

Retention and Disposition of Official and Transitory Records Guideline

Data and Content Management Division, Enterprise Content Management Branch

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Guideline Statement

The intent of this guideline is to:

- educate and empower government staff to properly handle and dispose of transitory records; and
- communicate the requirements and procedures that government staff must follow for the retention and disposition of official records.

This guide supports the [Official and Transitory Records 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 the 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 that are not contained within Schedule 1 of the [Freedom of Information and Protection of Privacy Regulation](#) are encouraged to align with this guideline.

Guideline Description

This guideline is designed to assist Government of Alberta (GoA) staff with understanding retention and disposition activities related to official and transitory records. GoA staff includes, but is not limited to, employees, contractors, volunteers, appointees, interns, and students working with a public body

Regardless of whether a record is official or transitory, all records must be managed in accordance with government information management policy instruments (e.g., relevant records retention and disposition schedule).

Guideline Specification

All records in the custody and/or under the control of the GoA must be retained and disposed of in accordance with approved records retention and disposition schedules.

For further information on retention and disposition activities, please contact the appropriate records management contact.

Retention

Transitory and official records are retained and disposed of based on the requirements of the relevant [records retention and disposition schedule](#).

A records retention and disposition schedule (“retention schedule”) is a legal document that outlines how long records are to be retained, where they are to be stored for the duration of their retention period, and what their final disposition will be. The total retention period should be the minimum amount of time required to satisfy legal, financial, and business requirements.

Closure criteria, (i.e., the closure trigger) is the event or business rule that signifies when the record is closed and the retention period starts (e.g., the closure criteria for some financial records is fiscal year end, the closure criteria for some policy instruments is publication).

- For **transitory records**, the closure criteria is satisfied when the record no longer serves a function or purpose. For a detailed list of closure criteria please refer to the [Transitory Records Schedule](#).
- For **official records**, the closure criteria is outlined in the relevant records retention and disposition schedule. Determining if closure criteria has been met is the responsibility of the information controller in collaboration with the Transfers, Storage and Disposition (TSD) team.

Transitory Records Retention

There is no legal obligation or requirement to maintain transitory records once their closure criteria has been satisfied. Maintaining transitory records indefinitely presents a risk—risk of accidental disclosure, information loss, and substantial increase in the resources necessary to manage records (including, but not limited to, responding to litigation or information access requests made under the *Freedom of Information and Protection of Privacy (FOIP) Act*).

Official Records Retention

The retention of official records is based on the requirements of the relevant retention schedule for that business function and/or activity. Once a record has been determined to be official, it must be retained in an official information management system (e.g., SharePoint Online, 1GX, file rooms), and remain accessible to the relevant business area for the full duration of the retention period.

Disposition

Disposition is the final stage of the information management lifecycle for official records that have met their full records retention period. Disposition can be identified as Archives (i.e., the records are transferred to the Provincial Archives of Alberta for permanent preservation), Destroy (i.e., the records are securely destroyed or deleted), or Transfer (e.g., the records are alienated and transferred to appropriate custodian).

NOTE: Records eligible for final disposition, according to the relevant records retention and disposition schedule must be reviewed beforehand to ensure they are responsive to any active and/or reasonably anticipated litigation and/or access to information requests. If records are on hold due to litigation or reasonably anticipated litigation or because they are the subject of a FOIP access to information request, they **must be retained** until the hold is lifted.

Transitory Records Disposition

The final disposition for all **transitory records** is “Destroy”. The [Official and Transitory Records Directive](#) empowers government staff to destroy or delete **transitory records** once their closure criteria have been satisfied under the Transitory Records Schedule.

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Electronic transitory records can be securely disposed of by deleting them from their storage location. After deletion, the records move to the digital recycle bin or deleted items folder, where they must be permanently deleted to ensure the records are not reasonably recoverable.

Physical (i.e., paper) transitory records can be securely disposed of via the Transitory Records Program operated by TSD.

The Transitory Records Program ensures:

- transitory locked bins are located in most business areas to provide staff with a secure location to place their physical transitory records so they can be moved offsite for secure disposition (i.e., destruction); and
- larger volumes of boxed transitory records beyond what can fit within a business area's transitory locked bin can be managed in coordination with TSD through boxing and transfer procedures.

For information about the Transitory Records Program, contact [TSD](#).

Official records, whether in physical or electronic format, must be securely disposed of by (or in consultation with) TSD in accordance with relevant records retention and disposition schedules. Official records disposition activities are completed by TSD in consultation with business area staff, information controllers, system and/or application administrators, and Senior Records Officers (SROs) as required.

For information about preparing official records for final disposition, contact TSD.

Reasonable Recovery

If records have been disposed of but have not yet gone through the full disposition process (i.e., have not been officially pulled and destroyed), there is an expectation of “reasonable recovery” in the event of an information access request and/or litigation hold. Records that can be reasonably recovered must be restored in their original format to their original storage location and reviewed for potentially responsive records.

Physical records are considered reasonably recoverable if they have not yet been placed in the transitory locked bin and/or sent to the Alberta Records Centre (ARC). **Electronic records may be reasonably recoverable if they** have been deleted from their original location but are still located in the digital recycle bin and/or deleted items folder.

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, Innovation, Privacy and Policy Division, Corporate Internal Audit Services, Cybersecurity, 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.

Supporting Resources

- [Official and Transitory Records Directive](#)
- [Identifying Official and Transitory Records Guideline](#)
- [Information Controller and Information Custodian Directive](#)
- [Information Controller and Information Custodian Guideline](#)
- [Safeguarding Government Information Guide](#)

Contact

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