



POLICY NO:-
CP1-012 – ELECTED MEMBERS COMMUNICATIONS RECORD KEEPING

GOVERNANCE INFORMATION			
Procedure Link:	N/A	Administrative Policy Link:	

ADMINISTRATION INFORMATION						
History	1	CS1.10	OCM	9/8/22	Res: 9048	Synopsis: Policy to be reviewed in Aug 2024.
Version:	2	CP1-012				Policy renumbered to CP1-012 and reformatted in accordance with new Policy Framework.

1. RESPONSIBLE DIRECTORATE

Chief Executive Officer

2. PURPOSE OR OBJECTIVE

Policy statements outline the Council’s views on issues and provide guidance for staff, the community and Council itself when assessing similar matters for decision.

To capture email and other communication records of Elected Members acting in their official capacity, which constitutes evidence of the discharge of the Council's business.

Scope

This policy applies to elected members at the Shire of Collie.

The State Records Commission Policy on Elected Member emails provides that in relation to the recordkeeping requirements, records must be created and kept which properly and adequately record the performance of Elected Member functions arising from their participation in the decision making processes of Council and Committees of Council.

This requirement should be met through the creation and retention of records and meetings of Council and Committees of Council of local government, and other communications and transactions of Elected Members, which constitute evidence affecting the accountability of the Council and the discharge of its business. Local governments must ensure that appropriate practices are established to facilitate the ease of capture and management of Elected Members' records up to and including the decision making processes of Council.

The State Records Office of Western Australia determines that the following records are not required to be captured by Elected Members:-

- a) Duplicate copies of Council meeting Agenda, Minutes and Papers;

- b) Draft documents of working papers - which are already captured by the Shire of Collie Administration;
- c) Publications - such as newsletter, circulars and journals;
- d) Invitations - to community events where an Elected Member is not representing Council or the Shire of Collie;
- e) Telephone, meetings and other verbal conversations which:-
 - (i) convey routine information only; or
 - (ii) do not relate to Shire of Collie business or functions.
- f) Electioneering - or party political information.
- g) Personal records - not related to an Elected Member's official duties

3. POLICY

1. Elected Members will be provided with a [firstname.surname@collie.wa.gov.au] account for receiving and sending email correspondence to constituents.
2. The Shire will copy each email received and sent by Elected Members using the Elected Member's email account to the Shire's recordkeeping system.
3. Elected Members are encouraged to only use the email account provided by the Shire for email communications affecting the Shire and its business. This will satisfy the obligations of the Elected Member to retain adequate email records.
4. Access to the Shire's copies of the emails will be restricted to:-
 - (a) The Elected Member;
 - (b) The Chief Executive Officer;
 - (c) The Chief Executive Officer's Personal Assistant; and
 - (d) The Records Officer.

Access beyond those officers would be the subject of a Freedom of Information application, which would naturally involve consultation with the elected member (although not a right of veto).

Definitions

The *State Records Act 2000* defines a record as follows:- "A 'government record' means a record created or received by — (a) a government organisation; or (b) a government organisation employee in the course of the employee's work for the organisation."

Definitions include those detailed in the *Local Government Act 1995* and associated legislation.

4. REFERENCE DOCUMENTS

Local Government Act 1995 – section 2.7(2)(b).

Freedom of Information Act 1992

State Records Act 2000

State Records Commission: Principles and Standards

Associated Documents:

Department of Local Government Guidance: Local Government Elected Members' Records available from <https://www.wa.gov.au/government/publications/records-management-advice-local-government-elected-members-records>

Shire of Collie Policy CS 5.3 Records Management