



Information Management Program

Requirements for Public Bodies

Office of the Chief Information Officer

Objectives

- Provide an overview of how a public body can meet its Information Management (IM) requirements including:
 - The *Management of Information Act (MOIA)*:
 - OCIO Mandate
 - Public Body IM Mandate
 - Role of Departments to which Public Bodies report
 - Relationship to the *Rooms Act* and *ATIPPA 2015*
 - Implementing an IM Program
 - 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 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 a huge increase in the amount of information created and there was a need to support 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 public bodies.



3

Public Body Definition under *MOIA*

- Section 2(d) of the *MOIA* defines those public bodies to whom it applies:
 - a department created under the *Executive Council Act* or a branch of the executive government of the province,
 - a corporation, the ownership of which, or a majority of shares of which, is vested in the Crown,
 - 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,
 - a court established under an Act of the province,
 - the House of Assembly and committees of the House of Assembly.



4

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 public records is carried out in accordance with this Act.

Public Body Mandate

- *MOIA* applies to public bodies which vary greatly in size and complexity.
- Many variables impact what a public body must demonstrate to meet IM program requirements:
 - Administrative functions/services
 - Internal or public facing
 - Service based or consultative mandate
 - Volume/scope of information holdings
 - Legislative/regulatory requirements
 - Reporting or compliance requirements set by the Minister responsible

Office of the Chief Information Officer

- 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 public bodies with the development, implementation and maintenance of record management systems and provide direction on that material as it relates to the preservation of potential archival material; and
 - recommend standards, principles or procedures to the Treasury Board for adoption.

Implementing an IM Program

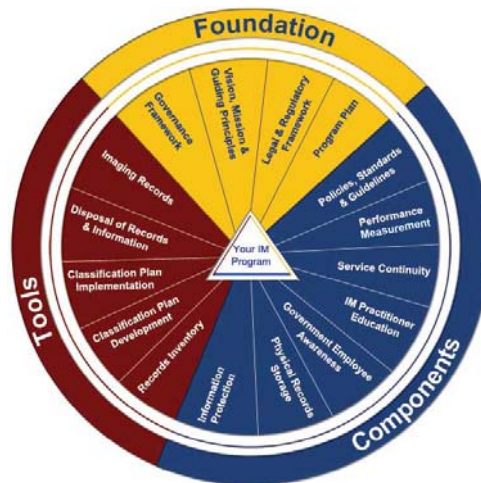
- Many public bodies have existing IM programs
- Even if the term IM is not used, there are likely employees in your organization that do IM-related work
- There is support for public bodies in aligning their existing IM practices with the *MOIA*:
 - The Director of IM of your reporting department may have identified requirements, developed tools or provide services to public bodies that report to your Minister
 - OCIO's Community of Practice, website resources, training, etc.

Implementing an IM Program

- 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
- Available on OCIO's website there are individual guidelines in three areas:
 - Core IM Foundation
 - IM Program Components
 - IM Tools
- 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 practitioners how to use these guidelines



Guide to IM for Public Bodies



IM Guide – Core IM Foundation

These guidelines focus on the development of core foundational elements of an IM program and include:

- Governance Framework
- Vision, Mission and Guiding Principles
- Legal and Regulatory Framework
- Program Plan

IM Guide – IM Program Components

These guidelines support development of individual operational components of an IM program and include:

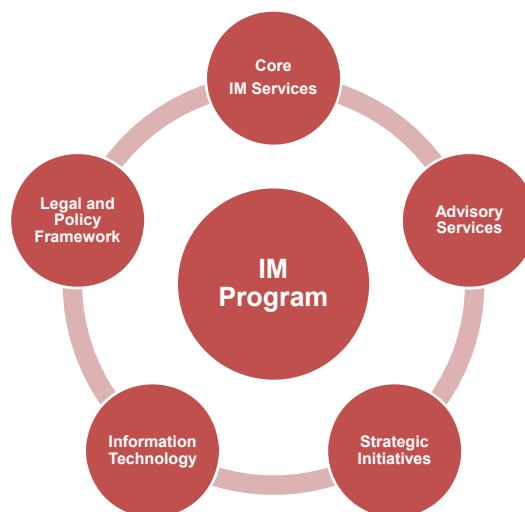
- Policies, Standards and Guidelines
- Performance Measurement
- Service Continuity
- IM Practitioner Education
- Employee Awareness
- Physical Records Storage
- Information Protection

IM Guide – IM Tools

These guidelines propose methodologies used to develop tools required by an IM program and include:

- Records Inventory
- Classification Plan Development
- Classification Plan Implementation
- Disposal of Records and Information
- Imaging Records

Common IM Program Components



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 polices, standards, guidelines and best practices support compliance and guide program planning an delivery
 - It is important for public bodies to review their legislation to ensure their IM requirements are met with appropriate IM policies, standards, guidelines and practices

Common IM Program Components

- 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:
 - Execution of legal disposal authorities as approved by the Government Records Committee
 - Ongoing disposal of records of short term value
 - Management of onsite shredding

Common IM Program Components

- Strategic Initiatives
 - The IM program may plan its own strategic initiatives to increase overall capacity. Examples may include:
 - Completing an inventory of information holdings
 - Classification of records for tracking purposes and to allow access
 - Securing records to limit access to those who need it and to ensure the safety 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 training to employees on IM so they understand their role in creating and securing records and their responsibility under the *MOIA*
 - Education and awareness campaigns designed to increase IM knowledge in the organization

Common IM Program Components

- 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 compliance with IM requirements and all requirements that apply to paper also apply to electronic records
 - Email management is an important part of an IM program
 - IM is an important stakeholder in IT planning and system development within an organization

Common IM Program Components

- 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 it's day to day activities as well as when developing long term change through big initiatives or projects
 - IM can help in 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

Destruction of Records

- Public bodies must not destroy records without 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:
 - 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

MOIA and The *Rooms Act*

- *Rooms Act*:
 - Applies to the same public bodies as the *MOIA*
 - Mandates The Rooms Provincial Archives Corporation (RPA) 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 public bodies
 - Custody of archival records is transferred to RPA when the public body has met all operational and legal retention requirements

MOIA and ATIPPA 2015

- IM supports ATIPPA compliance:
 - Reinforces the collection of authorized information
 - Supports protection of personal or 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 reduces effort and resources required to respond to requests through reduction of outdated or transitory records within the parameters of a request

Questions?

IM Services Division
Office of the Chief Information Officer
im@gov.nl.ca

