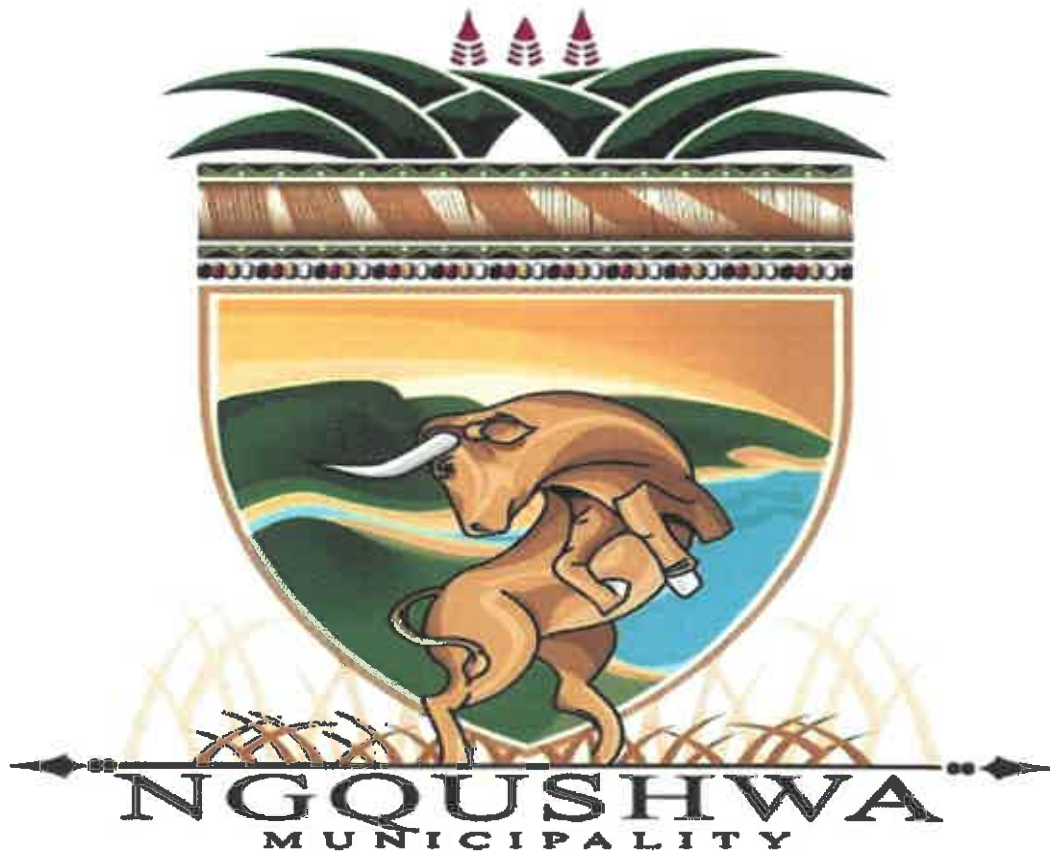


NGQUSHWA LOCAL
MUNICIPALITY



RECORDS MANAGEMENT POLICY

2022/2023

Summary

Publication Date	11 July 2022
Review Date	19 March 2022
Related Legislation/Applicable Section of Legislation	Municipal Offices Bearers Handbook
Related Policies, Procedures, Guidelines, Standards, Frameworks	Basic Condition of Employment Act, Collective Agreement, Municipal System Act, Employment Equity Act, Municipal Staff Regulations
Replaces/ Repeals (whichever is relevant, if any)	None
Policy Officer (Name/Position)	<i>Director Corporate Services</i>
Policy Officer (Phone)	040 6732 081
Policy Sponsor (Name/Position)	Mkhuseli Mxekezo
Department Responsible	Corporate Services
Unit responsible	Human Resources
Applies to	All staff and External candidates
Key Words	Records Management
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Version	1

REVISION RECORD

Date	Version	Revision Description
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1. POLICY NAME/TITLE

1.1 The name of the policy shall be the Record Management Policy

2. POLICY OBJECTIVES AND SCOPE

2.1 Section 13 of the National Archives and Records Service of South Africa Act, 1996 requires the Ngqushwa Local 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 Act

2.2 Information is a resource of the same importance to good management as other standard resources like people, money and facilities. The information resources of Ngqushwa Local Municipality must therefore be managed as a valuable asset.

2.3 Appropriate records management is a vital aspect of maintaining and enhancing the value of this asset. Ngqushwa Local Municipality considers its records to be a valuable asset to:

- a. enable Ngqushwa Local Municipality to find the right information easily and comprehensively;
- b. enable Ngqushwa Local Municipality to perform its functions successfully and efficiently and in an accountable manner;
- c. support the business, legal and accountability requirements of Ngqushwa Local Municipality;
- d. ensure the conduct of business in an orderly, efficient and accountable manner;
- e. ensure the consistent delivery of services;
- f. support and document policy formation and administrative decision-making;
- g. provide continuity in the event of a disaster;
- h. protect the interests of Ngqushwa Local Municipality and the rights of employees, clients and present and future stakeholders;
- i. support and document the Ngqushwa Local Municipality activities, development and achievements;
- j. provide evidence of business in the context of cultural activity and contribute to the cultural identity and collective memory.

1.3 Records management, through the proper control of the content, storage and volume of records, reduces vulnerability to legal challenge or financial loss and promotes best value in terms of human and space resources through greater co-ordination of information and storage systems.

3. COMMENCEMENT AND VALIDITY

The policy shall come into full force and effect upon the approval hereof by the Council

4. POLICY DEFINITION

- 4.1 **"Archives repository"** means the building in which records with archival value are preserved permanently.
- 4.2 **"Authentic records"** means records that can be proven to be what they purport to be. They are also records that are considered by the creators to be their official record.
- 4.3 **"Authoritative records"** means records that are authentic, reliable, trustworthy and useable and are complete and unaltered
- 4.4 **"CFO"** means the Chief Financial Officer appointed in terms of Sec 80(2) of the MFMA including any person acting in that capacity
- 4.5 **"Council"** means a municipal council of the Ngqushwa Local Municipality
- 4.6 **"Councillor"** means a member of the municipal council
- 4.7 **"Correspondence system"** means a set of paper-based and electronic communications and associated documents, sent, received, generated, processed and stored during the conduct of business.
- 4.8 **"Custody"** means the control of records based upon their physical possession.
- 4.9 **"Delegated Authority"** means the official who is given the authority to perform functions in terms of the department's written delegations.
- 4.10 **"Director"** means a person appointed in terms of Section 56 of the Local Government: Municipal Systems Act No 32 of 2000
- 4.11 **"Disposal"** means action of either destroying/deleting a record or transferring it into archival custody.
- 4.12 **"Disposal authority"** means a written authority issued by the National Archivist specifying which records should be transferred into archival custody or specifying which records should be destroyed/deleted or otherwise disposed of.
- 4.13 **"Disposal authority number"** means a unique number identifying each disposal authority issued to a specific office.
- 4.14 **"Electronic records"** means information which is generated electronically and stored by means of computer technology. Electronic records can consist of an electronic correspondence system and electronic record systems other than the correspondence system.
- 4.15 **"Electronic records system"** means the collective noun for all components of an electronic information system, namely: electronic media as well as all connected items such as source documents, output information, software applications, programmes and meta data (background and technical information i.r.o. the information stored electronically) and in hard copy. All these components are defined as records by the Act. They must therefore be dealt with in accordance with the Act's provisions.
- 4.16 **"File plan"** means a pre-determined classification plan by which records are filed and/or electronically indexed to facilitate efficient retrieval and disposal of records.
- 4.17 **"Filing system"** means the collective noun for a storage system (like files, boxes, shelves or electronic applications and storage systems) in which records are stored in a systematic manner according to a file plan.
- 4.18 **"Municipality"** means Ngqushwa Local Municipality (also referred to as "NGQUSHWA"). A local government and legal entity with full legal capacity as contemplated in section 2 of the Systems Act read with the provision of the Chapter 7 of the Constitution and Section 12 and 14 of the Structures Act.

- 4.19 **"Non-archival records"** means records with a short lived interest or usefulness.
- 4.20 **"Official"** shall mean all persons in the employment of the municipality,
- 4.21 **"Public record"** means a record created or received by a governmental body in pursuance of its activities, regardless of form or medium.
- 4.22 **"Records other than correspondence systems"** means records that do not form part of a correspondence file, or a case file e.g. registers, maps, plans, electronic records, audio-visual records, etc.
- 4.23 **"Record"** means recorded information regardless of form or medium
- 4.24 **"Records classification system"** means a plan for the systematic identification and arrangement of business activities and/or records into categories according to logically structured conventions, methods and procedural rules represented in the classification system.
- 4.25 **"Recording"** means anything on which sounds or images or both are fixed or from which sounds or images or both are capable of being reproduced, regardless of form.
- 4.26 **"Record keeping"** means making and maintaining complete, accurate and reliable evidence of official business in the form of recorded information.

5. LEGISLATIVE FRAMEWORK

This policy is established within the framework of the following legislation and related regulation, *namely*

- 5.1 Constitution, 1996;
- 5.2 National Archives and Records Service of South Africa Act (Act No 43 of 1996 as amended);
- 5.3 National Archives and Records Service of South Africa Regulations;
- 5.4 Public Finance Management Act (Act No 1 of 1999);
- 5.5 Promotion of Access to Information Act (Act No 2 of 2000);
- 5.6 Promotion of Administrative Justice Act (Act No 3 of 2000);
- 5.7 Electronic Communications and Transactions Act (Act No 25 of 2002).
- 5.8 Policies
- Electronic records management policy
 - E-mail policy;
 - Document imaging; and
 - Web content management policy
 - Internet Usage Policy which is managed by the IT Manager; and the Information and communication technology policy (ICT).

6. POLICY /PROCEDURE AND TARGET AUDIENCE

- 6.1** This policy impacts upon Ngqushwa Local Municipality's work practices for all those who:
- a.** create records including electronic records;
 - b.** have access to records;
 - c.** have any other responsibilities for records, for example storage and maintenance responsibilities;
 - d.** have management responsibility for staff engaged in any these activities; or manage, or have design input into, information technology infrastructure.
- 6.2** The policy therefore applies to all staff members of the Ngqushwa Local Municipality and covers all records regardless of format, medium or age.

7. GENERAL PROVISIONS

- 7.1** The responsibility for the interpretation, application and evaluation of this policy shall be vested in the Municipal Council and its employees by delegation.
- 7.2** All records created and received by Ngqushwa Local Municipality shall be managed in accordance with the records management principles contained in section 13 of the National Archives and Records Service Act, 1996.
- 7.3** The following broad principles apply to the record keeping and records management practices of Ngqushwa Local Municipality
- 7.3.1** The Ngqushwa Local Municipality follows sound procedures for the creation, maintenance, retention and disposal of all records, including electronic records
 - 7.3.2** The records management procedures of Ngqushwa Local Municipality comply with legal requirements, including those for the provision of evidence.
 - 7.3.3** The Ngqushwa Local Municipality follows sound procedures for the security, privacy and confidentiality of its records.
 - 7.3.4** Electronic records in the Ngqushwa Local Municipality are managed according to the principles promoted by the National Archives and Records Service.
 - 7.3.5** The Ngqushwa Local Municipality has performance measures for all records management functions and reviews compliance with these measures.
 - 7.3.6** A manual containing all procedures relating to the operation and use of the electronic system, including input to, operation of and output from the system must be kept. A system procedures manual would contain detailed procedures regarding -

- a. Document capture
- b. Document scanning
- c. Data capture
- d. Indexing
- e. Authenticated output procedures
- f. File transmission
- g. Information retention
- h. Information destruction
- i. Backup and system recovery
- j. System maintenance
- k. Security and protection
- l. Use of contracted services
- m. Workflow
- n. Date and time stamps
- o. Version control
- p. Maintenance of documentation

8. POLICY PROCEDURES

8.1 Roles and responsibilities

8.1.1 Municipal Manager

8.1.1.1 The Municipal Manager is ultimately accountable for the record keeping and records management practices of Ngqushwa Local Municipality.

8.1.1.2 The Director corporate services is committed to enhance accountability, transparency and improvement of service delivery by ensuring that sound records management practices are implemented and maintained,

8.1.1.3 The Director corporate services support the implementation of this policy and require each staff member to support the values underlying in this policy,

8.1.1.4 The Municipal Manager shall designate a senior manager to be the records manager and shall mandate the records manager to perform such duties as are necessary to enhance the record keeping and records management practices of Ngqushwa Local Municipality to enable compliance with legislative and regulatory requirements.

8.1.2 Senior Managers

8.1.2.1 Senior managers are responsible for the implementation of this policy in their respective units.

8.1.2.2 Senior managers shall lead by example and shall themselves maintain good record keeping and records management practices.

8.1.2.3 Senior management shall ensure that all staff are made aware of their record keeping and records management responsibilities and obligations.

8.1.2.4 Senior managers shall ensure that the management of records including e-mail is a key responsibility in the performance agreements of all the staff in their units.

8.1.3 Records Manager

8.1.3.1 The records manager is responsible for:

- a. the implementation of this policy;
- b. staff awareness regarding this policy;
- c. the management of all records according to the records management principles contained in the National Archives and Records Service Act, 1996.
- d. The determination of retention periods in consultation with the users and taking into account the functional, legal and historical need of the body to maintain records of transactions.

8.1.3.2 The records manager is mandated to make such training and other interventions as are necessary to ensure that the Ngqushwa Local Municipality's record keeping and records management practices comply with the records management principles contained in the National Archives and Records Service Act.

8.1.3.3 The records manager may from time to time issue circulars and instructions regarding the record keeping and records management practices of Ngqushwa Local Municipality.

8.1.3.4 The records manager shall ensure that all records created and received by Ngqushwa Local Municipality are classified according to the approved file plan and that a written disposal authority is obtained for them from the National Archives and Records Service.

8.1.3.5 The Manager Administration is the records manager for the whole Ngqushwa Local Municipality.

8.1.4 Information Communication Technology and GIS Office

8.1.4.1 The IT manager is responsible for the day-to-day maintenance of electronic systems that stores records

- 8.1.4.2 The IT manager shall work in conjunction with the records manager 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
- 8.1.4.3 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.
- 8.1.4.4 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.
- 8.1.4.5 The IT manager shall ensure that electronic records in all electronic systems remains accessible by migrating them to new hardware and software platforms when there is a danger of technology obsolescence including media and format obsolescence.
- 8.1.4.6 The IT manager shall ensure that all data, metadata, audit trail data, 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.
- 8.1.4.7 The IT manager shall ensure that back-ups are stored in a secure off-site environment.
- 8.1.4.8 The IT manager shall ensure that systems that manage and store records are virus free.
- 8.1.4.9 Comprehensive details regarding specific responsibilities of the IT Manager are contained in:
- the Electronic Records Management Policy;
 - the E-mail policy;
 - the Web content management policy;
 - document imaging policy; and the
 - Information security policy.
- 8.1.5 Legal services manager**
- 8.1.5.1 The legal services manager is responsible for keeping the Records Manager updated about developments in the legal and statutory environment that may impact on the record keeping and records management practices of Ngqushwa Local Municipality
- 8.1.6 Registry Staff**
- 8.1.6.1 The registry staff are responsible for the physical management of the records in their care.
- 8.1.6.2 Detailed responsibilities regarding the day-to-day management of the records in the registry are contained in the *Registry Procedure Manual*.

8.1.7 Staff

8.1.7.1 Every staff member shall create records of transactions while conducting official business.

8.1.7.2 Every staff member shall manage those records efficiently and effectively by:

- allocating reference numbers and subjects to paper-based and electronic records according to the file plan;
- sending paper-based records to the registry for filing;
- ensuring that records are destroyed/deleted only in accordance with the written disposal authority issued by the National Archivist.

8.1.7.3 Records management responsibilities shall be written into the performance agreements of all staff members to ensure that staff are evaluated on their records management responsibilities

8.2 Records classification systems and related storage areas

The Ngqushwa Local Municipality has the following systems that organize and store records:

8.2.1 Correspondence systems

8.2.1.1 File plan

8.2.1.1.1 Only the file plan approved on date and implemented on shall be used for the classification of correspondence records. The file plan shall be used for the classification of paper-based and electronic (including e-mail) records.

8.2.1.1.2 Specific procedures for the allocation of file subjects and reference numbers to records are contained in the municipal procedures manual that is published on the Intranet.

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

8.2.1.1.4 When correspondence is created/received for which no subject exists in the file plan, the records manager should be contacted to assist with additions to the file plan. Under no circumstances may subjects be added to the file plan if they have not been approved by the records manager. Specific procedures regarding the addition and approval of a subject in the system are contained in the municipal procedures manual.

8.2.1.2 STORAGE AREAS

8.2.1.2.1 Paper-based correspondence files are kept in the custody of-

8.2.1.2.1.1 The central registry

8.2.1.2.1.2 All paper-based correspondence system records that are not HR related are housed in the central registry.

8.2.1.2.1.3 All these records are under the management of the records manager who is mandated to ensure that they are managed properly.

8.2.1.2.1.4 The registry is a secure storage area and only registry staff are allowed in the records storage area.

8.2.1.2.1.5 Staff members that need access to files in the registry shall place a request for the files at the counter.

8.2.1.2.1.6 The registry shall be locked when registry is not in operation.

8.2.1.2.1.7 The Human Resources registry

8.2.1.2.1.7.1 The registry shall be locked when registry is not in operation.

8.2.1.2.1.7.2 All Human Resources related records are housed in the HR Registry.

8.2.1.2.1.7.3 The general HR subject files as well as HR case files are under the management of the records manager who is mandated to ensure that they are managed properly.

8.2.1.2.1.7.4 Ngqushwa Local Municipality maintains a set of paper-based case files for each staff member. These files are confidential in nature and are housed in a secure storage area in the HR registry.

8.2.1.2.1.7.5 The case files are managed as part of the List of Series of Separate Case Files that is maintained and managed by the records manager.

8.2.1.2.1.7.6 The files exist only in paper-based format and the physical tracking of the case files are managed with the file tracking system in the Integrated Document and Records Management System

8.2.1.2.1.7.7 Electronic correspondence records are stored in an electronic repository that is maintained by the IT section.

8.2.1.2.1.7.8 Access to storage areas where electronic records are stored is limited to the Information Technology staff who have specific duties regarding the maintenance of the hardware, software and media.

8.2.1.2.1.8 Schedule for records other than correspondence systems

8.2.1.2.1.8.1 The records manager maintains a schedule of all records other than the correspondence system. The schedule contains a description of each set of records other than the correspondence system and indicates the storage location and retention periods of these records regardless of format.

8.2.1.2.1.8.2 Should records be created/received that are not listed in the schedule, the records manager should be contacted to add the records to the schedule.

8.2.1.2.1.1 Paper-based

8.2.1.2.1.1.1 The Ngqushwa Local Municipality has the following sets of paper-based records other than the correspondence systems that are in the custody of the various officials that use them on a daily basis.

8.2.1.2.1.1.2 These records are under the control of the records manager who is mandated to ensure that they are managed properly.

8.2.1.2.1.2 Micrographic records

8.2.1.2.1.2.1 The Ngqushwa Local Municipality has the following sets of microfilmed records that are stored in the registry area.

8.2.1.2.1.2.2 These records are under the control of the records manager who is mandated to ensure that they are managed properly.

8.2.1.2.1.3 Audio-visual records

8.2.1.2.1.3.1 The Ngqushwa Local Municipality has the following sets of audio-visual records that are stored in Registry.

8.2.1.2.1.3.2 These records are under the control of the records manager who is mandated to ensure that they are managed properly.

8.2.1.2.1.1 Electronic systems other than the correspondence systems

- 8.2.1.2.1.1.1 Ngqushwa Local Municipality has a number of electronic records systems in operation which is not part of the correspondence system and that generate and store public records.
- 8.2.1.2.1.1.2 The IT manager is responsible for the day-to-day maintenance of these systems.
- 8.2.1.2.1.1.3 The records maintained in these systems are under the control of the records manager who is mandated to ensure that they are managed properly.
- 8.2.1.2.1.1.4 Detailed guidance regarding the management of these systems is contained in the electronic records management policy.

8.3 Disposal of records

- 8.3.1 No public records (including e-mail) shall be destroyed, erased or otherwise disposed of without prior written authorization from the National Archivist
- 8.3.2 The National Archivist has issued Standing Disposal Authority Number [add number] for the disposal of records classified against the file plan. The records manager manages the disposal schedule.
- 8.3.3 The National Archivist issued Standing Disposal Authority Number on the schedule of records other than correspondence systems. The records manager manages the disposal schedule.
- 8.3.4 Retention periods indicated on the file plan and schedule were determined by taking Ngqushwa Local Municipality's legal obligations and functional needs into account. Should a staff member disagree with the allocated retention periods, the records manager should be contacted to discuss a more appropriate retention period.
- 8.3.5 Disposal in terms of these disposal authorities will be executed annually in December.
- 8.3.6 All disposal actions should be authorized by the records manager prior to their execution to ensure that archival records are not destroyed inadvertently.
- 8.3.7 Non-archival records that are needed for litigation, Promotion of Access to Information requests or Promotion of Administrative Justice actions may not be destroyed until such time that the Manager: Legal Services has indicated that the destruction hold can be lifted.

8.3.8 Paper-based archival records shall be safely kept in [name of storage area] until they are due to transfer to the National Archives Repository. Transfer procedures shall be as prescribed by the National Archives in the *Records Management Policy Manual*.

8.3.9 Specific guidelines regarding the procedure to dispose of electronic records are contained in the electronic records management policy.

8.4 Storage and custody

8.4.1 See par. 7 for an identification of all record keeping systems and their storage locations.

8.4.2 All records shall be kept in storage areas that are appropriate for the type of medium. The National Archives and Records Services' guidelines contained in the *Records Management Policy Manual* shall be applied.

8.4.3 Specific policies for the management of electronic storage media are contained in the electronic records management policy.

8.5 Access and security

8.5.1 Records shall at all times be protected against unauthorized access and tampering to protect their authenticity and reliability as evidence of the business of Ngqushwa Local Municipality

8.5.2 Security classified records shall be managed in terms of the Information Security Policy which is available from the security manager.

8.5.3 No staff member shall remove records that are not available in the public domain from the premises of Ngqushwa Local Municipality without the explicit permission of the records manager in consultation with the information security manager.

8.5.4 No staff member shall provide information and records that are not in the public domain to the public without consulting the Chief Information Officer. Specific guidelines regarding requests for information are contained in the Promotion of Access to Information Policy which is maintained by the Chief Information Officer.

8.5.5 Personal information shall be managed in terms of the Promotion of Access to Information Act until such time that specific protection of privacy legislation is enacted.

8.5.6 No staff member shall disclose personal information of any member of staff or client of Ngqushwa Local Municipality to any member of the public without consulting the Chief Information Officer first.

- 8.5.7 An audit trail shall be logged of all attempts to alter/edit electronic records and their metadata.
- 8.5.8 Records storage areas shall at all times be protected against unauthorized access. The following shall apply:
- 8.5.9 Registry and other records storage areas shall be locked when not in use.
- 8.5.10 Access to server rooms and storage areas for electronic records media shall be managed with key card access.

8.6 Legal admissibility and evidential weight

- 8.6.1 The records of Ngqushwa Local Municipality shall at all times contain reliable evidence of business operations. The following shall apply:
- 8.6.2 **Paper-based records**
 - 8.6.2.1 No records shall be removed from paper-based files without the explicit permission of the records manager,
 - 8.6.2.2 Records that were placed on files shall not be altered in any way.
 - 8.6.2.3 No alterations of any kind shall be made to records other than correspondence files without the explicit permission of the records manager.
 - 8.6.2.4 Should evidence be obtained of tampering with records, the staff member involved shall be subject to disciplinary action.
- 8.6.3 **Electronic records**
 - 8.6.3.1 Ngqushwa Local Municipality shall use systems which ensure that its electronic records are:
 - a. authentic;
 - b. not altered or tampered with;
 - c. auditable; and
 - d. produced in systems which utilize security measures to ensure their integrity.
 - 8.6.3.2 The Electronic Records Management Policy contains specific information regarding the metadata and audit trail information that should be captured to ensure that records are authentic.

8.7 Training

- 8.7.1** The records manager shall successfully complete the National Archives and Records Service's Records Management Course, as well as any other records management training that would equip him/her for his/her duties.
- 8.7.2** The records manager shall identify such training courses that are relevant to the duties of the registry staff and shall ensure that the registry staff are trained appropriately.
- 8.7.3** The records manager shall ensure that all staff members are aware of the records management policies and shall conduct or arrange such training as is necessary for the staff to equip them for their records management duties.

8.8 Monitor and review

- 8.8.1** The records manager shall review the record keeping and records management practices of Ngqushwa Local Municipality on a regular basis and shall upon approval by the Municipal Manager, adapt them appropriately to ensure that they meet the business and service delivery requirements of Ngqushwa Local Municipality.
- 8.8.2** This policy shall be reviewed on a regular basis by Council and shall be adapted appropriately to ensure that it meets the business and service delivery requirements of Ngqushwa Local municipality

9. RECORD AND REPORTING

Data related to the implementation of the policy should be captured, analysed to determine trends to facilitate improvements. This information should be registered and evaluated by the municipality

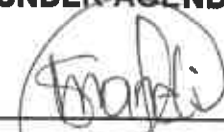
10. REVIEW OF POLICY

This policy may be reviewed annually by Council

AS APPROVED BY COUNCIL ON 08TH JULY 2022 UNDER AGENDA ITEM NO 5.1



MUNICIPAL MANAGER



MAYOR OBO COUNCIL