

Orphaned Records Guideline

Data and Content Management Division, Enterprise Content Management Branch

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Guideline Statement

This guideline outlines activities and accountabilities staff and/or business areas are to undertake when orphaned¹ Government of Alberta (GoA) records are discovered. Incidences of truly orphaned records are rare. However, when these records are discovered, it is essential to determine the appropriate information controller and business areas that should have custody and control of these records to continue the information management (IM) lifecycle.

This guideline supports the requirements of the [Content Management Policy](#) and the [Information Controller and Custodian Directive](#).

Authority

This guideline is issued under the authority of the [Government Organization Act](#) and the [Records Management Regulation](#).

Under the Records Management Regulation, Technology and Innovation has the authority to establish, maintain, and promote enterprise policies, standards, and procedures for the creation, handling, control, organization, retention, maintenance, security, preservation, disposition, alienation, and destruction of records in the custody and/or under the control of a Government of Alberta department or departments.

Application

This guideline applies to all departments defined under section 14 of Schedule 11 of the *Government Organization Act* and agencies, boards, and commissions as defined in schedule 1 of the [Freedom of Information and Protection of Privacy Regulation](#).

Agencies, boards, and commissions not contained within schedule 1 of the Freedom of Information and Protection of Privacy Regulation are encouraged to align with this guideline.

Definitions

Orphaned Records: GoA records where the information controller and/or the business area responsible for their management are not known².

Information Controllers: Information controllers have the responsibility and decision-making authority for assigned collections of information, including (but not limited to) regulating and administering use, disclosure, and/or disposition of information.

Source: [Information Controller and Information Custodian Directive](#)

Record: a record of information in any form and includes notes, images, audiovisual recordings, x-rays, books, documents, maps, drawings, photographs, letters, vouchers and papers and any other information that is written, photographed, recorded, or stored in any manner, but does not include software or any mechanism that produces records.

Source: [Freedom of Information and Protection of Privacy Act](#)

¹ An alternative term for records without a clearly identified information controller is abandoned records. However, the preferred term within GoA is orphaned records.

² Other definitions of orphaned records exist in the context of database management. However, the above definition is the preferred records management term in the GoA.

Guideline Description

Due to a variety of factors (e.g., government reorganization, defunct programs, decommissioned applications, etc.), records may become orphaned when disconnected from the appropriate business area that is responsible for custody and control.

This guideline outlines necessary activities when orphaned records are identified. These steps include, but are not limited to:

- identifying Information Controllers;
- determining which records retention and disposition schedules apply; and
- communicating with IM professionals, etc. when records (digital or physical) are discovered that are under their custody, but the appropriate controller or original business area is unknown.

It is essential to identify the appropriate information controller for all records to ensure they are managed in accordance with approved policy instruments (such as records retention and disposition schedules).

Guideline Specification

As per section 9 of the [Records Management Regulation](#), the deputy head of a department is ultimately accountable and responsible for the information in the custody and/or under the control of the department as the information controller. This role may be further assigned to other positions in the department.

IM professionals and other GoA staff (including, but not limited to, employees, contractors, volunteers, appointees, interns, and students working with a public body) who discover the records should adhere to this guideline to identify the appropriate information controller and assist with managing orphaned records. It is important that all individuals collaborate to fulfill all mandatory content management requirements.

When Orphaned Records are Discovered

Generally, the steps involved once orphaned records are discovered include:

- The business area staff that discovered records they believe to be orphaned contact [IM Programs](#). This initial step establishes collaboration and communication through a single point of contact.
- The staff that discovered the records can attempt to provide context about the records, such as the location, quantity, and format. This information is useful to identify a potential information controller, the applicable records retention and disposition schedule and appropriate next steps in managing the records.
- An IM Programs team member will communicate and coordinate with other appropriate IM professionals to determine the activities necessary to identify what area should have custody and/or control of the records and next steps for moving records or processing the records for final disposition (if applicable).

The process may also involve coordination with areas including, but not limited to Active File Management; Transfers, Storage and Disposition, both within Technology and Innovation; and other individuals representing the business area that is the appropriate custodian of the records.

The areas referenced above may have historical knowledge about the records (i.e., traced the history of similar records needing to be moved to a department that has custody/control of them) and this knowledge can be beneficial to move the records to the appropriate controller/custodian.

<https://imtpolicy.sp.alberta.ca>

Information Controller Role

As per the [Information Controller and Information Custodian Directive](#), at a minimum, all information and systems/applications in the GoA must have a documented information controller.

If staff cannot identify the information controller within a reasonable period, the orphaned records should be securely delivered to the custody of Active File Management in the case of hardcopy records or IM Programs should ensure that GoA staff or contractors who maintain or administer information technology systems and applications take custody of electronic records. This ensures the records are under the responsibility of IM professionals who can safeguard the records until the information controller is identified.

Situations may occur in which, once identified, information controllers object to assuming control of the records. Despite the objection, if a department or business area is currently accountable for the business activity that created or collected certain records, then those records are under the control of that information controller.

NOTE: If all efforts to identify the information controller have been exhausted, IM staff should contact the Alberta Records Management Committee (ARMC) Secretariat at TI.ARMCSecretariat@gov.ab.ca to assist in escalation and resolution.

Risks of non-action

Orphaned records create risk to the GoA with respect to protection of privacy, over-retention, and/or unauthorized disclosure of information.

Records in the custody of the wrong business area may prevent access to relevant information required for business processes and appropriately responding to situations such as FOIP access requests, or legal holds.

It is essential that business areas promptly communicate with IM Programs either through the [contact list](#) or an [IM Advice and Consultation Service Request Form](#) to receive accurate advice and consultation to ensure the records are returned to the correct business area.

Prevention

The GoA must work proactively to minimize orphaned records. To do this, departments need to continue to maintain responsibility for records even after programs end. Additionally, when programs are transferred between departments, both the original and the receiving departments must ensure all program records are transferred.

To prevent future occurrences of orphaned records, business areas should consult guidance such as [Managing Information During a Government Reorganization](#), [Information Controller and Information Custodian Directive](#) and other [IMT policy instruments](#) to understand content management requirements during government reorganizations or other events that could result in orphaned records.

Business areas can engage in activities to reduce the potential for records being orphaned such as properly decommissioning electronic systems in accordance with enterprise requirements after they are no longer needed (i.e., SharePoint migration, shared email cleanup, etc.) and thoroughly scanning physical workspaces for records when moves occur.

Roles and Responsibilities

Information controllers have the responsibility and decision-making authority for assigned collections of information, including (but not limited to) regulating and administering use, disclosure, and/or disposition of information. Within the context of orphaned records, information controllers are responsible for ensuring records remain in or are returned to the custody of authorized entities and in authorized storage locations and systems.

IM Programs professionals are responsible for advising and coordinating with IM and information technology professionals and business areas to ensure orphaned records remain secure and managed in accordance with established enterprise and department policy instruments. IM Programs professionals can also provide guidance to confirm appropriate information controller for the records.

GoA Staff (Including but not limited to employees, contractors, volunteers, appointees, interns, and students working with a public body) are responsible for understanding their content management obligations.

Compliance

Non-compliance with this guideline could result in the loss of content; breach of confidentiality; breach of privileged information; significant impact to GoA's proprietary rights; damage to GoA's reputation; exposure of Albertans to harm; and/or incurrence of unnecessary costs (including, but not limited to, inability to respond appropriately to a claim in court).

Depending on the severity of non-compliance:

- either informal or formal requests and/or follow-ups may be made by Data and Content Management Division, Corporate Internal Audit Services, Cybersecurity, Privacy Services, Office of the Information and Privacy Commissioner, Office of the Auditor General and/or Public Service Commission, and
- legislated disciplinary action (i.e., [Public Service Act](#)) may be taken.

Contact

For information management support, please contact [IM Programs](#) or GoA.InformationManagement@gov.ab.ca