

City of Albany
Policy & Procedure

Acceptable Use of Electronic & Digital Signatures

(including scanned signatures applied to documents)

OVERVIEW

Electronic Transactions Act 2011 WA: The Act provides that where the following can or have to be done under WA law, they may be done by electronic communication:

- Giving information in writing
- Providing a signature
- Producing a document
- Recording information
- Retaining a document

E-Signature Exceptions include:

- Documents that are required to be witnessed
- Documents to be personally served
- Court documents
- Powers of attorney
- Wills

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- Giving information in writing
- Providing a signature
- Producing a document
- Recording information
- Retaining a document

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OBJECTIVE

Because communication has become primarily electronic, the goal is to reduce confusion about when an electronic signature is trusted.

It is the aspiration of the City of Albany that all correspondence originating from the City of Albany will make use of digital signatures.

The purpose of this policy is to:

- Provide guidance on when [digital & electronic signatures](#) are considered accepted means of validating the identity of a signer in City of Albany electronic documents and correspondence.
- Outline the approval processes and security measures to be considered in relation to the use of digital and electronic signatures.

Digital Signature: An encrypted digital code appended to an electronic message or document to verify that it was created by a known sender (authentication), that the sender cannot deny having sent the message (non-repudiation), and that the message was not altered in transit (integrity).

Note: A digital signature or ID is more commonly known as a digital certificate.

Electronic Signature (eSignature) a signature that identifies an individual using a computer generated means.

Note: The most common example is the signature block affixed to emails.

Scanned Signature: Also known as a “Digitised Signature” (i.e scanned wet signature) in the case of electronic documents, certificates, letters and correspondence a scanned signature can be attached to identify the person and person’s intention towards the material it is attached.

SCOPE

This policy applies to all City of Albany employees, contractors, and other agents conducting City of Albany business.

POLICY STATEMENTS

It is the policy of the City of Albany to permit the use of electronic or digital signatures in lieu of handwritten signatures.

While scanned signatures will be accepted, digital signatures are preferred.

Transactions between the City of Albany and outside parties are only permitted when approved by the [CIO or delegate](#), and when both parties have agreed to conduct transactions by digital means.

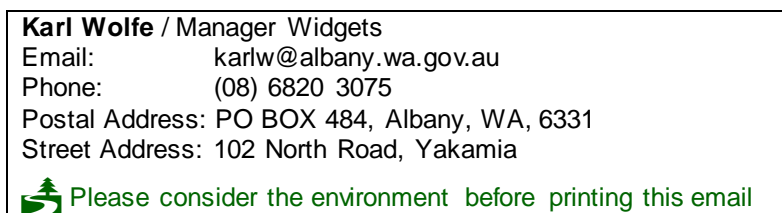
The [CIO or delegate](#) will maintain an organisation-wide list (detailed in this policy & procedure) of the types of documents and correspondence that are not covered by this policy.

Electronic & Digital Signatures must apply to individuals only and linked to metadata that specifies the person’s name and position title.

A. ACCEPTABLE USE

Electronic Signatures (EMAIL):

- **Electronic Signatures** may convey intent of an individual to sign a record for **low** to **medium** risk. For example: Email Signature Block.



- City of Albany procedures must identify the person by position who is authorised to sign, approve, and/or prevent unauthorised actions from being taken.

Digital Signatures (Adobe):

- **Digital Signatures** may convey intent of an individual to sign a record for **low** to **high** risk. For example: Signing a document electronically with Adobe.



or



- City of Albany procedures must identify the person by position who is authorised to sign, approve, and/or prevent unauthorised actions from being taken.

AUSKey Credentialed Digital Signature

- **Digital Signatures** may be used where electronic signatures are acceptable and authorised for use.
- They may be permitted or required for any record or document where a signature is required by Commonwealth, or State law, or by City policy unless a handwritten signature is explicitly required.
- Digital Signatures must be used instead of a electronic signature when legally required or when **greater risk** exists.

B. ELECTRONIC & DIGITAL SIGNATURE IMPLEMENTATION

The Chief Information Officer (CIO) – Executive Director Corporate Services or delegate must develop procedures to identify, evaluate, and document where electronic signatures are permitted, digital signatures and wet signature are required.

Signatures applied electronically must meet the following City of Albany electronic and digital signature standards:

Transaction Type	Level of Risk	Signature Type Required
Internal	Low Medium	Email / Letter Signature Block (No Signature Required)
Internal	High	Email Signature Block or Adobe Digital Signature
External	Low	Email / Letter Signature Block (No Signature Required) Must be accompanied with a registered Synergy Record Number on the document.
External	Medium	Email Signature Block / Letter Signature Block (Scanned Signature) or Adobe Digital Signature. Must be accompanied with a registered Synergy Record Number on the document.
External (inter-government)	High	Wet signature – must be accompanied with a registered Synergy Record Number on the document. AUSkey Credentialed Digital Signature.

Table 1 – Risk Matrix

Note: Building Permit number and Assessment number for a property are Synergy References.

Signing Activities for Electronic Signatures:

SUITABLE	DO NOT USE
<p>Suitable for E-Signatures:</p> <ul style="list-style-type: none"> • Building and Planning applications and approvals • Local Law permits / licenses – applications and approvals • Supplier contracts • Employment contracts, employee on boarding and information acceptance records • Elected Member declarations and reimbursement claims • Employee declarations • Certificates of Authorisation • Giving Notices – Local Government Act - s.3.25 Notices, • Impounding Notices under the Cat Act, Dog Act, etc. • Infringement Notices 	<p>Wet signatures only.</p> <p>Exempt from being allowed to have an electronic signature applies:</p> <ul style="list-style-type: none"> • Common Seal – Local Laws, Local Planning Schemes, • Land Transfer Forms • Legal Agreements – Deeds, Leases, Memorandums of Understanding • Documents that are required to be witnessed • Documents to be personally served • Court documents • Powers of attorney • Wills

Table 2 – Signing Activities

C. RESPONSIBILITY FOR POLICY COMPLIANCE

Compliance Measurement

The CIO or delegate will verify compliance to this policy through various methods, including but not limited to, business tool reports, internal and external audits, and feedback to the policy owner.

Exceptions

Any exception to the policy must be approved by the CIO or delegate in advance.

Non-Compliance

An employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

D. RETENTION OF RECORDS

The *Electronic Transactions Act 2011* (the Act) has strict requirements concerning the retention of records, especially for the 'First Party' to a transaction.

Person that lodge documents (plans, forms etc.) must ensure that they retain their copies of the documents such that they can be readily retrieved if necessary.

Persons should also retain copies of any email(s) related to the lodgement of documents.

The Act allows for these records to be retained in electronic form if desired.

LEGISLATIVE AND STRATEGIC CONTEXT

Electronic commerce in Australia is principally regulated by Federal, State and Territory Electronic Transaction Acts. The Federal Act applies only to transactions to which a Federal law applies. The State and Territory Acts are similar to the Federal Act and apply in their respective jurisdictions.

The Electronic Transactions Acts do not apply to all legislation or transactions.

Each Electronic Transactions Act lists legislation or types of transactions which are exempt from the rules set down in that Act or the Regulations under each Act.

REVIEW POSITION AND DATE

This policy and procedure is to be reviewed by the document owner annually.

ASSOCIATED DOCUMENTS

Strategies, procedures, references, guidelines or other documents that have a bearing on this policy and that may be useful reference material for users of this policy:

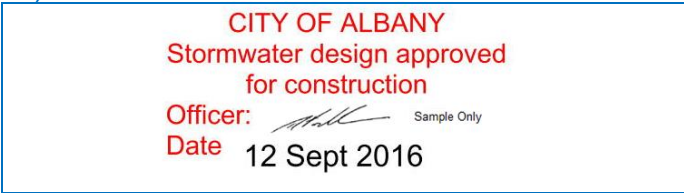
- Digital Signature Standard
- AUSkey Guidelines: <https://abr.gov.au/AUSkey/>

DEFINITIONS

Key terms and acronyms used in the policy, and their definitions:

- **AUSkey** is a secure login that identifies you when you use participating government online services on behalf of a business. AUSkey allows you to access and send business information to government online.
- **Scanned Signature /:** is an analogue of a hand written signature derived from an original hand-written version (i.e converted to an image file).
 - A scanned signature can be attached to identify the person and person's intention towards the material it is attached. An example of a digitised signature is shown in (figure 1).



- A signature or stamp equivalent (i.e. Trapeze Stamp) may be affixed to the document electronically. It is also possible to accept electronically completed forms which are not stamped, as long as the information that would be in the stamp is included in the other fields of the form. An example of an electronic stamp is shown in (figure 2).
- 
- A rectangular box containing an electronic stamp. The text "CITY OF ALBANY" is at the top in red. Below it, "Stormwater design approved for construction" is written in red. Underneath, "Officer:" is followed by a scanned signature and "Sample Only" in small text. Below that, "Date" is followed by "12 Sept 2016".
- **Approved person:** An employee who is approved by an authorising person to authenticate a document by attaching the authorising person's [scanned signature](#).
 - **Authorising person:** An employee who is authorised to produce a [scanned signature](#) and approve its use by another departmental employee.
- **Simple Electronic Signature (esignature)** (i.e. Email signature block) a signature that identifies an individual using a computer generated means. The most common example is the signature block affixed to emails.
 - **Digitising** the act of making a digital representation of a document or part of a document that can then be used in electronic documents.
 - **Document:** Any paper form whether printed, typed or hand-written that is used to transact business or make some official statement. This covers letters, certificates, awards, reports and permits. Document types:
 - **Electronic document:** Any document that is in a soft or electronic format, whether that document is stored on a computer drive, compact disc or other electronic device.
 - **Hard copy:** Any actual paper copy of a document. This includes, but is not limited to, City letters, transcripts, reports and permits that are required to be signed by a City employee.
 - **Electronic Completion:** The form is completed using a computer to fill in the required input using either a .pdf editing program (e.g. Adobe® Reader®) or a word processing program (e.g. Microsoft® Word).
 - **Electronic Submission/delivery** the subject matter of the form is completed and the form is transmitted to the intended recipient using an electronic means such as email or facsimile.

PROCEDURES

Signatures should only be applied to documents requiring a form of authentication and/or approval.

A. SCANNED SIGNATURES

Where a scanned signature is used, its appearance should be consistent with the signatory's usual style and format.

To facilitate the appropriate use of scanned signatures, steps must be taken to ensure approval processes and security measures have been identified and strictly followed for each instance of the use of the scanned signature.

Approval Process

All senior executive staff and managers are authorising persons under this policy.

The **CIO or delegate** may, in special circumstances, appoint additional authorising persons. All authorising persons may approve the use of their scanned signature by approved persons approved by them, under the following conditions:

- The approval including the circumstances under which the scanned signature may be used is provided in writing (see **Form 1**) and stored on an official departmental file. Each approval is limited to a particular circumstance or reason and to a specified period of time.
- A separate approval is required for each circumstance. For example an authorising person may approve the use of their scanned signature to authenticate committee reports and may also approve the use of their scanned signature to authenticate personal development reviews. A separate approval is required in each instance.
- Each document on which the scanned signature is used has been checked for accuracy and completeness and approved by the authorising person prior to the scanned signature being affixed.

Security

Scanned signatures (including stamps) are not physically bound to a document therefore measures should be taken to preserve the relationship of a scanned signature and its associated document over time.

An authorised person's signature is to be saved as a PDF or image document in either a:

- secure USB drive (password protected); or
- a restricted access electronic folder in (N) drive; or
- approved software package, where access to this folder is restricted to the authorising person and approved person (see Use of Scanned Signature form).

A copy of the scanned signature is stored in hard copy on an official departmental file.

Details of each document on which the scanned signature is used are held on an official departmental file.

Each authorised signature is to be destroyed when the specified reason given in Form 1 is no longer valid or when the specified period of time is complete, whichever is the latter. All hard copies and electronic copies of the signature are to be destroyed.

B. CREATE A DIGITAL CERTIFICATE TO DIGITALLY SIGN A DOCUMENT

What is a digital signature?

A digital signature or ID is more commonly known as a digital certificate.

This procedure explains why you need a digital signature (or digital ID) to digitally sign a PDF document and how you can get or create one.

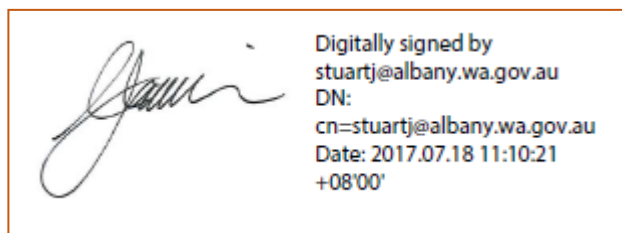
The CIO has approved the use of AUSkey credentials as well as the use of your own certificate-based signature attributed to your City of Albany email address.

How to Register & Set up a “Standard AUSkey Digital Certificate”:

- AUSkey must be authorised by the City of Albany designated AUSkey Administrator, being the **Manager Finance**.
- On application you will be advised on setup details.

How to setup your own Adobe eSignature attributed to your City email address:

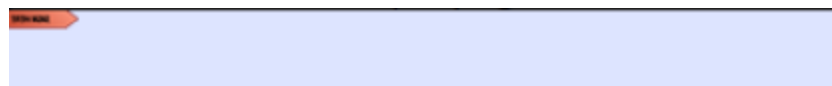
- To sign a PDF document with a certificate-based signature, you must create a self-signed digital ID in Acrobat or Adobe Reader. Example:



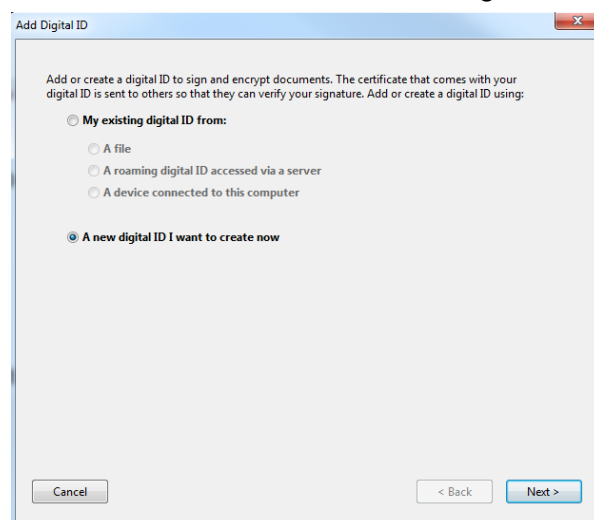
How to Create a Digital Signature in Adobe Reader

To create a digital signature that can be applied to PDF forms, please follow the instructions below:

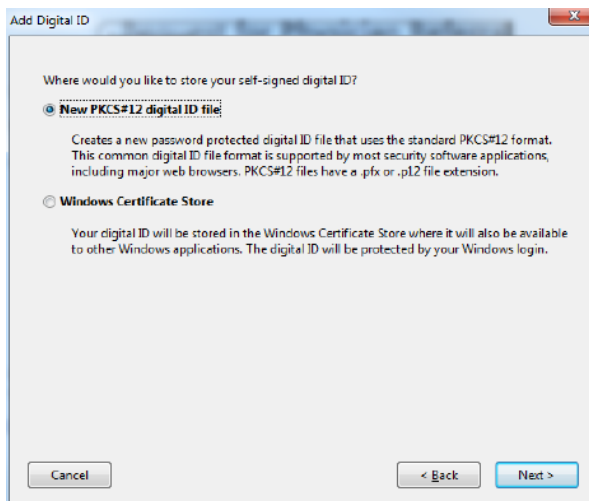
- (1) Open a PDF Form that requires a signature. This is denoted on a PDF form by a **red** tag that looks like this:



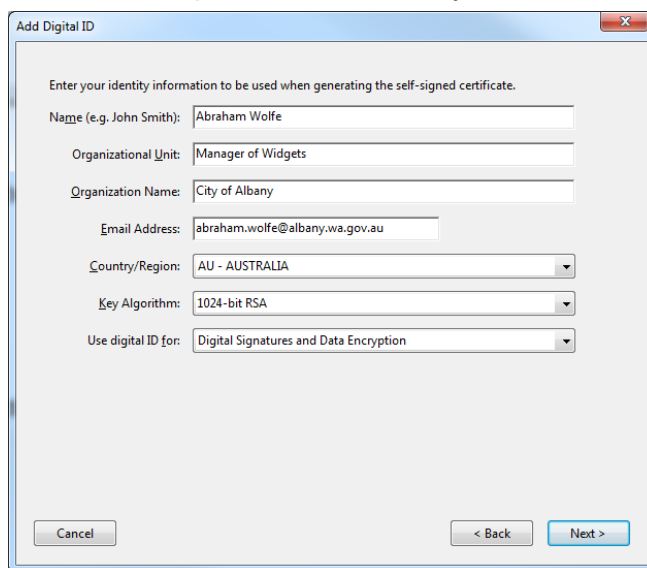
- (2) Click on the signature field.
- (3) You will be presented with a window labelled Add Digital ID.



- (4) Select “A new digital ID I want to create now” and click “Next >”.
- (5) Select “New PKCS#12 digital ID file” and click “Next >”



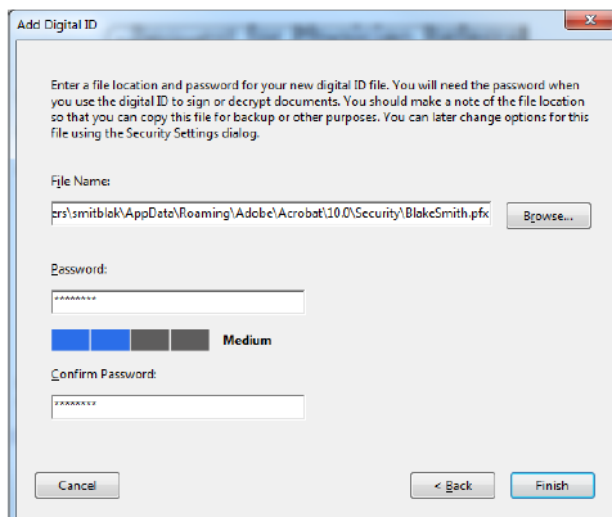
- (6) Fill out the information in the provided fields with your information and click “Next >”.



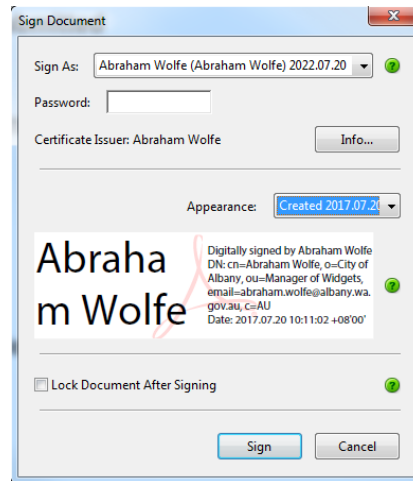
How to Create a Digital Signature in Adobe Reader

- (7) Leave the File Name value as it is and enter a Password for your Digital ID and click “Finish”.

IMPORTANT: There is NO way to recover this password. Make sure it is one you will not forget.



- (8) You will then be presented with this screen which you will need to enter the password you just specified in step 7.

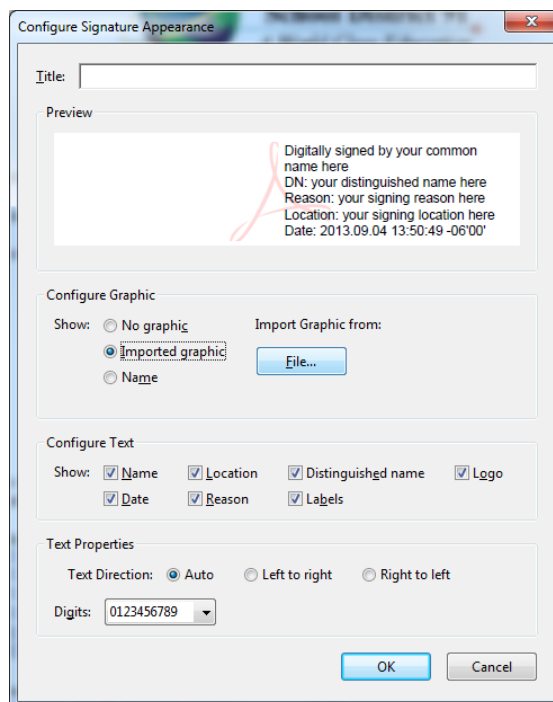


- (9) After entering your password, click “Sign”.

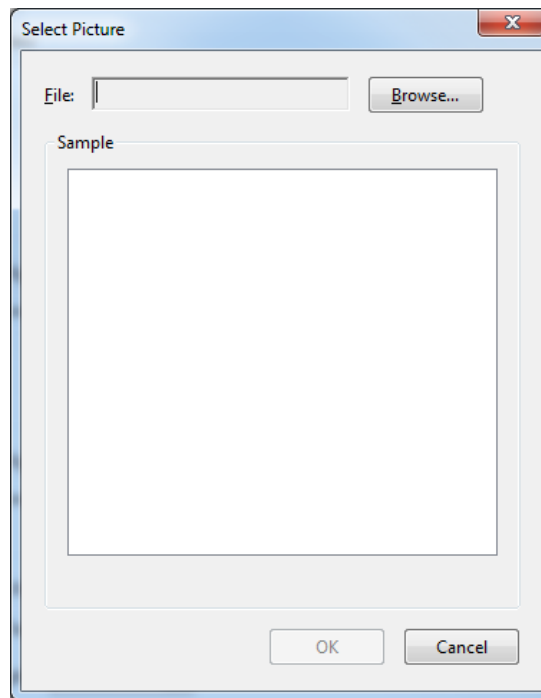
Optional Additional Setup Options

In addition to setting up your digital signature, you can also have it display your actual signature along with it instead of just have plain text. To do that, please follow these instructions:

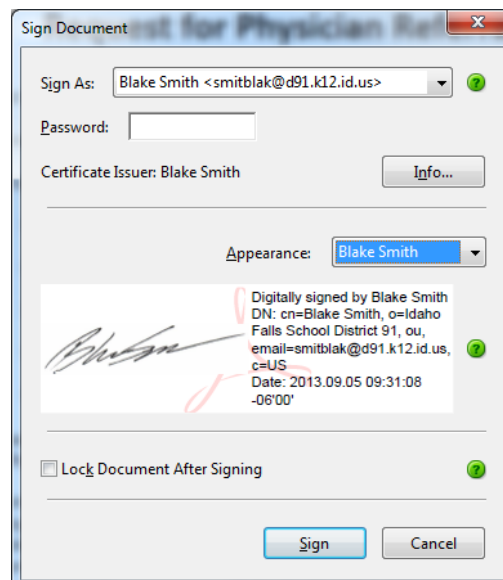
- (1) You can take a picture with a phone or an iPad and send it to your email address. When you receive the email, save the picture attachment to your desktop.
- (2) From the Sign Document window in Step 8 of setting up your digital signature, choose the dropdown menu for Appearance and choose “Create New Appearance...”.
- (3) On the Configure Signature Appearance, in the middle of the screen there is an option called “Imported graphic”, select it and click the “File...” button.



- (4) On the “Select Picture” window, click the “Browse...” button.

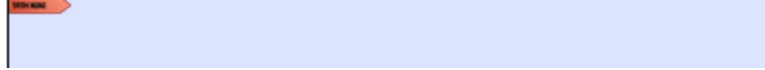


- (5) Select the signature picture you saved to your desktop in Step 1 and click the “Open” button.
- (6) If the signature looks good, click “OK” on the “Select Picture” window. If you do not like the signature, repeat steps 1 & 4 until it is satisfactory.
- (7) On the Configure Signature Appearance window click the “OK” button.
- (8) You should now have your handwritten signature included with your digital signature.

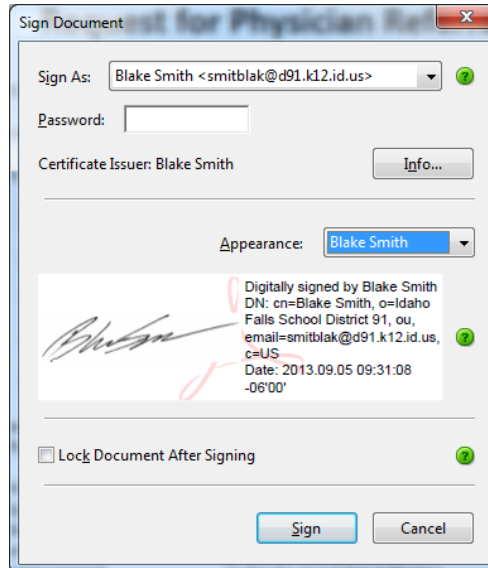


How to Sign a PDF with Your Created Signature

- (1) Open a PDF Form that requires a signature. This is denoted on a PDF form by a red tag that looks like this



- (2) Click on the signature field.
- (3) The “Sign Document” window will be displayed.



- (4) Type your password in the “Password” field and click the “Sign” button.
- (5) You will then be prompted to Save the signed version of the document to a location of your choosing.
- (6) After saving the signed version of the document, the signature field should now show your signature.

Signature:  Digitally signed by Blake Smith
Date: 2013.03.15 15:31:21 -06'00'

ATTACHMENT 1: USE OF SCANNED SIGNATURE FORM 1

Name of signatory

Designation

Location/Team

Reason for use of scanned signature

Identify the electronic and physical locations where the scanned signature is to be stored

Identify the approved person who will have access and use of the scanned signature

Identify when the use of the scanned signature will commence and cease and when the file will be deleted from the electronic location and destroyed in hard copy

Please complete and sign the following declaration to authorise use of your signature

I authorise that the signature provided on page 2 of this form can be stored, used and then deleted in accordance with the conditions outlined in the use of scanned signatures applied to documents policy.

Printed Name

Signature

Date

Please complete and sign the following declaration when scanned-signature has been deleted

I certify that the scanned-signature created from the signature blocks on page 2 of this form has been deleted and/or access to it suspended from the computer file where it was stored in accordance with the conditions stated outlined in the use of scanned-signatures applied to documents – letters, certificates, awards and reports policy.

Printed Name

Signature

Date

Use of Scanned Signature Form 1 (continued)

It has been noticed that when people are asked to sign their signature, often they are not happy with their first attempt, feeling that it does not accurately reflect their signature. Consequently, history has shown that by obtaining 6 sample signatures, the signatory selects the most preferred signature.

- Use a black felt tip pen (preferably sizes 0.7-1.5mm).
- Ensure that no part of your signature appears outside the box.
- Once completed, this form is to be stored as a PDF document so that it cannot be altered.

DO NOT FAX THIS FORM

If this form is to be sent to another location fold the form ONCE where indicated and post, courier or deliver by hand to recipient.

— — — — — ▪ Fold ONCE Here — — — — — ▪

ATTACHMENT 2: CONTRACTED SERVICE PROVIDER EXAMPLE NOTICE

The City of Albany is announcing the release of our new electronic signature policy allowing the submission of documents, forms, certificates and correspondence comprising electronic and digitised signatures.

Dear Service Providers

We would like to announce the release of our new electronic signature policy allowing service providers and clients to submit documents, forms, certificates and correspondence comprising simple electronic and digital signatures.

Why make the change?

More business transactions and undertakings are now carried out through digital means. The *Electronic Transactions Act 1999* (ETA) makes provision for this change, stating that if a person or persons are asked to produce or provide information in writing, that person or persons may, given the appropriate circumstances, provide that information in an electronic manner (subsection 9(1)).

Subsection 10(1) makes reference to the signing of a document using electronic means. The requirements of a signature according to the ETA are that it must:

- Serve to both identify the person and that person's intention towards the material it is attached to (subsection 10(1a)); and
- Be a reliable and appropriate method for the purpose of the communication (subsection 10(1b)).

These changes to the way that the City of Albany accepts forms from persons (including business) is in line with the current Government's deregulation agenda, as it will reduce processing times for private businesses and lessen red-tape burden for stakeholders.

Register for an AUSkey

<https://abr.gov.au/AUSkey/Registering-for-AUSkey/Register-for-an-AUSkey/>

The City of Albany would appreciate any feedback regarding the implementation or use of the Electronic & Digital Signature Policy or if you have any questions please contact the City of Albany via email to staff@albany.wa.gov.au “.