NSW Police Force

Records and Information Management Policy Statement

Introduction

Under the *State Records Act 1998*, all public offices are required to establish and maintain a records and information 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 15489.1:2017 - Records Management, Part 1: Concepts and principles* has been adopted as a code of best practice for the management of records by the NSW Public Sector.

The legislation and standard apply to both physical and electronic records and requires that New South Wales Police Force (NSWPF) to document business transactions fully and accurately in a compliant recordkeeping system. HPE Content Manger, otherwise known as the Records Management System (RMS) is the only fully compliant recordkeeping system within the NSWPF.

Authority of this Policy

This policy is issued as corporate policy under the authority of the Commissioner's Executive Team (CET) 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, Corporate Records and Logistics

Compliance with this Policy

Under Section 10 of the *State Records Act 1998*, the Commissioner has a duty to ensure that the NSWPF complies with the requirements of this Act and any associated regulations. Therefore, all staff, consultants, contractors and volunteers must comply with policy, and the procedures issued in accordance with it.

This policy applies to records of work done by, or on behalf of, the NSWPF, and therefore it applies to sworn and unsworn officers of the NSWPF, consultants, contractors and volunteers.

Purpose of this Policy

The purpose of this policy is to define and specify records and information management principles that all staff must comply with to ensure that NSWPF effectively fulfils its obligations and statutory requirements. This policy applies to all personnel who create records, across all NSWPF locations.

The aim of this policy is to ensure that:

- Principles and procedures of good records and information management are consistent across all commands and units of the NSWPF
- Records are created and maintained as an integral component of, and support to, NSWPF business processes
- Accepted standards of accountability are maintained
- Guidelines on security, privacy and disposal of records are observed

Records are essential parts of the NSWPF's information resources and corporate memory. They are an asset crucial in meeting business, accountability and audit requirements, and like any asset, they need to be managed efficiently and effectively. The creation, transmission, maintenance, use and retention/disposal of records must be in accordance with this policy.

Policy statement developed by: Records and Information Management, Shared Services
Policy to be reviewed: August 2022
Contact: Manager Corporate Records & Logistics Ph: [redacted] / E/net: [redacted]

Scope of this Policy

The scope of this policy covers:

- All administrative, functional and investigative information and the records they form, as created and managed by the NSWPF to ensure that they are protected from unauthorised or unlawful access, destruction, loss, deletion or alteration
- All information managed within the corporate recordkeeping system, RMS, or other NSWPF corporate information management systems, covering all operating environments, including diverse system environments and physical locations.
- All records and information managed and maintained of behalf of the NSWPF, in all outsourced, cloud and similar service arrangements, plus systems that hold high-risk and/or high value records.

Our commitment is to ensure that the NSW Police Force:

- Creates, maintains and retains (for the length of time required) records of all its activities and decisions
- Efficiently and effectively manages NSWPF records in support of business objectives
- Provides clear records management responsibilities to all staff

Records and Information Management Program

The records and information management program is a planned, coordinated set of policies, procedures and activities that are required to manage NSWPF's records.

The objectives of this program are that:

1. NSWPF has the records it needs to support ongoing business activities and customer services, meet accountability requirements and community expectations
2. These records are managed efficiently and effectively
3. These records can be readily retrieved when required
4. Records relating to critical NSWPF activities are preserved for historical and research reasons

Section 12(2) of the *State Records Act 1998* requires the following principles be implemented for establishing and maintaining a records and information management program:

The program is directed by policy

- Records management is directed by policy adopted and the corporate level
- Policy statements direct that records are made, captured, maintained and disposed of in accordance with the legal, regulatory and business needs of the public office
- Policy defines the responsibilities of all personnel who manage records and information

The program is planned

- Long- and short-term records management goals are identified and documented in the planning mechanisms of the public office
- Adequate resources are allocated to achieve long and short-term records management goals.

The program is staffed with skilled people

- Overall responsibility of the records management program is assigned to a Nominated Senior Officer
- Specialist records management skills required to implement the records management program and its component recordkeeping systems are available to the organisation
- Staff undertaking records management have appropriate skills for their positions and responsibilities and these are kept up to date

The program is implemented

- Records are made, captured and maintained in official recordkeeping systems in accordance with legal, regulatory and business needs

- Business systems meet identified requirements for making and maintaining records
- Current retention and disposal authorisation is in place for all records, regardless of format, of the public office
- Records are disposed of in accordance with authorised retention and disposal authorities and appropriate processes
- Staff are trained in recordkeeping practices and procedures, and training is appropriate to their positions.
- Staff use official recordkeeping systems and services and have access to appropriate advice

The program is monitored and reviewed

- All aspects of the records management program are regularly reviewed against performance objectives
- Opportunities are identified for improving the effectiveness, efficiency and quality of records management systems, processes and tools through regular monitoring and review
- Areas of improvement are addressed in records management planning

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 transaction of business" (Source: ISO 15489 – International Standard on Records Management).

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

1. Business communications and decisions are captured as official records
2. The evidentiary chain is kept intact
3. Information is available for ongoing business processes
4. Storage costs are minimised through accountable records disposal
5. A historical record of the NSWPF is maintained

Under the NSWPF Code of Conduct, all NSWPF personnel are required to "make sure confidential information cannot be accessed by unauthorised people and sensitive information is released only to people inside and outside of the NSWPF who have a lawful access need."

Records generated by NSWPF document and organisation's past activities and may be required for internal and external investigations, litigation, and public access reasons. It is therefore essential that records are properly created and can be retrieved when needed.

Removable media must not be used to store State Records as they are subject to a number of risks including being easily damaged, stolen or lost. Additionally, they are not backed up as part of a regular backup cycle.

When using a NSWPF mobile device, NSWPF information should only be transmitted via email and should not be transmitted via SMS or MMS including between NSWPF mobile devices, as these communication methods do not comply with this policy.

Policy Principles

This policy statement applies to physical and electronic records in all formats, including audio and visual.

For the purposes of this policy statement the following 6 principles that make up the NSWPF Records Management Program are within scope:

- Creation and Capture
- Storage and Transfer
- Access and Security
- Maintenance and Monitoring
- Disposal

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- Disaster Recovery

Policy Principle 1 – Creation and Capture

All staff must ensure they create official records of all business decisions and actions made in the course of their daily work. If the answer to any of the following questions is yes, the records need to be captured into an approved Recordkeeping system so they can be managed appropriately:

- *Does it approve or authorise actions?*
- *Is it a formal communication between staff relating to work?*
- *Does it signify a policy change or development?*
- *Does it commit the agency/business centre to an arrangement or constitute formal communications with people inside or outside the organisation?*
- *Am I required to act upon it?*
- *Is it external correspondence I have received relating to work?*
- *Is it something that I have sent for a business purpose?*
- *Is it something I have used at work to make a decision?*

Contractors and service providers working for NSWPF must clearly acknowledge that ownership of records reside with the NSWPF.

Policy Principle 2 – Storage and Transfer

Active hardcopy records should be stored locally by Commands and Business Units for a minimum of 2 years or until such time as they are no longer frequently accessed. Records held by Commands and Business Units must be appropriately secured.

Inactive records can be transferred into the custody of Corporate Records and Logistics in accordance with established transfer protocols.

For advice and guidance on transferring records, please refer to the Retrieving and Transferring Records section of the Records and Information Management intranet Site.

Records identified as State Archive, as detailed in disposal authorities, will be transferred to the State Records Authority of NSW by Corporate Records and Logistics.

Policy Principle 3 – Access and Security

Access

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

Members of the public are entitled to access to records of the NSWPF, subject only to the exemptions and exceptions provided for in the *Government Information (Public Access) Act 2009*.

There are other legislative instruments which allow other agencies or members of the public to access records held by the NSWPF. NSWPF will assess and decide whether it will grant or refuse all requests for access to its records which are properly lodged in accordance with the relevant governing legislation.

Security

To ensure the protection of corporate information produced and managed by NSWPF, security classifications based on national standards have been developed and implemented. Details of the various security levels and associated Information Management Markers (IMM's) used by the NSWPF and guidelines on managing information classified in terms of these security levels, are available on the Information Classification Intranet Page.

NSWPF personnel must take particular care to ensure that any information that relates to sensitive reports, investigations, or other protected matters, is appropriately classified and managed in terms of the information security classification.

All members of the NSWPF have a statutory obligation to ensure that any official record that comes into their possession or that they have access to is used only by authorised personnel for official purposes.

NSW personnel must make themselves familiar with provisions regarding the secrecy and confidentiality of police business as outlined in Part 4, Clause 75 of the Police Regulation 2008.

Users of RMS have been assigned appropriate levels of security clearance that restrict the information that they can access on a need-to-know basis.

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Policy Principle 4 – Maintenance and Monitoring

The physical location of hardcopy records needs to be tracked and recorded. If a record is moved from one officer to another, this movement needs to be tracked. Movement tracking ensures that records as a physical asset can be accounted for.

Managing records in hardcopy format is subject to the receipt and actioning of the record, with subsequent delays imposed by the delivery of mail, increasing the risk of the records becoming lost. The records can also only be actioned on an individual basis.

The electronic management of records registered within RMS provides a secure and auditable method of tracking and circulating information, whilst minimising the risk of their loss.

Electronic records registered in RMS are immediately available subject to any access restrictions placed upon them.

Electronic records must be maintained if and when changes are made to infrastructure or technology. This also extends to the migration of data which provides for availability or authentic, complete, accessible and useable records.

The Manager, Information and Business Development and Manager, Corporate Records and Logistics should be consulted whenever new databases and automated systems are being implemented or decommissioned, to determine the recordkeeping requirements and ensure compliance with legislative requirements.

This policy **prohibits** the following **unauthorised** treatment of corporate records:

- Alteration
- Removal
- Distribution
- Duplication; and
- Destruction

Policy Principle 5 – Disposal

The destruction of NSWPF records, whether in hard-copy or electronic format, is regulated by section 21 of the *State Records Act 1998.* Functional Disposal Authorities are approved by the NSW State Records Authority and specify set retention periods and disposal actions relating to records specific to NSWPF. NSWPF records must be sentenced in accordance with approved disposal authorities; advice and guidance on the use of the Disposal Authorities used within NSWPF can be found on the Records and Information Management intranet site.

Commands and Business units that create records are the Owners of the records and as such have responsibility for ensuring that records are appropriately sentenced with an approved Disposal Authority. The ownership of any record is maintained even after records have been transferred to the custody of Corporate Records and Logistics.

The Group Director, Shared Services has delegation to approve the destruction of all records in the custody of Corporate Records and Logistics. However, prior to any records being destroyed, commands and business units will be given four (4) weeks to reply and request an extension to the retention period for any records that they are responsible for.

Extensions will only be approved if one, or more, of the following conditions are met:

1. The records are required for current or pending legal action
2. The records may be required as evidence in a court case
3. The records are the subject of a current or pending access request or application, such as under the Government Information (Public Access) Act (GIPA) or a privacy request
4. The records are subject of any other statutory access request
5. The records relate to an unsolved serious crime

Records that do not provide evidence of a business transaction or a decision can be destroyed without specific reference to a disposal authority, under the 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.

When digital images are managed as records, their disposal must also be authorised. They must be retained for the same retention period that he original paper records where subject to.

Records must not be destroyed if they are subject to a disposal freeze or an embargo.

For audit and reference purposes, the NSWPF Manger, Corporate Records and Logistics should be informed when any official records are destroyed.

The advice of the NSWPF Manager, Corporate Records and Logistics should be sought if there is any doubt as to whether records should be destroyed.

The Manager, Information and Business Development and Manager, Corporate Records and Logistics should be consulted whenever databases or systems are being decommissioned, to determine recordkeeping/disposal requirements and ensure compliance with legislative requirements.

Policy Principle 6 – Disaster Recovery

All NSWPF Commands are to identify vital records/records of longer term value and create and maintain current Disaster Recovery and Business Continuity Plans for paper and electronic records.

Risk Management

As per AS/NZS ISO 31000 Risk management – Principles and guidelines non-compliance, the Manager Corporate Records and Logistics is to be informed as soon as practicable of any actual or suspected breach of this Policy. Non-compliance or breaches of this Policy, without an appropriate exception, will be investigated and misconduct escalated, which may result in disciplinary action in accordance with the NSWPF Code of Conduct.

Monitoring, evaluation and Review

The effectiveness of this policy is measured by the following Key Performance Measures:

OBJECTIVE	*MEASURE*
Commands/Business Centers have the information they need to support ongoing business activity, meeting accountability requirements and stakeholder expectations	*Business survey results*
Corporate information is managed efficiently and effectively and can be accessed and used for as long as required	*Number of staff who are able to access information must be more than 99% of users. Measured through requests*
Corporate information is able to be effectively retrieved to meet business needs	*Number of instances information is unable to be provided is less than 5*
Records are stored as cost-effectively as possible and when no longer required they are disposed of in a timely and efficient manner	*Measured through the volume of records destroyed per month*
Records of longer-term value are identified and protected for historical and other research and evidentiary purposes	*Measured through increase in the number of records transferred to custody of State Records*
Digital and other technology dependent records are maintained in an authentic and accessible form for as long as required	*Number of staff who are able to access information must be more than 99% of RMS users*

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Commands/Business Centers comply with all external requirements concerning their information and information management practices	*Measured through audits. Compliance to be greater than 75% as listed by State Records requirements*

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

Relevant legislation, standards, procedures and disposal authorities

Legislation

- State Records Act, 1998
- Government Information (Public Access) Act, 2009
- Privacy and Protection of Personal Information Act, 1998

Standards

AS ISO 15489 (International Standard on Records Management) and the Government Recordkeeping Manual, 1999 – prepared by State Records Authority NSW. Includes the following standards:

- Standard on the physical storage of State records
- Standard on records management

Disposal Authorities

- DA220 – NSW Police Force Functional Retention and Disposal Authority
- DA221 – NSW Police Force Investigation Case File Disposal Authority
- GA28 – General Retention and Disposal Authority
- GA45 – Original or source records that have been copied
- State Records Act 1998 No.17 Part 3 Section 22 – Normal Administrative Practice

Procedural Guides

- Records and Information Management Intranet Site – Policies and Procedures
- Information Classification

Roles and Responsibilities

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

Commissioner, NSWPF

The Commissioner of the NSWPF is responsible for:

- Compliance of NSWPF with the requirements of the *State Records Act 1998* and the standards and requirements issued under the Act (Section 10 of the Act);
- Allocating responsibility for records and information management throughout the organisation down through various levels of management; and
- Holding ultimate responsibility for records and information management in accordance with business requirements and relevant legislation

Deputy Commissioner Corporate Services

The Deputy Commissioner Corporate Services is responsible for:

- Ensuring records are managed as information assets and governed in the context of NSWPF role and objectives, longer term strategies and whole-of-government policy
- Ensuring resources are appropriate and supports the records management program to ensure its success

- Cascade responsibility for records and information management throughout the organisation down through various levels of management; and
- Identifying and assigning records and information management responsibilities to business owners

Group Director, Shared Services

The Group Director, Shared Services is responsible for:

- Providing strategic direction and oversight of the records management program
- Approve and support the NSWPF Records Management Policy Statement and NSWPF Corporate records and information strategies
- Issuing standards and procedures consistent with this policy
- Reporting to the Deputy Commissioner on the Records Management Program
- Ensuring the records management program meets business needs and complies with relevant legislation and regulations
- Identifying and mitigating risks to records and information
- Ensuring NSWPF has skilled records management staff or access to appropriate skills
- Identifying systems and repositories containing records and their business owners; and
- Responding to monitoring/reporting requests from the State Records Authority of NSW

Chief Information Officer

The Chief Information Officer, Digital Technology & Innovation is responsible for:

- Promoting information and data management policies and strategies
- Promote best practice for information management
- Promote and drive the values of a data use and reuse culture
- Oversee information risk management
- Endorse information security
- Implement information and data standards
- Ensure good information governance of ICT investment, solutions and infrastructure planning
- Influence information and data legislation and policy
- Identifying systems and repositories containing information assets and their business owners
- Build capability in NSWPF for managing high risk records and systems; and
- Responding to monitoring/reporting requests from the State Records Authority of NSW

Manager, Corporate Records and Logistics

The Manger, Corporate Records and Logistics is identified as the Senior Responsible Officer for records management for NSWPF. The Manager Corporate Records and Logistics is responsible for:

- Cooperating and liaising with State Records NSW
- Providing records management policies, procedures and business rules which support business and comply with legal and regulatory requirements
- Developing key performance indicators around elements of the records management program, including capture, storage, maintenance and monitoring, disposal and transfer. Assessing performance against these indicators through periodic audits, identify noncompliance and make recommendations
- Identifying systems and repositories containing records and their business owners
- Monitoring and reviewing performance and compliance of the records management program to assess how it meets business needs and accountability requirements

- Identifying all records and information required to meet or support business and recordkeeping requirements, including accountability and community expectations.
- Identifying and mitigating risks to records and information
- Working with Business Managers to confirm that management strategies are in place

Records and Information Management Staff

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

Commanders/Managers

- Incorporate records management responsibilities into staff role descriptions and performance management plans
- Ensure records management is integrated into business activities, systems and processes
- Ensure staff have the knowledge of systems and local business rules to capture records of work they do and use to do their work
- Work with Manager, Corporate Records and Logistics and Manager, Information and Business Development to improve records and information capabilities
- Ensure staff and contractors comply with this Policy statement
- Monitor staff to ensure they understand and comply with NSWPF Records Management Policy Statement and associated procedures
- Advice Manager, Corporate Records and Logistics of high risk and high value areas of business and the information captured, used and managed in such business
- Plan and manage business activities involving the collection of information and the creation of records in accordance with business needs and regulatory requirements, including protecting sensitive records
- Ensure records and information requirements are considered and that records are maintained and protected when technology, systems, services and processes change
- Advice the Manager Corporate Records and Logistics and Manager, Information & Business Development that records and information management risks have been considered as part of the development process when moving to a new service environment, systems or service (including cloud based services), or when improving existing work processes, systems or services
- Authorise the destruction of records according to approved records retention and disposal authorities
- Provide records management training and professional development opportunities; and
- Ensure that records management requirements are incorporated in contractual arrangements for outsourced, cloud or other service providers based on risk assessments

All Staff

- Understand the records management responsibilities associated with their role and the need to keep records

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

Service providers, contractors and consultants

- Comply with records management requirements specified by NSWPF in contractual arrangements
- Understand their responsibility for creating and capturing accurate records of their actions, decisions and events, to provide evidence of their work, including making records of work where records are not automatically created (e.g. minutes of meetings, notes of telephone conversations)
- Return all records created and managed during the service arrangement when required. All records created and managed during the service arrangement remain the property of NSWPF
- Monitor and report to NSWPF to demonstrate how they:
    - Understand the records management responsibilities associated with their role and the need to keep records
    - Know and apply the NSWPF Records Management Policy and associated procedures
    - Use records management control tools to create and keep full and accurate records of business activities as the business is conducted
    - Create and keep adequate records of their actions, decisions and provide evidence of their work, that can be audited
    - Manage records in accordance with this Records management Policy statement
    - Use and share records appropriately to support collaboration and re-use of information
    - Undertake records management training and professional development
    - Understand requirements for retaining and disposing of records
    - Know and apply requirements for creating, capturing and managing personal records
    - Protect records from inappropriate or unlawful access, loss or damage; and
    - Ensure personally identifying records are used solely for the purposes for which they were created, unless lawfully authorised.

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