



Office of the Chief Information Officer

Policy

Information Management and Protection

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

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Application and Information Management Services Branch
Information Management Services Division

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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 and protection of information created and collected by the Government of Newfoundland and Labrador's departments and other public bodies is subject to the requirements set out in the Management of Information Act (MOIA). The Office of the Chief Information Officer (OCIO) administers this Act and in doing so, establishes directives, standards, guidelines and procedures pursuant to this Information Management and Protection (IM&P) Policy.

This policy applies to all government departments and other public bodies (hereafter also referred to as "Government") including 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's departments and other public bodies (hereafter referred to as "individuals").

The OCIO, as mandated by Section 5 of the MOIA, is accountable to:

- Develop and implement a management program for government records in the province.
- Provide advice to and assist public bodies with developing, implementing and maintaining record management systems (also referred to as Information Management (IM) Programs).
- Recommend policies to Treasury Board for adoption.

This policy 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 and submitted for approval to Treasury Board.

2.0 Purpose

The IM&P Policy will establish the foundation for development of all IM&P policies, directives, standards, guidelines and procedures by the OCIO and provide the OCIO with a comprehensive approach in addressing IM&P Policy governance.

This policy will:

- Apply to the management and protection of all records (as defined in the MOIA) of Government, regardless of physical format or characteristics.
- Support Government’s IM&P vision of a professional IM&P capability aligned to enable the business of Government, facilitate legislative and policy compliance, appropriately protect the information of Government and citizens and support services to citizens.

3.0 Definitions and Acronyms

A complete listing of terms are located on the OCIO website - IM&P Glossary of Terms.

Abandoned Records – An abandoned record is a record to which ownership cannot be established and which has been determined to be an abandoned record by the Chief Information Officer (CIO) of the Office of the Chief Information Officer (OCIO). (Source: MOIA)

Availability – Availability is the property of being accessible and useable upon demand by an authorized entity. It is the ability of a component or service to perform its required function at a stated instant or over a stated period of time. (Source: ISO 27000:2018)

Authenticity – An authentic record is one that can be proven to be what it purports to be, to have been created or sent by the person purported to have created or sent it, and to have been created or sent at the time purported. (Source: ISO 15489: 2016)

Cabinet Records – Include memoranda to Cabinet for the purpose of presenting proposals or recommendations; discussion papers, policy analysis, proposals, advice or briefing material, including all factual and background material prepared for Cabinet; agendas, minutes or other records recording deliberations or decisions of Cabinet; communications or discussions among ministers on matters relating to the making of Government decisions or the formulation of Government policy; records created for or by a minister for the purpose of briefing that minister on a matter for Cabinet; records created during the process of developing or preparing a submission for Cabinet; draft legislation or regulation; or information about the contents of a Cabinet Record. (Source: MOIA)

Confidential Information – The working definition of “confidential information” includes, but is not necessarily limited to the following types of information:

- Cabinet Records as defined in the MOIA;
- Draft legislation and policy instruments;
- Legal opinions;
- Communications plans and collateral materials (e.g., draft news releases, FAQs);
- Sensitive reports, strategies or proposals under development;
- Planning documents;
- Trade secrets or 3rd party business information submitted in confidence; and

- Generally, information under the Access to Information and Protection of Privacy Act, 2015 (ATIPPA, 2015), specifically Sections 5 (Application) and 27 through 41 (Division 2 Exceptions to Access), and should be considered confidential.

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 (GRC) – The Government Records Committee is the official body mandated to:

- Review and revise schedules for the retention, disposal, destruction or transfer of government records;
- Make recommendations to the minister respecting public records to be forwarded to The Rooms Corporation, Provincial Archives Division;
- Authorize 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. (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.

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)

Information Protection – Information protection (IP) is an area of practice focused on the protection of information from inappropriate access or use, using a variety of means, including, but not limited to, policy and standards; physical and electronic security measures; and compliance monitoring and reporting. IP represents the point at which the management of information converges with security policy and measures. In the Government of Newfoundland and Labrador, departments and other public bodies are required to protect information as part of their accountability under Section 6 of the MOIA.

Integrity – Integrity demonstrates that the record is complete and has been unaltered. It is necessary that a record be protected against unauthorized alteration. (Source: ISO 15489-1:2016)

Lifecycle – The lifecycle refers to the stages through which information is managed. IM strives to manage the records in a manner that facilitates authenticity, reliability, integrity and usability throughout all stages including:

- creation or receipt;
- classification;
- maintenance and use;
- appraisal;
- disposition through destruction or transfer to an archival institution or agency;
- description in archival finding aids;
- preservation; and
- reference and use. (Source: CAN/CGSB-72.34-2017)

OCIO Security Council – The OCIO Security Council is a governance body of the OCIO whose mandate is to oversee the effectiveness of the OCIO's Information Security Strategy and to recommend policies and procedures for Information Protection and Security (IP&S) within the Government of Newfoundland and Labrador.

Personal Information – Personal information means recorded information about an identifiable individual, including:

- The individual's name, address or telephone number;
- The individual's race, national or ethnic origin, colour, or religious or political beliefs or associations;
- The individual's age, sex, sexual orientation, marital status or family status;
- An identifying number, symbol or other particular assigned to the individual;
- The individual's fingerprints, blood type or inheritable characteristics;
- Information about the individual's health care status or history, including a physical or mental disability;
- Information about the individual's educational, financial, criminal or employment status or history;
- The opinions of a person about the individual;
- The individual's personal views or opinions, except where they are about someone else. (Source: ATIPPA, 2015)

Public Body – As defined in 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 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)

IM&P Policy Instruments – IM&P 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 Policy. The OCIO extends the definition to include policy instrument supports such as Webpages, FYIs, FAQs, Quick Reference or Re-Use Materials (template, poster, image, etc.).

Policy – A policy is a high level, strategic statement, authorized by the executive management that dictates what type of position the organization has taken on

specific issues. Compliance is mandatory by all departments and other public bodies.

Directive – Directives provide specific direction to Government and derive their authority from the IM&P Policy. The OCIO has the authority to develop and release directives related to this policy. Compliance is mandatory by all departments and other public bodies.

Standard – Standards are mandatory requirements that support policies and directives and dictate uniform ways of operating by providing tactical blueprints for implementation. The OCIO has the authority to develop and release standards related to this policy. Compliance is mandatory by all departments and other public bodies.

Guideline – Guidelines represent recommended actions, general approaches and operational behaviours often used as templates to write procedures. Guidelines support policy and directives by providing a “how to” approach. The OCIO has the authority to develop and release guidelines related to this policy. Compliance by all departments and other public bodies is recommended but not mandatory.

Procedure – A procedure is a detailed step-by-step, task-level definition of actions required to achieve a certain result. The procedure answers the "How" question and is generally used in an operating environment. These may be mandatory for all departments and other public bodies and can be used to assist in completing tasks.

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

Abbreviation	Description
ATIPP	Access to Information and Protection of Privacy
ATIPPA, 2015	Access to Information and Protection of Privacy Act, 2015
CGSB	Canadian General Standards Board
GRC	Government Records Committee
IM	Information Management
IM&P	Information Management and Protection

Abbreviation	Description
IP	Information Protection
IP&S	Information Protection and Security
ISO	International Standards Organization
MOIA	Management of Information Act
OCIO	Office of the Chief Information Officer

4.0 Statements

4.1 IM&P Policy Statements

1. Government departments and other public bodies must follow this Policy as well as associated policy instruments such as directives, standards, guidelines and procedures to create, manage, protect and dispose of Government information.
2. Policy instruments (directives, standards, guidelines, procedures and others) may be established and/or enforced under the authority provided through this policy.
3. Records in all formats must be managed and protected throughout their lifecycle by any individual who creates or collects the record as part of their responsibility when working on behalf of Government departments and other public bodies; supporting compliance with the MOIA, ATIPPA, 2015 and the Rooms Act.
4. Records and information must be protected from unauthorized access throughout the information lifecycle. Physical and technical means must be applied, as appropriate to the level of sensitivity of the information, taking into consideration requirements to preserve confidentiality, support availability and protect the integrity of the information.
5. Anyone who willfully collects, uses or discloses (i.e., breaches) personal, commercially sensitive and/or confidential information may be subject to consequences under the appropriate personnel policy of Government, up to and including dismissal, depending upon the severity of the breach and may be subject to further penalty under ATIPPA, 2015.

4.2 IM&P Principles

The OCIO is guided by the relevant International Standards Organization (ISO) and Canadian General Standards Board (CGSB) standards for its policy development framework and overall approach. The development of IM&P policy instruments by the OCIO is based upon the following principles:

- **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 IM&P practices throughout Government operations and systems, and the appropriate training of IM 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 disposition (through 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).
- **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.

5.0 Roles and Responsibilities

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).

OCIO Security Council

- Approve and/or recommend policies, directives, standards, guidelines and procedures for IP&S.
- Address IP&S issues to ensure adherence to the OCIO's IP&S Framework and Strategy or to recommend changes to the OCIO Executive.

Departments and other Public Bodies

- Comply with the MOIA, which requires the permanent head of a public body to develop implement and maintain a record management system (also referred to as an Information Management (IM) Program).
- Comply with the IM&P Policy and other policy instruments issued by the OCIO.
- Develop organization-specific policies and procedures complementary to OCIO issued IM&P policy instruments where required.

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.

Cabinet Secretariat

- Responsible for policy direction for Cabinet Records in accordance with Section 5.4 (1) of the MOIA.

Treasury Board

- Approves Government of Newfoundland and Labrador policies.

Government Records Committee

- Makes recommendations to the Minister respecting record retention, disposal and transfer to The Rooms Corporation, Provincial Archives Division.
- Reviews and approves IM&P policy instruments related to the GRC mandate and makes recommendations to the Minister as required.

IM Directors and Equivalent

- Reviews IM&P policy instruments as requested.
- Advises the OCIO on matters related to IM.

Access to Information and Protection of Privacy (ATIPP) Office

- Reviews IM&P policy instruments related to the ATIPP mandate as requested.

The Rooms Corporation, Provincial Archives Division

- Responsible for the long-term preservation of records with archival value as per the Rooms Act, for making these records available for research, and conducting archival appraisals of Government records.
- Reviews IM&P policy instruments related to the mandate of The Rooms as requested.

6.0 Compliance and Enforcement

Mandatory compliance

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

Compliance monitoring

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

Penalty for failure to comply

Willful non-compliance with this Policy, 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 location.

Management of Information Act

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

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>

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
2009-11-19	1.0
2013-01-04	2.0
2018-03-29	3.0
2021-06-07	4.0