
GOVERNANCE POLICIES

Record Keeping



Policy Number:	G1
Relevant Delegation:	Not Applicable
Adoption Details:	28 January 2016
Last Review Details:	27 May 2025

POLICY OBJECTIVE

To provide Councillors and employees with clear guidelines for fulfilling their responsibilities under the *State Records Act 2000*, and to establish consistent practices across the Shire of York in the management of records.

POLICY SCOPE

This policy applies to all Councillors, employees, consultants, contractors, and volunteers of the Shire of York, concerning their responsibilities under the *State Records Act 2000* and the guidelines established by the State Records Commission. The policy applies irrespective of the format (e.g. written or electronic) and the manner of which it was received.

POLICY STATEMENT

INTRODUCTION

Records and documents belonging to the Shire of York are vital assets that must be managed effectively to support business operations and ensure compliance with the *State Records Act 2000*. In alignment with the Acts requirements, the Shire of York has developed a Record Keeping Plan as a tool for accountability. The Record Keeping Plan has received Council approval and has been implemented to meet compliance obligations while addressing the Shire of York's business information needs.

PRINCIPLES

- (a) Retention of records is key to ensuring the transparency and accountability of local government decision-making.
- (b) Retention of records is an important tool in protecting and retaining the heritage and memory of local communities.
- (c) Ensuring the availability of information in a timely way is an important part of the democratic process.

PROVISIONS

CREATION AND MANAGEMENT

All Councillors and employees including consultants, contractors, and volunteers are responsible for ensuring that records they create, send, and receive in the course of their work for the Shire of York are captured, regardless of format. This includes, but is not limited to, authorisations, contracts, emails, file notes, internal correspondence, legal documents, signed letters, memos, meeting minutes, reports, and spreadsheets.

Procedures are in place to support the effective capturing of records.

Councillors must sign an annual declaration that they have forwarded required records to the Shire of York's Records Officer for retention or storage. Employees must also sign an annual declaration confirming that they have registered the necessary records in the Shire of York's Records Management System for retention or storage. While these declarations are not required by the *State Records Act 2000*, it serves as a reminder of Councillors' and employees' compliance responsibilities and helps the Shire fulfill its obligations under Section 17 of the *Local Government (Audit) Regulations 1996*.

RETENTION AND DISPOSAL

The Shire is to retain and dispose of its records in accordance with General Retention and Disposal Authority for Local Government as issued by the State Records Office WA.

Records scheduled for disposal should be identified by the Records Officer and reviewed by the responsible department officer(s) before formal authorisation for disposal is given by the Manager Governance & People, Executives and the Chief Executive Officer.

Records must be retained beyond the legal retention period if required for current or anticipated legal matters, including Freedom of Information requests, until no longer needed.

Ephemeral records and documents are to be destroyed once they are no longer needed. The Records Officer is responsible for arranging the appropriate destruction of records, and the disposal process must be systematically documented by the Records Officer.

DRAFTS AND REVISIONS

Drafts or revisions that document the progress of changes to official policy and management decisions should be fully recorded, as they can provide valuable evidence of the processes involved or contain more detailed information than the final version.

A draft or revision qualifies as a record under this policy if it introduces new or substantially different information compared to the previous version; in such cases, the draft or revision must be retained. However, if changes are purely cosmetic, there is no need to retain previous versions.

PENALTIES:

Under the *State Records Act 2000* Part 10 it is an offence to:

- (a) Not keep a record in accordance with the records keeping plan of the organisation.
- (b) Transfer or offer to transfer a record to a person who is not entitled to possession of the records.
- (c) Destroy a record without appropriate authorisation in accordance with the record keeping plan.
- (d) Destroy a record while the record is subject of a notice to deliver or under court action to recover.

Current penalty under the *State Records Act 2000* is \$10,000. Officers and/or Councillors and/or the Shire of York may also be penalised under other legislation such as the *Evidence Act 1906* or *Freedom of Information Act 1992*.

KEY TERMS/DEFINITIONS:

In accordance with the *State Records Act 2000* a **record** is defined as:

“any record of information however recorded and includes —

- (a) anything on which there is writing or Braille.*
- (b) a map, plan, diagram or graph.*
- (c) a drawing, pictorial or graphic work, or photograph.*
- (d) anything on which there are figures, marks, perforations, or symbols, having a meaning for persons qualified to interpret them.*
- (e) anything from which images, sounds or writings can be reproduced with or without the aid of anything else.*
- (f) anything on which information has been stored or recorded, either mechanically, magnetically, or electronically.”*

Under the *State Records Act 2000* a **state record** is defined as:

- “(a) a parliamentary record, or*
- (b) a government record.”*

Drafts and revisions: In creating or preparing records, one or more significant drafts or revisions may have been created until the record is finalised and accepted as final.

Disposal authority: The General Retention and Disposal Authority for Local Governments, approved by the State Records Office is a legal document adopted by the Shire of York for the retention and disposal requirements of records. It requires the Shire of York to retain and dispose of corporate records and documents, electronic or hard copy, in accordance with specified retention and disposal periods.

Ephemeral records: Ephemeral records are those which have only short-term value to Shire of York with little or no ongoing administrative, fiscal, legal, evidential, or historical value.

If there is any uncertainty regarding whether a record or document should be retained or destroyed, you should retain the record or document.

Responsible Officer: Chief Executive Officer

Contact Officer: Manager Governance & People

Relevant Legislation: *State Records Act 2000*
Local Government (Model Code of Conduct) Regulations 2021
General Retention and Disposal Authority for Local Governments
State Records Commission Standards
Freedom of Information Act 1992

Review History				
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Council Adoption	Date	28 January 2016	Resolution No.	120116
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