

DR NKOSAZANA DLAMINI ZUMA LOCAL MUNICIPALITY



DOCUMENT AND RECORDS MANAGEMENT POLICY

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1. DEFINITIONS

Act	:	refers to the KZN Archives & Records Service of South Africa Act (Act 8 of 2011, as amended)
Archives	:	means records in the custody of an archives repository
Archival Value	:	refers to those values, administrative, fiscal, legal, evidential and/or informational, which justify the indefinite or permanent retention of records
Correspondence System	:	refers to a set of paper-based and electronic communications and associated documents, sent, received, generated, processed and stored during the conduct of business
Current Records	:	are records that form part of a records classification system still in use
Custody	:	refers to the control of records based upon their physical possession and legal responsibility
Disposal	:	is the action of either destroying/deleting a record or transferring it into archival custody
Disposal Authority	:	is a written authority issued by the KZN Archivist specifying which records should be transferred into archival custody, or specifying which records should be destroyed/deleted or otherwise disposed of
Disposal Authority Number	:	is a unique number identifying each disposal authority issued to a specific office
Disposal Instruction	:	refers to the specific instruction regarding disposal allocated to each record e.g. D for delete/destroy and A for transferring into archival custody
Electronic Document Management System	:	is a system that provides the ability to capture, describe and categorise, store and retrieve, share and reuse electronic documents regardless of specific format

Electronic Records	:	refers to information which is generated electronically and stored by means of computer technology. Electronic records can consist of an electronic correspondence system and electronic records system other than the correspondence system
Electronic Records Management System	:	is the system that supports the medium to long term information needs of an office. It provides functionality over and above that of an electronic document management system to preserve the security, authenticity and integrity of records to enable the permanent preservation of records
Electronic Records System	:	is the collective noun for all components of an electronic information system
File	:	<ul style="list-style-type: none"> a) is an organised arrangement of records on same subject accumulated in chronological order within the same cover/folder/container b) The action of placing documents in a predetermined location according to an overall scheme control. c) Storage equipment, such as a filing cabinet. d) In electronic records, an organised collection of related data, usually arranged into local records that are stored together and treated as a unit.
File Plan	:	is a pre-determined logical and systematic structure into which records are arranged and intellectually stored according to subject groups and subjects to facilitate efficient retrieval and disposal of records
Filing System	:	refers to a collective noun for a storage system in which records are stored in a systematic manner according to file plan
File Reference	:	refers to a unique number for a file and is used to link a record to its specific subject file and subject grouping. This can be a numerical, alphabetical or alphanumeric identifier

DR NKOSAZANA DLAMINI ZUMA LOCAL MUNICIPALITY: Refers to Dr Nkosazana Dlamini Zuma Local Municipality

Public Records : means a record created or received by Dr Nkosazana Dlamini Zuma Local Municipality in Pursuance of its activities, regardless of form or medium

Record : refers to recorded information, regardless of form or medium. Evidence of a transaction, preserved for the evidential information it contains

Record-keeping : means making and maintaining complete, accurate and reliable evidence of official business in the form of recorded information

Records Manager : refers to the Dr Nkosazana Dlamini Zuma Local Municipality official appointed by the Municipal Manager to manage Council's records

2. BACKGROUND

The South African Constitution of 1996 provides the foundation for efficient and effective public service delivery. It provides for national legislation to be enacted to establish the general policy framework according to which governmental bodies should operate to ensure effectiveness and efficiency.

2.1 The KZN Archives of South Africa Act no 8 of 2011 provides the legal framework according to which the National Archives regulates the records management practices of all governmental bodies.

2.2 In accordance with Section 13 of the National Archives of South Africa Act of 1996, the Records Management Division should:

2.2.1 investigate and approve the prescribed record keeping system before implementation to ensure that the system satisfies the requirements of accountability and transparency;

2.2.2 examine public records with a view to issuing disposal authorities on all public records to enable governmental bodies to dispose of records no longer required for functional purposes;

2.2.3 determine the conditions subject to which records can be microfilmed or electronically reproduced to ensure that the requirements for archival preservation are addressed timeously;

- 2.2.4 determine the conditions subject to which electronic records systems should be managed to ensure that sound records management practices are applied to electronic records systems from the design phase onwards;
- 2.2.5 inspect public records to ensure that governmental bodies comply with the requirements of the National Archives Act;
- 2.2.6 issue directives and instructions as to the management and care of public records in the custody of governmental bodies;
- 2.2.7 Provide training to records managers, senior administrative officials, training officials, work study officials and registry heads with a view to teaching the basics of records management and explaining the National Archives' role in promoting efficient records management.

2.3 **The Promotion of Access to Information Act (Act No 2 of 2000)**

2.3.1 Promotes transparency, accountability and effective Governance by empowering and educating public

- 2.3.1.1 to understand and exercise their rights;
- 2.3.1.2 to understand the functions and operation of public Bodies; and
- 2.3.1.3 to effectively scrutinise, and participate in, decision-making by public bodies that affects their rights.

2.3.2 **Promotion of Administrative Justice Act (Act No 3 of 2000)**

- 2.3.2.1 The purpose of the Act is to ensure that administrative action is lawful, reasonable and fair And properly documented.

LEGISLATION

The statutory and regulatory Framework in which sound records management is founded the following:

- a) The constitution of the Republic of South Africa Act (Act no 108 of 1996) section 195 of the constitution provides amongst others for the:
 - Effective, Economical and efficient use of resources
 - Provision of timely, accessible and accuracy information
 - Requires that the public administration must be accountable.
- b) The National Archives and Records of South Africa Act (Act no 43 of 1996, as amended)

Section 13 of the act contains specific provision for efficient records management in governmental bodies. It provides for the National Archivist:

 - To determine which record keeping systems should be used by governmental bodies.

- To authorise the disposal of public records or their transfer into archival custody
 - To determine the conditions according to which records may be microfilmed or electronically produced and according to which electronic records management system should be managed.
- c) The National Archives and records Services of South Africa regulations(R158 dated 20 November 2002)
Management of Records contains specific parameters within the governmental bodies should operate regarding the management of their records.
- d) The Public Finance Management Act (Act No. 1 of 1999), the purpose of the act is to regulate financial Management in the public service and to prevent corruption, by ensuring that all governmental bodies manage their financial and other resource properly.
- e) The Promotion of Access to information Act (act no. 2 of 2000). The purpose of the act is to promote transparency, accountability and effective governance by empowering and educate the public:
- To understand and exercise their rights
 - To understand the functions and operate of public bodies, and
 - To effectively scrutinise, and participate in decision making by public bodies that affects their rights.
- f) The Promotion of administrative Justice Act (Act No 3 of 2000). The purpose of the act is to ensure that action is lawful reasonable, fair and properly documented.
- g) The Electronic Communications and Transactions Act (Act no 25 of 2002). The purpose of the act is to legalise electronic communications and transactions, and to building trust in electronic records. According to the electronic Communications and Transactions Act data messages are legally admissible records, provided that their authenticity and reliability are true evidence of a transaction and can be proven beyond any doubt. The evidential weight of the electronic records (including e- mails) would depend amongst others on the reliability of the manner in which the messages were managed by the originator and the receiver, should bodies not have a properly enforced records management and e- mails policy and reliable and secure record keeping system, They run the risk that the evidential weight of their electronic records (Including e-mails) might diminished.

The legislative mandates mentioned above are generally applicable to all governmental bodies. There are also non-generic laws that apply to specific government clusters and governmental bodies. Although not mentioned specifically these should also be kept in mind when reading this document

Records Management Policy

The Dr Nkosazana Dlamini Zuma Local Municipality is committed to Information Management in accordance with international best practise. As part of this commitment, the management of all record must comply with the records Management Policy. The policy covers the management and maintenance through to their disposal under the provision of the KZN records Services Act no 8 of 2011.

The following policy statement is covered by DR Nkosazana Dlamini Zuma Local Municipality Records Management Policy:

- The Dr Nkosazana Dlamini Zuma Local Municipality follows procedures for creation, maintenance, retention and disposal of record, including electronic records
- The records Management procedures of Dr Nkosazana Dlamini Zuma Local Municipality comply with legal requirements, including those for the provision of evidence
- Dr Nkosazana Dlamini Zuma Local Municipality follows sound procedures for the security , privacy and confidentiality of the departmental records
- Dr Nkosazana Dlamini Zuma Local Municipality has performance measures for all records management functions and reviews compliance with these measures.

Standards

In support of the requirement of the National Archives and Records Services Act No 43 of 1996, Dr Nkosazana Dlamini Zuma Local Municipality complies with SANS 15489 Information and Documentation- Records Management and, in terms of its statutory mandate, requires governmental bodies to put the necessary infrastructure, policies, strategies, procedures and systems in place to ensure that records in all formats are managed in an integrated manner. The Department also adheres to minimum Information Security Standards.

3. OBJECTIVES

- 3.1 To have a well-organised filing system that enables Dr Nkosazana Dlamini Zuma Local Municipality to find information easily.
- 3.2 To ensure that records are correctly filed, stored and are easily accessible, as this facilitates transparency, accountability and democracy.
- 3.3. To ensure the orderly and efficient flow of information that enables the Dr Nkosazana Dlamini Zuma to perform its functions successfully and efficiently.
- 3.4 To ensure that authoritative and reliable records are created and Maintained in an accessible, intelligent and usable manner to support the business and accountability requirements of the Dr Nkosazana Dlamini Zuma Local Municipality.
- 3.5 To eliminate unnecessary duplication of records.
- 3.6 To ensure that Dr Nkosazana Dlamini Zuma Local Municipality maintains only those records it really needs for functional purposes.

- 3.7 To initiate controls to ensure that only authorized persons have access to the information, thus preventing information and/or the records themselves from being stolen or damaged.
- 3.8 To ensure the protection of privacy and confidentiality, and prevents the inappropriate disclosure of information that could harm the Dr Nkosazana Dlamini Zuma Local Municipality or infringe the private rights of individuals.
- 3.9 To ensure that records management is considered as a business process designed to support business objectives.
- 3.10 To ensure that records are considered as a resource and are utilized fully and cost effectively to realize business objectives.
- 3.11 To ensure that Dr Nkosazana Dlamini Zuma Local Municipality creates and maintains a culture which will promote effective and efficient records management to facilitate efficient and timely decision-making.
- 3.12 To retain the institutional memory.

4. BROAD RESPONSIBILITY

The Municipal Manager of Dr Nkosazana Dlamini Zuma Local Municipality is responsible for the records management practices of Dr Nkosazana Dlamini Zuma Local Municipality. As outlined in terms of the National Archives of South Africa Act of 1996, and set out in the National Archives Regulations and the Archives Instructions.

4.1 Records Manager

The Municipal Manager should, in terms of Section 13(5) of the National Archives of South Africa Act, 1996, designate staff members at the senior management level to whom he/she can delegate the responsibility to ensure that sound records management practices are implemented and maintained.

4.1.1 The Records Manager is responsible for:

- The Implementation of this Policy
- Staff awareness regarding this policy
- The Management of all records according to the records management principles contained in the National Archives and Records Services act 1996
- 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

- The Records Manager is mandated to make such training and other interventions as are necessary to ensure that Dr Nkosazana Dlamini Zuma Local Municipality records management practices comply with the records management principles contained in the National Archives and Records Services Act.
- The Records Manager shall ensure that all records created and received by Dr Nkosazana Dlamini Zuma Local Municipality are classified according to the approved file plan and that a written disposal authority is obtained for the National Archives and Records Services.

4.2 Users

- 4.2.1 Sound records management is a collective responsibility which all members of staff have an equal obligation to maintain.
- 4.2.2 All users should be aware of the policies, procedures, and tools for managing records and they should be capable of applying them consistently to all records.
- 4.2.3 The full co-operation of the users is necessary to file documents into the filing system and to protect records against loss and damage.

5. RECORDS MANAGEMENT PROGRAMME

5.1 Records Management Policy

- 5.1.1 The Records Manager should implement a Records Management Policy, which should be approved by the Council as well as Provincial Archives.
- 5.1.2 The Records Management Policy should address, within the broad policy guidelines provided for by the KZN Archives of South Africa Act, no 8 of 2011 all aspects of the identification, security, safe custody, disposal and retrieval of records.

5.2 Records Management Procedures

- 5.2.1 The Records Management Policy should be packed by the Records Management Procedures.
- 5.2.2 These procedures should be designed within the broad records management principles established by the KZN Archives of South Africa Act no 8 of 2011, and take into account the unique functions, structures and resources of Dr Nkosazana Dlamini Zuma Local Municipality.

5.3 Record keeping Systems

Dr Nkosazana Dlamini Zuma Local Municipality should implement and maintain the following prescribed record-keeping systems:

- 5.3.1 **Filing system**, which is a plan by which documentation is arranged and stored to facilitate efficient retrieval and disposal.
- 5.3.2 **Schedule of other records** which enables Dr Nkosazana Dlamini Zuma Local Municipality to manage records other than correspondence systems.
- 5.3.3 These records, other than correspondence systems, are subject to the same requirements of control, care and disposal as records kept in correspondence systems.
- 5.3.4 The records control schedule consists of the following parts:
 - 5.3.4.1 **Schedule of paper based records**, which contains a description of all paper-based current records other than correspondence files;
 - 5.3.4.2 **Schedule of microfilm projects** which contains a description of all micro graphic records and projects;
 - 5.3.4.3 **Schedule of electronic records systems** which contains a description of all electronic information systems other than the electronic correspondence system;
 - 5.3.4.4 **Schedule of audio-visual records** which contains a description of all audio-visual records.

6. RECORD CONTROL MECHANISMS

- 6.1.1 Dr Nkosazana Dlamini Zuma Local Municipality should implement and maintain the following record control mechanisms:
- 6.1.2 **Register of files opened**, which contains a description of all files that were actually opened according to the subject provisions in the filing system.
- 6.1.3 **Register of disposal authorities**, which contain copies of all disposal authorities issued by the KZN Archives, to Dr Nkosazana Dlamini Zuma Local Municipality.

6.1.4 **Destruction of records register**, which contains information on the year in which non-archival records are due for destruction.

6.1.5 Schedule for records other than correspondence systems:

- 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.

7. DISPOSAL PROGRAMME

7.1 A systematic disposal system should be implemented by:

7.1.1 Applying the KZN Archive's General Disposal Authorities for records that are common to most offices;

7.1.2 applying for disposal authority on all current and terminated paper-based, electronic, micro-graphic and audio-visual records, which are not covered by the General Disposal Authorities;

7.1.3 ensuring that retention periods are determined for all non-archival records when the disposal authority has been issued; and

7.1.4 Ensuring that the disposal authorities are carried out on a regular basis.

a) Disposal of Record

- No public records (including E-mails) shall be destroyed, erased or otherwise disposed of without written authorisation from the Provincial Archivist.
- The Provincial Archivist issues a standing Disposal Authority Number for the disposal of records classified against the file plan. The records manager manages the disposal Schedule.
- The Provincial Archivist issues standing Disposal Authority on the Schedule of records other than correspondence systems. The records manager manages the disposal of Schedule.
- Retention Periods to be indicated will be determined by taking this to KZN Archives 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.
- Disposal in terms of these disposal Authorities will be executed annually.
- All disposal actions should be authorised by The Record Manager prior to their execution to ensure that Archival records are not destroyed inadvertently.

- 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.
- Paper base Archival records shall be safety kept in the strong rooms until they are due to transfer to the Provincial Archives repository. Transfer procedures shall be prescribed by the Provincial Archives in the Records Management Policy Manual.
- Specific guidelines regarding the procedure to dispose of electronic records will be contained in the electronic records management policy.

8. MANAGING ELECTRONIC RECORDS

8.1 Areas of Responsibility

8.1.1 Dr Nkosazana Dlamini Zuma Local Municipality must give specific consideration to the preservation of electronic records.

8.1.2 The Records Manager should establish policies and procedures to ensure that electronic records and their related documentation are retained as long as needed for official use.

8.1.3 The policies and procedures should provide for:

8.1.3.1 The approval of the filing system used for the electronic correspondence system(s);

8.1.3.2 Obtaining disposal authority on the electronic correspondence system as well as all electronic records systems, other than the correspondence system, and on all related documentation and indexes before implementation of the system(s);

8.1.3.3 Procedures for regular recopying, reformatting and other necessary maintenance, to ensure the retention and accessibility of electronic records throughout their life cycle.

8.2 Dr Nkosazana Dlamini Zuma Local Municipality should notify the Provincial Archivist in writing of their intention to introduce electronic correspondence systems and other electronic records systems, mainly for the following reasons:

- 8.2.1 The implementation of such systems usually leads to the destruction of paper-based records, which needs to be done in terms of a proper disposal authority issued by the National Archivist; Record Shall at all times be protected against unauthorised access and tampering to protect their authenticity and reliability as evidence of the business of this Municipality. Security classified records shall be managed in terms of the Information security policy, which is available from the security manager. No staff shall remove records that are not available in the public domain from the premises of this Municipality without the explicit permission of the record manager in consultation with the information security manager
- 8.2.2 The disposal requirements for electronic records should be built into the systems during the planning phase of the systems, to prevent records from being kept for unnecessarily long periods of time;
- 8.2.3 The requirements regarding the medium to long term storage, and the format for the long term accessibility of archival records, should be built into the electronic systems in the planning phase of such systems to prevent records becoming inaccessible;
- 8.2.4 The gathering of metadata, needed to ensure that records are reliable and have authority, can be built into the system at an early stage.

8.3 Electronic Records Management Applications

- 8.3.1 If Dr Nkosazana Dlamini Zuma Local Municipality contemplates using an electronic correspondence system, it must be used in conjunction with an **electronic records management application** that provides for the management of the electronic documents according to a functional subject filing system and the disposal of records when the time is right.
- 8.3.2 Filing systems for electronic correspondence systems must be submitted to the Provincial Archivist for approval before such system(s) is (are) implemented.
- 8.3.3 These filing systems must be maintained in the same way as an approved filing system for conventional paper-based records.
- 8.3.4 All amendments and additions to the system must be reported and approved by the Provincial Archivist.

8.4 Schedule of Electronic Records Systems

8.4.1 The other electronic records systems, such as the financial and procurement management system, staff management system, geographical information systems, etc. should be managed by the schedule for electronic records systems.

8.4.2 This schedule should comprehensively contain information regarding data sets and files included in the system, hard copy input and output, the processing, subject and special format files created and used in the system, the documentation that defines the system and the data.

8.5 Managing e-mail Messages

8.5.1 E-mail messages received in the course of official business are records and should be managed according to the basic principles that apply in any medium.

8.5.2 The management and retention of e-mail records are subject to the KZN Archives of South Africa Act (No8 of 2011) and its regulations.

9. INTERPRETATION OF THE POLICY

9.1 All words contained in this policy shall have a direct grammatical meaning unless the definition or context indicates otherwise.

9.2 The dispute on interpretation of this policy shall be declared in writing by any party concerned.

9.3 The office of the Municipal Manager shall give a final interpretation of this policy in case of a written dispute.

9.4 If the party concerned is not satisfied with the interpretation of the policy, a dispute may then be referred to the South African Local Government Bargaining Council.

10. PERMANENT / TEMPORARY WAIVER OF THIS POLICY

10.1 This policy may be partly or wholly waived by the Municipal Council on temporary or permanent basis.

10.2 Notwithstanding clause 10.1 the Municipal Manager may under circumstances of emergency temporarily waive this policy subject to reporting of such waiver to Council.

11. AMENDMENT AND/OR ABOLITION OF THIS POLICY

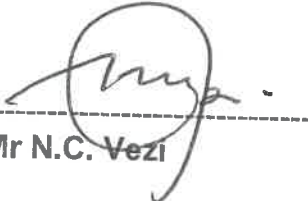
11.1 This may be partly amended or wholly amended by the Council

- 11.2 This policy may be partly or wholly abolished by the Council
- 11.3 Violation of or non-compliance with this policy will give a just cause for disciplinary steps to be taken.
- 11.4 It will be the responsibility of all Managers, Supervisors, Executive Committee and Council to enforce compliance with this policy.

12. SUSPENSION OF THIS POLICY

- 12.1 This policy may only be repealed by Council
- 12.2 This policy may only be suspended by Council

APPROVED BY THE COUNCIL ON THE 27 May 2021



Mr N.C. Vezi

Municipal Manager

28 May 2021

Date