



Managing Note Books

IM Advisory

Overview

The Management of Information Act (MOIA) mandates departments and other public bodies implement a records and information management system (also referred to as an Information Management (IM) Program) to manage records, including transitory records. Note Books (e.g., Black Books) and other note-taking journals/software used by individuals in departments and other public bodies, if determined to be transitory, can be securely disposed of in accordance with the MOIA.

Key Points

The content and context determines whether a record is transitory; not its format. Note Books may be considered transitory depending on how they are used but an assessment to determine both content and context is required. Transitory records are defined in the MOIA as government records 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. Good IM practices and risk management requires departments and other public bodies to maintain and secure information that is necessary to business operations and/or to allow someone to recreate and call on the information if required. Note Books are the property of the individual's department or other public body. Any modifications that allow the transfer/copying of Note Books is at the department or other public body's discretion and should follow standard record transfer protocols.

Things to Consider if Using Note Books (Paper & Electronic)

- Individuals must assess content within Note Books as a regular course of business to support the secure disposal of transitory records and the retention of government records.
- If individuals, within departments and other public bodies, use Note Books to document short-term value information that will not be required in the future and has no further value (i.e., routine reference notes) then these may be considered transitory and may be immediately disposed of securely.
- If individuals, within departments and other public bodies, use Note Books to document information that is created or received to support mandated programs and services then these details are official government records and must be retained.
 - o It is recommended that information determined to be a government record be transferred to a recordkeeping format and stored in an approved electronic document management system (e.g., network share, etc.). Once the information has been transferred the Note Book can be securely disposed. **(Note: Secure shredding services should be used to dispose of Note Books or other note-taking journals containing government information.)**

- If an individual’s role changes, the individual or their manager must assess the information contained in the individual’s Note Book(s) to determine whether the content should be preserved as a government record or securely disposed of as a transitory record.
- The final decision as to whether operational records may be considered transitory lies with the department or other public body. Following an assessment an individual will need to make a determination based on the business mandate of the organization as well as any applicable legal and regulatory requirements.
- Transitory records in the custody and control of a department or other public body, are subject to the Access to Information and Protection of Privacy Act, 2015 (ATIPPA, 2015), the MOIA and other legal and regulatory requirements and must be preserved accordingly; the information may be released publicly or during the course of audit or litigation.
- Transitory records may be disposed of when they are no longer of value, and shall only be disposed of through means which render them unreadable, including secure shredding or in the case of electronic records, secure electronic erasure.

For additional information on Managing Note Books, contact those responsible for IM within your department or other public body.

General inquiries may be forwarded to IM@gov.nl.ca.

Supporting Materials

Version History

(OCIO Ref. DOC01622/2020)

Management of Information Act

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

Policy — Information Management and Protection

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

Directive — Transitory Records

<https://www.gov.nl.ca/exec/ocio/files/directive-transitory-records.pdf>

Guideline—Transitory

<https://www.gov.nl.ca/exec/ocio/files/guideline-managing-transitory-records.pdf>

Quick Reference—Examples of Copies—Transitory and Government Records

<https://www.gov.nl.ca/exec/ocio/files/quick-reference-examples-of-copies-transitory-and-government-record.pdf>

Quick Reference—Examples of Drafts—Transitory and Government Records

<https://www.gov.nl.ca/exec/ocio/files/quick-reference-examples-of-drafts-transitory-and-government-record.pdf>

Webpage—Transitory Records

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

1.0 2020-07-30

