

Directive

Disposition

Governance

Authority: Treasury Board

Audience: 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 (hereinafter referred to as “individual”).

Compliance Level: Mandatory

Issuing Public Body: Office of the Chief Information Officer
Application and Information Management Services
Information Management Services

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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

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

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1.0 Overview

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. Disposition is a key component of a compliant IM Program.

Disposition is the range of processes associated with implementing the final stage in the life cycle of a record. Disposition could include destruction, transitory, transfer decisions (e.g., The Rooms Provincial Archives, etc.) and permanent retention by departments or other public bodies.

Approval from the Government Records Committee (GRC) is required for the following disposition authorities:

- Corporate Records IM Standard (CRIMS);
- Records Retention and Disposal Schedules (RRDSs) for Operational Records;
- One Time Disposal (OTD) Submissions.

Under the MOIA, individuals are authorized to dispose of records as per the above disposition authorities, when approved by the GRC. In addition, disposal of transitory records occurs through an individual assessment, and records identified as low-value and/or no longer serving a purpose can be disposed as per the Transitory Records Directive. The Transitory Record Directive is also a disposition authority and GRC approval is not required to implement. Reference the OCIO-issued policy instrument, Directive - Transitory Records, for guidance.

All individuals performing work on behalf of a department or other public body must regularly manage information throughout the lifecycle from creation (through use and management) to disposition (through assessment, retention, destruction, deletion, transfer to The Rooms Provincial Archives for permanent preservation and in rare cases retention by the department or other public body).

The creation, maintenance and disposition of records are equally important in the information lifecycle. Regular assessment, as part of disposition, is critical to a successful

and compliant IM program supporting the ability to manage information that has business value appropriately.

Individuals create, use, retain and dispose of information on a regular basis and must ensure they align with the requirements set forth in the MOIA, OCIO-issued policy instruments, Rooms Act, ATIPPA, 2015 as well as other legal and regulatory requirements relevant to a department or other public body. Records can include a number of categories (government, corporate, operational, non-record, transitory, vital, etc.) which may have very different disposition requirements and authorities.

The Office of the Chief Information Officer (OCIO) has a number of policy instruments accessible on the OCIO website as well as IM advisory services to assist departments and other public bodies in records disposition including, but not limited to:

Disposition Authority Supports	Other Policy Instruments and Supports
<ul style="list-style-type: none"> — Corporate Records Information Management Standard (CRIMS) webpage, standard and supporting materials — RRDS Submissions for Operational Records Guideline and supporting materials — Developing OTD Submissions Guideline and supporting materials — Transitory Records Directive, Guideline and supporting materials 	<ul style="list-style-type: none"> Guide to IM for Public Bodies (commonly referred to as the GuideBook), specifically — IM Legal and Regulatory Framework — Records and Information Inventory — Classification Plan Development for Operational Records — Disposal of Records — Records Classification Plan Implementation

Directives provide an official authoritative instruction or order to the organization supporting an existing policy. Compliance with OCIO-issued directives is mandatory. This policy instrument will be reviewed and updated as required. Incidental revisions, which may be required from time to time as a result of changes in operational requirements, legislation or other policies, will be made in a timely manner as necessary.

2.0 Purpose

This Directive mandates the individuals, departments, and other public bodies' responsibility to develop and implement processes associated with disposition of information assets of business value.

3.0 Definitions and Acronyms

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

Corporate Records Information Management Standard (CRIMS) – CRIMS is an information management standard (classification plan and records retention and disposal schedule) used for the management of corporate records of the Government of Newfoundland and Labrador’s departments and other public bodies, as defined under the Management of Information Act (MOIA). (Source: OCIO)

Disposition – Disposition is the range of processes associated with implementing the final stage in the life cycle of a record. Disposition could include destruction, transitory, transfer decisions and permanent retention by departments or other public bodies. (Source: OCIO). Further information can be referenced in ISO 15489-1:2016.

Disposition Authority – A disposition authority is the written authorization for a public body to carry out the range of processes associated with the final stage in the lifecycle of a record, including retention, destruction, transfer, or transitory activities. (Source: OCIO).

Government – For the purposes of OCIO IM policy instruments the definition of “government” refers to public bodies as defined under the Management of Information Act (MOIA) and in some cases may be used interchangeably with the term “departments and other public bodies”.

Government Records Committee – The Government Records Committee (GRC) is the official body that mandated 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; and
- make recommendations to the minister regarding the removal, disposal and destruction of records. (Source: MOIA)

Individual – For the purposes of OCIO IM policy instruments the definition of individual refers to 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.

IM Policy Instruments - IM policy instruments include policies, directives, standards, guidelines and procedures that provide direction or guidance on the management and protection of information aligned with the principles set forth in the Information Management and Protection (IM&P) Policy. OCIO extends the definition to include policy instrument supports such as Webpages, FYIs, FAQs, Quick Reference or Re-Use Materials as items to include in an IM policy instrument inventory.

One Time Disposal Submission – The OCIO defines a One Time Disposal (OTD) Submission as a disposition authority, which applies to records in any format and authorizes, once approved, disposal of records in a legal manner. The OTD can be for records of a specific branch, division or program within a department or other public body. It can encompass all types of records within an organization, or may be limited to specific record types or record series but does not include active or semi active records.

Public Body – As defined under the MOIA, a public body is:

- 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, and
- v) the House of Assembly and committees of the House of Assembly. (Source: MOIA)

Record – A record means 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)

Corporate Record – A corporate record, often referred to as an administrative record, are those created by all organizations to support administrative functions, including human resources, general administration, facilities management,

financial management, information and information technology management, and equipment and supplies (material) management. (Source: CRIMS)

Government Record - A government record is 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). (Source: MOIA)

Operational Record – An operational record is a record that reflects the unique mandate of an organization. Records of programs, projects, and service delivery are examples of operational records. Unlike corporate records, these will be different in each organization. (Source: OCIO)

Transitory Record – 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. (Source: MOIA)

Vital Record – A vital record is an electronic or paper record that is essential for preserving, continuing or reconstructing the operations of an organization and protecting the rights of an organization, its employees, its customers and its stakeholders. (Source: ISO 27031:2011)

Record Series – A record series is a group of records (regardless of format) arranged according to a common filing system or grouped together because they relate to a particular subject or function; result from the same activity or document the same type of transaction. Record series should be able to be grouped under a common title and should have a common retention and disposal plan. (Source: OCIO)

Records Retention and Disposal Schedule – A Records Retention and Disposal Schedule (RRDS) is a disposition authority that supports the lifecycle management of a government record. The Management of Information Act (MOIA), OCIO and the Government Records Committee (GRC) approve two types of RRDS submissions (RRDS for Operational Records and One Time Disposal) for use by departments and other public bodies for the legal retention, transfer and disposal of government records. A RRDS:

- defines the content of the record series or types;

- links the records to the organizational unit and business process;
- dictates how long the records need to be retained in active and semi-active storage to meet operational and legislative requirements; and
- authorizes the disposal of information in a legal manner through secure destruction or transfer to The Rooms Provincial Archives. (Source: OCIO)

Records Retention and Disposal Schedule for Operational Records - A Records Retention and Disposal Schedule (RRDS) for Operational Records schedule) applies to all operational records in an organization, for records of a specific branch or division, or may be limited to a record series. (Source: OCIO)

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

Abbreviation	Description
ATIPPA, 2015	Access to Information and Protection of Privacy Act, 2015
CRIMS	Corporate Records Information Management Standard
GRC	Government Records Committee
IM	Information Management
IM&P	Information Management and Protection
IP	Information Protection
MOIA	Management of Information Act
OCIO	Office of the Chief Information Officer
OTD	One Time Disposal
PRC	Provincial Records Centre
RRDS	Records Retention and Disposal Schedule

4.0 Directive Statements

1. Departments and other public bodies must follow approved directives, standards, and guidelines when implementing records retention, destruction or transfer decisions. These are established under various methods including the MOIA, OCIO, Government Records Committee (GRC), The Rooms Provincial Archives, or other government-wide or other organizational legal and regulatory requirements.
2. Departments and other public bodies must assess the organization's records to determine the appropriate disposition method, develop a request for disposition authority where required, and action dispositions in an appropriate manner.
3. Departments and other public bodies must establish, implement and maintain retention periods for records and information assets of business value as outlined in approved disposition authorities.
4. Departments and other public bodies must assign an individual within the organization to develop disposition authorities. This includes the identification of groups or classes of records that share retention periods and other disposition actions.
5. Departments and other public bodies must establish and follow secure destruction practices when implementing an approved records disposition authority.
6. Departments and other public bodies must establish and follow secure transfer practices when transferring records (physical or electronic).
7. Executive, directors, managers and other staff responsible for IM must incorporate records disposition into the organization's IM Program.
8. Individuals must ensure that there is an approved records disposition authority in place and that there is no active legal hold, audit or access to information request prior to the secure disposal or transfer of government records.

5.0 Roles and Responsibilities

Deputy Minister or Permanent Head or Designate

(Department or other Public Body)

- Enforce this Directive across their department or other public body.
- Support their department or other public body’s compliance with the MOIA, the IM&P Policy and other policy instruments issued by OCIO, and other relevant organizational IM&P legal and regulatory requirements.

Executive, Director, Manager and other staff responsible for IM

(Department or other Public Body)

- Issue direction on the disposition of department and other public body records.
- Ensure that all individuals receive training in both OCIO-issued and organizational policy instruments regarding the disposition of government records.

Management and other supervisory staff

(Department or other Public Body)

- Ensure all individuals within the program or service area of responsibility are aware of this Directive and other related policy instruments.
- Provide direction to individuals on disposition processes to support compliant records management practices.

Individuals

- Comply with the MOIA, the IM&P Policy and other policy instruments issued by OCIO, and other relevant organizational IM&P legal and regulatory requirements.
- Understand requirements for managing, preserving, and protecting information.
- Apply approved disposition processes as a regular course of business.

Office of the Chief Information Officer (OCIO)

As part of OCIO’s administration of the Management of Information Act, the OCIO:

- Recommends to Treasury Board policies for adoption.
- Develops, manages, monitors, and communicates IM&P policy instruments and supporting materials to departments and other public bodies.
- Provides direction on IM&P best practices, resource requirements, organizational structure, recordkeeping systems and IM Programs to departments and other public bodies.
- Assists departments and other public bodies to improve their IM&P capacity.

- Provides IM&P advisory, training and awareness services and support to departments and other public bodies.
- Supports IM forums, committees, and other professional practice communities, consisting of IM representatives from departments and other public bodies.
- Manages the Provincial Records Centre (PRC).
- Provides administrative support to the Government Records Committee (GRC).

In addition, the OCIO will:

- Maintain the Disposition Directive and any associated supporting materials.
- Provide education and awareness on the implementation of records retention, destruction or transfer decisions documented in disposition authorities or other instruments.

6.0 Compliance and Enforcement

Mandatory compliance

OCIO directives are mandatory for individuals to follow and dictate uniform ways of operating.

Compliance monitoring

Compliance monitoring of this Directive is the responsibility of the department or other public body.

Penalty for failure to comply

Willful non-compliance with this Directive, or contravention through negligence, may result in disciplinary action, up to and including termination of employment/contract or other disciplinary action as per the policies and procedures established by Treasury Board and contractual agreements. Human Resource Policies can be accessed through the following link:

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

7.0 Supporting Materials and Version History

Supporting Materials

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

Management of Information Act

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

Information Management and Protection Policy

<https://www.gov.nl.ca/exec/ocio/im/im-ip-policy/>

Access to Information and Protection of Privacy Act, 2015

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

Rooms Act

<https://assembly.nl.ca/legislation/sr/statutes/r15-1.htm>

Directive - Transitory Records

<https://www.gov.nl.ca/exec/ocio/im/policy-instruments/transitory-records>

Standard - Corporate Records Information Management Standard

<https://www.gov.nl.ca/exec/ocio/im/c-rims>

Guideline – Developing Records Retention and Disposal Schedules (RRDSs) for Operational Records

<https://www.gov.nl.ca/exec/ocio/im/policy-instruments/disposition/rrds-operational-records>

Guideline – Developing One Time Disposal Submissions

<https://www.gov.nl.ca/exec/ocio/im/policy-instruments/disposition/otd-submissions>

GuideBook – Guide to IM for Public Bodies

<https://www.gov.nl.ca/exec/ocio/im/policy-instruments/guidebook>

Guideline – IM Legal and Regulatory Framework

Guideline – Records and Information Inventory

Guideline – Classification Plan Development for Operational Records

Guideline – Disposal of Records

Guideline – Records Classification Plan Implementation

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
2021 07 26	Version 1.0