NSW Police Force

Records Management Policies & Guidelines

RiPS

Records and Information Process Services

June 2009

CONFIDENTIAL

Records Management Policies & Guidelines

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1. INTRODUCTION

Under the State Records Act, 1998, all public offices are required to establish and maintain a records management program that conforms to the standards and codes of best practice approved by the State Records Authority of New South Wales.

The Australian Standard AS ISO 15489 Records Management has been adopted as a code of best practice for the management of information by the NSW Public Sector.

The legislation and standard applies to both physical and electronic records and requires the New South Wales Police Force to document business transactions fully and accurately in a compliant recordkeeping system.

2. AUTHORITY OF THIS POLICY

This policy is issued as corporate policy under the authority of the Commissioner's Executive Team and will be reviewed and amended as required, in consultation with business unit managers, local area managers and other members of staff.

Ownership of this policy rests with the Manager, Records and Information Process Services (RIPS).

3. COMPLIANCE WITH THIS POLICY

All staff, consultants, contractors and volunteers must comply with this policy and the procedures issued in accordance with this policy.

It is important that this policy applies to records of work done by or on behalf of the NSW Police Force. For this reason the policy must apply to both sworn and unsworn officers of the NSW Police Force, consultants, contractors and volunteers.

4. PURPOSE OF THIS POLICY

The purpose of this policy is to provide a framework for NSW Police Force to effectively fulfil its obligations and statutory requirements. This policy applies to all personnel who create records, across all NSW Police Force locations. The aim of the policy is to ensure that:

- *Principles and procedures of good records management are consistent across all commands and units of the NSW Police Force*

- *Accepted standards of accountability are maintained*

- *Guidelines in relation to security, privacy and disposal of records are observed*

Records are essential parts of the NSW Police Force's information resources and corporate memory. They are an asset crucial in meeting accountability and audit requirements, and like any asset, they need to be managed efficiently and effectively.

The creation, transmission, maintenance, utilisation and retention/disposal of records must be in accordance with these policies and guidelines.

5.   RECORDS MANAGEMENT PROGRAM

The records management program is a planned, coordinated set of policies, procedures and activities that are required to manage the records of the NSW Police Force.

The objectives of the records management program are that:

- The NSW Police Force has the records it needs to support ongoing business activities and customer services, meet accountability requirements and community expectations.
- These records are managed as efficiently and effectively as possible
- These records are able to be readily retrieved when required
- Records relating to critical NSW Police Force activities are preserved for historical and research reasons

6.   RECORDKEEPING RESPONSIBILITIES

Records management is the responsibility of all NSW Police Force personnel, and all staff, consultants, contractors, members of boards and committees must comply with this policy and any procedures issued in accordance with this policy.

The State Records Act requires all public officials to 'make and keep full and accurate records' of their business activities.

The NSW Public Sector Code of Conduct requires all public officials to maintain adequate documentation to support any decisions made of their business activities.

The Ombudsman's Good Conduct and Administrative Practice Guideline for Public Authorities state that public official must make and create records to support accountability and corporate memory.

6.1   Recordkeeping at a Corporate Level

Under Parts 2 – 10 of the State Records Act, 1998, the Commissioner is responsible for ensuring that the NSW Police Force complies with the regulations and requirements of the Act.

The management of TRIM, the corporate records management system, is the responsibility of Records Information Process Services (RIPS). RIPS is also responsible for the provision of project management, analysis, consultation, systems evaluation and policy development as it impacts on NSW Police Force records and information, coordinating all training in TRIM, providing records management advice to users through the Records Management and the TRIM User Assistance Line, and overseeing the operations of the Police Headquarters Records Centre and the High Risk Records Repository.

6.2 Recordkeeping at a Local Level

The Manager/Commander of each business unit/command is responsible for records management at the local level. All records captured and maintained at the local level must comply with the procedures for, and concepts of, records management, as outlined in this and other RIPS' policies and procedures. Managers/Commanders are to appoint an appropriately trained person at their unit/command as a Records Coordinator, who will oversee the management and disposal of all records stored at that unit/command.

All NSW Police Force employees need to be aware of the recordkeeping requirements that affect the performance of their duties.

7. THE IMPORTANCE OF RECORDKEEPING

A record is defined as:

"Information created, received, and maintained as evidence and information by an organisation or person, in pursuance of legal obligations or in the transaction of business" (Source: ISO 15489 - International Standard on Records Management).

All records created by NSW Police Force personnel in the course of their duties are considered public records of the NSW Government. The NSW Police Force therefore has an obligation to the people of New South Wales to ensure that the principles of records management are adopted. This accountability ensures that:

- An historical record of the NSW Police Force is maintained

- The evidentiary chain is kept intact

- Key decisions and communications within and outside the NSW Police Force, are documented

- Information can be used for future strategic planning.

In keeping with the NSW Police Force corporate objective of minimising corruption and strengthening accountability, all NSW Police Force personnel are required under the NSW Police Force Code of Conduct to "make sure confidential information cannot be accessed by unauthorised people and sensitive information is released only to people inside and outside of the NSW Police Force who have a lawful access need".

Records generated by NSW Police Force document the organisation's past activities and may be required from time to time for internal and external investigations. In this sense, it is essential that records are properly created and are able to be located and retrieved when needed.

8.   RECORDS MANAGEMENT SOFTWARE

Within the NSW Police Force, the TRIM records management system is used for capturing corporate information. TRIM is the only corporate records management system approved for use by the organisation under the guidelines of the State Records Act, 1998.

9.   FILES AND DOCUMENTS

9.1   *What is a document?*

A document is a single unit or piece of information, generated on a specific subject matter and usually contained within a file. Documents can be used to provide evidence of a particular action or business function, and can be in a hardcopy or electronic format.

9.2   *What is a file?*

A file is a folder which contains a collection of information relating to the same subject. The information contained in the file may be in the form of correspondence or any other documents that pertain to a particular subject matter. Each file is to be registered on the corporate records management system.

9.3   *When to register files and documents?*

Every document that has organisational impact or significance should be registered in TRIM, using an appropriate registered file as its container. This file is used to capture the originating document and every subsequent piece of information created on that particular subject.

Any questions or issues relating to the registration of files, documents and sub-documents should be forwarded to the Records Management & TRIM User Assistance Line, Eaglenet 29079.

10.   CREATING FILES

Unless otherwise captured within an existing corporate information management system, files created by NSW Police Force personnel should be registered in TRIM and use the approved filing stationery. This includes colour-codes file covers related to different security levels and record types and TRIM file labels.

10.1   *Where files should be created*

All files must be created and registered by the command or business unit where they originate. Areas that need to create a file, but do not have access to TRIM (e.g. one-man police stations), should forward details of the file to their managing branch/LAC to create the file.

10.2   *Before creating a file*

Prior to creating a new file, it is essential that a thorough search of TRIM be made to determine if a file relating to the topic already exists within your business unit. If it does, the information should be attached to that file and the relevant details recorded in TRIM.

10.3   *Titling a file*

All records created on the corporate records management system must be titled in accordance with the NSW Police Force Thesaurus. This thesaurus is based on national standards for records titling, and forms the basis of a common language approved for use by the NSW Police Force in creating records.

An entry corresponding to the structure of the thesaurus title must also be selected within the Classification field of the file. Within this structure, the lowest level entry that relates to the appropriate disposal class is then selected.

Entries in this field are linked to disposal authorities, which allow for retention and destruction information to be applied to the file at the time of its creation.

10.4   *Complaint files*

Files registered in TRIM that refer to a c@ts.i or CIS investigation must be titled using appropriate thesaurus terms in the Title (Structured Part) field, with the c@ts.i or CIS number only being recorded in the Title (Free Text Part) field. No other information should be recorded in the title of these records.

In cases where a complaint has not been registered on c@ts.i and does not yet have a c@ts.i number, but needs to be sent to another location for assessment, the TRIM file should be titled as follows:

e.g.   PROFESSIONAL STANDARDS – COMPLAINTS MANAGEMENT – Complaints - Assault At Hurstville – 31/12/2008, with the "Assigned To" location and "Notes" fields updated to reflect where the file is being sent, e.g. Hurstville [LAC] and "Fwd to Sgt Smith for response"

Care should be taken to link all TRIM files or documents that relate to a single c@ts.i file as soon as they are identified.

10.   ELECTRONIC RECORDS

Activities and business transacted electronically must be managed in accordance with this policy. Electronic records fall into two main categories – PC based documents (such as e-mail, word processing and spreadsheets) and database and other complex systems. Electronic PC-based documents that are evidence of business transactions must either be printed off and placed on an official file, or attached electronically to the corresponding document registered in TRIM.

The Manager, Records Information Process Services (RIPS) should be consulted whenever new databases and automated systems are being implemented, to determine the recordkeeping requirements.

11. SECURITY CLASSIFICATION OF RECORDS

To ensure the protection of corporate information produced by the NSW Police Force, security classifications based on national standards have been implemented. The following classification codes for records have been adopted according to the potential damage that unauthorised disclosure of information could cause:

11.1   Highly Protected

This category relates to sensitive material and resources that require the highest degree of protection. The test for assigning this classification is whether the unauthorised disclosure, loss, compromise, misuse of, or damage to these records could reasonably be expected to cause serious harm.

11.2   Protected

This category relates to sensitive material and resources that require a substantial degree of protection. The test is whether the unauthorised disclosure, loss, compromise, misuse of, or damage to these records could reasonably be expected to cause harm.

Security access to "Protected" material will be provided only to personnel who have a direct "need to know" the information.

11.3   In Confidence

This category relates to sensitive material and resources which require a limited degree of protection. The test is whether the unauthorised disclosure, loss, compromise, misuse of, or damage to, these records might possibly cause harm.

11.4   Unclassified

This category relates to all other material which does not fall into any of the above three categories. These categories are limited to sensitive material or resources (other than National Security) which if disclosed, lost, compromised, misused or damaged, could be expected to cause harm to the country, the government, its agents, organisations and individuals (eg: matters dealing with taxation, trade, tender documents, personal information, fraud investigations, etc) or give an unfair advantage to any entity.

TRIM file covers are colour-coded to reflect the appropriate security level of the record, as follows:

Highly Protected – orange
Protected – green
In-Confidence – tan
Unclassified – blue

When creating official files, the coloured file cover corresponding to the security level assigned to the record in TRIM, must be used to house the record.

12.   CIRCULATION AND TRACKING OF RECORDS

All official records of the NSW Police Force must be able to be tracked and located at any particular point in time. The movements of all files and documents registered on TRIM must be recorded when forwarded to, or received at any location. Authorised records officers are responsible for registering, tracking and actioning official records within TRIM.

13.   SECURITY OF RECORDS

All members of the NSW Police Force have a statutory obligation to ensure that any official record that comes into their possession is used only by authorised personnel for official purposes.

NSW Police Force personnel must make themselves familiar with provisions regarding the secrecy and confidentiality of police business as outlined in Part 4, Section 46 of the Police Regulation 2000.

Users of the corporate records management system have appropriate levels of security clearance that limit the information that they can access.

13.1   *Confidentiality of records*

NSW Police Force personnel must take particular care to ensure that any file or document which relates to secret or sensitive reports, investigations, or other sensitive matters, remains confidential. This includes any material which has been generated in the course of operations within the NSW Police Force.

13.2   *Safe Handling*

To ensure security when transporting sensitive files and documents, staff must follow basic safe-handling principles at all times. These include:

Giving due consideration to the most appropriate means of transmission, e.g.
   a) Hand delivery by a member of the NSW Police Force
   b) Registered mail
   c) Private courier
   d) Facsimile machine fitted with an encryption device
   e) Obtaining telephone or personal verification that files or documents have been received by the intended recipient

The movement of all sensitive information should be carried out in security containers or file covers. Each movement should be recorded, either electronically or manually, and evidence of receipt (signature on receipt) should be obtained to provide an audit trail. A comprehensive source of information on this subject can be found in the <u>Information and Records Security Policies and Guidelines</u>.

14. DISPOSAL

The <u>State Records Act 1998</u> prohibits the destruction of any records without prior reference to Functional and General Disposal Authorities. Functional Disposal Authorities (FDAs) are approved by the NSW State Records Authority and specify set retention periods and disposal actions relating to records specific to NSW Police Force. General Disposal Authorities (GDAs) have been developed by the NSW State Records Authority and specify retention periods and disposal actions relating to general administrative records common to most NSW Government agencies.

Disposal or destruction of records must only be carried out in accordance with the corresponding disposal authority and the guidelines contained in the <u>NSW Police Force Handbook</u>.

Records that don't provide evidence of a business transaction or a decision can be destroyed without specific reference to a disposal authority, under Normal Administrative Practice (NAP). The destruction of records under NAP is intended to have a narrow use, with most records having to be disposed of in accordance with approved disposal authorities. Under NAP, drafts, working papers, duplicates, computer support records, facilitating instructions and stationery can be destroyed without the need to refer to disposal authorities.

For audit and reference purposes, the NSW Police Force Corporate Archivist should be informed when any official records are disposed of or destroyed. The advice of the NSW Police Force Corporate Archivist should be sought if there is any doubt as to whether records should be destroyed.

15. STORAGE & TRANSFER OF RECOCRDS

Active records should be stored locally by commands and business units, with appropriate access and security restrictions applied.

Rarely used records or records no longer in use for official purposes, but still required to be retained in accordance with current retention and disposal authorities, should be forwarded to the Records Centre, Level 1B , PHQ, for business units and commands located within the Police Headquarters building, or to the High Risk Records Repository, at Stanmore for business units and commands outside of PHQ.

Subject to business requirements, records that are very rarely accessed and that have been classified in terms of an appropriate disposal authority can be transferred to the Government Records Repository, located at Kingswood. These records can be retrieved by the NSWPF within 24 hours.

Records required as State Archives, as detailed in disposal authorities, will be transferred to the State Archives of NSW, when no longer in use for official purposes.

16. ACCESS TO RECORDS

Records must be available to all authorised staff that require access to them for business purposes. Reasons for restricting access must be documented and justifiable.

All access to NSWPF records by members of the public under legislation such as the Freedom of Information Act, 1989 and the Privacy and Protection of Personal Information Act, 1998 will be in accordance with the legislative requirements specified.

17. CONTRACTORS AND OUTSOURCED FUNCTIONS

All records created by contractors performing work on behalf of the NSWPF belong to the NSWPF, and are State records under the State Records Act 1998. This includes the records of contract staff working on NSWPF premises as well as external service providers.

Contracts should clearly state:

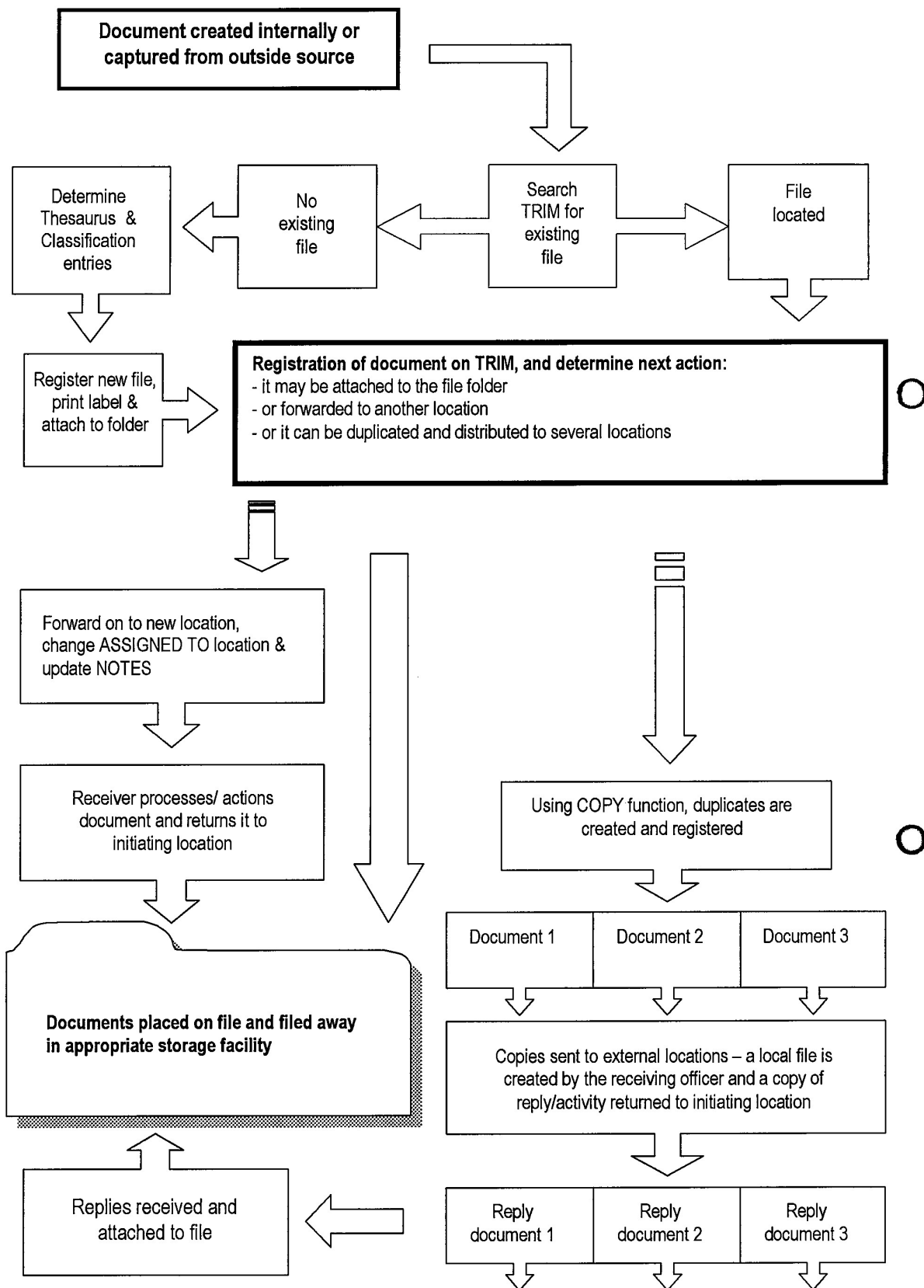- that ownership of records resides with the NSWPF, and
- the instructions regarding creation, management and access to the records created.

The Manager, Records & Information process Services should be consulted during the formulation of all contracts with external contractors and outsourced functions

Please direct any enquiries concerning this document to:

Records and Information Process Services (RIPS) ▪▪▪▪▪▪▪▪▪▪▪▪

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Appendix A – Capturing Records

```
┌─────────────────────────────────┐
│  Document created internally or │
│  captured from outside source   │
└─────────────────────────────────┘
```

```
┌──────────────┐      ┌──────────┐      ┌──────────┐      ┌──────────┐
│ Determine    │ ◄─── │   No     │ ◄─── │ Search   │ ───► │  File    │
│ Thesaurus &  │      │ existing │      │ TRIM for │      │ located  │
│ Classification│     │  file    │      │ existing │      │          │
│ entries      │      │          │      │  file    │      │          │
└──────────────┘      └──────────┘      └──────────┘      └──────────┘
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```
┌──────────────┐      ┌──────────────────────────────────────────────────────────┐
│ Register new │ ───► │ Registration of document on TRIM, and determine next      │
│ file,        │      │ action:                                                    │
│ print label &│      │ - it may be attached to the file folder                   │
│ attach to    │      │ - or forwarded to another location                        │
│ folder       │      │ - or it can be duplicated and distributed to several      │
│              │      │   locations                                                │
└──────────────┘      └──────────────────────────────────────────────────────────┘    ◯
```

```
┌──────────────────────────┐
│ Forward on to new        │
│ location, change         │
│ ASSIGNED TO location &   │
│ update NOTES             │
└──────────────────────────┘
```

```
┌──────────────────────────┐          ┌──────────────────────────┐
│ Receiver processes/      │          │ Using COPY function,     │
│ actions document and     │          │ duplicates are created   │     ◯
│ returns it to initiating │          │ and registered           │
│ location                 │          │                          │
└──────────────────────────┘          └──────────────────────────┘
```

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┌──────────────────────────┐      ┌────────────┬────────────┬────────────┐
│ Documents placed on file │      │ Document 1 │ Document 2 │ Document 3 │
│ and filed away in        │      └────────────┴────────────┴────────────┘
│ appropriate storage      │
│ facility                 │      ┌──────────────────────────────────────┐
└──────────────────────────┘      │ Copies sent to external locations –  │
                                  │ a local file is created by the       │
                                  │ receiving officer and a copy of      │
                                  │ reply/activity returned to initiating│
                                  │ location                             │
                                  └──────────────────────────────────────┘
```

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┌──────────────────────────┐      ┌────────────┬────────────┬────────────┐
│ Replies received and     │ ◄─── │ Reply      │ Reply      │ Reply      │
│ attached to file         │      │ document 1 │ document 2 │ document 3 │
└──────────────────────────┘      └────────────┴────────────┴────────────┘
```

Appendix B – Relevant legislation, standards, guidelines, etc

State Records Act, 1998
Freedom of Information Act, 1989
Privacy and Protection of Personal Information Act, 1998
Evidence Act, 1995
Protected Disclosures Act, 1994
Public Finance and Audit Act, 1983
Public Authorities (Financial Arrangements) Act, 1987
Regulations under the above acts
NSW Treasurer's Guidelines
Good Conduct and Administrative Practice: Guidelines for Public Authorities and Officials, 1995 (NSW Ombudsman)
Keeping Records of Electronic Business – prepared by the Department of Information Technology and Management
AS ISO 15489 (International Standard on Records Management)
Government Recordkeeping Manual, 1999 – prepared by State Records of NSW. Includes the following standards:

- Standard on Full and Accurate Records
- Standard on Records Management Programs
- Introducing the State Records Act, 1998

Disposal Authorities, including:

- General Disposal Authority - Administrative Records (GA28)
- General Disposal Authority – Financial & Accounting Records (GDA7)
- General Disposal Authority – Personnel Records, (GDA12)
- NSW Police Force Functional Retention & Disposal Authority (DA220)
- NSW Police Force Investigation Case File Disposal authority (DA221)