

RECORDKEEPING GUIDE <TEMPLATE>

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APPROVAL AND SIGN OFF		
<Permanent Head>, <Public Body>	< signature >	
	< name >	< yyyy – mm – dd>
Additional Signing Authority may be needed depending on governance structure	< signature >	
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<p>Note: Questions related to this guide should be forwarded to IM@gov.nl.ca.</p>		

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RECORDKEEPING GUIDE

1.0 Overview

Public bodies require records to demonstrate compliance, transparency and accountability. Because ABCs are often accountable to another public body/ABC, they must meet common operating and reporting requirements. There are a wide range of ABCs working to support public policy, programs and services across Newfoundland and *The Management of Information Act (MOIA)* mandates that public bodies implement an Information Management (IM) program to manage records of all media. This recordkeeping guide outlines requirements for individuals engaged to perform work on behalf of a public body.

The OCIO's list of *public bodies* provides an overview of agencies, board and commissions across government.

2.0 Purpose

This guideline provides individuals with recordkeeping requirements that should be followed when handing records and information on behalf of a public body.

3.0 Scope

This Guideline applies to all staff, contractors, consultants, partners, students, temporary workers, volunteers, vendors, agents, third parties and other persons working on behalf of a public body (hereafter referred to as individuals).

4.0 Background

4.1 Government Versus Transitory Records

The *MOIA* mandates that each public body have an IM program. While overall accountability for IM rests with the permanent head of a public body, individuals must ensure the business activities they complete on behalf of government are recorded, managed and protected. The *MOIA* contains the following definitions for records:

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

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.

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 their 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 in/outboxes and on network or personal file shares which may not be appropriate.

The *MOIA* includes the following definition:

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.

The *MOIA* encourages the ongoing secure destruction of transitory records:

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.

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.

4.2 Effective Records Management

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, the entity must comply with the *MOIA*. Effective records management practices are important to administrative and operational functions. Some 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 and reuse final versions.
- **Minimize Search and Retrieval Time:** Applying consistent rules around how records are organized and stored makes it easier 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)* 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 requirements.
- **Compliance with Legislative Requirements:** In addition the *MOIA*, public bodies must comply with many legal and regulatory requirements. Compliance is dependent on its ability to produce high-quality records that demonstrate how it met its mandate.
- **Penalties for Individuals Who Violate the *MOIA*:** The *MOIA* includes potential legal and financial penalties for individuals that violate it.

5.0 Employee Orientation

5.1 New Employees, IM Responsibilities

How new employees manage their records from day one can permit an organization to operate more effectively. A sample new employee checklist is included in Appendix D to assist public bodies with employee IM orientation.

Employees play a critical role in maintaining organizational records. To help new employees learn their IM responsibilities *IM@Work* is available to public bodies on the OCIO website. The course is designed to provide an introduction to IM and relevant legislation; review of information management best practices; and provide an overview of information management roles and responsibilities.

6.0 Recordkeeping Requirements

6.1 Collection, Creation and Receipt

6.1.1 Record Content

- 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

6.1.2 Email Use

- 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 personal use and use of personal email accounts
- Refer to best practices on email phishing

6.1.3 Meeting Management

- Outline details for standing meetings – logistics, roles, etc. Consider OCIO guidance in the *Advisory - Meeting Records*.
- Include templates for agendas and minutes. Samples have been included in Appendices A, B and C.

6.2 Organization and Storage

6.2.1 Organization of Records

- 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

6.2.2 Authorized storage locations

- Identify where the record of authority is stored and how it is accessed for reference.
- Suggest organization for record types identified in 5.1.1.
- Identify any limitations on storage in personal or non-government work locations

6.2.3 Portable Storage Devices

- Promote use of encrypted portable storage devices to transport records

6.3 Sharing and Use

6.3.1 Collaboration

- Outline the preferred process to collaborate

6.3.2 Appropriate Disclosure

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

6.3.3 Safe Business Practices

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

6.4 Disposal

6.4.1 Secure Destruction

- Outline what happens to the record of authority and what happens to the 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

7.0 Definitions and Acronyms

7.1 Definitions

Transitory Record

Information Management

Acronyms

ATIPPA	Access to Information and Protection of Privacy Act, 2015
IM	Information Management
MOIA	<i>Management of Information Act</i>

8.0 Monitoring and Review

Identify who will be responsible for keeping the document up to date and monitoring compliance.

9.0 References

Links to all published information referenced in the document including:

Management of Information Act

OCIO Directive

Acceptable Use of the Government Network and Information Technology Assets

OCIO Directive

Instant Messaging

OCIO Quick Reference

USB Flash Drives: What You Should Know

OCIO Advisory

Meeting Records

OCIO Advisory

Case Files

10.0 Appendices

10.1 Appendix A: Sample 1: Meeting Agenda

This template is provided as a sample to be modified as required

<Public Body Logo> <Public Body Name>
<Public Body Division Name>

MEETING AGENDA

Objective	
Meeting Date	
Meeting Time	
Meeting Location	
Chair	
Participants	

	Topic
1.	
2.	
3.	
4.	
5.	
6.	Action Items
7.	Next Meeting

10.2 Appendix B: Sample 2: Meeting Minutes

This template is provided as a sample to be modified as required

<Public Body Logo>

<Public Body Name>

<Public Body Division Name>

MEETING MINUTES

Meeting Date	
Meeting Time	
Meeting Location	
Participants	Name, Organization, Role
Regrets	Name, Organization, Role

	Topic	Notes
1.		
2.		
3.		
4.	Action Items	
5.	Next Meeting	

	Action Items	Resource Name	Status/Timeline
1.			
2.			
3.			
4.			
5.			

10.3 Appendix C: Sample 3: Meeting Minutes

This template is provided as a sample to be modified as required

Public Body Logo

Public Body Name

TITLE/SUBJECT MEETING

DATE

LOCATION

TIME

MINUTES OF MEETING

Attendance:

Identify all persons in attendance, their title, organization and role

Identify all persons that have sent regrets, their title, organization and role

1. Call Meeting to Order
2. Approval of minutes from the last meeting
3. Business arising from last meeting minutes
4. New Business
5. Action Items
 - Provide a listing of actions items with resources assigned, timelines, etc. if relevant
6. Next Meeting and Adjournment
 - Set time, date location, etc. if possible

10.4 Appendix D: Template – Record Keeping Checklist

New Employee/Individual Record Keeping Checklist Template

Using a checklist when providing orientation to a new employee or individual engaged to perform work on behalf of the Agency, Board or Commission (ABC) may be helpful in ensuring all elements are communicated and understood.

Checklist items are based on the content of the ABC's record keeping guide. As such, each checklist will reflect the ABC's unique requirements. The following list includes common elements that may be discussed when a new individual is engaged to perform work on behalf of the ABC.

Elements may be deleted/added as required.

- IM@Work - Review the document on the OCIO website will provide a general overview of Information Management (IM), The Management of Information Act (MOIA), individual responsibilities, and best practices.
- List of personal or confidential information collected/maintained (if relevant)
- Identify known records to be created/maintained by the individual
- Identify forms/templates to be used and where they are located
- Review email usage requirements
- Review how/where records are organized/stored
- Allocate IT resources/equipment:
 - Laptop/personal computer
 - Tablet
 - Portable storage device
- Review disposal requirements

Please note there may be other additional orientation required (e.g. financial, privacy etc.)