



RECORDS MANAGEMENT POLICY

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1. Purpose

- 1.1 Section 13 of the National Archives and Records Services of South Africa Act, 1996 (“the Archives Act”) requires the Municipality to manage its records in a well structured record keeping system and to put the necessary policies and procedures in place to ensure that its record keeping and records management practices comply with the requirements of the Archives Act.
- 1.2 Information is a resource of the same importance to good government as other standard resources, such as people, money and facilities. The information resources of the Municipality must therefore be managed as a valuable asset. Appropriate records management is a vital aspect of maintaining and enhancing the value of this asset. The Municipality considers its records to be a valuable asset to:
- 1.2.1 Enable it to find the right information easily and comprehensively;
 - 1.2.2 Enable it to perform its functions successfully and efficiently and in an accountable manner;
 - 1.2.3 Support its functional, legal and accountability requirements;
 - 1.2.4 Ensure the conduct of business in an orderly, efficient and accountable manner;
 - 1.2.5 Ensure the consistent delivery of services;
 - 1.2.6 Support and document policy formation and administrative decision making;
 - 1.2.7 Provide continuity in the event of a disaster;
 - 1.2.8 Protect its interests and the rights of councillors, employees, residents and other present and future stakeholders;
 - 1.2.9 Support and document its development and achievements;
 - 1.2.10 Develop a collective memory.
 - 1.2.11 This policy has been developed to ensure:
 - 1.2.11.1 The efficient management of records within the Harry Gwala District Municipality;
 - 1.2.11.2 Compliance with relevant legislation;
 - 1.2.11.3 Ensure business continuity, and
 - 1.2.11.4 Management of risk associated with the loss or inappropriate use of records.
- 1.3 Records management through the proper control of the content, storage and volume or records reduces vulnerability to legal challenge and financial loss and promotes best value in terms of and space resources through greater co-ordination of information and storage systems.
- 1.4 It was approved and a copy was submitted to the KwaZulu Natal Provincial Archives, for their records.

2. Policy Statement

- 2.1 All records, irrespective of format, (as per the Promotion of Access to Information Act and National Archives of South Africa Act) that are created and received during the execution of the business of the Harry Gwala District Municipality created and received by the Municipality shall be managed in accordance with the records management principles contained in Section 13 of the Archives Act.

2.2 They:

- 2.2.1 Are records of the Harry Gwala District Municipality;
- 2.2.2 Must be managed in accordance with the provisions of this policy;
- 2.2.3 Must be classified and stored in the system approved by the KZN Provincial Archivist;
- 2.2.4 Must be easily accessible in order to facilitate transparency, accountability and democracy

2.3 The following broad principles apply to the record keeping and records management practices of the Municipality:

- 2.3.1 It follows sound procedures for the creation, maintenance, retention and disposal of all records, including electronic records, in accordance with the principles promoted by the National Archives and Records Service of South Africa ("the Archives Service");
- 2.3.2 Its records management procedures comply with legal requirements, including those relating to the provision of evidence;
- 2.3.3 It follows sound procedures for the security and confidentiality of its records;
- 2.3.4 It has performance measures for all records management functions and it reviews compliance with these measures.

3. **Relationship with Other Policies**

3.1 The Municipality's Records Management Policy consists of the policy contained in this document as well as the following additional specific policies which cover particular types of records:

- 3.1.1 [[Electronic records management policy]]
- 3.1.2 [[Email policy]]
- 3.1.3 [[Document imaging policy]]

4. **Scope and Intended Audience**

4.1 This policy affects the Municipality's work practices for all those who;

- 4.1.1 Create records, including electronic records;
- 4.1.2 Have access to records;
- 4.1.3 Have any responsibilities for records, for example, storage and maintenance responsibilities;
- 4.1.4 Have management responsibility for staff engaged in any of these activities, or who manage, or have design input into, information technology infrastructure.

4.2 The policy therefore applies to all staff members of the Municipality and covers all records regardless of format, medium or age.

5. **Regulatory Framework**

5.1 By managing its paper based records effectively, the Municipality strives to give effect to the accountability, transparency and service delivery values contained in, amongst others:

- 5.1.1 The Constitution Act, 1996;
- 5.1.2 The Archives Act 1996;
- 5.1.3 The Regulations made under the Archives Act;
- 5.1.4 The Municipal Finance Management Act, 2003;
- 5.1.5 The Promotion of Access to Information Act, 2000;
- 5.1.6 The Promotion of Administrative Justice Act, 2000;
- 5.1.7 The Protected Disclosures Act, 2000
- 5.1.8 The Electronic Communications and Transactions Act, 2003;

6. **Roles and Responsibilities**

6.1 Municipal Manager

- 6.1.1 The Municipal Manager of the Municipality is ultimately responsible for the record keeping and records management practices of the Municipality.
- 6.1.2 The Municipal Manager is committed to enhance accountability, transparency and improvement of service delivery by ensuring that sound records management practices are implemented and maintained.
- 6.1.3 The Municipal Manager supports the implementation of this policy and requires each staff member to support the values underlying this policy.

6.2 Executive Director: Corporate Services

- 6.2.1 The Corporate Services Executive Director of the Municipality is the Records Manager of the entire Municipality and in that capacity is responsible for:
 - 6.2.1.1 The implementation of this policy;
 - 6.2.1.2 The performance of such duties as are necessary to enhance the record-keeping and records management practices of the Municipality;
 - 6.2.1.3 Staff awareness regarding this policy;
- 6.2.2 The management of all records according to the records management principles contained in the Archives Act, and according to the Regulations made under the Archives Act, and according to the Records Management Policy Manual ("the Manual");
 - 6.2.2.1 Make such training and other interventions as are necessary to ensure that the Municipality's record keeping and records management practices comply with the records management principles of the Archives Act;
 - 6.2.2.2 May from time to time issue circulars and instructions regarding the record keeping and records management practices of the Municipality;
 - 6.2.2.3 Shall ensure that all records created and received by the Municipality are classified according to the approved file plan;
 - 6.2.2.4 Maintain the master copy of the records system;
 - 6.2.2.5 Submit changes to the system to the Provincial Archivist for approval;
 - 6.2.2.6 Ensure the correct filing of all records
 - 6.2.2.7 Ensure the protection, security and maintenance of all records;
 - 6.2.2.8 Designate the record copy in cases of duplication;
 - 6.2.2.9 Develop and maintain a Retention Schedule for non-archival records in consultation with the users and taking into account the functional, legal and historical need of the Municipality to maintain records;
 - 6.2.2.10 Obtain approval of the Retention Schedule from the Archives Service;

- 6.2.2.11 Ensure that a written disposal authority is obtained from the Archives Service prior to the destruction of any records;
- 6.2.2.12 Ensure that no record are destroyed or otherwise disposed of without reference to the Retention Schedule and the prior written authority from the Archives Service;
- 6.2.2.12.1 Provide written approval for the disposal, destruction, erasure, deletion, or transfer of records due for such disposal.
- 6.2.2.13 Must oversee all destruction, disposal and transfer of records,
- 6.2.2.14 Maintain and make available the registry procedure manual;
- 6.2.2.15 Develop and maintain a vital records programme;
- 6.2.2.16 Develop and maintain a disaster management and recovery programme;
- 6.2.2.17 Ensure the adequate training of all staff.
- 6.2.3 The Corporate Services Executive Director may delegate authority for any of the above responsibilities. Such delegation must be in writing and to a staff member who has the authority, training, experience and ability to undertake these responsibilities i.e. Records Manager.

6.3 IT Manager

- 6.3.1 The IT Manager of The Municipality is charged with the task of managing the Information Technology function of the Municipality.
- 6.3.2 The IT Manager shall work in conjunction with the Corporate Services Executive Director to ensure that public records are properly managed, protected and appropriately preserved for as long as they are required for business, legal and long-term preservation purposes.
- 6.3.3 The IT Manager shall ensure that appropriate systems, technical manuals and systems procedures manuals are designed for each electronic system that manages and stores records.
- 6.3.4 The IT Manager shall ensure that all electronic systems capture appropriate systems generated metadata and audit trail data for all electronic records to ensure that authentic and reliable records are created.
- 6.3.5 The IT Manager shall ensure that electronic records in all electronic systems remain accessible migrating them to new hardware and software platforms when there is a danger of technology obsolescence including media and format obsolescence.
- 6.3.6 The IT Manager shall ensure that all data, metadata, audit trail data and operating systems and application software are backed up on a daily, weekly and monthly basis to enable the recovery of authentic, reliable and accessible records should a disaster occur.
- 6.3.7 The IT Manager shall ensure that back-ups are stored in a secure off-site environment.
- 6.3.8 The IT Manager shall ensure that systems that manage and store records are virus free.

6.4 Senior Managers

- 6.4.1 Senior managers are responsible for the implementation of this policy in their respective units.
- 6.4.2 Senior managers shall lead by example and shall themselves maintain good record keeping and records management practices.

- 6.4.3 Senior management shall ensure that all staff are made aware of their record keeping and records management responsibilities and obligations.
- 6.4.4 Senior managers shall ensure that the management of records including e-mail is a key responsibility in the performance agreements of all staff in their units.

6.5 Registry Staff

- 6.5.1 The registry staff is responsible for the physical management of the records in their care.
- 6.5.2 Detailed responsibilities regarding the day-to-day management of the records in the registry are contained in the Manual.

6.6 Staff

- 6.6.1 Every staff member
 - 6.6.1.1 Shall create records of transactions while conducting official business.
 - 6.6.1.2 Shall manage those records efficiently and effectively by:
 - 6.6.1.2.1 Allocating reference and subjects to paper-based records and electronic records according to the file plan referred to in 8.1.1.1;
 - 6.6.1.2.2 Sending paper-based records to the registry for filing;
 - 6.6.1.3 No member of staff is permitted to destroy, dispose of, delete, erase or transfer any records without the written approval of the Records Manager
 - 6.6.1.4 Records management responsibilities shall be incorporated in the performance agreements of all staff members to ensure that staff is evaluated on their records management responsibilities.

7. **Record-keeping Systems**

The Municipality has the following systems that generate and store records:

7.1 Correspondence systems

- 7.1.1 Paper-based correspondence files are kept in the custody of the Registry Officer.
- 7.1.2 Electronic records are stored in an electronic repository maintained by the IT Manager.
 - 7.1.2.1 Electronic records are not managed by an electronic records management system, therefore their authenticity, reliability and integrity cannot be guaranteed.
 - 7.1.2.2 Audit trails of access to electronic records are not kept.
- 7.1.3 All of the abovementioned records are under the management of the Corporate Services Executive Director who is mandated to ensure that they are managed properly.

7.2 Case Files

- 7.2.1 Personnel Case Files are maintained and are in the custody of the Human Resources Director.
 - 7.2.1.1 The Personnel Case files exist only in paper-based format and the physical tracking of these files is managed according to the procedures in The Manual.

7.2.1.2 These case files are under the management of the Corporate Services Executive Director who is mandated to ensure that they are managed properly.

7.3 Records other than Correspondence System

7.3.1 Paper-based records

7.3.1.1 The Municipality has sets of paper-based records other than the correspondence systems that are in the custody of the various officials who use them on a daily basis; e.g.

7.3.1.1.1 Financial records

7.3.1.1.2 Technical drawings

7.3.1.1.3 Maps

7.3.1.2 These records are under the control of the Corporate Services Executive Director who is mandated to ensure that they are managed properly.

7.3.1.3 Audio-visual records e.g. tape recording of Council meetings are under the control of the Corporate Services Executive Director who is mandated to ensure that they are managed properly.

7.3.2 Electronic systems other than the correspondence systems

7.3.2.1 The Municipality has a number of electronic records systems in operation that generate and store public records; e.g.

7.3.2.1.1 GIS records

7.3.2.2 The IT Manager is responsible for the day-to-day maintenance of these systems.

7.3.2.3 The records maintained in these systems are under the control of the Corporate Services Executive Director who is mandated to ensure that they are managed properly.

8. **Record Keeping**

8.1 Classification

8.1.1 Correspondence systems

8.1.1.1 The only records classification system that will be used for the storage of records, both paper and electronic, including e-mail, is the system approved by the Provincial Archivist.

8.1.1.2 Each staff member shall allocate file reference numbers to all correspondence (paper, electronic or e-mail) according to the approved subjects in the file plan.

8.1.1.3 The records manager must be consulted in all cases when uncertainty is experienced in the allocation of reference numbers.

8.1.1.4 When correspondence is created or received for which no subject exists in the file plan, the Corporate Services Director shall allocate the appropriate subject.

8.1.1.5 Under no circumstances may revisions and additions be made to the file plan if they have not been approved by the Corporate Services Executive Director.

8.1.2 Records other than correspondence systems

8.1.2.1 The Corporate Services Executive Director shall maintain a schedule that contains a description, the location of and the retention periods of these records regardless of format.

8.1.2.2 Should records be received or created that are not listed in the schedule, the Corporate Services Executive Director shall add them to the schedule.

8.2 Disposal

- 8.2.1 No public records (including e-mail) shall be destroyed, erased or otherwise disposed of without prior or written authorization from the Provincial Archivist.
- 8.2.2 Retention periods for non-archival records must be determined by the Municipality.
- 8.2.3 Should a staff member consider the indicated retention period to be inappropriate, then the Corporate Services Executive Director should be contacted to discuss a more appropriate period.
- 8.2.4 Disposal of records under any disposal authority will be carried out in accordance with paragraph 4 of the Procedure Manual.
- 8.2.5 All disposal actions must be authorized by the Corporate Services Executive Director prior to their being carried out in order to ensure that archival records are not destroyed inadvertently.
- 8.2.6 Non-archival records that are needed for litigation, Promotion of Access to Information requests or Promotion of Administrative Justice actions must not be disposed of unless and until legal advice in regard thereto has been obtained.
- 8.2.7 Paper-based archival records shall be safely kept in an area designated by the Corporate Services Executive Director, until they are transferred to the National Archives repository. Transfers shall be carried out in accordance with the Manual.
- 8.2.8 These retention periods must take into consideration the following:
 - 8.2.8.1 The need for transparency, accountability and the requirements of democracy;
 - 8.2.8.2 Obligations as determined by legislation;
 - 8.2.8.3 Harry Gwala District Municipality's own functional needs;
- 8.2.9 The retention schedule for non-archival records must be approved by all line managers prior to implementation.
- 8.2.10 The records manager must be consulted in all cases where there is disagreement regarding an allocated retention period.
- 8.2.11 All archival paper-based records must be kept for a period of 20 years before they are transferred to a Provincial Archives repository, unless agreement on a shorter retention period has been reached with the Provincial Archivist;
- 8.2.12 Electronic records must be disposed of in accordance with the approved retention schedule.
- 8.2.13 Transfer of archival records in electronic format must be undertaken in accordance with the requirements of the Provincial Archivist.
- 8.2.14 Destruction of electronic records must be undertaken in such a way that they cannot be reconstructed.

8.3 Storage and Custody

- 8.3.1 All records shall be kept in storage areas that are appropriate for the type of medium. The Guidelines relating to storage as contained in the Manual shall be applied.
- 8.3.2 All records irrespective of media are under the control of the records manager
- 8.3.3 All paper records are kept in the registry.
- 8.3.4 All electronic records are stored on the network drives.
- 8.3.5 The records manager is responsible for the physical care and protection of all records. In order to ensure this protection the records manager must consult with:
 - 8.3.5.1 The systems and network administrators to determine adequate protection of all electronic records;

- 8.3.5.2 The building administrator to ensure adequate protection of storage areas for all records, with particular attention being paid to protection against environmental, natural and accidental destruction and/or deterioration.
- 8.3.6 Permanent retention of archival records will be in paper. These records may be stored and accessed in electronic format; however the archival copy will be on paper.
- 8.3.7 All records with a retention period of less than 10 years may be stored in electronic format only, on condition that these documents will be migrated to all new versions, upgrades or replacements of the systems in which they are stored until the expiry of the retention period at which point these records must be destroyed.

8.4 Access and Security

- 8.4.1 Records shall at all times be protected against unauthorized access and tampering to protect their authenticity and reliability as evidence of the business of the Municipality
- 8.4.2 No staff member may remove records from the premises of the Municipality without the express permission of the Corporate Services Executive Director.
- 8.4.3 No staff member shall provide information and records that are not in the public domain to the public without the express permission of the Corporate Services Executive Director.
- 8.4.4 The records manager will make records available to members of staff, taking into consideration the following:
 - 8.4.4.1 The protection of privacy and confidentiality;
 - 8.4.4.2 Protection against unauthorized access;
 - 8.4.4.3 The integrity of electronic records must be ensured by:
 - 8.4.4.3.1 The provision of systems that protect against, and provide evidence of any alteration and/or deletion of a record;
 - 8.4.4.3.2 Regular and comprehensive backup procedures
- 8.4.5 The vital records protection programme, disaster management plan and the disaster recovery plan will ensure business continuity in the case of a disaster.
- 8.4.6 The Provincial Archivist must be notified in writing, as soon as possible after the event, of any records being accidentally destroyed or rendered unreadable
- 8.4.7 Records storage areas shall at all times be protected against unauthorized access. The following rules shall apply:

8.4.7.1 Registry

- 8.4.7.1.1 Only registry staff is allowed in the records storage area.
- 8.4.7.1.2 Staff members who need access to files in the registry shall place a request for such files at the counter.
- 8.4.7.1.3 Any person to whom a file from the registry is provided shall complete and sign a receipt for such file in such form as prescribed by the Corporate Services Director and in accordance with the Procedure Manual.
- 8.4.7.2 Server Rooms and storage areas for electronic media.
 - 8.4.7.2.1 Access to storage areas where electronic records are stored is limited to staff members who have specific duties for the maintenance of hardware, software and media.

8.5 Legal admissibility and evidential weight

8.5.1 The records of the Municipality shall at all times contain reliable evidence of its business operations. In order to protect the integrity of such evidence, the following rules shall apply:

8.5.1.1 Paper-based records

8.5.1.1.1 No records shall be removed from paper-based files without the express permission of the Corporate Services Executive Director.

8.5.1.1.2 Records placed in files shall not be altered in any way.

8.5.1.1.3 Should any staff member tamper with any records, such staff member shall be subject to disciplinary action.

8.5.1.2 Electronic records

8.5.1.2.1 The Municipality shall use systems which ensure that its electronic records are:

8.5.1.2.1.1 Authentic

8.5.1.2.1.2 Not altered or tampered with;

8.5.1.2.1.3 Auditable; and

8.5.1.2.1.4 Produced in systems which utilize security measures to ensure their integrity.

9. **Training**

9.1 The Corporate Services Executive Director shall undergo such training as may equip him/her to carry out his/her duties as records manager.

9.2 The Corporate Services Executive Director shall identify such training courses that are relevant to the duties of the registry staff and shall ensure that they are trained appropriately.

9.3 The Corporate Services Executive Director shall ensure that all staff members are aware of records management policies and shall conduct such training as is necessary for the staff to equip them for their duties insofar as they related to records management.

10. **Access by Officials of National and Provincial Government**

10.1 The National and/or Provincial Archivist, subject to the exemption provision contained in section 13(2)(c) of the National Archives Act, 1996, is entitled to full and free access, at all times, to all public records in the custody of the Municipality.

10.2 Members of the National Intelligence Agency, in terms of the Minimum Information Security Standards are entitled to full and free access, at all times to all public records within their mandate, and in particular to any Secret and Security related records in the custody of the Municipality.

11. **Review**

11.1 The Corporate Services Executive Director shall review the record keeping and records management practices of the Municipality regularly and shall adapt them appropriately to ensure that they meet its business and service delivery requirements.

11.2 This policy shall be reviewed on a regular basis and shall be adapted appropriately to ensure that it meets the business and service delivery requirements of the Municipality.