Records Management Rule

Section 1 - Overview

(1) This Rule provides the basis for the management of University records in compliance with the State Records Act 1998 (NSW) and the legislative instruments issued under it by NSW State Records. This is achieved via a University-wide records management program to manage records throughout their lifecycle - from the design of recordkeeping systems, to the creation and capture of records, to records destruction or permanent retention as State Archives.

(2) This Rule ensures that records of the University that are of enduring evidential or informational value are managed, protected and preserved for future reference, contributing towards the development of efficient and effective knowledge management at the University of New England (UNE).

(3) Under section 10 of the State Records Act 1998 (NSW), the Vice-Chancellor and Chief Executive Officer, as the "chief executive" of the University, has a duty to ensure "the [University] complies with the requirements of [the] Act and the regulations" and that the Act and regulations are complied with. The Vice-Chancellor and Chief Executive Officer has made this Rule in accordance with that duty.

(4) In addition to the State Records Act 1998 (NSW), University recordkeeping is impacted by many pieces of legislation including the Government Information (Public Access) Act 2009 (NSW), the Privacy and Personal Information Protection Act 1998 (NSW), and Tertiary Education Quality and Standards Agency Act 2011 (Cth).

Section 2 - Scope

(5) This Rule applies to all University Records created throughout business activities at UNE, including, but not limited to, student records, research records, staff records, and financial records.

(6) This Rule applies to all University related activities of UNE, its controlled entities, and all UNE Representatives.

Section 3 - Rule

Records Management Principles

(7) The full life cycle of records management at UNE (click here for the life cycle) is based upon the University's principles for effective records management. These are:

a. University Records must be timely and routinely created and captured, be readily locatable, and be authentic.
b. University Records will be managed to ensure they are reliable and easily identifiable, are protected and accessible only to those with authorisation, and are retained appropriately to ensure they are retrievable.
c. University Records will only be disposed of once authorised, and that disposal will be recorded and timely.

Principle 1: Creation/Capture of Records

(8) All University Representatives are responsible for the creation and/or capture of University Records within the approved recordkeeping system. The University recordkeeping system consists of:

a. the approved Records Management System (RMS); and
b. approved Business Systems.

Specific responsibilities are outlined below.

(9) The Records, Policy and Governance Unit is responsible for:

a. developing a compliant records management program for implementation across the University;
b. facilitating best practice in records management across the University;
c. the authorised, secure and timely destruction of records within the RMS;
d. providing records management advice and assistance to staff throughout the University;
e. assisting business units to establish their recordkeeping program;
f. developing policies and standards for records management;
g. monitoring compliance with policies and standards, including performance of records management services and operations;
h. assisting in the identification of vital records and ensuring their protection, and appropriate storage;
i. providing secondary storage for semi-active records;
j. making and administering arrangements for the monitoring of the University's records management program by NSW State Records as required by section 12(3) of the Act;:
k. administering and maintaining the approved Records Management System (RMS);
l. providing advice, training and assistance to staff in the appropriate creation, management, protection and retention of records, and the use of the approved RMS; and
m. developing and delivering education programs to staff on recordkeeping best practice and responsibilities.

(10) Each Business Unit must:

a. comply with all University rules, policies, procedures, and guidelines on records management;
b. ensure full and accurate records are made and kept of all activities carried out by their unit;
c. nominate a Records Contact for the unit. The Records Contact does not need to be a position that is solely dedicated to records management, although responsibility for oversight of records management for the unit may form part of the duty statement of the designated position. Larger Business Units may have more than one position with records management responsibilities;
d. ensure the role of Records Contact for the unit, is assigned to appropriate staff;
e. ensure recordkeeping responsibilities are identified in all position descriptions;
f. manage the records of the unit;
g. create and maintain appropriate files;
h. determine appropriate retention periods and access restrictions in consultation with Records, Policy and Governance Unit;
i. identify vital records; and
j. maintain security for hardcopy records stored in office areas.

(11) All University Representatives must:

a. create full and accurate records of all University activities for which they are responsible and of all substantive or formal decisions they take in the service of the University;
b. attend Records Management System training as provided by Records, Policy and Governance Unit;
c. capture all University Records into an approved record keeping system;
d. protect sensitive records in their custody from unauthorised access;

e. not destroy records without authorisation from the Records Manager; and
f. not maintain individual or separate files or recordkeeping systems or unmanaged electronic records except as otherwise authorised by the University.

(12) Secretaries and/or Chairs of all committees, working parties and project teams must:

a. manage all committee records;
b. comply with all University rules, policies, procedures and guidelines on records management in regard to the records of the committee, working party or project team;
c. create and keep full and accurate records of all committee, working party or project team meetings; and
d. register all business papers and minutes in the approved RMS.

(13) The University Archivist centrally manages the University's archives by acquiring and maintaining permanent records of the University (and its predecessors) and making them available for public inspection in compliance with the Act. Archives are records identified as having continuing value in records retention and disposal authorities issued by State Records NSW and are kept permanently as part of the University Archives Collection.

(14) The Records Manager is responsible for:

a. establishing and maintaining a consistent and effective records management program across the University;
b. facilitating compliance with the Act including any relevant standards, codes of practice and other requirements issued by NSW State Records under the Act; and
c. authorising the disposal of records registered within the RMS.

(15) Records which have been created or captured electronically must remain digital. Paper records must be converted into digital format where appropriate.

Principle 2: Management and Retention of Records

(16) By managing and retaining records within an approved record management system and/or an approved business system, University Records will be reliable, easily identifiable, protected, and accessible and retrievable only to those with authorisation.

Ownership of records

(17) All records obtained through the course of University business activities are State Records and are owned and controlled by the University of New England as University Records.

University records

(18) University Records can be in any format, and include, but are not limited to, the following:

a. legal documents including contracts, agreements, memorandums of understanding etc;
b. records of decisions made and actions taken by UNE Representatives in relation to University-related matters that are documented in email messages, memoranda, letters, faxes, etc;
c. incoming communications from external persons and bodies;
d. outwards communications to external persons and bodies;
e. meeting papers of formally established University boards and committees (including agendas, agenda papers, minutes, reports and decision pages);
f. meeting papers of ad hoc committees and working parties (including agendas, agenda papers, minutes, reports and decision pages);

g. financial transactions held electronically or in hard copy format;
h. personnel transactions (i.e. letters of appointment, reports on performance and other dealings between staff and the University);
i. course and unit outlines issued to students and the public;
j. approved course and unit proposals and course accreditation documentation; and
k. research grant applications and records of application outcomes.

(19) All University Records, whether electronic or paper, must be registered in an approved record keeping system at the point of creation or receipt. University Representatives are not to maintain individual or separate files or recordkeeping systems or unmanaged electronic repositories (Hard Drives, Network Drives, Cloud Storage systems) for University Records except as otherwise authorised by the Chief Governance Officer and that authority registered in the approved RMS.

(20) All formal documents generated within the University, should bear either a file number or document number.

(21) The location of every University Record held in a hardcopy file must be recorded in the approved RMS and be accurate at all times. University Representatives are responsible for recording location changes when transferring a hardcopy file to another University Representative.

Approved Business Systems

(22) Where digital University Records are held, or will be held within a business system outside of the approved RMS, (such as Alesco, FinanceOne, Callista, etc) the business system must be approved as a recordkeeping system by the Chief Governance Officer.

(23) System owners are responsible for assessing their systems to ensure compliance with the NSW State Records Standard on Records Management. The assessment report must be forwarded via Records, Policy and Governance Unit to the Chief Governance Officer for approval before the business system is considered to be an approved business system for recordkeeping purposes. All records relating to the implementation, operation, configuration and customisation of the business system must be registered within the approved RMS.

(24) For new systems, recordkeeping requirements must be considered and documented at the user requirements/tendering stage.

(25) Business systems must be re-assessed for recordkeeping compliance if they undergo major upgrades or changes in functionality. Where systems are to be replaced, recordkeeping requirements need to be considered during the planning stage to ensure compliance requirements continue to be met with the new system, and records are appropriately migrated.

Principle 3: Disposal of Records

(26) The University will only dispose of University Records in accordance with the requirements of the State Records Act 1998 and its associated legislative instruments.

(27) The destruction of University Records registered in the approved RMS will be managed centrally through the Records, Policy and Governance Unit.

(28) Records must not be destroyed if they are or may be the subject of a request under the Government Information (Public Access) Act 2009 (NSW), subpoena, or other formal request for access or relate to any ongoing action such as an appeal, regardless of whether the minimum statutory retention period has expired.

(29) The University will keep those records identified as permanent State Archives within the University Archives at the Heritage Centre by entering into a Distributed Management Agreement with State Records NSW. Archives are

records identified as having continuing value in records retention and disposal authorities issued by State Records NSW and are kept permanently as part of the University Archives Collection. University Records that are State Archives include, but are not limited to:

a. Council and associated Committees business papers;
b. Academic Board business papers and minutes;
c. student academic progress records; and
d. records pertaining to ownership of intellectual property.

(30) All University records must be retained for the minimum retention periods identified in the General Disposal Authorities (GDA) approved by NSW State Records for the University.

(31) Each business unit is responsible for evaluating whether the minimum retention periods identified in the approved records GDA's are adequate for business needs. Minimum retention periods can be increased but not decreased.

Authorisation and Compliance

(32) This Rule is made by the Vice-Chancellor and Chief Executive Officer pursuant to Section 29 of the University of New England Act.

(33) University Representatives are legally bound to observe it in relation to University matters.

(34) The Rule Administrator, the Records Manager, is authorised to make procedures and guidelines for the operation of this Rule. The procedures and guidelines must be aligned to the provisions of this Rule.

(35) This Rule operates as and from the Effective Date.

(36) Previous records management policy and related documents are replaced and have no further operation from the Effective Date of this new Rule.

(37) Notwithstanding the other provisions of this Rule, the Vice-Chancellor and Chief Executive Officer may approve an exception to this Rule where the Vice-Chancellor and Chief Executive Officer determines the application of the Rule would otherwise lead to an unfair, unreasonable or absurd outcome. Approvals by the Vice-Chancellor and Chief Executive Officer under this clause must be documented in writing and must state the reason for the exception.

Section 4 - Definitions

(38) Archives means records that have been selected for indefinite retention on the basis of their continuing value for legal, administrative, financial or historical purposes, but are no longer required for current use.

(39) Archives Collection — see http://www.une.edu.au/library/heritage-centre/une-and-regional-archives

(40) Archivist means the person managing the UNE Heritage Centre and University Archive.

(41) Business activities refer to any action that contributes towards UNE's decision-making process or service delivery, including all UNE's functions, processes, activities and transactions.

(42) Business systems are automated systems that create or manage data about the University's activities.

(43) Distributed Management Agreement - Distributed management is a strategy whereby a public office, or other person, can enter into an agreement with State Records to have possession or custody of State archives. State

Records retains control of the archives, while they are held in the custody of the public office or person, ensuring their proper management and care through the terms of the agreement.

(44) Full and accurate record means a record that:

a. correctly reflects what was done, communicated or decided, and can be trusted as a true representation of the transactions or events which it documents;
b. is authentic, for example the record can be proven to be what it claims to be, to have been created or sent by the person claimed to have created or sent it, and to have been created or sent at the time claimed;
c. has integrity by virtue of being complete and protected against unauthorised access, alteration, deletion or loss; and
d. is usable by virtue of being understandable, complete, retrievable and available through time.

(45) Heritage Centre - see http://www.une.edu.au/library/heritage-centre

(46) Managing records means any action relating to the life cycle of a record, including the storage, assignment of metadata, retrieval, transfer, preservation, and eventual disposal of records.

(47) Recordkeeping is the making and maintaining of complete, accurate, and reliable evidence of business transactions.

(48) Records Management Officer is a UNE employee whose responsibility is to administer the Records Management System and provide services to help UNE achieve:

a. efficient and effective records management that meets UNE's business needs; and
b. compliance with the State Records Act 1998 (NSW).

(49) Records are a part of and result from business activities and provide evidence of those activities. Any document or other source of information compiled, recorded or stored in written form or on film, or by electronic process, or in any other manner or by any other means (State Records Act 1998 (NSW). Records may include, but are not limited to, any staff member's paper based records, emails, or electronic documents stored at UNE or on UNE equipment. A record does not include personal and/or private documents that are not part of official UNE business records.

(50) Records Disposal is any method of removing records from the University's control, such as archiving or destruction.

(51) Records Management Program is the management framework, the people and the recordkeeping systems required to manage full and accurate records over time. It covers all records and recordkeeping systems and includes the identification and protection of records that may be required as State archives (see State Records Act 1998 (NSW).

(52) Records Management System (RMS). The University of New England installation of HP TRIM, or equivalent replacement system, under the control of the Records Management Office.

(53) Records Manager is the head of the Records, Policy and Governance Unit.

(54) A State Record is defined in Part One, Section Three of the State Records Act 1998 (NSW), as any record made and kept, or received and kept, by any person in the course of the exercise of official functions in a public office, or for any purpose of a public office, or for the use of a public office. All records obtained through the course of University operations are State Records and are controlled by the University of New England as University Records.

(55) University Records are any records (regardless of format) made and kept, or received and kept, by any person in the course of the exercise of official functions in the University, or for any purpose of the University, or for the use of

the University [Part 1, State Records Act 1998 (NSW)]. This includes records in any format such as paper, electronic (email, spreadsheets, word processing documents, images etc), audio or video cassettes, film, photographs, publications and microfilm/fiche.

(56) Vital records are those records that are essential for the ongoing business of the University, and without which the University could not continue to function effectively. The identification and protection of such records is a primary object of records management, risk management and disaster management planning. Each organisational unit is responsible for identifying and managing vital records in consultation with RMO.

Status and Details

Status	Current
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Unit Head	Suzanne Crew Chief Governance Officer
Enquiries Contact	Suzanne Crew Chief Governance Officer Records, Policy and Governance Unit

Glossary Terms and Definitions

"Effective Date" - means the Rule/Policy takes effect on the day on which it is published, or such later day as may be specified in the policy document.

"University Representative" - means a University staff member, contractor, agent, affiliate, residential staff member, UNE Council member, Council committee member, employee of a controlled entity, director of a controlled entity and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations, affiliated organisations and other bodies falling into one or more of these categories.