

Information Management Program

Requirements for Public Bodies

Audience:	Information Management professionals and other resources responsible for the implementation and operation of a records and information management system (also referred to as an Information Management Program) within a department or other public body, as defined in the Management of Information Act.
Prepared by:	Made available in electronic format by the IM Services Division, OCIO
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Objectives

Provide an overview of how a public body can meet its Information Management (IM) requirements including:

1. Management of Information Act (MOIA):
 - OCIO Mandate and Public Body Mandate
 - Role of Departments to which Public Bodies report
 - Destruction of Records
 - Relationship to the Rooms Act and ATIPPA, 2015
2. Implementing an IM Program
3. Common IM Program Components

MOIA Background

- MOIA was proclaimed in 2005 and gave responsibility to the Office of the Chief Information Officer (OCIO) for the development of an IM program for departments and other public bodies in Newfoundland and Labrador.
- Prior to 2005 the IM mandate rested with the Provincial Archives and focused more on the preservation of records of historical value.
- Advances in technology led to an increase in the amount of government information created leading to a need to support departments and other public bodies in the management of this information.
- A changing legislative environment meant there was more focus on access to information by the public and protection of the information held by departments and other public bodies.

Public Body Definition under MOIA

Section 2(d) of the MOIA defines those public bodies to whom it applies:

- i. a department created under the Executive Council Act or a branch of the executive government of the province,
- ii. a corporation, the ownership of which, or a majority of shares of which, is vested in the Crown,
- iii. a corporation, commission, board or other body, the majority of the members of which, or the majority of members of the board of directors of which, are appointed under an Act of the province, the Lieutenant-Governor in Council or a minister of the Crown,
- iv. a court established under an Act of the province,
- v. the House of Assembly and committees of the House of Assembly

Public Body IM Mandate

Section 6 of the MOIA provides the following direction to the permanent head of a public body:

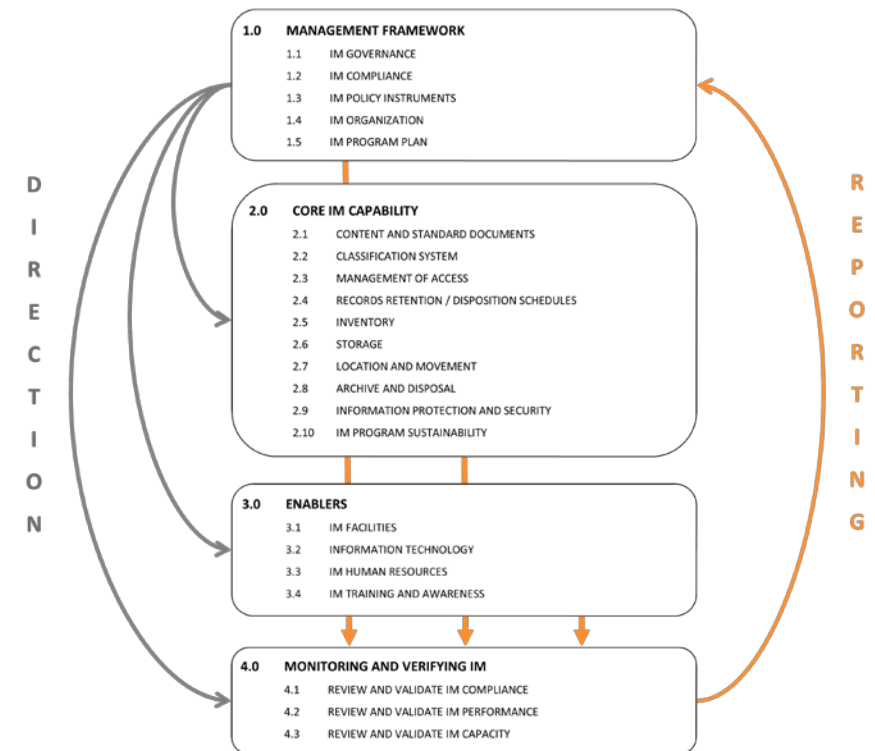
1. A permanent head of a public body shall develop, implement and maintain a record management system for the creation, classification, retention, storage, maintenance, retrieval, preservation, protection, disposal and transfer of government records.
2. A system required under subsection (1) shall provide for retention periods and disposition by destruction, or transfer to the archives, in accordance with the guidelines and schedules established by the Government Records Committee.
3. A permanent head of a public body shall ensure that the retention, disposal and removal of government records is carried out in accordance with this Act.

Records and IM System

The OCIO defines a records and information management system (also referred to as an IM Program) to include 4 key areas:

1. Management Framework
2. Core IM Capability
3. Enablers
4. Monitoring and Verifying IM

RECORDS AND INFORMATION MANAGEMENT SYSTEM



Public Body IM Mandate

MOIA applies to departments and other public bodies which vary greatly in size and complexity.

Many variables impact what a public body must demonstrate to meet IM program requirements:

- Administrative and operational functions/services
- Internal or public facing activities
- Service or transaction based or consultative mandate
- Volume/scope of information holdings
- Legislative/regulatory requirements
- Reporting or compliance requirements set by the Minister responsible

OCIO's Role

Section 5 of the MOIA requires OCIO to:

- be responsible for the development and implementation of a management program for government records in the province;
- provide advice to and assist departments and other public bodies with the development, implementation and maintenance of records management systems and provide direction on that material as it relates to the preservation of the potential archival materials; and
- recommend standards, principles, or procedures to Treasury Board for adoption.

Destruction of Records

Departments and other public bodies must not destroy records without the prior approval of the Government Records Committee (GRC) which can be obtained through submission of a retention schedule or one time disposal request

The GRC is established by the MOIA to:

- Establish and revise schedules for the retention, disposal, destruction or transfer of records
- Make recommendations to the Minister respecting government records to be forwarded to the archives
- Establish disposal and destruction standards and guidelines for the lawful disposal and destruction of government records
- Make recommendations to the Minister regarding the removal, disposal and destruction of records

Transitory Records

A transitory record is a government record of temporary usefulness in any format or medium having no ongoing value beyond an immediate and minor transaction or the preparation of a subsequent record. Transitory records can be securely destroyed when no longer of value without authorization of the Government Records Committee.

Key Points:

- The content and context determines whether a record is transitory; not its format.
- Proper management of transitory records requires an individual's regular assessment of their information (it's value and purpose) and secure disposal.

MOIA and Rooms Act

Rooms Act:

- Applies to the same departments and other public bodies as the MOIA
- Mandates The Rooms Provincial Archives (RPA) Corporation to collect, preserve, present, exhibit and make available for research the historic artifacts, natural history specimens and archival records that represent and illustrate the significant history, culture and natural heritage of the province
- RPA is the official repository for archival records of all departments and other public bodies
- Custody of archival records is transferred to the RPA when the public body has met all operational and legal retention requirements

MOIA and ATTIPA, 2015

IM supports ATIPPA, 2015 compliance:

- Reinforces the collections of authorized information
- Supports protection of personal and confidential information
- Encourages creation of complete and accurate records used to demonstrate due diligence in the provision of programs or services
- Supports ability to complete reasonable search of information holdings in a timely manner
- Ongoing legal disposal ensures that identified records are disposed of on a regular basis supporting an efficient and legal disposal of both transitory records as well as other records that are no longer required to retain; reducing the review and collection of unnecessary materials.

Implementing an IM Program

Many departments and other public bodies have existing IM Programs. Even if the term IM is not used, there are likely employees in your organization that do IM-related work

There is support for departments and other public bodies in aligning their existing IM practices with the MOIA:

- The Director responsible for IM of your reporting department may have identified requirements, developed tools or provide services to public bodies that report to your Minister.
- OCIO's IM Community, website resources, training, etc.

Implementing an IM Program

The GuideBook, also known as the Guide to IM for Public Bodies, provides a good starting point to assist public bodies in establishing and maturing an IM Program:

- Based on industry standards, legislative requirements and numerous assessments of government IM practices

Many guidelines provide a step by step approach and include templates that can be modified to include specific public body requirements

OCIO has several free workshops to teach IM professionals how to use these guidelines as well as recordkeeping materials related to smaller public bodies.

Implementing an IM Program

Available on OCIO's website there are individual guidelines in three core area:

- **Core IM Foundation** - focus on the development of core foundational elements of an IM program
- **IM Program Components** - support development of individual operational components of an IM program
- **IM Tools** - propose methodologies used to develop tools required by an IM program

1.0 Foundation

- 1.1 IM Governance, Accountability and Organization
- 1.2 IM Visions, Mission and Guiding Principles
- 1.3 IM Legal and Regulatory Framework
- 1.4 IM Program Plan

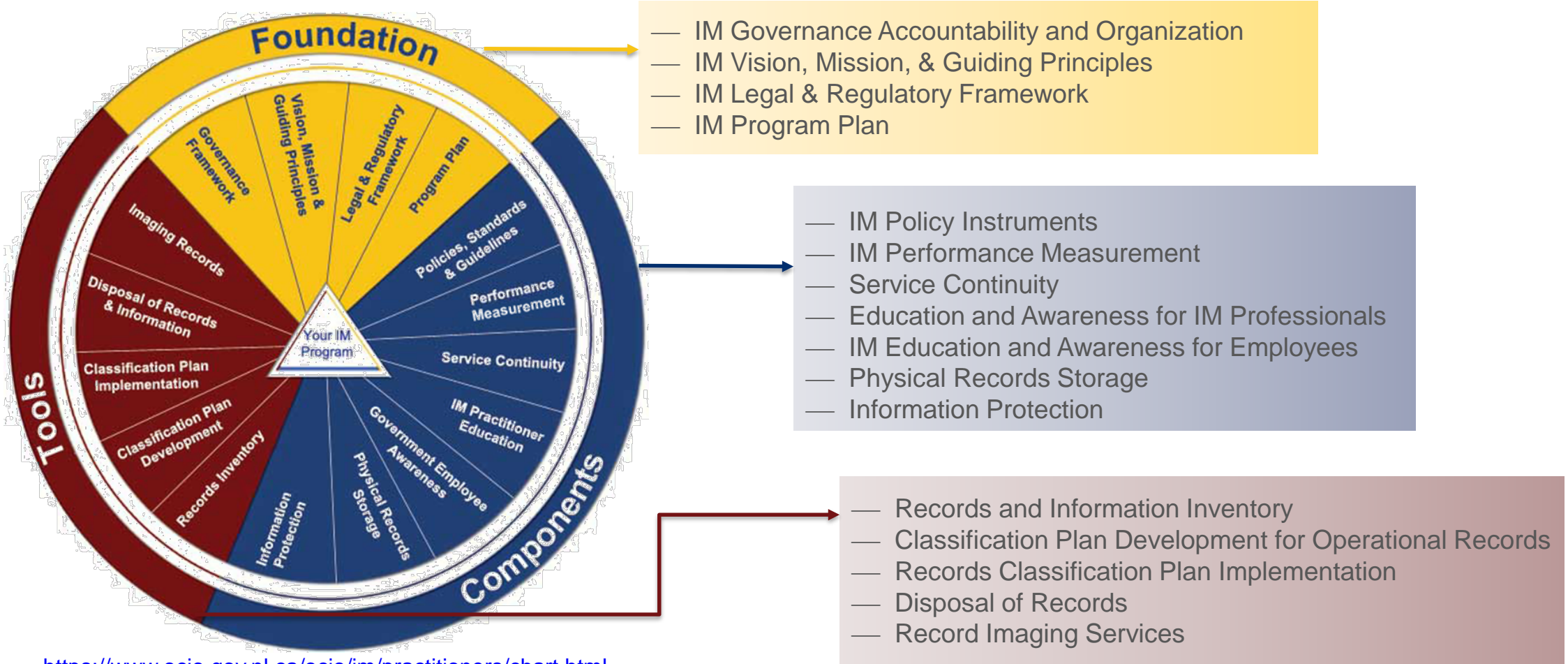
2.0 Components

- 2.1 IM Policy Instruments
- 2.2 IM Performance Measurement
- 2.3 Service Continuity
- 2.4 Education and Awareness for IM Professionals
- 2.5 IM Education and Awareness for Employees
- 2.6 Physical Records Storage Development and Use
- 2.7 Information Protection

3.0 Tools

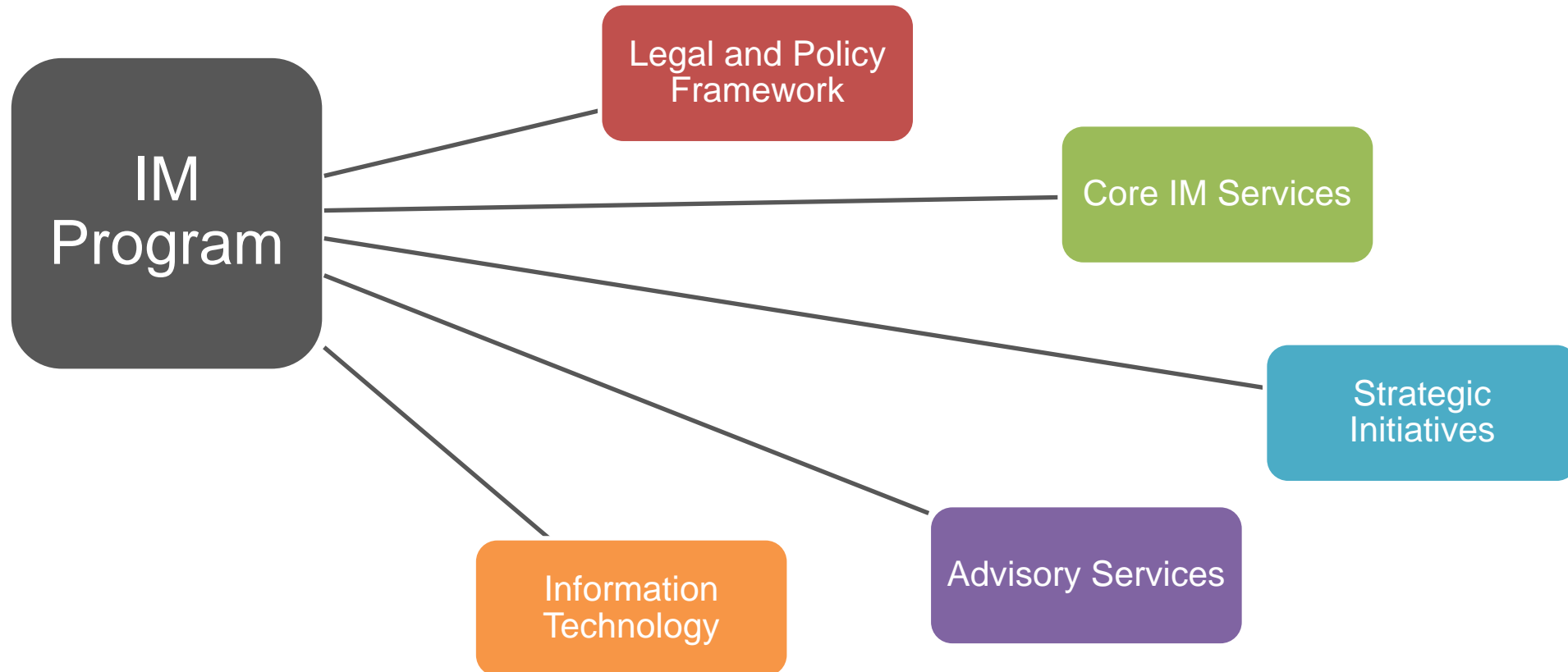
- 3.1 Records and Information Inventory
- 3.2 Classification Plan Development for Operational Records
- 3.3 Records Classification Plan Implementation
- 3.4 Disposal of Records
- 3.5 Record Imaging Services

Guide to IM for Public Bodies



<https://www.ocio.gov.nl.ca/ocio/im/practitioners/chart.html>

Common IM Program Components



Legal and Policy Framework

- Legal or regulatory requirements including legislation, legal commitments, regulatory requirements, etc. often include IM components
- IM Policy Instruments including policies, directives, standards, guidelines and other materials support compliance and guide program planning and delivery
- It is important for departments and other public bodies to review their legislation to ensure their IM requirements are met with appropriate IM policies, standards, guidelines and practices

Core IM Services

- While services will vary depending on legal and operational needs, most IM programs will offer the following services:
 - Document imaging/processing, file registries, document control or information service centres and semi-active records storage.

- Ongoing disposal management is a core service of all IM programs. Examples may include but are not limited to:
 - Implementation of Records Retention and Disposal Schedules as approved by the Government Records Committee
 - Ongoing disposal of records of short term value
 - Management of onsite shredding services

Strategic Initiatives

The IM program may plan its own strategic initiatives to increase overall capacity.

Examples may include:

- Completing an inventory of information holdings and a classification of records for both tracking purposes as well as to support access requirements
- Securing records through limited access (only those who need it) and overall protection of records
- Creating records retention and disposal schedules for records to allow for legal authority to dispose of records or transfer to the Provincial Archives
- Providing IM training to employees to support understanding of their role in creating and securing records as well as their responsibilities under the MOIA
- Education and awareness campaigns to increase IM knowledge in the organization

Advisory Services

IM may act in an advisory capacity to support both operations and enterprise initiatives including:

- Respond to inquiries related to information use
- IM can help an organization in its day to day activities as well as when developing long term change through large initiatives or projects
- IM can help on the planning phases so that change in the organization fits with the IM program or vice versa
- Incorporate IM requirements in organization-wide initiatives or projects

Information Technology

- Electronic information and data is a significant portion of a public body's information holdings
- MOIA has specific requirements related to electronic information
- Technology must be deployed and used in a manner that supports IM compliance, regardless of format. (i.e., paper, electronic, etc.)
- Email management is an important part of an IM program
- IM is an important stakeholder in IT planning and system development within an organization

Questions, Comments & Resources

Forward questions and/or comments related to this document to IM@gov.nl.ca.

More information can be found at the OCIO Website
www.gov.nl.ca/exec/ocio

Notice

The Office of the Chief Information Officer (OCIO) is mindful of creating and delivering accessible materials, in line with the Government of Newfoundland and Labrador's Accessible Communications Policy. New materials created by OCIO align with policy requirements and modifications to existing materials will occur as part of the standard review cycle.

This document is available in alternate format.

Please contact OCIO@gov.nl.ca.