



Adequate Records Management in Perspective - Creating Official Records

What is an official record?

The *State Records Act 1997* defines an 'official record' as "a record made or received by an agency in the conduct of its business". Official records provide evidence of the functions and activities conducted by state government agencies and local government authorities.

Agencies and authorities should be aware that both paper-based and electronic records created as part of an agency's business are considered to be official records for the purposes of the *State Records Act 1997*.

By ensuring that its official records are created, an agency will satisfy the requirements of Outcome 1 of the *Adequate Records Management - Meeting the Standard*.

Why are official records created?

Official records are created as a direct consequence of the conduct of the business of the South Australian Government. By doing this the records:

- provide proof that certain actions or events occurred
- meet specific legislative requirements concerning the creation of records
- act as an information source to guide future similar actions for agencies
- document the obligations and responsibilities of agencies
- support the policies of state and local governments
- enable the agency to see what has happened in the past, when key staff are no longer within the agency
- help ensure that the Government is accountable to the public for the actions that it performs.

What official records need to be created?

A complete list of all of the official records to be created by an agency would be extremely long. State Records has identified the following as key business actions that require the creation of official records:

- for decisions reached, or commitments or transactions made orally (person to person or over the telephone)
- for decisions and recommendations for which the agency may be held accountable
- for meetings where official business of the agency is transacted where the decision made or action taken sets a precedent, or the agency feels is likely to set such a precedent

- when the agency is entering into legal obligations, for example contract negotiations or leases
- where legislative, or other authority sources, mandate that a record be created
- where business process analysis has identified the need to create official records at certain points in a work process
- where policies and supporting procedures have identified a need to create records.

When should official records be created?

Ideally official records should be created as business is being transacted, e.g. completing information on a client management system as the officer deals with the customer over the phone or via e-mail; amendments to a client file whilst the client is attending the agency.

It may not always be possible to create a record at the same time that business is being transacted. In such circumstances State Records requires that an official record be created as soon as possible after the business is transacted. An example of this is the creation of minutes of a meeting by an officer following closure of the meeting.

What happens if official records are not created?

By not creating official records where there is a need to be accountable, or by not ensuring there is evidence of actions taken, an agency is greatly increasing its exposure to risk. These increased risks could harm the agency financially or through poor public perceptions.

The higher the risks taken by an agency, the higher the penalties that are likely to be placed upon an agency.

Without official records being created it will be far more difficult for an agency to meet the community expectation that it be accountable for its actions.

The Westminster system of government is based in part on the ability of an independent public service to keep a record of the actions of the Government. These records can be used by the courts and Parliament, where necessary, to investigate, report and penalise the Government when it has acted inappropriately.

Without official records to support these actions the level of community acceptance of the actions of governments and their agencies will be seriously eroded.

Further information

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- Standards Australia, *HB 171-2003 – Guidelines for Management of IT Evidence* (2003).
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