

## **RISK MANAGEMENT – GATHERING INFORMATION**

### *Objective*

- To document the required standard of Council generated information and data needed to assist in defending a public liability or professional indemnity claim and ensure that they constitute admissible evidence.
- To support procedures for the gathering of information for such purposes.

### *Scope*

All Departments of Gilgandra Shire Council have recognised that a formal policy supporting the consistent and systematic treatment and collection of information systems and procedures is needed. Council could be asked to provide information that is to be used to defend public liability and professional indemnity claims. The information is often valuable and needs to be formatted so that it is not rendered inadmissible when defending claims in court.

### *Policy*

Council will, within budgetary constraints and using existing information systems available to it, endeavour to ensure accurate and systematic information is maintained and stored appropriately:

- To ensure Council's interests are protected at all times.
- To meet operational business needs, accountability requirements and community expectations,
- To ensure the protection of Council's financial position through risk management,
- To facilitate the minimum data requirements for information required to be used defending possible public and professional liability claims.

This policy, together with the procedures, provides the minimum data standards for the gathering of information. These documents are subject to regular review.

### *Relevant Legislation*

NSW Civil Liability Act 2002  
NSW Legal Profession Act 2004  
NSW Evidence Act 1995  
NSW Evidence on Commission Act 1995  
Electronic Transactions Act 1999  
State Records Act 1998

*Associated Documents*

Statewide Gathering Information for Incident Management Best Practice Manual  
 General Disposal Authority Local Government Records State Records.  
 Injury/Incident/Hazard Reporting & Investigation Procedure

<b>Responsible Officer:</b>	Director Corporate Services		
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