

## **Position Statement on Electronic Recordkeeping in the Northern Territory Government**

### **Table of contents**

Purpose

Definition

Scope

Background

Regulatory framework

Position statement

1. Electronic records are official records
2. Electronic recordkeeping should comply with published standards
3. Electronic records should be maintained in electronic recordkeeping systems
4. Electronic records should be managed effectively as part of a comprehensive records management program
5. The Digital Recordkeeping Initiative



## Purpose

The purpose of this statement is to define policy on the creation and management of electronic records (also known as digital records) in the Northern Territory Public Sector (NTPS).

## Definition

According to Australian Standard AS ISO 15489: 2002—*Records Management*, records are “Information created, received, and maintained as evidence and information by an organisation or person, in pursuance of legal obligations or in the transaction of business”.

Electronic records are records communicated and maintained by means of electronic equipment.

## Scope

This statement applies to all public sector organisations (hereinafter referred to as agencies) as defined in s.5 of the *Information Act 2002*. It should be applied in conjunction with the NTG Records Management Standards.<sup>1</sup>

## Background

The Northern Territory Government is committed to improving the quality of recordkeeping in accordance with the *Information Act*.

Business conducted in the electronic environment needs to be documented appropriately to meet a variety of operational, accountability and community requirements. This involves electronic recordkeeping: making and keeping records in the electronic environment. Improved electronic recordkeeping is essential to the success of the Government's goals for information management and technology.

Records are an essential component of the activity of government and are integral to:

- ▶ policy and decision making
- ▶ operational effectiveness
- ▶ legal, financial and public accountability
- ▶ risk management.

Records are information assets and need to be managed accordingly. The community has a right of access to NTG records under the provisions of the *Information Act*.<sup>2</sup> Some records ultimately become Territory Archives<sup>3</sup> and will form part of the archival resource of the Northern Territory.

This statement establishes principles which agencies should follow in developing practices and systems for recordkeeping in the electronic environment.

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<sup>1</sup> See [http://www.nt.gov.au/dcis/nta/3\\_gov%20recordkeeping/standards/3-1-1\\_standards.htm](http://www.nt.gov.au/dcis/nta/3_gov%20recordkeeping/standards/3-1-1_standards.htm)

<sup>2</sup> *Information Act 2002*, Part 3

<sup>3</sup> *Information Act 2002*, s.4 and s.141



## Regulatory framework

The regulatory basis for records management in the NTG is the *Information Act*, Part 9—Records and Archives Management. Adequate records management underpins the access, correction and privacy components of the Act by ensuring that government information (records) can be found, read and reproduced in response to requests.

Agencies should also refer to other NT legislation and regulations that may affect electronic recordkeeping, such as:

- ▶ *Electronic Transactions (Northern Territory) Act*
- ▶ *Evidence Act*
- ▶ *Evidence (Business Records) Interim Arrangements Act*

The Northern Territory Archives Service (NTAS) endorses the Australian Standard AS ISO 15489: 2002—*Records Management*.

## Position statement

### 1. Electronic records are official records

Electronic records generated or received by an agency or a government employee in the course of official duties are to be treated as *official records*. For agencies subject to the *Information Act* these are records as governed by the Act.

Electronic records need to be treated in the same way as hard copy records in terms of capture, classification, security, access and disposal. As records of government agencies, electronic records, like records in other formats, are subject to legal processes such as discovery and subpoenas. They may also be required by Royal Commissions, the Courts, auditors and other people or bodies to whom or which they may be subject. In order to maintain their value as evidence, electronic records must be inviolate – that is, it should not be possible for them to be altered or manipulated (see 3. below).

Some electronic records ultimately become Territory Archives and will need to be kept permanently.

### 2. Electronic recordkeeping should comply with published standards

Agencies should keep and manage their electronic records in compliance with standards approved under the *Information Act* – the NTG Records Management Standards - and with the Australian Standard AS ISO 15489: 2002—*Records Management*. The NTG expects the same standards of recordkeeping to apply in the electronic environment as in the paper environment.

Future Records Management Standards will also apply equally to electronic and hard copy records.

### 3. Electronic records should be maintained in electronic recordkeeping systems

Records may be unreliable if: they have been tampered with; they are not the most up to date version; or information within them is not sufficiently clear. Agencies should maintain their electronic records in reliable electronic recordkeeping systems. Only reliable recordkeeping systems produce authentic records and ensure the correct security, access and disposal regimes are in place. This is essential in order to satisfy the requirements of the NTG Records



Management Standards and to ensure that the access and privacy provisions of the *Information Act*<sup>4</sup> are not compromised.

The keeping of electronic records on hard or shared drives should be avoided as authentication of the information the records contain cannot be guaranteed. Similarly, any records maintained on a hard drive, floppy disk or CD-ROM cannot be considered authentic as the appropriate security, access and disposal considerations cannot be proven.

This principle requires that agencies establish policies, business rules, formal methodologies and procedures incorporating sound records management practices for recordkeeping in the electronic environment. These should conform to NTG standards and necessitate the implementation of an electronic recordkeeping system.

*(The present contract between the NT Government and IBM Australia Limited for the "Supply and Installation of a Document and Records Management System" establishes the protocols under which NTG agencies can further exploit the solution including the implementation of electronic document and records management.<sup>5</sup>)*

#### **4. Electronic records should be managed effectively as part of a comprehensive records management program**

Agencies should ensure that policies, practices and systems for the management of electronic records are fully integrated into their records management programs.<sup>6</sup>

Where electronic records and those in other formats (eg hard copy) document the same activities, agencies should manage these records in such a way that all relevant records can be easily retrieved and the relationships between them are clear. If no electronic recordkeeping system is in use, this may involve the entry of metadata about electronic records into the existing paper-based records management system. This will also entail allocating the appropriate security and access provisions to both formats of records.

#### **5. The Digital Recordkeeping Initiative**

In order to maximise their ability to ensure that governments do not suffer from 'digital amnesia', ten public records institutions in Australia and New Zealand (including the NTAS) have joined together to form the Digital Recordkeeping Initiative (DRI). The members of the Digital Recordkeeping Initiative have agreed to collaborate on the development, articulation and implementation of a common set of strategies for enabling the making, keeping and using of electronic records.

This initiative will promote a single Australasian approach to electronic public recordkeeping across all jurisdictions and to provide a space for communication and information sharing between the members. It is intended that the collaboration will ensure the best possible strategic use of limited collective resources and to maximise the wider awareness and impact of the agreed approach to addressing the challenge of electronic records.

The findings and recommendations of the Digital Recordkeeping Initiative will form the basis for the long term maintenance and management of electronic records in the NT Government, including storage and use.

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<sup>4</sup> *Information Act 2002*, Parts 3 and 5

<sup>5</sup> For further information on the implementation of an electronic records and document management system see *Technology Options for Implementing Electronic Document and Records Management (EDRM) in NT Government Agencies*, available from the NT Archives Service.

<sup>6</sup> See the NTG Records Management Standard – *Planning and Implementing Records Management*.

