functions are the broadest terms in the classification structure, representing the high level functions undertaken by the ACT Government in fulfilling its responsibilities to the community. The function title will generally appear in capital letters for example FINANCE & TREASURY MANAGEMENT. |
| <b>Activity</b> | Activities are used to describe the narrower processes or operations performed by Government in undertaking a broad function for example Accounting.                                                                                                                                                 |
| <b>Subject</b>  | Subjects are non-mandatory terms used to more narrowly define the content of an activity for example credit cards.                                                                                                                                                                                   |

#### 6.4.5.2 FREE TEXT - NAMING CONVENTIONS

Free text is the non-controlled element of the file title. Free text should always be meaningful and descriptive, including sufficient information to differentiate it from other records.

When titling a file, staff should:

- consider how other people would search for the topic, both now and in the future
- include date ranges or specific dates to differentiate it from similar files
- avoid using acronyms or abbreviations unless commonly used such as 'ACT'
- avoid nondescript words such as 'general', 'miscellaneous', or 'matters'.

A full title may therefore be comprised as follows:

| FUNCTION                                 | Activity     | Subject      | Free text                             |
|------------------------------------------|--------------|--------------|---------------------------------------|
| <b>FINANCE &amp; TREASURY MANAGEMENT</b> | Accounting   | Credit cards | Executive Acquittals – 2016 – 2017    |
| <b>HUMAN RESOURCES</b>                   | Remuneration | Time Sheets  | Governance Unit Flex Sheets June 2017 |

#### 6.4.6 NON-WRITTEN COMMUNICATIONS

Much of the work undertaken during the normal course of business will automatically result in the creation of a document that can be used to form the official record. To be fit for purpose, the record must be legible, dated and captured into an endorsed recordkeeping location. Sometimes however,

business activities may not in themselves generate a document, such as a phone conversation, and staff must decide whether a record needs to be made for example for accountability purposes. Verbal decisions, transactions or commitments should be documented to form part of the record.

## 6.5 PROCESS

### 6.5.1 RECORD CREATION CHECKLIST

To ensure proper process, this checklist should be completed:

1. The record is complete:
  - a. What decision was made or advice given, by who and when?
2. The record is accurate:
  - a. Is the information (in 1) correct?
  - b. Is it up to date? Has anything changed since the original document was produced?
3. The record has the correct classification:
  - a. Has the document been given the correct security classification?
4. The record is trackable:
  - a. Has it been given a reference such as a TRIM number?
  - b. Is this clearly displayed on the record?
  - c. Does it have a sentencing number?
5. The record has been stored appropriately
  - a. Has it been considered for input into an approved Electronic Document Records Management System?
  - b. If it has to be a paper record, is it prepared in way required by its security classification?
  - c. If it has to be a paper record, is it readable and preservable?

If any of these five standards have not been met, the record must still be kept in such a way to ensure that it is retrievable and usable.

### 6.5.2 EMAIL

If an email provides evidence of a decision, actions taken or advice given, it must be treated as an official record and filed appropriately.

In order to maintain their value as evidence, emails cannot be altered or manipulated, for as long as they are retained. They must also reach the standards of reporting.

Staff must manage their work email accounts to ensure information is appropriately stored.

As a general rule of internal communication, the initiator of an email is also responsible for capturing it as a record. The recipient should also use their judgement as to whether they will require a copy of the email on their file to maintain the broader context of a particular matter.

Emails received from an external source should be filed immediately by the internal recipient.

Forwards and replies should also be treated as part of the record and will need to be captured on file. Ideally the email chain should be captured on the official file once, reflecting the entirety of the conversation in full.

### 6.5.3 WORKING PAPERS

The documents created and received in reaching a final position may constitute a record where they explain and justify the decision making process. This includes significant drafts of a document that was subsequently finalised, particularly where it demonstrates a change in policy or recommended outcomes. Minor drafts, incorporating grammatical or stylistic changes, may not be as valuable and may not need to be kept as a record.

### 6.5.4 SOCIAL MEDIA

If information being received or communicated via social media provides evidence of a decision, actions taken or advice given, it must be captured and managed appropriately.

### 6.5.5 WEBSITES

Records of website based activity must be kept as evidence, including website content, records of any online transactions and documents reporting the administration of the website.

The documents that comprise a webpage can be captured in their native format. Static websites can be captured by periodic snapshots and should be filed accordingly.

Websites which are updated regularly and need to be part of the official record, should be archived after each update. The website administrator must decide whether the record focuses on the individual transactions between clients and servicers or the objects that comprise the content of the website at any given time.

Regardless of the kind of website, website records must fulfil the stands of record creation like any other kind of record format.

## 7 RECORD MANAGEMENT AND PRESERVATION

### 7.1 RESPONSIBILITY

The management and preservation of records is the responsibility of any JACS staff member who is in possession of a record. This covers when the record is filed, when it is requested, when it is being used as a working document and when the record is returned to filing. The record should be considered an asset of the JACS Directorate and the ACT Government and as such should be handled with preservation in mind to allow for continued access and use of the record now and into the future.

## 7.2 HANDLING, STORAGE AND MOVEMENTS

Regardless of where it is held, all records, information and data created or received during the course of business constitutes the property of the JACS Directorate. Accordingly, it must be handled, stored and moved in accordance with standards outlined in the Territory Records Office's Standard for Records, Information and Data.

### 7.2.1 INFORMATION SECURITY

The JACS Directorate's record, information and data holdings form part of a valuable asset that warrants protection. The ACT Government Protective Security Policy Framework and associated Information Security (INFOSEC) requires staff to implement risk based security measures to protect information from accidental or unauthorised loss, release or damage. All records, information and data should be classified and marked on creation in accordance with the INFOSEC guidelines and handled accordingly.

Staff must refer to the Protection of Information including Clear Desk Policy to ensure information is held, shared and moved in accordance with applicable security requirements.

Information should be shared with colleagues where there is a 'need to know' and the disclosure complies with any applicable legislation. As an asset, records, information and data should be used to support JACS Directorate outcomes where there is a legitimate right and need to access it, however, browsing information out of curiosity is strictly prohibited and may be subject to disciplinary action.

Staff should also be conscious of any additional handling provisions that may apply to specific types of information such as personal information under the JACS Privacy Policy.

Storage of information should be consistent with the guidelines within the Protection of Information including Clear Desk standards provided by the JACS Directorate. These standards are:

| Protective Marking                        | Minimum Storage Requirement                                                                                                                                                                                                                                                                                                                                                                |
|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Unclassified/No protective marking</b> | <ul style="list-style-type: none"><li>• In accordance with the <i>Territory Records Act 2002</i>.</li><li>• Documents in folders or filing trays.</li><li>• Files returned to cabinets or secured in locked executive offices.</li><li>• Computers/laptops logged off at the end of the day.</li><li>• Data storage devices in desk draws, filing cabinets or secure containers.</li></ul> |
| <b>For Official Use Only</b>              | <ul style="list-style-type: none"><li>• Locked desk draw.</li><li>• Locked in filing cabinets or secured in locked offices.</li></ul>                                                                                                                                                                                                                                                      |



| Protective Marking                                                                                    | Minimum Storage Requirement                                                                                                                                                                                                                         |
|-------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Sensitive: Personal</b><br/><b>Sensitive: Legal</b><br/><b>Sensitive: Auditor-General's</b></p> | <ul style="list-style-type: none"> <li>• Locked desk draw.</li> <li>• Locked in filing cabinets or secured in locked offices.</li> </ul>                                                                                                            |
| <p><b>Sensitive: Cabinet</b></p>                                                                      | <p>In accordance with the ACT Government Cabinet Handbook:</p> <ul style="list-style-type: none"> <li>• Locked in filing cabinets or secured in locked offices.</li> <li>• Data storage devices in locked cabinets or secure containers.</li> </ul> |
| <p><b>Protected</b></p>                                                                               | <ul style="list-style-type: none"> <li>• Class B storage containers in secure Offices.</li> <li>• Data storage devices in Class B storage containers.</li> <li>• Laptops secured in Zone 3 Areas.</li> </ul>                                        |
| <p><b>Secret</b></p>                                                                                  | <ul style="list-style-type: none"> <li>• Class B storage containers in secure Offices.</li> <li>• Data storage devices in Class B storage containers.</li> <li>• Laptops secured in Zone 4 Areas.</li> </ul>                                        |

### 7.2.2 MOVING RECORDS TO SECONDARY STORAGE

Shared Services Record Services is the secondary storage provider for the JACS Directorate. Shared Services Record Services also manage contracts with other third party storage providers on behalf of the JACS Directorate.

To send records to offsite storage:

1. Complete a lodgement form found on the [Records Consignment](#) page on the Shared Services website. There are lodgement forms for both registered and unregistered items.
2. Determine if any of the records have exceeded their minimum retention period and can be disposed. Obtain disposal approval from the relevant business unit manager and the JACS Records Manager. Further information on the disposal process can be found in section 8.
3. Forward the completed lodgement form to the JACS Records Manager at [JACSGCR@act.gov.au](mailto:JACSGCR@act.gov.au) for sentencing validation.
4. The JACS Records Manager then returns the lodgement form to the action officer.
5. Files being transferred to secondary storage should be sorted by 'disposal year' and placed into archival boxes. Note the same box may hold files with different years of disposal.
6. The action officer submits a completed online [Records Consignment](#) on the Shared Services website and attaches the completed lodgement form.

7. Shared Services will provide the action officer with the consignment number. The action officer should write the consignment number on each box that is to be collected.

Before sending items offsite:

- Remove any bulldog clips.
- Remove papers from lever arch folders. Papers may be kept together using plastic tube clip fasteners or ribbon.
- Ensure the full file title and file number is clearly visible at the front of the file.

Records that are moved to secondary storage remain the property of the business unit. As such, the business unit retains responsibility for approving disposal when appropriate.

### 7.3 RECORD PRESERVATION STRATEGY

Records must be preserved to ensure they can be accessed for as long as they are required for business use and by law. To preserve paper records of enduring or permanent value, staff must:

- Treat the record with care.
- Implement adequate storage standards and handling practices (see section 7.2.1).
- Use archival quality material at creation.

Preservation of electronic records requires strategies to migrate records to new systems in a way that maintains its reliability and authenticity as evidence.

Records that have deteriorated over time or suffered damage may require specific conservation treatment by experts. Advice on suitable treatments and the availability of experts is available through the JACS Records Manager.

### 7.4 BUSINESS CONTINUITY AND DISASTER RECOVERY

Business continuity and disaster recovery planning must include strategies for the protection and recovery of records. In particular, business units must ensure all necessary measures are in place to protect vital information. Vital information assets are any records, information or data that would be considered essential to re-establishing critical business operations in the event of a major disruption. Vital information assets should be identified during the business continuity planning processes, with strategies to minimise the risk of their loss. This may include:

- duplication and dispersal
- use of secure, fireproof, waterproof and vermin proof storage facilities
- remote storage.

## 8 RECORD ACCESS

### 8.1 LOCATING RECORDS

Staff can contact Shared Services Record Services ([RecordsSharedServices@act.gov.au](mailto:RecordsSharedServices@act.gov.au)) to locate or ascertain the existence of any official files. Alternatively, the JACS Records Manager may be able to assist in locating records, information and data.

## 8.2 REQUIRED DISCLOSURE LOG

The JACS Directorate is required to keep a record of access applications, a disclosure log, in accordance with section 28 of the [Freedom of Information Act 2016](#).

The disclosure log must fulfil all of the requirements of any record being entered into an official recordkeeping system (see section 6.4).

## 8.3 PROVISIONS OF THE FREEDOM OF INFORMATION ACT 2016 (THE FOI ACT)

Care must be taken by JACS staff to ensure the protection of records that the Director of the Territory Records Office deems reviewable and possibly disallowable for public release or released under the FOI Act.

The Director of Territory Records may declare a record exempt from release where disclosure could reasonably be expected to:

- endanger the life or physical safety of a person or
- prejudice law enforcement or
- unreasonably disclose information about any person (including a deceased person) or
- be a contempt of court or the Legislative Assembly or
- the record is subject to legal professional privilege.

## 8.4 SECTION 28 REGISTER

In line with sections 28 and 30 of the [Territory Records Act 2002](#), the JACS Directorate is required to keep a register of its records subject to an approved and in force declaration under section 28 (declaration applying provisions of the FOI Act).

# 9 RECORD DISPOSAL

## 9.1 RESPONSIBILITY

The responsibility of record disposal is shared between all JACS staff and the JACS Records Manager. All JACS staff are responsible for ensuring records are flagged for disposal after a date specified by the records disposal schedule. All record disposals must be cleared through the JACS Records Manager and the Territory Records Office before disposal occurs.

## 9.2 NORMAL ADMINISTRATIVE PRACTICE (NAP)

Normal Administrative Practice (NAP) is the common practice of the destruction of temporary or duplicate documents which no longer hold significant or continuing value and are not part of the official record.

Material that can normally be destroyed using NAP includes:

- Rough notes, calculations and diagrams that were used for the preparation of a record.
- Copies of documents where the original is safely retained in the official recordkeeping system – ensure this is the case before destroying the copy.

- Minor or inconsequential drafts. Major drafts in which there is a change to the requirements of a policy or recommendations must be retained.
- Modifications and updating of data as part of running established electronic software programs, where such processes do not result in the loss of data of continuing value.
- Published material used only as a reference including pamphlets, leaflets and brochures.
- Information from other organisations that is not essential to the JACS Directorate's functions.
- Personal documents such as unofficial emails and resumes.

### 9.2.1 NAP DISPOSAL PROCEDURE

There is a simple two step check to ensure NAP can be used for disposal of a document:

1. Does the document have a record disposal schedule?
2. Does the document hold continuing value or is an original/only copy available to JACS staff?

If either or both questions above are answered yes then the document should make part of an official record and cannot be disposed of using NAP.

If both questions are answered no then the document can be disposed of using NAP.

Documents subject to NAP must still be destroyed in accordance with their security classification.

Hardcopy information must be disposed of using either a secure locked recycling bin or destroyed using a commercial grade shredder.

For information on the disposal of large volumes of softcopy information or ICT equipment, please contact the JACS Directorate Agency Security Advisor.

The disposal of information must also be in accordance with the [Territory Records Act 2002](#). Please refer to the JACS Records Manager for guidance on the disposal of official information to ensure the security of all potentially disposable records.

### 9.3 RECORD DISPOSAL SCHEDULES

A records disposal schedule is a legal instrument issued by the Director of Territory Records that authorises the disposal of ACT Government records. It provides a systematic listing of classes of records and the minimum length of time they must be kept.

Once a record has reached the minimum retention period listed in the authorised disposal schedule and is no longer required for business or accountability purposes or to meet the expectations of the community, it may be legally disposed after following the processes outlined at section 9.6.

Alternatively some record classes will be identified as 'retain as Territory records', meaning associated records must be kept indefinitely. Records that are to be retained as Territory archives generally contain information that:

- Provides concise evidence of the deliberations of the Territory and Territory institutions, relating to key functions and programs, and significant issues faced in governing the Territory such as the development and review of legislation.

- Is considered essential to the protection and future wellbeing of Australians and their environment, including protection of their significant rights and entitlements.
- Have a special capacity to illustrate the impact of government activities on individuals, groups and the environment such as major public works.
- Have substantial capacity to enhance the knowledge and understanding of the Territory's history, society, economy, culture and people.
- Provide evidence of the source of authority, foundation and machinery of government and Territory institutions sufficient to document the administrative and legal context of other Territory archives.

The Record Disposal Schedules used by the JACS Directorate are reviewed annually and published as part of the Director of Territory Records' Annexed Report to the [Chief Minister, Treasury and Economic Development Directorate's Annual Report](#).

#### **9.4 PRESERVATION OF RECORDS ESTABLISHING ABORIGINAL AND TORRES STRAIT ISLANDER HERITAGE**

In accordance with the [Territory Records Act 2002](#), the JACS Directorate seeks to ensure that there are arrangements in place for preserving records that contain information that may allow people to establish links with their Aboriginal or Torres Strait Islander heritage.

Any records that contain name and family information that could be used by people to establish links with their Aboriginal or Torres Strait Islander heritage must be preserved indefinitely in accordance with the [Territory Records \(Records Disposal Schedule - For preserving records containing information that may allow people to establish links with their Aboriginal and Torres Strait Islander heritage\) Approval 2011 \(No 1\)](#)

If there is any doubt as to whether the records could contain useful information, please contact the JACS Records Manager for advice.

#### **9.5 RECORDS DISPOSAL FREEZES**

The JACS Directorate seeks to ensure that there are arrangements in place to protect records that are required for government inquiries. The JACS Directorate complies with the following freezes as notified by the Director of Territory Records:

- [Territory Records \(Records Disposal Schedule - Protection of Records Relevant to Cornwell-type Superannuation Claims\) Approval 2016 \(No 1\)](#)
- [Territory Records \(Records Disposal Schedule - Protection of records relevant to the Royal Commission into Institutional Responses to Child Sexual Abuse\) Approval 2013 \(No 1\)](#)

#### **9.6 RECORDS DISPOSAL PROCEDURE**

JACS records may only be destroyed in accordance with an approved Disposal Schedule.

Sentencing is the process of identifying and classifying records according to an approved Disposal Schedule and applying the applicable retention period. Sentencing should take into consideration business needs, requirements for agency accountability and community expectations.

The retention period identified in the Disposal Schedule represents the minimum timeframe records should be retained and can be extended if you believe the records remain of value to the ACT Government and community.

A [Records Management - Disposal Authority Request](#) and [Records Management - Disposal Matrix](#) must be completed and forwarded to the JACS Records Manager before any records are destroyed so that disposal decisions can be verified.

The JACS Records Manager will forward the [Records Management - Disposal Authority Request](#) to the Territory Records Office for authority to destroy the records.

When the authority to destroy the records has been obtained the records may be securely destroyed.

## 9.7 NON-COMPLIANCE WITH PROCEDURE

Non-compliance with this procedure could result in warnings and discipline from relevant managers.

## 10 REVIEW

This SOP will be reviewed on an ongoing basis, with a formal review to occur at a minimum of every two years.

## 11 ENQUIRIES

Enquiries regarding this Program or for further information on records management in the JACS Directorate, contact:

Governance, Library, Coordination and Reporting  
[JACSGCR@act.gov.au](mailto:JACSGCR@act.gov.au) or 02 620 72167



**ACT**  
Government

Justice and Community Safety

JUSTICE AND COMMUNITY  
SAFETY DIRECTORATE

04 APRIL 2018