



Managing Records in Ministers' Offices: A Guideline

Ministry of Technology and Innovation, Data, Privacy and Innovation
Division

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Introduction

The Government of Alberta (GoA) is a trusted steward of information held on behalf of Albertans. The quality, reliability and integrity of information are critical to good decision making in the government. The GoA's ability to respond to the needs of Albertans depends on how well it can create, use and preserve information to make decisions and take action to achieve its operational and strategic goals. Along with people and finances, information is a key business resource for the GoA and as such, the management of that information is critical to achieving the government's priorities.

Managing Ministers' records requires specific records management guidance for the information produced and used in Ministers' offices. The often sensitive nature of information requires strong foundational guidelines to protect information from security and privacy risks. The integrity, quality, availability and confidentiality of information can be ensured by following standardized government practices for managing records in Ministers' offices.

The [Records Management Regulation \(RMR\)](#) and the [Freedom of Information and Protection of Privacy \(FOIP\) Act](#) guide how information resources, including those in the Ministers' offices, are to be managed from creation to final disposition.

Scope and Audience

For the purposes of this document, the term "Minister" refers to Ministers of the Crown. The records management obligations and the duties of Ministers described in this document also apply to individuals who support the Minister in the execution of ministerial power and duties, including parliamentary assistants and Ministers' office staff.

When government reorganizes, whether departments are merged, created, or there is a change in Ministers responsible for a portfolio, the information in the Ministers' offices must be managed according to established legislation and practices. These changes are usually implemented quickly, so managing information from the beginning is advantageous.

Relevant Acts and Legislation

When managing Ministers' records, there are two essential legal authorities to consider.

The RMR, enacted under the authority of the [Government Organization Act](#), outlines the legal requirements for records management in the GoA. The RMR:

- mandates the government-wide records management program;
- assigns accountability to Deputy Heads for management of records in their custody or control;
- requires retention and disposition schedules for all government records; and
- controls the destruction of government records.

The *FOIP Act* ensures the government be open and accountable to the public by providing a right of access to records and protects the privacy of individuals by controlling the manner in which public bodies collect, use and disclose personal information. The *FOIP Act*:

- requires the government to be open and accountable to the public by providing a right of access to records in the custody or control of the government, subject to limited and specific exceptions and by protecting the personal privacy of individuals; and
- limits the collection, use and disclosure of personal information by the government and sets rules for the protection of personal information.

Records in the GoA

What is a Record?

In the GoA, the *FOIP Act* defines “record” as a record of information in any form and it includes:

- notes;
- images;
- audiovisual recordings;
- x-rays;
- books;
- documents;
- maps;
- drawings;
- photographs;
- letters;
- vouchers;
- papers;
- any other information that is written, photographed, recorded or stored in any manner.

Note: Though records are media neutral, the GoA recognizes the inherent differences between digital and paper records; this guideline provides direction for variances.

Official records are records in the custody or under the control of government organizations that must be retained and filed in official records systems and managed in accordance with government policies, standards and practices. Official records:

- document and provide evidence of business transactions;
- are required by legislation;
- protect the rights of citizens and the government;
- provide evidence of compliance with accountability or other business requirements; and
- have future business, financial, legal, research or archival value to the people of Alberta.

Email is a primary means of communicating in the government and must be managed as records. For more information, refer to the GoA directive on Acceptable [Use of Government of Alberta IT Assets](#).

What Records will you Find in a Minister’s Office?

Official Government Records	Other Records
Departmental records Departmental records are those related to the mandate of the department. These are government records.	Constituency Constituency records are generated or received by Ministers in their capacity as Members of the Legislative Assembly (MLA). These are NOT government records.
Cabinet records Cabinet records are related to Cabinet committees and sub-committees. These are government records.	Personal records Personal records are generated or received by Ministers in their capacity as private citizens. These are NOT government records.

The GoA fosters a disciplined approach to managing information that is consistent across the government and designates accountabilities for managing records, including how to organize and dispose of records found in Ministers’ offices. The records found in a Minister’s office –

departmental, cabinet, constituency and personal – have specific records management requirements and must be followed accordingly.

The length of time that government records are kept and what ultimately happens to them is governed by records retention and disposition schedules (referred to as retention schedules) set up under the authority of the RMR. Retention schedules are legal documents that outline how long government records must be kept and what their final disposition will be (either destruction or archival preservation) at the end.

The vast majority of records are destroyed once they have fulfilled the business purposes for which they were created or received. A small percentage of records, including the records of Ministers' offices, are considered to have enduring value to the government and the people of Alberta and are permanently preserved by the Provincial Archives of Alberta (PAA).

All government employees, including the staff of Ministers' offices, are required to follow the approved retention schedules. Records cannot legally be destroyed before their scheduled retention period has expired and they must be disposed of using authorized secure methods.

Please note: dispositioning of records does not necessarily mean destroying them. The term encompasses two actions, destruction or transfer to the PAA for permanent preservation.

Managing Records in a Minister's Office

Departmental Records

Departmental records are those related to the mandate of the department or the administration of the Minister's office. Examples include:

- specific program policy;
- annual reports; and
- Minister's expense claims.

Some departmental records can be transitory as they do not document or provide evidence of a business transaction. These records can be destroyed or deleted immediately when no longer required. See [Transitory Records](#) below.

The Deputy Minister's office, correspondence unit or a central records repository in the department should maintain the Minister's records relating to the department and agencies, boards and commissions (ABCs) that report through the Minister.

Accountability

The department and agencies are primarily responsible for the management of Minister's departmental records. The Minister's office only maintains the Minister's personal and constituency records, while Executive Council is responsible for Cabinet records.

The RMR stipulates that each **Deputy Head** (Deputy Minister of a department or CEO of a government agency) is ultimately accountable for the management of information in the custody or under the control of their department.

Senior Records Officers (SROs) are designated by the Deputy Head to establish and implement a records management program in the department or ABC. The SRO is responsible for ensuring the proper creation, handling, organization, maintenance, scheduling and disposition of all records in the custody or control of an organization.

Organize

The Minister's office retains only those departmental and ABC records needed for current business and returns those records to the department or ABC when no longer needed.

Departmental records are managed in the department according to the business area classification.

Dispose

Ministers' offices should work with their Deputy Ministers' offices to transfer their departmental records back to the appropriate department, where they will follow the Retention Schedule for that business area.

- Paper records can be boxed using boxes from the Alberta Records Centre (ARC).
- Electronic records can be downloaded onto CDs or flash drives.
 - The [government's security policies](#) require that all information stored on mobile computing devices be encrypted and that all sensitive information on portable storage devices such as flash drives be encrypted.
- Administrative records may be disposed of using the Administrative Records Disposition Authority (ARDA), the common schedule for administrative records. ARDA is available

on the government Enterprise Information Management website at
<https://www.alberta.ca/managing-government-information.aspx#jumplinks-10>.

Exceptions to Destruction

Departmental records destruction must be halted for specific records when:

- a FOIP request has been received;
- records are responsive to litigation that has been commenced; or
- records are relevant to litigation that is reasonably anticipated.

Records destruction can continue once the:

- FOIP request has been closed;
- litigation is completed and appeals are exhausted; or
- scope of the litigation has changed and counsel advises that the records are no longer responsive.

Email mailboxes, deleted items in recycle bins and transitory records are all included under legal and FOIP holds.

Cabinet Records

Cabinet records are related to the activities of the Cabinet, including Cabinet committees and sub-committees. They include:

- approval of government policy;
- recommendation for approval of Orders in Council;
- Cabinet committee agendas and minutes; and
- standing Policy Committee task force documents.

Some records held by Cabinet Ministers will be transitory as they do not document or provide evidence of a business transaction. These records can be destroyed or deleted immediately when no longer required. See [Transitory Records](#) below.

Accountability

Executive Council is the official custodian of the master set of Cabinet records and has scheduled these records for permanent retention by the PAA. Since the Minister's set of Cabinet records may not be identical to the Executive Council's master set, a separate Retention Schedule is used to preserve these records.

Organize

Cabinet records should be managed separately from the departmental records, as well as the constituency and personal records.

Dispose

During a transition of government:

- members of an outgoing Cabinet, regardless of whether they are the same or a different political party, shall not remove or dispose of Cabinet records or departmental records; and
- members of an outgoing Cabinet, regardless of whether they are the same or a different political party, may remove or dispose only of personal and constituency records.

Cabinet and committee documents, including attachments, require special handling. Executive Council has a master schedule for the disposition of Cabinet documents. Contact the office of the Deputy Secretary to Cabinet for assistance.

Constituency and Personal Records

Constituency and personal records are generated or received by Ministers in their capacity as MLAs and private citizens. The requirements of the GoA's records management program do not apply to this category of records as they are not government records and they remain the Minister's personal property.

Constituency and personal records relate to:

- constituency business and matters relating to a Minister's role as a MLA;
- political party matters such as election campaigns, party organization, caucus affairs and appointments; or
- the Minister's private life and personal, business or professional interests.

Accountability

Constituency and personal records do not fall under the RMR or the *FOIP Act*. The Minister is responsible for the management and disposal of these records.

Organize

Constituency and personal records should be managed separately from departmental and Cabinet records.

These records are to be managed by the Minister's office. Contact the SRO for guidance.

Dispose

When a Minister changes portfolios or leaves office, there are several options available to the Minister for disposing of constituency or personal records. The Minister can decide to:

Donate the records to the PAA.

- Some constituency records may contain personal or other sensitive information. The SRO for the Legislative Assembly Office and the PAA should be consulted to determine the best approach before a decision is made to donate them and to determine whether any access restrictions are necessary if they are transferred.

Deposit the records with the Legislative Assembly.

- If a Minister leaves without giving instructions about what should be done with their personal and constituency records, the Legislative Assembly can secure the records in the Legislature Building vault and obtain instructions from the Minister or their estate directly. Do not send the records to the department.

Arrange for the Minister to take the records with them.

- If a Minister chooses this option, the paper records should be boxed and removed along with their other personal effects. Electronic records should be downloaded onto CDs or thumb drives and securely deleted from the computer and servers.

Destroy the records.

- Paper: Use the shredders that are available in the Legislature Building or ask the SRO to arrange for shredding by the ARC.

Electronic: Electronic records should be deleted from the computer and servers. The electronic recycle bins and deleted items repositories should also be purged to ensure complete deletion.

Transitory Records

Not all records that are created or received have to be treated as official records. Some will have no further value to government beyond an immediate or minor transaction. Others might be required only for a very short time, perhaps until they are made obsolete by an updated version of the records or by a subsequent transaction or decision. These are transitory records and should be routinely destroyed or deleted.

Transitory records include:

- documents containing information that is of minor importance and only temporary (immediate or very short-term) value and that will not be needed again in the future;
- exact duplicates of a document where no information has been added or deleted (if notes are added to a duplicate it becomes a new record and this new record may or may not be transitory);
- drafts and working papers used to prepare a final document;
- publications (e.g., books, magazines, brochures, newspapers, etc.) from external sources that will not have any future value;
- junk mail and advertising material, including spam, that will not have any future value; and
- blank information media (e.g., forms that have not been completed) that have become obsolete.

If there is any doubt about the status of a record, do not treat it as transitory. A Post-It note that documents an approval, recommendation or business transaction that could help guide future administrative, financial or legal decisions may appear to be transitory because of its format, but it must be kept.

For more information see [Official and Transitory Records: A Guide for Government of Alberta Employees.](#)

Dispose

Transitory records may be disposed of under the authority of Retention Schedule #1995/007; take the following into account when deciding how to dispose of them:

- non-confidential paper transitory records can be recycled without being shredded;
- confidential paper transitory records should be securely shredded and the shredded material securely disposed of. If you have large volumes that need to be securely shredded, contact your SRO. The government standard for shredding government records is the cross hatch shred;
- when disposing of electronic records, such as electronic mail or electronic documents, purge the electronic recycle bins and deleted items repositories. For secure destruction of transitory records on other media – such as audio/visual tapes, microfilm, flash drives, CDs and DVDs – contact your SRO;
- destruction of transitory records must be stopped if these records are responsive to a FOIP request or litigation.

Paper Transitory Records	Electronic Transitory Records
<p>Non-confidential paper transitory records</p> <p>Recycle non-confidential paper transitory records. The paper is transported to a central facility where it is sorted by paper grades, then recycled on-site or resold and shipped to other recyclers.</p>	<p>Process for disposal of confidential and non-confidential transitory records is the same</p> <p>Routinely delete email messages, spreadsheets. Messages or documents might be automatically deleted by a system after a specified period of time, or when an individual's allocated workspace on a network server is full.</p>
<p>Confidential paper transitory records</p> <p>Confidential transitory records should be collected and disposed of through a secure process in your business unit. Destruction is carried out through secure shredding arranged by the ARC.</p>	<p>Duplicates and drafts located on various devices such as: your C:\ drive, your individual work spaces on networks, shared drives, active and archived email folders, disks, laptops and other portable computing devices must be deleted.</p> <p>Physically destroy the media such as microfilm, audio/video tape, thumb drive, CDs, DVDs or magnetic tapes.</p> <p>Double delete – remember to purge the electronic recycle bins and deleted items repositories.</p>

Contacts

Enterprise Information Management (Technology and Innovation)

(780) 427-3884 Email SA.InformationManagement@gov.ab.ca

Website: <https://www.alberta.ca/enterprise-information-management.aspx>

Information Management Portfolio Directors

<https://imtpolicy.sp.alberta.ca/Pages/Contacts.aspx>

Senior Records Officers

<https://www.alberta.ca/assets/documents/IM-SRO-List.pdf>

FOIP Coordinators

<https://www.alberta.ca/lookup/find-a-foip-coordinator.aspx>

Provincial Archives of Alberta (Culture)

(780) 427-1750 Website: <http://provincialarchives.alberta.ca/>

Appendix A: Checklist for Ministers' Offices

Departmental Records Checklist

Contact: Department Senior Records Officer

Form: Records Inventory Form No: ADMINSA2549

Retention Schedule: Appropriate departmental and GoA Schedules

1	Ensure Departmental Records are separated from Cabinet/Personal/Constituency Records	<input type="checkbox"/>
2	Inventory Records using Records Inventory Form No: ADMINSA2549 <ul style="list-style-type: none">• Box paper records• Securely download or transfer electronic records	<input type="checkbox"/>
3	Identify and dispose of transitory records	<input type="checkbox"/>
4	Determine which office the records belong to	<input type="checkbox"/>
5	Contact SRO to arrange for transfer	<input type="checkbox"/>

Cabinet Records Checklist

Contact: Office of the Deputy Secretary to Cabinet

Form: Records Inventory Form No: ADMINSA2549,

PAA Records Transfer Notice Form No: ADMINSA0052

Retention Schedule: Ministers' Offices Schedule 2002/041-A001

1	Ensure Cabinet Records are separated from Department/Personal/Constituency Records	<input type="checkbox"/>
2	Inventory Records using Records Inventory Form No: ADMINSA2549 <ul style="list-style-type: none">• Box paper records• Securely download or transfer electronic records	<input type="checkbox"/>
3	Apply Ministers' Office Schedule 2002/041-A001 to records	<input type="checkbox"/>
4	Identify and dispose of transitory records	<input type="checkbox"/>
5	Contact Provincial Archives of Alberta (PAA) to inform them of pending transfer	<input type="checkbox"/>
6	Complete PAA Records Transfer Notice Form No: ADMINSA0052	<input type="checkbox"/>
7	Contact Office of the Deputy Secretary to Cabinet to arrange for transfer	<input type="checkbox"/>

Personal and Constituency Records Checklist

Contact: Legislative Assembly Office (LAO) (Senior Records Officer)

Forms: Agreement with PAA

Retention Schedule: No Schedule

1	Ensure Personal and Constituency Records are separated from Department/Cabinet Records	<input type="checkbox"/>
2	Inventory Records <ul style="list-style-type: none">• Box paper records• Securely download or transfer electronic records	<input type="checkbox"/>
3	Identify and dispose of transitory records	<input type="checkbox"/>
4	Determine and obtain written permission of which option the minister would like to make	<input type="checkbox"/>
5	If boxes to be transferred to PAA, complete PAA Records Transfer Notice and inform PAA and LAO	<input type="checkbox"/>
6	If boxes to be destroyed arrange for destruction with LAO	<input type="checkbox"/>
7	If boxes to be transferred to LAO, contact Executive Council to arrange for transfer	<input type="checkbox"/>
8	If boxes to be taken by the Minister, provide assistance as needed	<input type="checkbox"/>

Appendix B: Minister's Office Schedule

Government of Alberta ■
Service Alberta
Alberta Records Management Committee

Records Retention and Disposition Schedule

Organization Name Service Alberta ** All GoA **	Org Code SA **	Schedule Number/Status 2002/041- A001 Approved
Program/Service Name: Ministers' Offices		

SCHEDULE ADMINISTRATION

Type: Continuing Schedule	Organization Chart: External Documents: Comments: Y		
Related Schedule(s): 1986/050 Administrative Records Disposition Authority (ARDA)			
Cancels/Replaces Schedule(s):			
Amendment History			
Number A001(Minor)	Amendment to 2002/041	Date Approved Jul 14, 2017	Item(s)
Reason for Amendment: This amendment updates the purpose/function, brief history, item description and media types to bring the schedule into line with current practices for cross-ministry schedules.			
Schedule Transfer History ----- None -----			
Schedule Cancellation History ----- None -----			

SCHEDULE APPROVALS

Senior Program Manager:	Minor Amendment, SPM Signature not Required	Date: Dec 08, 2006
Senior Records Officer:	Clarke, Garth	Date: May 03, 2017
ARMC Chair:	Secretary, ARMC	Date: Jul 14, 2017
APPROVED IN ACCORDANCE WITH RECORDS MANAGEMENT REGULATION (A.R. 224/2001) AND		

PROGRAM/SERVICE INFORMATION

Purpose/Function

Each Minister is supported by an office that manages the records created and received in the course of ministerial governance of departmental activities as well as supporting constituency-related activities of the Minister as a Member of the Legislative Assembly (MLA).

Records found in ministerial offices are divided into two categories: (1) Departmental records; and (2) Personal and Constituency records.

Departmental records:

Are administrative and operational records created and received by the office of the Minister that are related to each Minister's mandated duties and to the administration of the ministerial office.

Personal and Constituency records:

Records created or received by Ministers in their capacity as private citizens, and in their role as MLAs.

Handling Departmental Records (Created After April 1st 1995)

Departmental records created or received after April 1st, 1995 fall within the scope of the Records Management Regulation (AR 224/2001).

This category of records remain the property of the Crown and must be managed in accordance with government records management policies, standards and practices.

Deputy Heads of departments are responsible under the Regulation for the proper management of ministerial office Departmental records; Ministers also have a duty to ensure that their Departmental records are properly managed. This obligation extends to those individuals who support the Minister in the execution of ministerial powers and duties, including parliamentary assistants and the Minister's office staff.

Note on Handling Ministers' Personal and Constituency Records (Created After April 1st, 1995)

Personal and Constituency records are not subject to the Regulation and are considered to be the personal property of each Minister. Ministers may decide to donate privately their Personal and Constituency records to the Provincial Archives of Alberta (PAA) or another archival institution. SROs must ensure that Personal and Constituency records are treated in this manner for those records created after April 1st, 1995.

Note on Handling Ministers' Records Created Prior to April 1st, 1995

All Ministers' records that were created **prior to April 1st, 1995**, remain the property of the respective Minister. If a department or agency has custody of such pre-April 1st, 1995 records, the Minister or an alternate person authorized to act on behalf of the Minister must be contacted to arrange for appropriate dispositioning of those records.

Brief History

From the inception of the Province of Alberta in 1905, Ministers of the Crown owned their copies of all the records created or filed in their offices.

In 1995, the Records *Management Regulation*, enacted under the authority of the *Government Organization Act*, designated all ministerial Departmental and Cabinet records (created after April 1st, 1995) as the property of the Crown and part of the Government of Alberta's records management program. This change in regulation did not

affect the ownership of ministers' personal and constituency records.

Mandate/Legal Authority

OPINIONS

No Opinions Requested.

SCHEDULE ITEMS

1.0 Ministers' Departmental and Cabinet Records

Information that relates directly to Ministers' portfolio responsibilities and other government responsibilities assigned to the Ministers by Legislation or Cabinet. These records may be maintained in a Minister's office, or specifically on behalf of a Minister in another location, and relate to:

- the core business functions, activities, programs and services of reporting departments and agencies;
- the relationship between Ministers' offices and other ministries, other jurisdictions, or with Members of the Legislative Assembly, outside organizations and individuals; and
- Ministers' participation in Cabinet and Cabinet Committees.

Date Range: April 1, 1995 to date

Media:

Other: All media

Legal Reference:

FOIP Ref :

Closure Criteria: Superseded or obsolete or when a Minister leaves office or changes portfolio	Retention On-site: 0 Year(s)	Retention Off-site: 0 Year(s)
Concurrence Conditions: Providing no outstanding FOIP requests	Final Disposition: Archives	

Items to be cancelled:

None

COMMENTS

(TRANSFER) 7/17/2007 Comments: SRO: Hollow,Damian. (TRANSFER) 8/1/2007 Comments: Please amend to include GoA SRO: Hollow,Damian.