Information and Records Management Policy

v2.0 – November 2022

Contents

1. Purpose

icare is committed to the responsible management of the information and records we collect and create.

The Information and Records Management Policy outlines the principles to govern how information is created and collected, used and accessed, secured and stored, and retained in accordance with our business needs and legal requirements.

2. Scope

This policy applies to everyone working for icare including (paid or unpaid): Board directors; part-time, temporary or permanent employees; graduates; contingent workers; consultants; interns; secondees from other organisations; students on work placements and volunteers.

This policy does not apply to outsourced providers or other third parties. The policy does apply to how icare and its employees manage information and records associated with outsourced services provided by third parties. For outsourced providers and all other third-party contracts, requirements for information and records management must be included within the contractual arrangements and aligned to the scale and nature of the services being provided.

This policy applies to the management of information and records across all the icare schemes, including the Nominal Insurer[1].

3. Key concepts

3.1 Information and records management is a legal requirement

Information and records management is a legal requirement in NSW Government and compliance requirements are outlined in the *State Records Act 1998, Museums of History Act 2022*, *Government Information (Public Access) Act 2009*, *Privacy and Personal Information Protection Act 1998*, *Health Records and Information Privacy Act 2002*, and the *Data Sharing (Government Sector) Act 2015*.

The governing legislation for icare and its relevant authorities requires us to manage information and data. This includes the *State Insurance and Care Governance Act 2015, Workers Compensation Act 1987, Workers Compensation Amendment Act 2015, Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987, Motor Accident (Lifetime Care and Support) Act 2006, Workers Compensation (Dust Diseases) Act 1942, NSW Self Insurance Corporation Act 2004, Sporting Injuries Act 1978, Home Building Act 1989* and *Motor Accidents Injuries Act 2017.*

Icare has employment, financial and procurement obligations to keep information and records, as outlined in the *Government Sector Employment Act 2013*, *Government Sector Audit Act 1983*, *Government Sector Finance Act 2018* and *Public Works and Procurement Act 1912*.

Information and records management obligations can be found in standards and guidelines issued by our oversight bodies and stakeholders. For example, the NSW *Government Information Classification, Labelling and Handling Guidelines, Information Management Framework, Data & Information Custodianship Policy* and SIRA's *Workers Compensation Guidelines* and *Standards of Practice.*

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[1] The Nominal Insurer established under the Workers Compensation Act 1987 is excluded from the definition of a public office in the State Records Act 1998 and Museums of History Act 2022. While the Nominal Insurer is not subject to these Acts, the requirements of this policy apply to the Nominal Insurer's records.

When icare provides services to customers from other jurisdictions, their legislative requirements may apply to us, including for example, the Australian Capital Territory's *Lifetime Care and Support (Catastrophic Injuries) Act 2014* (ACT).

The State Archives and Records Authority of New South Wales (NSW State Archives and Records[2]) is a statutory body under Schedule 2 of the Public Finance and Audit Act 1983 and is legislated under the State Records Act 1998 (the Act) to administer the Act. It has responsibilities for the development, preservation and access for the State's archives.

3.2 Definition of a record

A record is information or data created, received, and maintained as evidence and as an asset by an organization or person, in pursuit of legal obligations or in the transaction of business.

3.3 Government information

Government information is defined in the *Government Information (Public Access) Act 2009* and means information contained in a record held by an agency. In that Act **record** "means any document or other source of information compiled, recorded or stored in written form or by electronic process, or in any other manner or by any other means".

3.4 State Record

A *State Record,* defined in the *State Records Act 1998,* is "any record, made and kept, or received and kept, by any person in the course of the exercise of official functions in a public office, or for the use of a public office".

icare, and the scheme authorities it provides services to (except for the Nominal Insurer), are public offices and create, collect, capture, store and dispose of *State Records.*

4. Policy principles

4.1 Information is valued and governed as an asset

1) This policy applies to both corporate information and records of icare, and to information and records of the scheme authorities that icare acts for or provides services to.
2) All corporate information and records of icare are owned by icare and must be stored on an icare system.
3) An information and records management program must be maintained consisting of a planned and coordinated set of policies, procedures, people, systems and activities.
4) A Senior Responsible Officer is accountable for the information and records management program as required by the *Standard on records management[3]*.

4.2 Information and records are created and collected once, and stored and managed digitally

1) Create, collect, capture and store digital records so that information is readily available and accessible.
2) Continued capture of paper records must be reviewed by the Records Governance Committee and approved by the Senior Responsible Officer.

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[2] With effect from 31 December 2022, NSW State Archives and Records will be replaced by State Records NSW and Museums of History NSW.

[3] https://www.records.nsw.gov.au/recordkeeping/rules/standards/records-management

3) Minimise the duplication of information and records. If duplication cannot be avoided:

   a) a business line will be nominated that will be responsible for the capture and management of records, and

   b) an information system capable of storing and maintaining adequate records will be nominated as the record keeping system.

4.3 Information and records are fit for intended purposes, secured, and easy to find, access and use appropriately

1) Make information and records available to the icare team, customers and community subject to legal, privacy and security requirements.

2) Information systems must include identity management controls for authorised users and must protect records from unauthorised or unlawful access, loss, deletion or alteration.

4.4 Retention and disposal authorities are used to retain and dispose of information and records

1) Retain information and records in accordance with legal and regulatory requirements, including retention and disposal authorities approved by State Records NSW. This includes our collections of paper records.

2) Dispose of information and record collections using approved retention and disposal authorities and with appropriate business approvals. Disposal includes a decision to:

   a) delete digital records or destroy paper records,

   b) migrate or not migrate information and records from an information system when it is upgraded or decommissioned,

   c) convert from analogue to digital format,

   d) accept or transfer custody of information and records that result from system changes and service transitions or when we transfer *State Records* no longer used for official purposes to the State Archives Collection.

3) Information systems that store records are required to have automated capabilities, or a manual process, that:

   a) record the relevant minimum retention period to be applied,

   b) mark information as inactive,

   c) apply role-based access controls to restrict who can destroy records and prevent the destruction of records before their retention period expires,

   d) report on information and records due for destruction or transfer to the State Archives Collection,

   e) export digital records, and

   f) record the date the events above occurred.

4.5 Information management capability is developed and embedded into the icare ways of working

1) Everyone in the scope of this policy can create, capture and use information and records and must:

   a) comply with information and records policies and procedures (in accordance with appropriate role-based access),

   b) create full and accurate records of their activities and business decisions,

   c) use approved information systems to store icare records,

   d) share and reuse information to support collaboration, knowledge transfer and consistent decision making, and

   e) protect and safeguard sensitive information and records from unauthorised use or accidental or deliberate loss or damage.

5. Monitoring and reporting

1) Procedures must be in place for all relevant business units to be made aware of and have processes and controls for monitoring compliance with this policy.
2) Sufficient and appropriate resources must always be available to manage and monitor information and records. The type and extent of resources required will depend on the nature of the information and records and the associated risks.
3) Business Unit Risk Owners (Group Executives) must consider the inclusion of risks associated with information and records management in their business unit risk profiles. Risk profiles should include key control activities in place to manage risks to information and records in accordance with the Risk Management Policy.
4) The Information and Records Team will facilitate, and review, the annual completion of the Records Management Assessment Tool (RMAT)[4]. The results of the RMAT are reported to the Records Governance Committee and Group Executive Team before the results are submitted to State Records NSW.

6. Governance

6.1 The Records Governance Committee

The Records Governance Committee is a management committee with responsibility to:

- Provide overall governance of information and records management activities.
- Oversee organisational capability and capacity in records management.
- Monitor compliance with icare's records management policies and standards and with related laws and regulations.
- Oversee the management of risks associated with information and records management.
- Strategically align the records management program to icare's business needs and provide input into the formation of priorities.
- Report to the Board Risk Committee on any relevant issues relating to information and records management.

The Chair of the Records Governance Committee is the General Manager, Risk Management or such other person as appointed by the Group Executive Risk and Governance. The Records Governance Committee will operate in accordance with its Charter.

The Records Governance Committee will oversee all operational aspects of this policy. Escalation and approvals to the Group Executive Team, Board Risk Committee and Board must be directed through the Records Governance Committee.

In overseeing this policy, the Records Governance Committee may rely on management oversight performed by other governance forums.

6.2   Information and Records Management Policy

This policy will be reviewed by the Policy Owner every two years, or more frequently if needed, and any changes approved in accordance with the Policy Governance Framework.

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[4] https://www.records.nsw.gov.au/recordkeeping/advice/monitoring/records-management-assessment-tool

7. Roles and responsibilities

Role	Responsibilities
Chief Executive Officer	The Chief Executive Office has responsibilities for records management under the *State Records Act 1998*. These are delegated to: • Group Executive, Risk and Governance • Group Executive, digiTECH • General Counsel
Group Executives	• Provide direction and support for records and information management to support compliance with legislation regarding information and records. • Drive a culture of compliance with this policy within their business unit. • Oversee any audit and review actions so that they are addressed, and findings managed in a timely manner. • Ensure that there are sufficient resources available for the appropriate creation, collection, capture, storage, disposal and management of information and records within their business unit.
General Counsel	Provides legal advice and guidance in relation to relevant legal requirements, including requirements to prevent information and record destruction due to court orders (where required).
Group Executive, Risk and Governance	The **Senior Responsible Officer** (SRO) assigned strategic and managerial responsibility, and oversight, for records and information management and having in place systems and processes to support business owners with the effective management of records and information for which they are accountable. • Advocates for improved information and records management. • Approves retention rules relating to the disposal of records, including transfer of control and custody to new entities. • Oversees the information and records management program. • Ensures the information and records management program is adequately resourced and its activities are aligned with icare strategic business needs. • Monitors compliance with requirements of the *State Records Act 1998, Museums of History Act 2022* and other statutory requirements relating to recordkeeping. • Approves information and records management procedures. • Owns this policy.
Group Executive, digiTECH	The Group Executive, digiTECH is accountable for: • information systems that store digital assets complying with information and records management requirements; • information systems storing records being assigned a business owner; • support and infrastructure being provided to manage a digital asset until its custody is transferred or the record can be destroyed • identifying opportunities for information innovation; and repurposing in emerging technologies.

Role	Responsibilities
	These tasks may be delegated to a digiTECH General Manager; however, accountability remains with Group Executive, digiTECH.
General Managers, Heads of	• Integrate information and records management into their business processes, systems and services. • Approve information and records disposal decisions, including destruction/deletion, transfer to another entity, and/or State Archives. • Appoint at least one staff member to act as a Records Steward • Ensure teams under their portfolio or service line follow the policy requirements, which support the creation, capture, storage and monitoring of records by staff as part of normal business practice. • Confirm staff are aware of their records management responsibilities and are adequately trained to use information systems approved to store records. • Have in place systems, procedures and processes to confirm that service providers that are engaged to provide services to our customers maintain icare records and do so in accordance with icare policies, standards and guidelines and relevant legal obligations. • Provide direction and support for information and records management activities within their service line. • Complete an Annual Information and Records Health Check and submits to the Information and Records Lead. These tasks may be delegated; however, accountability remains with the original General Manager or Head of.
General Manager, Risk Management	• Develops information and records management procedures to support this policy for approval by the Policy Owner. • Assigns responsibilities to the records management function to oversee the requirements of this policy. • Monitors the effective operation of this policy across icare.
Records and Information Manager, Risk and Governance	Maintains the enterprise records and information management strategy and roadmap. • Leads the development of and support for the governance model for records and information management. • Builds qualitative and quantitative metrics to monitor compliant recordkeeping across icare. • Develops the information and records management framework including the: • business activity classification scheme, • record retention schedules, • procedures and guidelines, • record keeping metadata standards, • business and SMEs representation on the Records Governance Committee • Fosters and maintains relationships with key internal and external stakeholders. • Collaborates and actively works to influence content, information, data and knowledge management stakeholders and initiatives (communities of practice etc) to promote consistent standards, practices and improved outcomes. • Provides expert advice, guidance and strategic recommendations to all parts of the business to improve their programs and outcomes.

Role	Responsibilities
	• Identifies, prioritises, and promotes improvement initiatives to the Records Governance Committee. • Develops and maintains online resources and tools to support enterprise records and information management. • Monitors risks to the icare information and records management program associated with record creation, maintenance, migration, and disposal and provide advice on risk treatments.
Records Management Team	• Provides advice, support and training to icare to meet its information and records management responsibilities. • Liaises with information system and data owners to ensure that information and records management is integrated into work processes, solutions, and services. • Liaises with information system and data owners to ensure that data migration meets with our information and records management obligations. • Liaises with NSW regulators that issue compliance requirements, guidance and best practices for information and recordkeeping. • Maintains the list of Records Stewards and Physical Records Coordinators. • Maintains the icare register of offsite physical record storage accounts. • Liaises with storage providers and monitor their compliance with physical record storage standards.
Records Stewards	Appointed by a General Manager or Head Of to: • Coordinate operational recordkeeping activities within a team or operational area. • Represent a functional area or team on the icare records management program. • Ensure practices and systems of our team comply with our policies and any related requirements. • Maintain accounts with offsite records storage providers. • Approve access to information and information systems of their physical records storage providers. • Promote and advocate best practice records management within their own team, including information and records management guidance to staff on the team's recordkeeping procedures. • Nominate Physical Record Coordinators.
Physical Records Coordinators	• Register and monitor the location of physical records maintained by a team in an icare physical records solution. • Transfer inactive physical records to offsite storage in accordance with guidelines. • Order consumables and upload information about icare records deposited at offsite storage. • Deposit, retrieve and return physical records from offsite storage. • Sentence temporary physical records and allocated a destruction date for records stored offsite. • Transfer permanent *State Records* to the custody of the State Records and Archives Authority. • Physical Records Coordinators are appointed by a Records Steward.
All icare employees	Everyone, including icare contractors and temporary employees, have

Role	Responsibilities
	responsibilities to: • Read and understood the Information and Records Management Policy. • Complete all relevant training including records management awareness training. • Know where to access information and records management resources and their team's Records Stewards and Physical Record Coordinators. • Report or escalate risks and control incidents, 'near misses and issues. This may be to a People Leader or a member of the of the Risk and Compliance Team. • Comply with policies and procedures of the information and records management program. • Create full and accurate records of their business decisions. • Capture records into information systems approved to store and manage records. • Share and re-use information to support collaboration, knowledge transfer and consistent decision making. • Protect sensitive and classified information from unauthorised access. • Safeguard records from accidental or deliberate loss or damage.
People Leaders	• Raise awareness of this policy for their business units. • Role model behaviour in support of this policy's principles. • Communicate and ensure role clarity to your direct reports as to how they should act regarding this policy. • Provide feedback and support their teams in meeting their responsibilities.

8. Non-compliance with this policy

Breaches of this policy arising out of deliberate intentions or negligence may result in disciplinary action up to and including termination of employment, subject to the severity and impact of the breach.

Any instance of non-compliance with this policy must be reported to the Group Executive, Risk and Governance, as Policy Owner, and managed and reported in accordance with the Incident and Issue Management and Reporting Policy.

9. Related Policies and Procedures

Information and records management is a multidisciplinary activity, and icare adopts a collaborative approach to information, privacy, and records. Other icare policies and procedures affect the integrity, accuracy and completeness of our information and record collections. This currently includes:

- Code of Conduct and Ethics Policy
- Information Security Policy and Standards
- Appropriate Use of Technology Policy
- Privacy Policy
- Incident and Issue Management Reporting Policy
- Risk Management Framework and Policy
- Social Media Policy

10. Version Control and Document History

Document Name & Version	Information & Records Management Policy. 2.0
Document owner	Group Executive, Risk & Governance
Approving Authority	icare Board
Last Approval Date	28 November 2022
Review Frequency	Every two years

Version	Author	Change Summary	Approval Date
1.0	Information and Records Team Lead	New policy	25 May 2020
1.1	Information and Records Manager	Key changes include: • Formatted to align to the Policy Governance Framework template; • Updates to responsibilities due to organisational changes resulting from the operating model review of icare; • Update to references to legislation; • Other minor wording changes.	27 September 2021
2.0	General Manager Risk Management	• Include reference to relevant legislation and standards omitted from prior versions. • Include requirements of the new Museums of History NSW Act 2022 and the associated amendments to the State Records Act 1998 (effective from 31 December 2022). • Include principles for information systems that store records in respect of retention and disposal capabilities. • Clarify roles and responsibilities for People Leaders and Group Executives. • Include a Governance section. • Update section, Monitoring and Reporting • Update section, Non-compliance with the policy.	28 November 2022