

Local Government Reforms and Recordkeeping Responsibilities – Advice for Chief Executives

Introduction

As part of the local government reform process, the *Local Government Act 1993* was amended in August 2007 to include provision for the amalgamation of certain local governments and the establishment of new local government areas.

The *Local Government Act 1993* requires the establishment of Local Transition Committees (LTC), to be led by an Interim Chief Executive Officer. This advice aims to assist Local Government CEOs, Senior Executives and Transition Committee Members by providing advice on recordkeeping responsibilities before, during and after the transition period.

Local governments are public authorities under the *Public Records Act 2002*, including the new local governments to be established under the *Local Government Act 1993*. The new local governments will be responsible for the functions and public records of the existing local governments they comprise.

During the transition period it is important that sound recordkeeping practices are maintained to meet a wide range of business continuity and accountability requirements. Consideration needs to be given as to how an existing Council's information assets, public records and information systems will continue to be managed during and after the transition period. LTCs cannot make binding decisions on new councils. However LTCs can assist in ensuring public record issues are considered by the new council and managed appropriately.

Suggested approach:

In order to effectively manage the information and recordkeeping issues that arise, each LTC and existing local government could undertake the following steps:

- 1. Form a dedicated team to address recordkeeping issues:** to provide leadership and direction during the transition process. It is recommended that the team consist of representatives from senior management, ICT and recordkeeping experts within the local government/s.
- 2. Conduct an audit:** to review current strategic planning documentation for records and information management and undertake an audit of key information assets. This should include, for example, contracts, development applications, property information, rate records, personnel records, among others. The audit should also consider the location and storage of all records created and managed by the local government, and identify key personnel with knowledge of legacy recordkeeping systems and processes.
- 3. Establish a recordkeeping transition plan as part of the LTC's Transition Action Plan:** to define and prioritise the projects and key tasks required during the transition phase. It may be necessary to identify potential ICT consultants, particularly experts in data migration and systems integration, identify mission critical business systems, staff training requirements, and any consultation needed with other local governments.



Retention and Disposal of Public Records

Local governments should be aware that during the transition period, public records will continue to be created, including records about the amalgamation processes, decisions and outcomes. Senior executives and recordkeeping staff should ensure that current recordkeeping practices and processes continue and that the transition to any new systems or processes is as seamless as possible.

Under section 13 of the *Public Records Act 2002*, a public record cannot be disposed of without the authorisation of the State Archivist. Records that support the activities of local governments are covered by the *Local Government Sector Retention and Disposal Schedule (QDAN 480 v.3)* and the *General Retention and Disposal Schedule for Administrative Records (GRDS v.2.1)*. These Schedules are available from QSA's website.

Local governments should also consider transferring records which have a permanent retention value to Queensland State Archives. Details of this process are also available from QSA's website.

Boundary Changes

Existing local governments undergoing a boundary change need to ensure that records which relate to the specific areas affected are transferred to the appropriate new local government. This may include records such as development applications, property records, and rating records.

There will be instances where a new local government may require access to information contained in public records created by an existing local government, which cannot be transferred from the existing local government to the new local government, for example Council minutes. To facilitate access to this information, existing local governments could establish agreements to determine the custody and access arrangements to existing public records.

Further Advice from Queensland State Archives

Queensland State Archives has also published further advice for records managers and staff to assist in the recordkeeping processes required at the operational level.

Queensland State Archives can provide advice to new or existing local governments regarding the ownership of permanent public records stored at QSA, as well as the control and access provisions for those records.

For more detailed guidance on the management of public records visit the Queensland State Archives' website at <http://www.archives.qld.gov.au>, or contact staff of the Agency Services Unit at QSA on:

Telephone: (07) 3131 7777

Email: info@archives.qld.gov.au