



**MKHAMBATHINI**  
**Municipality**  
*For the community*

# **RECORDS MANAGEMENT POLICY**

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## 1. PURPOSE

- 1.1. Section 18 of KwaZulu Natal Archives and Records Service Act, 2011 (Act No 8 of 2011) requires the 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 Archives Act.
- 1.2. Information is a resource of the same importance to good government as other standard resources, such as people, money and facilities. The information resources of the Municipality must therefore be managed as a valuable asset. Appropriate records management is a vital aspect of maintaining and enhancing the value of asset. The Municipality considers its records to be a valuable asset to:
  - 1.2.1 Enable it to find the right information easily and comprehensively.
  - 1.2.2 Enable it to perform its functions successfully and efficiently and in an accountable manner.
  - 1.2.3 Support its functional, legal and accountability requirements;
  - 1.2.4 Ensure the conduct of business in an orderly, efficient and accountable manner;
  - 1.2.5 Ensure the consistent delivery of services;
  - 1.2.6 Support and document policy information and administrative decision making
  - 1.2.7 Provide continuity in the event of disaster;
  - 1.2.8 Protect its interests and the rights of councillors, employees, residents and other present and future stakeholders;
  - 1.2.9 Support and document its development and achievements;
  - 1.2.10 Develop a collective memory.
  - 1.2.11 This policy has been developed to ensure:
    - 1.2.11.1 The efficient management of records within Mkhambathini Municipality;
    - 1.2.11.2 Compliance with relevant legislation;
    - 1.2.11.3 Ensure business continuity, and
    - 1.2.11.4 Management of risk associated with the loss or inappropriate use of records.
- 1.3 Records Management through the proper control of the content, storage and volume or records reduces vulnerability to legal challenges and financial losses and promotes best value in terms of space resources through greater co-ordination of information and storage systems.

1.4 It was approved by ..... and a copy has been submitted to KwaZulu Natal Provincial Archives, for their records.

## **2. POLICY STATEMENT**

2.1 All records, irrespective of format, (see the promotion of Access to Information Act and KZN Archives Act of 2011) that are created and received during the execution of the business of the Mkhambathini Municipality created and received by the Municipality shall be managed in accordance with the records management principles contained in section 13 of the Archives Act.

2.2 They:

2.2.1 Are records of the Municipality;

2.2.2 Must be managed in accordance with provisions of this policy;

2.2.3 Must be classified and stored in the system approved by the KZN Provincial Archivist;

2.2.4 Must be easily accessible in order to facilitate transparency, accountability and Democracy.

2.3 The following broad principles apply to the record keeping and records management practices of the Municipality:

2.3.1 It follows sound procedures for the creation, maintenance, retention and disposal of all records, including electronic records, in accordance with the principles promoted by the KZN Archives and Records Services (the Archives Service);

2.3.2 Its records management procedures comply with legal requirements, including those relating to the provision of evidence;

2.3.3 It follows sound procedures for the security and confidentiality of its records;

2.3.4 It has performance measures for all records management functions and it reviews compliance with these measures.

## **3. RELATIONSHIP WITH OTHER POLICIES**

3.1 The Municipality's Records Management Policy consist of the policy contained in this document as well as the following additional specific policies which cover particular types of records:

3.1.1 Electronic Records Management Policy

3.1.2 Email policy

3.1.3 Document Management Policy

#### **4. SCOPE OF INTENDED AUDIENCE**

4.1 This policy affects the Municipality's work practices for all those who:

- 4.1.1. Create records, including electronic records;
  - 4.1.2 Have access to records;
  - 4.1.3 Have any responsibilities for records, for example, storage and maintenance responsibilities;
  - 4.1.4 Have Management responsibility for staff engaged in any of these activities, or who manage, or have design input into, information technology infrastructure.
- 4.2 The policy therefore applies to all staff members of the Municipality and covers all records regardless of format, medium or age.

#### **5. REGULATORY FRAMEWORK**

5.1 By managing its paper based records effectively, the Municipality strives to give effect to the accountability, transparency and service delivery values contained in, amongst others:

- 5.1.1 The Constitution Act, 1996
- 5.1.2 National Archives and Records Service Act of South Africa (Act No 43 of 1996)
- 5.1.3 KwaZulu Natal Archives and Records Service Act 2011 (Act No.8 of 2011) and its Regulations (2014);
- 5.1.4 The Municipal Finance Management Act, 2003;
- 5.1.5 The Promotion of Access to Information Act, 2000;
- 5.1.6 The Promotion of Administrative Justice Act, 2000;
- 5.1.7 The Protected Disclosures Act, 2000
- 5.1.8 The Electronic Communications and Transactions Act, 2003
- 5.1.9 The Protection of Personal Information Act ,2013

## **6. ROLES AND RESPONSIBILITIES**

### **6.1 THE HEAD OF MKHAMBATHINI MUNICIPALITY**

6.1.1 The Municipal Manager of the Municipality is ultimately responsible for the record keeping and records management practices of the Municipality.

6.1.2 The Municipal Manager is committed to enhance accountability, transparency and improvement of service delivery by ensuring that sound records management practices are implemented and maintained.

6.1.3 The Municipal Manager supports the implementation of this policy and requires each staff member to support the values underlying this policy.

### **6.2 RECORDS MANAGER**

6.2.1 The Corporate Services Director of the Municipality is the Records Manager of the entire Municipality and in that capacity is responsible for:

6.2.1.1 The implementation of this policy;

6.2.1.2 The performance of such duties as are necessary to enhance the record keeping and records management practices of the Municipality;

6.2.1.3 Staff awareness regarding this policy.

6.2.2 The management of all records according to the records management principles contained in the Archives Act, and according to the Regulations made under the Archives Act, and according to the Records Management Policy Manual (the Manual”).

6.2.2.1 Make such training and other interventions as are necessary to ensure that the Municipality’s record keeping and records management practices comply with the records management principles of the Archives Act;

6.2.2.2 May from time-to-time issue circulars and instructions regarding the record keeping and records management practices of the Municipality;

6.2.2.3 Shall ensure that all records created and received by the Municipality are classified according to the approved file plan;

6.2.2.4 Maintain the master copy of the record system;

6.2.2.5 Submit changes to the system to the Provincial Archivist for approval;

6.2.2.6 Ensure the correct filing of all records;

- 6.2.2.7 Ensure the protection, security and maintenance of all records;
- 6.2.2.8 Designate the record copy in cases of duplication;
- 6.2.2.9 Develop and maintain a Retention Schedule for non-archival records in consultation with the users and taking into account the functional, legal and historical need of the Municipality to maintain records;
- 6.2.2.10 Obtain approval of the Retention Schedule from Archives Services.
- 6.2.2.11 Ensure that a written disposal authority is obtained from the Archives Service prior to the destruction of any records;
- 6.2.2.12 Ensure that no records are destroyed or otherwise disposed of without reference to the Retention Schedule and the prior written authority from the Archives Service;
- 6.2.2.13 Must oversee all destruction, disposal and transfer of records,
- 6.2.2.14 Maintain and make available the registry procedure manual;
- 6.2.2.15 Develop and maintain a vital records programme;
- 6.2.2.16 Develop and maintain a disaster management and recovery programme;
- 6.2.2.17 Ensure the adequate training of staff.
- 6.2.3.18 The Corporate Services Director may delegate authority for any of the above responsibilities. Such delegation must be in writing and to a staff member who has the authority, training, experience and ability to undertake these responsibilities.
- 6.2.3.19 Senior Managers are responsible for the implementation of this policy in their respective units.
- 6.4.3.20 Senior Managers shall lead by example and shall themselves maintain good record keeping and records management practices.
- 6.2.3.21 Senior Management shall ensure that all staff are made aware of their record-keeping and records management responsibilities and obligations.
- 6.2.3.22 Senior Managers shall ensure that all management of records including e-mails is a key responsibility in the performance agreement of all staff in their units.

### **6.3 SENIOR MANAGERS**

- 6.3.1 Senior Managers are responsible for the implementation of this policy in their Respective Departments.
- 6.3.2 Senior Managers shall lead by example and shall themselves maintain good record keeping and records management practices.
- 6.3.3 Senior Management shall ensure that all staff are made aware of their record-keeping and records management responsibilities and obligations.
- 6.3.4 Senior Managers shall ensure that all management of records is a key responsibility in the performance agreement of all staff in their departments.

### **6.4 CHIEF INFORMATION OFFICER**

- 6.4.1 The Chief Information Officer is responsible for approval of requests for information in terms of the Promotion of Access to Information Act.
- 6.4.2 The Chief Information Officer shall inform the Records Manager if a request for information necessitates a disposal hold to be placed on records that are due for disposal.

### **6.5 I.T MANAGER**

- 6.451 The IT Manager is charged with the task of managing the Information Technology function of the Municipality.
- 6.5.2 The IT Manager shall work in conjunction with the Corporate Services Director 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.
- 6.5.3 The IT Manager shall ensure that appropriate systems, technical manuals and systems procedure manuals are designed for each electronic system that manages and stores records.
- 6.5.4 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.
- 6.5.5 The IT Manager shall ensure that electronic records in all electronic systems remain



accessible migrating them to new hardware and software platforms when there is a danger of technology obsolescence including media and format obsolescence.

6.5.6 The IT Manager shall ensure that all data, metadata , audit trail data and operating systems and application software are backed up on daily, weekly and monthly basis to enable the recovery of authentic, reliable and accessible records should a disaster occur.

6.5.7 The IT Manager shall ensure that back-ups are stored in a secure off-site environment.

6.5.8 The IT Manager shall ensure that systems that manage and store records are virus Free.

## **6.6 SECURITY MANAGER**

6.6.1 The security manager is responsible for physical security of records.

6.6.2 Details regarding the specific responsibilities of the security manager are contained in the Information Security Policy.

## **6.7 LEGAL SERVICES**

6.7.1 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 Mkhambathini Municipality.

## **6.8 REGISTRY STAFF**

6.8.1 The Registry Staff are responsible for the physical management of the records in their care.

6.8.2 Detailed responsibilities regarding the day-to-day management of the records in the registry are contained in the Manual.

## **6.9 STAFF**

6.9.1 Every staff member:

6.9.1.1 Shall create records of transactions while conducting official business.

6.9.1.2 Shall manage those records efficiently and effectively by:

6.9.1.2.1 Allocating reference and subjects to paper bases records and electronic records according to the plan referred to in 8.1.1.1

- 6.9.1.2.2 Sending paper-based records to the registry for filing;
- 6.9.1.3 No member of staff is permitted to destroy, dispose of, delete, erase or transfer any records without the written approval of the Records Manager.
- 6.9.1.4 Records Management responsibilities shall be incorporated in the performance agreement of all staff members to ensure that staff are evaluated on their records management responsibilities.

## **7.RECORD CLASSIFICATION AND RELATED STORAGE AREAS**

The Municipality has the following systems that generate and store records:

### **7.1 CORRESPONDENCE SYSTEMS**

#### **7.1.1 FILE PLAN**

- 7.1.1.1 Only the file plan approved on 23 March 2023 and implemented on 01 July 2023 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.
- 7.1.1.3 Each staff member shall allocate file reference numbers to all correspondence (paper, electronic, email) according to the approved subjects in the File Plan.
- 7.1.1.4 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 Records Manager.

#### **7.1.2 STORAGE PLAN**

- 7.1.2.1 Paper-based correspondence files are kept in the custody of:-
  - 7.1.2.1.1 The Central Registry
    - 7.1.2.1.1.1 All paper-based correspondence system records that are not HR related are housed in the Central Registry.
    - 7.1.2.1.1.2 All these records are under the management of the Records Manager who is

mandated to ensure that they are managed properly.

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

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

7.1.2.1.1.5 The registry office shall be locked after hours.

#### **7.1.2.1.2 THE HUMAN RESOURCES REGISTRY**

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

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

7.1.2.1.2.3 Mkhambathini Municipality maintains a set paper-based case files for each staff member. The files are confidential in nature and are housed in a secure storage area in the Registry.

7.1.2.1.2.4 The case files are managed as part of the List of Series of Separate case Files that is maintained and managed by HR Manager.

#### **7.2 RECORDS OTHER THAN CORRESPONDENCE SYSTEM**

7.2.1 Paper-based records – which are records that falls outside the file plan which cannot be punched which are placed in Z20 folder.

7.2.1.1 The Municipality has sets of paper-based records other than the correspondence systems that are in the custody of the various officials who use them on a daily basis;  
e.g

7.2.1.1.1 Financial records

7.2.1.1.2 Technical drawings

7.2.1.1.3 Maps

7.2.1.2 These records are under the control of the Corporate Services Director who is mandated to ensure that they are managed properly.

7.2.1.3 Audio-visual records e.g tape recording of Council meetings are under the control of the Corporate Services Director who is mandated to ensure that they are managed properly.

7.2.2 Electronic systems other than the correspondence systems

7.2.2.1 The Municipality has a number of electronic records systems in operation that generate and store public records e.g.

7.2.2.1.1 GIS records

7.2.2.2 The IT Manager is responsible for the day-to-day maintenance of these systems.

7.2.2.3 The records maintained in these systems are under the control of the Corporate Services Director who is mandated to ensure that they are managed properly.

## **8.2 DISPOSAL OF RECORDS**

8.1 No public records (including e-mail) shall be destroyed, erased, or otherwise disposed of without prior or written authorisation from the Provincial Archivist.

8.2 Retention periods for non-archival records must be determined by the Municipality.

8.3 Should a staff member consider the indicated retention period to be inappropriate, then the Corporate Services Director should be contacted to discuss a more appropriate period.

8.4 Disposal of records under any disposal authority will be carried out in accordance with paragraph 4 of the Procedure Manual.

8.5 All disposal actions must be authorised by the Corporate Services Director prior to their being carried out in order to ensure that archival records are not destroyed inadvertently.

8.6 Non – archival records that are needed for litigation, Promotion of Access to Information requests or Promotion of Administrative Justice actions must not be disposed of unless and up until legal advice in regard thereto has been obtained.

8.7 Paper-based archival records shall be safely kept in an area designated by the Corporate Services Director, until they are transferred to the National Archival Repository. Transfers shall be carried out in accordance with the Manual.

8.8 These retention periods must take into consideration the following:

- 8.9 The need for transparency, accountability and the requirements of democracy;
- 8.10 Obligations as determined by legislation.
- 8.11 Mkhambathini Municipality's own functional needs.
- 8.12 The retention schedule for non- archival records must be approved by all line managers prior to implementation.
- 8.13 The records manager must be consulted in all cases where there is disagreement regarding an allocated retention period.
- 8.14 All archival paper-based records must be kept for a period of 20 years before they are transferred to a Provincial Archives Repository, unless agreement on a shorter retention period has been reached with Provincial Archivist.
- 8.15 Electronic records must be disposed of in accordance with the approved retention Schedule.
- 8.16 Transfer of archival records in electronic format must be undertaken in accordance with the requirements of the Provincial Archivist.
- 8.17 Destruction of electronic records must be undertaken in such a way that they cannot be reconstructed.

## **9. STORAGE AND CUSTODY**

- 9.1 All records shall be kept in storage areas that are appropriate for the type of medium. The Guidelines relating to storage as contained in the Manual shall be applied.
- 9.2 All records irrespective of media are under the control of the records manager.
- 9.3 All paper records are kept at registry.
- 9.4 All electronic records are stored on the network drives.
- 9.5 The records manager is responsible for the physical care and protection of all records. In order to ensure this protection the records manager must consult with:
- 9.5.1 The systems and network administrators to determine adequate protection of all electronic records;
- 9.5.2 The building administrator to ensure adequate protection of storage areas for all

records, with particular attention being paid to protection against environmental, natural and accidental destruction and / or deterioration.

9.5.3 Permanent retention of archival records will be in paper. These records may be stored and accessed in electronic format, however the archival copy will be on paper.

9.5.4 All records with a retention period of less than 10 years may be stored in electronic Format only, on condition that these documents will be migrated to all new versions, upgrades or replacements of the systems in which they are stored until the expiry of the retention period at which point these records must be destroyed.

## **10. ACCESS AND SECURITY**

10.1 Records shall at all times be protected against unauthorised access and tampering to protect their authenticity and reliability as evidence of the business of the Municipality.

10.2 No staff member may remove records from the premises of the Municipality without the express permission of the Corporate Services Director.

10.3 No staff member shall provide information and records that are not in the public domain to the public without the express permission of the Corporate Services Director.

10.4 The records manager will make records available to members of staff, taking into consideration the following:

10.4.1 The protection of privacy and confidentiality;

10.4.2 Protection against unauthorised access;

10.4.3 The integrity of electronic records must be ensured by:

10.4.3.1 The provision of systems that protect against, and provide evidence of any alteration and / or deletion of a record;

10.4.3.2 Regular and comprehensive backup procedures.

10.5 The vital records protection programme, disaster management plan and the disaster

recovery plan will ensure business continuity in the case of a disaster.

10.6 The Provincial Archivist must be notified in writing, as soon as possible after the event, of any records being accidentally destroyed or rendered unreadable.

10.7 Records storage areas shall at all times be protected against unauthorised access.

The following rules shall apply:

10.7.1 Registry

10.7.1.1 Only registry staff are allowed in the records storage area.

10.7.1.2 Staff members who need access to files in the registry shall place a request for such files at the counter.

10.7.1.3 Any person to whom a file from the registry is provided shall complete and sign a receipt for such file in such form as prescribed by Corporate Services Director and in accordance with the Procedure Manual.

10.7.2 Server Rooms and storage areas for electronic media.

10.7.2.1 Access to storage areas where electronic records are stored is limited to staff members who have specific duties for the maintenance of hardware, software and media.

10.5 Legal and admissibility and evidential weight

10.5.1 The records of the Municipality shall at all times contain reliable evidence of its business operations. In order to protect the integrity of such evidence, the following rules shall apply:

10.5.1.1 Paper-based records

10.5.1.1.1 No records shall be removed from paper-based files without the express permission of the Corporate Services Director.

10.5.1.1.2 Records placed in files shall not be altered in any way.

10.5.1.1.3 Should any staff member tamper with any records, such staff member shall be subject to disciplinary action.

10.5.1.2 Electronic records

10.5.1.2.1 The Municipality shall use systems which ensure that its electronic records are:

10.5.1.2.1.1 Authentic

10.5.1.2.1.2 Not altered or tampered with

10.5.1.2.1.3 Auditable; and

10.5.1.2.1.4 Produced in systems which utilize security measures to ensure their integrity.

## **11. LEGAL ADMISSIBILITY AND EVIDENTIAL WEIGHT**

11.1 The records of Mkhambathini Municipality shall at all times contain reliable evidence of business operations. The following shall apply:

### **12 PAPER BASED RECORDS**

12.1 No records shall be removed from paper-based files without the explicit permission of the Records Manager.

12.2 Records that were placed on files shall not be altered in any way.

12.3 No alterations of any kind shall be made to records other than correspondence files without the explicit permission of the Records Manager.

12.4 Should evidence be obtained of tampering with records, the staff member involved shall be subject to disciplinary hearing.

### **13 ELECTRONIC RECORDS**

13.1 The Mkhambathini Municipality shall use a system which ensure that its electronic records are:

- Authentic;
- Not altered or tempered with;
- Auditable; and
- Produced in systems which utilize security measures to ensure their integrity.

### **14. TRAINING**

14.1 The Records Manager shall undergo such training as may equip him / her to carry out his / her duties as Records Manager.

14.2 The Corporate Services Director shall identify such training courses that are relevant to the duties of the registry staff and shall ensure that they are trained appropriately.

14.3 The Corporate Services Director shall ensure that all staff members are aware of records management policies and shall conduct such training as is necessary for the



staff to equip them for their duties insofar as they related to records management.

#### **14. MONITOR AND REVIEW**

14.1 The Records Manager shall review the record keeping and records

Management practices of the Municipality regularly and shall adapt them appropriately to ensure that they meet its business and service delivery requirements.

14.2 The policy shall be reviewed on a regular basis and shall be adapted appropriately to

ensure that it meets the business and service delivery requirements of the Municipality.

#### **14. DEFINITIONS**

The building in which records with archival value are preserved permanently.

##### **Authentic records:**

Authentic records are 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.

##### **Authoritative records:**

Authoritative records are records that are authentic, reliable, trustworthy and useable and are complete and unaltered.

##### **Correspondence system:**

A set of paper-based and electronic communications and associated documents, sent, received, generated, processed and stored during the conduct of business.

##### **Custody:**

The control of records based upon their physical possession.

##### **Disposal:**

The action of either destroying/deleting a record or transferring it into archival custody.

**Disposal authority:**

A written authority issued by the Provincial 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:**

A unique number identifying each disposal authority issued to a specific office.

**Electronic records:**

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.

**Electronic records system:**

This is 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.

**File plan:**

A pre-determined classification plan by which records are filed and/or electronically indexed to facilitate efficient retrieval and disposal of records.

**Filing system:**

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.

**Non-archival records:**

Records with a short lived interest or usefulness.

**Public record:**

A record created or received by a governmental body in pursuance of its activities, regardless of form or medium.

**Records other than correspondence systems:**

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.

**Record:**

- 1) Recorded information regardless of form or medium.
- 2) Evidence of a transaction, preserved for the evidential information it contains.

**Records classification system:**

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.

**Recording:**

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.

**Record keeping:**

Making and maintaining complete, accurate and reliable evidence of official business in the form of recorded information.

**Records management**

Records management is a process of ensuring the proper creation, maintenance, use and disposal of records throughout their life cycle to achieve efficient, transparent and accountable governance.

**Retention period:**

The length of time that records should be retained in offices before they are either transferred into archival custody or destroyed/deleted.

**Schedule for records other than correspondence systems:**

A control mechanism for records other than correspondence files (other records), which contains a description and the disposal instructions and retention periods of all other records.

It consists of the following parts:

Schedule for paper-based records other than correspondence files;

Schedule for electronic records systems other than the electronic correspondence system;

Schedule for microfilm records;

Schedule for audio-visual records.

**System technical manual:**

A manual containing information regarding the hardware, software and network elements that comprise the system and how they interact. Details of all changes to a system should also be documented.

**System procedures manual:**

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. A system procedures manual would contain detailed procedures regarding -

Document capture

Document scanning

Data capture

Indexing

Authenticated output procedures

File transmission

Information retention

Information destruction

Backup and system recovery

System maintenance

Security and protection

Use of contracted services

## 15 REFERENCES

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## 16.AUTHORISATION

*This policy was adopted by Mkhambathini Council at its meeting on 27 June 2024 with  
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