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| **[ Add Organization Logo and/or** **Organization Name]** |
| **Recordkeeping Guide** |
| **Template & Example** |
| OCIO Reference: | DOC02699/2020 |
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# Overview

Public bodies require records to demonstrate compliance, transparency and accountability. Because external public bodies (e.g. committees) are often accountable to another public body (e.g. department), they must meet common operating and reporting requirements. There are a wide range of public bodies working to support public policy, programs and services across Newfoundland and Labrador. The Management of Information Act (MOIA) mandates that departments and other public bodies implement a records and information management system (also referred to as an Information Management (IM) Program) to manage records of all media.

To assist [ Add Organization Name here ] in demonstrating compliance with the MOIA this Recordkeeping Guide has been created, implemented and communicated to all individuals working on behalf of our organization. This Recordkeeping Guide outlines IM requirements for individuals engaged to perform work on behalf of our organization.

# Purpose

This Recordkeeping Guide provides individuals with recordkeeping requirements that should be followed when handling records and information on behalf of [ insert organization’s name ] .

The standards and practices outlined in this Recordkeeping Guide apply to all staff, contractors, consultants, partners, students, temporary workers, volunteers, vendors, agents, third parties and other persons working on behalf of the [ insert organization’s name here ] (hereafter referred to as individuals).

# Definitions and Acronyms

A complete listing of terms are located on the OCIO website - Information Management and Protection (IM&P) Glossary of Terms.

**Information Management** - Information Management (IM) is the field of management responsible for establishing and implementing policies, systems, and procedures to capture, create, access, distribute, use, store, secure, retrieve, and ensure disposition of an organization’s records and information. (Source: ARMA)

**Record** – A correspondence, memorandum, form, paper, parchment, manuscript, map, plan, drawing, painting, print, photograph, magnetic tape, computer disc, microform, electronically produced document and other documentary material regardless of physical form or characteristic. (Source: MOIA)

**Government Record** - A record created by or received by a department or other public body in the conduct of its affairs and includes a Cabinet record, transitory record and an abandoned record. Disposal of a government record must be sanctioned by a records retention and disposal schedule (RRDS) that has been approved by the Government Records Committee (GRC). (Source: MOIA)

**Transitory Record** - 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. (Source: MOIA)

**Archival Records** – Records that are preserved because of their continuing value. The Rooms Provincial Archives is the organization mandated to collect, preserve, present, exhibit and make available for research the archival records that represent and illustrate the significant history, culture and natural heritage of the province of Newfoundland and Labrador (Source: Rooms Act).

**Vital Record** – A vital record is defined as one that is indispensable to a mission critical business operation or a record identified as essential for the continuation of an organization during or following a disaster. Such records are required to recreate the organizations legal and financial status and to support the rights and obligations of employees, customers, shareholders and citizens (source: Making the Transition from Paper to Electronic, David O. Stephens, ARMA International, 2007).

**Executive, Director, Manager and other staff responsible for IM –** 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.

**Individual** - All staff, contractors, consultants, partners, students, temporary workers, volunteers, vendors, agents, third parties and other persons working on behalf of the Government of Newfoundland and Labrador, including all departments and other public bodies as defined under the Management of Information Act. The [Organization Name] is defined as a public body under the MOIA.

The table below includes common abbreviations as well as acronyms found within this document.

| Abbreviation | Description |
| --- | --- |
| IM | Information Management |
| IM&P | Information Management and Protection |
| IP | Information Protection |
| MOIA | Management of Information Act |
| OCIO | Office of the Chief Information Officer |
| ATTIPA, 2015 | Access to Information and Protection of Privacy Act, 2015 |

# IM Standards and Practices

The [Organization name] follows the highlighted IM standards and practices within this document to support the management and protection of information through the information lifecycle

Graphic 1 - Information Lifecycle

## Governance, Accountability and Organization

The [Organizations]’s mandate is [Include a summary of the public body’s mandate, organizational structure, operational requirements, etc. as necessary to put records management into context.]

As a public body, we must comply with the MOIA. Effective records management practices are important to administrative and operational functions and reasons for consistent and effective recordkeeping include but are not limited to:

Improved Decision-making:

Good records management ensures information needed to make decisions is more readily available.

Efficient Resource Usage:

Records cost money and time to store, process and maintain. Effective control means resources are used appropriately.

Improved Information Reuse and Collaboration:

Better control over records supports the ability to identify final versions and reuse materials.

Minimize Search and Retrieval Time:

Applying consistent business rules around how records are organized and stored makes it more efficient and effective to find information when needed.

Reduce Discovery Costs/Resources:

In the event of a discovery process including audit, inquiry, litigation or a request for information made under the Access to Information and Protection of Privacy Act, 2015 (ATIPPA, 2015) all information within the parameters of the request, regardless of its value, must be produced by the public body/ABC. Good records management practices make it easier to meet ATIPPA, 2015 requirements.

Compliance with Legislative Requirements:

In addition to the MOIA, public bodies must comply with many legal and regulatory requirements. Demonstrating compliance is dependent on our ability to produce high-quality records that demonstrate how we met our mandate.

Penalties for Individuals Who Violate the MOIA:

The MOIA includes potential legal and financial penalties for individuals that demonstrate willful failure to comply or contravention through negligence.

## IM Vision, Mission and Guiding Principles

The following statements establish the [Organization’s Name ]’s commitment to information management and the requirements set forth in the Management of Information Act, the Access to Information and Protection of Privacy Act, 2015 and the Rooms Act.

The [Organization’s Name] will sustain information management practices that enable its mandate, facilitate legislative and policy compliance, appropriately protect information, and support services to citizens.

The [Organization’s Name] adopts the principles outlined in the Information Management and Protection (IM&P) Policy, TBM 2018-111, issued by OCIO and applicable to all public bodies.

* Promoting records creation to support the conduct of business, comply with the regulatory environment and provide necessary accountability.
* Enabling transparency of decision-making and expenditure through the development of proper information management and protection practices throughout Government operations and systems, and the appropriate training of information management personnel to provide effective service delivery.
* Enabling legislative compliance where a requirement to retain records is articulated or where legislative compliance relies upon timely and appropriate access to information resources.
* Lifecycle management of all information in all formats during all lifecycle stages from creation (through use and management) to disposal (through destruction, deletion or transfer to The Rooms Provincial Archives Division (TRPAD) for permanent preservation).
* Providing information authenticity, integrity and security to protect information holdings from loss, inappropriate access or use, disclosure, alteration, removal or destruction; thereby ensuring confidentiality, integrity, availability and accountability over time.
* Risk management through the assurance that security risks are identified, acceptable and that control mechanisms are in place.

## IM Orientation

It is important to the [Organization’s name] that all individuals working on its behalf understand their IM responsibilities. The below highlights how as an organization we expect individuals (new, current as well as those leaving the organization) manage records and information.

### New & Current Individuals working on behalf of the organization

As an organization, we want our records and information managed consistently, efficiently and effectively as possible. An IM Orientation Checklist is included in the appendices. Individuals new to the organization must review the elements contained in the IM Orientation Checklist within the first week of engagement.

### Individuals leaving the organization

Individuals that leave the organization must ensure they manage their information prior to their last day. A Managing My Records Checklist is included in the appendices. Note that the ongoing management of your information is key to the successful transition of information prior to leaving the organization.

## Understanding Record Types

As an organization, we align our definitions of record types with those referenced by the OCIO, industry standards and contained in the MOIA. The below definitions are key to the business of our organization but other record types and definitions are included for review in Section 3.0.

**Record** – A correspondence, memorandum, form, paper, parchment, manuscript, map, plan, drawing, painting, print, photograph, magnetic tape, computer disc, microform, electronically produced document and other documentary material regardless of physical form or characteristic.

**Government Record** – A record created by or received by a public body in the conduct of its affairs and includes a Cabinet record, transitory record and an abandoned record. Disposal of a government record must be sanctioned by a records retention and disposal schedule (RRDS) that has been approved by the Government Records Committee (GRC).

**Transitory Record** – 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.

The disposal of a government record must be authorized by the Government Records Committee (GRC) and documented as a part of the IM program’s requirements. The additional steps required to dispose of a government record ensure

1. disposal is legal and authorized; and
2. no known legal issues require the disposal be delayed until it is resolved.

In today’s technological work environment, information is easily generated, shared and stored as part of normal business in multiple locations. Individuals often decide how/if records will be retained and disposed of (e.g., email messages). Multiple versions of information are retained in email accounts and on network or private file shares, which may not be appropriate.

The MOIA encourages the ongoing secure disposal of transitory records:

* Transitory records may be disposed of when they are no longer of value, and shall only be securely disposed of through means which render them unreadable, including secure shredding or in the case of electronic records, secure electronic erasure.
* Government records, as in the definition above, includes any media capable of capturing information including paper records, electronic records, email messages, system data, etc. may constitute a government record. The value of records is dependent on its significance to the event, transaction, activity or process to which it relates and not to its format.
* Identifying a record as transitory means, it has no legal or operational value. It does not mean content is not valuable or potentially contain personal or confidential information. This is why safe handling and secure destruction are required.

## Recordkeeping Requirements

The below highlights the [Add Organization’s name] record keeping requirements under four main headings; compliance is mandatory for all those working on our behalf.

### Collection, Creation and Receipt

Record Content [Add what is applicable to the organization]

* Identify personal/confidential information the public body is authorized to collect
* List of the records typically created to support business processes
* Link to forms and templates

Email Management [Add what is applicable to the organization]

* Describe how email is provided and used to support business processes
* Reiterate email is discoverable as part of an ATIPP request or legal action
* Include guidance on acceptable use and use of personal email accounts
* Refer to best practices on email phishing

Meeting Management [Add what is applicable to the organization]

* Outline details for standing meetings – logistics, roles, etc. Consider the OCIO’s guidance in the FYI – IM Advisory - Meeting Records.
* Include templates for agendas and minutes and ensure there are included in the appendices.

### Organization and Storage

**Organization of Records** [Add what is applicable to the organization]

* Suggest an approach to organizing records to encourage consistency. For example:
	+ Meeting records – Meeting date/Fiscal or Calendar Year
	+ Case Files – Unique Identifier/Fiscal or Calendar Year

**Authorized storage locations** [Add what is applicable to the organization]

* Identify where the record of authority is stored and how it is accessed for reference.
* Suggest organization for record types
* Identify any limitations on storage in personal or non-government work locations

**Portable Storage Devices** [Add what is applicable to the organization]

* Promote use of encrypted portable storage devices to transport records

### Sharing and Use

**Collaboration** [Add what is applicable to the organization]

* Outline the preferred process to collaborate both internally and externally

**Appropriate Disclosure** [Add what is applicable to the organization]

* Identify any restrictions on access
* Identify what needs to happen when an access request is made

**Safe Business Practices** [Add what is applicable to the organization]

* Refer to points in the OCIO’s FYIs and other supporting materials relevant to the public body’s processes
* If provided with access to the Government Network Link to the OCIO’s Directive - Acceptable Use of the Government Network and Information Technology Assets

### Disposition

Disposition includes records assessment, retention, destruction, deletion, transfer to The Rooms Corporation, Provincial Archives Division for permanent preservation and in rare cases retention by the department or other public body. The practices outlined below offer guidance to those working on our behalf to properly manage records and information. Should there be any questions or doubt regarding records disposition please contact (add info here)

**Assessment** [Add what is applicable to the organization]

* Not all records created, collected and received by the organization are considered government records, as defined in the MOIA. It is the value of the content in a record not the format that will determine whether it is a government record. For example, a draft document may be the last record kept of a key decision made by a public body. Though it is still in draft form, it is still considered a record to be retained, as it is documenting an important decision. This record, though a draft, cannot be considered transitory.

**Retention** [Add what is applicable to the organization]

* As we have the mandate to do (add), the organization will need to ensure that government records related to completing this work are properly created, classified and maintained. As an organization, we will aim to ensure the records are of good quality, are sufficient to adequately document our activities, and provide support for the public work we complete.

**Secure Destruction /Deletion** [Add what is applicable to the organization]

* Outline the processes and procedures for appropriate disposal for all record types, maintaining the record of authority and for transitory records retained by the individual
* Identify timeframe for retention of official records
* Refer to points in OCIO FYI’s relevant to the public body’s processes
* Return to public body or to the department (reporting entity) for secure destruction is an option

**Permanent Preservation/Retention** [Add what is applicable to the organization]

* Outline any requirements for properly creating, storing and retaining records including, locations for key records

# Compliance and Enforcement

**Mandatory compliance**

Practices outlined in this Recordkeeping Guide are mandatory for individuals to follow and dictate uniform ways of operating.

**Compliance monitoring**

Compliance monitoring of this Recordkeeping Guide is the responsibility of the [ Add Title Here ]. <<<<<Include specifics if known on how it will be monitored>>>>>>

**Penalty for failure to comply**

Willful non-compliance with this Recordkeeping Guide, or contravention through negligence, may result in disciplinary action, up to and including termination of employment/contract or other disciplinary action under either, the [ Add Organization ]’s Human Resources Policies or the policies and procedures established by Treasury Board and contractual agreements as applicable. Government’s Human Resource Policies are available through the following link:

<https://www.gov.nl.ca/exec/hrs/working-with-us/policies/#4d>

# Roles and Responsibilities

Head of the Public Body

[ Add responsibility ]

**Executive, Director, Manager and other staff responsible for IM**

[ Add responsibility ]

**Management**

[ Add responsibility ]

**Individuals**

[ Add responsibility ]

# Supporting Materials and Version History

Supporting Materials

Below is a listing of supporting materials hyperlinked to the published location.

Management of Information Act

<http://www.assembly.nl.ca/Legislation/sr/statutes/m01-01.htm>

Information Management and Protection Policy, TBM 2018-111

[<https://www.gov.nl.ca/exec/ocio/im/im-ip-policy/>](https://www.ocio.gov.nl.ca/ocio/im/im_ip_policy.htm)

Access to Information and Protection of Privacy Act, 2015

<http://www.assembly.nl.ca/Legislation/sr/statutes/a01-2.htm>

Directive - Acceptable Use of the Government Network and IT Assets

<https://www.gov.nl.ca/exec/ocio/im/employees/asset-use/>

Directive - Instant Messaging

<https://www.gov.nl.ca/exec/ocio/instant-messaging/>

Transitory Records

https://www.gov.nl.ca/exec/ocio/transitory-records/

OCIO Website

<https://www.gov.nl.ca/exec/ocio/>

Version History

The following table highlights the version history of this document including date issued and version number.

| Date (yyyy-mm-dd) | Version  |
| --- | --- |
| 2018-01-16 | 1.0 |
| 2020-XX-XX | 2.0 |

# Appendices

Appendices listed below directly relate to this Recordkeeping Guide and are published independent of this Guide on the [add published location here].

| Appendix | Title |
| --- | --- |
| A |  |
| B |  |
| C |  |
| D |  |