



Where ideas work

## Information and Communications Technology (ICT) Agreement

### Information Management and Information Technology Management

I, \_\_\_\_\_, have received a copy of the Standards of Conduct and the Policy Directive dated March 21, 2014 entitled 'Appropriate Use of Government Information and Information Technology Resources' and understand my responsibilities regarding the appropriate use of government information and communications technology.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

pc: BCPSA HR Client Services for Employee Personnel File

## Office of the Chief Information Officer Policy Directive

<b>DIRECTIVE:</b>	1/14
<b>SUBJECT:</b>	Appropriate Use of Government Information and Information Technology Resources ("Appropriate Use Policy")
<b>AUTHORITY:</b>	Chapter 12 of the Core Policy and Procedures Manual (CPPM)
<b>EFFECTIVE DATE</b>	March 21, 2014

### **Purpose:**

The purpose of this directive is to set out the policy requirements that all government employees must follow when:

- accessing and managing government information (particularly confidential information); and,
- using information technology (IT) resources.

Additional policies and procedures may be established at the ministry level to support employee compliance with, and monitoring of, this directive and/or to augment this directive with policies and procedures specific to that ministry's information holdings or organizational structure.

Compliance with this directive, and supporting ministry policies and procedures, will ensure that government information is appropriately protected while remaining accessible to those who need it and are authorized to access it. Ultimately, appropriate use of government information and IT resources will ensure that government is able to deliver effective and efficient services to citizens while meeting its statutory obligations to protect information.

### **Application:**

This policy applies to all ministries, agencies, boards and commissions reporting or responsible to the Government of British Columbia.

### **Advice on this Directive:**

Advice on this Directive can be obtained from the:

Information Stewardship and Policy Branch  
Office of the Chief Information Officer  
Ministry of Technology, Innovation and Citizens' Services

Email: [im.itpolicy@gov.bc.ca](mailto:im.itpolicy@gov.bc.ca)

Version	Date	Changed By	Description of Change
1.0	March 21, 2014	Colleen Rice	

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## Definitions:

The following key terms are defined below and appear in bold font throughout the document.

**Confidential Information** is a category of **Government Information** with confidentiality requirements. It includes, but is not limited to:

- cabinet confidences (for example, a briefing note to Cabinet);
- government economic or financial information (for example, information about a proposed administrative plan that has not yet been implemented or made public);
- information harmful to intergovernmental relations (for example, information received in confidence from another government);
- third party business information, where its disclosure could harm the third party;
- **Personal Information**;
- legal advice or law enforcement information.

**Device:** an IT Resource that can connect (wired, wireless or cellular) to the government network, including but not limited to computers, laptops, tablets, smartphones, and cellphones.

**Employee:** an individual working for the Government of British Columbia, including **Service Providers** or volunteers.

**Government Information:** means all recorded information relating to government business, regardless of format, that is received, created, deposited or held by any ministry, agency, board or commission reporting or responsible to the Government of British Columbia.

**Information Incident** is a single or a series of unwanted or unexpected events that threaten privacy or information security, including a privacy breach or the collection, use, disclosure, access, disposal, or storage of information, whether accidental or deliberate, that is not authorized by the business owner of that information.

**IT Resources:** information and communication technologies that include, but are not limited to: information systems, **Devices**, and the government electronic network.

**Least Privilege:** a principle requiring that each subject in a system be granted the most restrictive set of privileges (lowest clearance) needed to perform their employment duties. The application of this principle limits the damage that can result from accident, error or unauthorized use.

**Need-to-know:** a principle where access is restricted to authorized **Employees** that require it to carry out their work. Employees are not entitled to access merely because of status, rank, or office.

**Personal Information:** is recorded information about an identifiable individual other than (business) contact information.

**Portable Storage Device:** is a portable (or removable) device that is primarily designed to store electronic information, for example an external hard drive or a USB flash drive.

**Protected Government System:** a computer system in a data centre that has met the approved security requirements for the storage of **Confidential Information** (for example, an **Employee's** network drives). This does not include the hard drives of computers, laptops, tablets, smartphones or other **Devices**.

**Record:** is anything that is recorded or stored by graphic, electronic, mechanical or other means, including books, documents, maps, drawings, photographs, letters, vouchers, and papers.

**Service Provider:** means a person retained under contract to perform services for the Government of British Columbia.

## **Roles and Responsibilities:**

### **Deputy Ministers or Equivalent**

Deputy Ministers (or equivalent positions) are responsible for ensuring that ministry specific policy and procedures are developed, where necessary, to support the Appropriate Use Policy.

### **Government Chief Information Officer**

The Government Chief Information Officer is responsible for issuing corporate policy, directives and guidelines on the appropriate use of government IT Resources and Government Information.

### **Ministry Chief Information Officers or Equivalent**

Ministry Chief Information Officers (or equivalent positions) are responsible for developing ministry-specific policies and procedures, where necessary, to support the Appropriate Use Policy.

In addition, Ministry Chief Information Officers are responsible for providing support to supervisors in their respective ministries to ensure that supervisors have the information and training necessary to fulfill their responsibilities as set out in this policy.

### **Supervisors**

Supervisors are responsible for ensuring that **Employees** are made aware of their responsibilities concerning the appropriate use of **Government Information** and government IT **Resources**.

They are also responsible for ensuring that **Employee** access to **Confidential Information** is based on the principles of **Need-to-Know** and **Least Privilege** and for reviewing that access level annually.

They are responsible for ensuring that **Employees** receive the level of training (including privacy, security and records management training) necessary to perform their duties.

In addition, supervisors are responsible for approving the downloading of applications and software by **Employees**. This includes exercising due diligence to ensure that applications and software that are approved for download meet the requirements of this policy.

Further, supervisors are responsible for approving **Employees'** ability to work outside the workplace with **Confidential Information** and ensuring compliance with the Working Outside the Workplace Policy.

### **Employees**

**Employees** are responsible for complying with this policy and for seeking direction from their supervisors if they have questions regarding this policy.

## Policy:

### A. General Requirements

1. **Employees** must comply with the Standards of Conduct for Public Service Employees when:
  - a) collecting, accessing, using, disclosing or disposing of **Government Information**;
  - b) using **IT Resources**, whether that use is directly related to their employment duties or not; and,
  - c) accessing third party hosted sites (e.g. Facebook and Twitter) in a manner that could be perceived as representing government. For more information on the use of Social Media, please see the Social Media Guidelines.
2. Supervisors must ensure that **Employees** are made aware of their responsibilities concerning the appropriate management of **Government Information** and **IT Resources**:
  - a) at the commencement of their employment;
  - b) when a significant change occurs respecting their access to, or authorized use of, **Government Information** or their use of **IT Resources**, including but not limited to:
    - i. the issuance a new **Device**; and
    - ii. access to a new information database.
  - c) when a new or updated version of this directive or similar policy is issued; and
  - d) annually for **Employees** that have access to a significant amount of **Confidential Information**.
3. Supervisors must ensure that **Employees**:
  - a) understand what **Confidential Information** is and the ministry policies and procedures that must be followed when accessing and managing **Confidential Information**; and
  - b) have received training appropriate to their position respecting the management of **Confidential Information** (including privacy, security and records management training) and what to do if an **Information Incident** occurs.

For further information on **Information Incidents** please refer to The Information Incident Management Process.

4. Ministry Chief Information Officers (or equivalent positions) must develop ministry-specific policies and procedures, where necessary, to support **Employee** compliance with, and monitoring of, this policy.

5. Deputy Ministers (or equivalent positions) must ensure that ministry-specific policies and procedures are developed, where necessary, to support **Employee** compliance with, and monitoring of, this policy.

## **B. Collection, Access, Use, Disclosure, Storage and Disposal of Government Information**

6. **Employees** must collect, access, use, disclose and dispose of **Government Information** in accordance with policy and law. For example, disposal of information must be done in accordance with approved records schedules, and collection, access, use and disclosure of **Personal Information** must be in accordance with the *Freedom of Information and Protection of Privacy Act* and its supporting policies.
7. Supervisors must authorize an **Employee's** access to **Government Information** based on the principles of "Need-to-know" and "Least Privilege". Specifically, an **Employee** should have access to the least amount of **Confidential Information** that is necessary to perform their duties.
8. Supervisors must review an **Employee's** level of access to **Confidential Information** at least once per year to ensure that their access level remains necessary and appropriate for the performance of their duties.
9. **Employees** must not collect, access, use, disclose or dispose of **Confidential Information** unless authorized to do so and it is necessary for the performance of their duties.
10. **Employees** must respect intellectual property rights. For example, **Employees** must not use, reproduce, modify or distribute programs or data if they have not received permission from the intellectual property owner to do so.

For more information on intellectual property rights please contact the Intellectual Property Program.

11. **Employees** must store electronic **Records** that relate to government business in **Protected Government Systems**.
  - a) In extenuating circumstances, an electronic government **Record** may be temporarily stored outside of a **Protected Government System**, as long as the following conditions are met:
    - i. the electronic **Record** is stored on the system or **Device** only as long as is necessary to deal with the extenuating circumstance;
    - ii. at the first available opportunity, the **Record** is transferred to a **Protected Government System**; and
    - iii. duplicate copies of any electronic **Record** containing **Confidential Information** are deleted from the other system or **Device** as soon as possible.

- b) The requirements set out in subsection (a) do not apply to an email **Record** that is automatically stored by government's email system on an **Employee's Device**.

12. **Employees** are responsible for ensuring that the **Confidential Information** they are working with is protected. This includes, but is not limited to:

- a) storing **Confidential Information** in **Protected Government Systems**, as set out in section 11, above;
- b) physically securing **Confidential Information** in their workspace (e.g. locked drawers or cabinets);
- c) only disclosing **Confidential Information** to authorized individuals in a secure manner according to ministry approved processes (e.g. **Portable Storage Devices** should only be used in extenuating circumstances when more secure methods are not available and must be encrypted); and
- d) limiting the amount of **Confidential Information**, particularly **Personal Information** (which is subject to legal restrictions), that is disclosed through email.

For further information on encryption standards, please see the Cryptographic Standards for Information Protection.

13. **Employees** may work outside the workplace with **Confidential Information** provided that they have their supervisor's approval and comply with all the provisions of this directive. In addition, **Employees** must:

- a) protect the information, particularly when working in a public environment (for example, ensuring that information is not viewable or accessible by others);
- b) limit the amount of printed materials that are used outside of the workplace (government **Devices** are more secure because they are protected with government security features); and
- c) follow the Working Outside the Workplace Policy.

14. If an **Information Incident** occurs, **Employees** and supervisors must follow the Information Incident Management Process which requires the immediate reporting of any suspected or actual **Information Incident** (including a privacy breach) to the Office of the Government Chief Information Officer and to the Ministry Chief Information Officer.

### C. Use and Disposal of Government IT Resources

14. Reasonable personal use of government IT Resources by Employees is permitted. Personal use is reasonable provided that it:
  - a) is limited during core business hours and does not interfere with the Employee's duties and responsibilities;
  - b) is lawful;
  - c) does not compromise the security of government IT Resources or Government Information; and
  - d) is not used for personal financial gain.
15. For privacy reasons and to reduce the cost of electronic storage for government, Employees must limit the amount of personal Records they store on government systems.
16. Employees must use their government email accounts when conducting government business. This includes while working outside of the workplace.

In extenuating circumstances, Employees may use their personal email or other non-government email, as long as the following conditions are met:

- a) a copy of the email is sent to their government email account, ensuring that the Government Information is stored in a Protected Government System;
- b) the email is immediately deleted from their personal or non-government email account as soon as possible after dealing with the extenuating circumstance; and
- c) the amount of Confidential Information collected, accessed, used or disclosed is limited to the least amount necessary to deal with the extenuating circumstance.

For information on how to access government email accounts from a remote location, please see the [Outlook Web Access guide](#).

17. Employees must not divulge, share or compromise their own or another Employee's government authentication credentials (e.g., passwords, access cards, etc.). This includes not divulging passwords to technical support.
18. Employees must report any lost or stolen Device or access card in accordance with [Chapter 20 – Loss Management of the Core Policies and Procedures Manual](#) (CPPM) and [Procedure L – Loss Reporting](#) of the CPPM.
19. Employees must follow the appropriate policies and procedures when disposing of IT Resources. For further information, please see the [IT Asset Disposition Site](#).

#### **D. Access to and Use of Applications and Software**

20. **Employees** must have their supervisor's permission, and follow the established procedures, to download or use applications or software from the iStore or the Self-Serve Centre.
21. If an **Employee** wishes to download or use applications or software for government business purposes that are available through the iStore or the Self-Serve Centre and are also available from another source, the **Employee** must download or access the application or software from the iStore or the Self-Serve Centre.
22. **Employees** must not download or use applications or software for government business that are not available from the iStore or the Self-Serve Centre without the permission of their supervisor.

Applications and software that are not available from the iStore or the Self-Serve Centre may present privacy or security concerns or could impose terms and conditions, such as indemnification clauses, that are unacceptable to government.

23. Supervisors must not permit an **Employee** to download or use applications or software that:
  - a) are prohibited by the Government Chief Information Officer;
  - b) present unacceptable privacy or security concerns; or
  - c) impose unacceptable terms and conditions.

With respect to section 23(c), supervisors should review their procurement responsibilities in the Core Policy and Procedures Manual - Chapter 6 Procurement before approving an application for download.

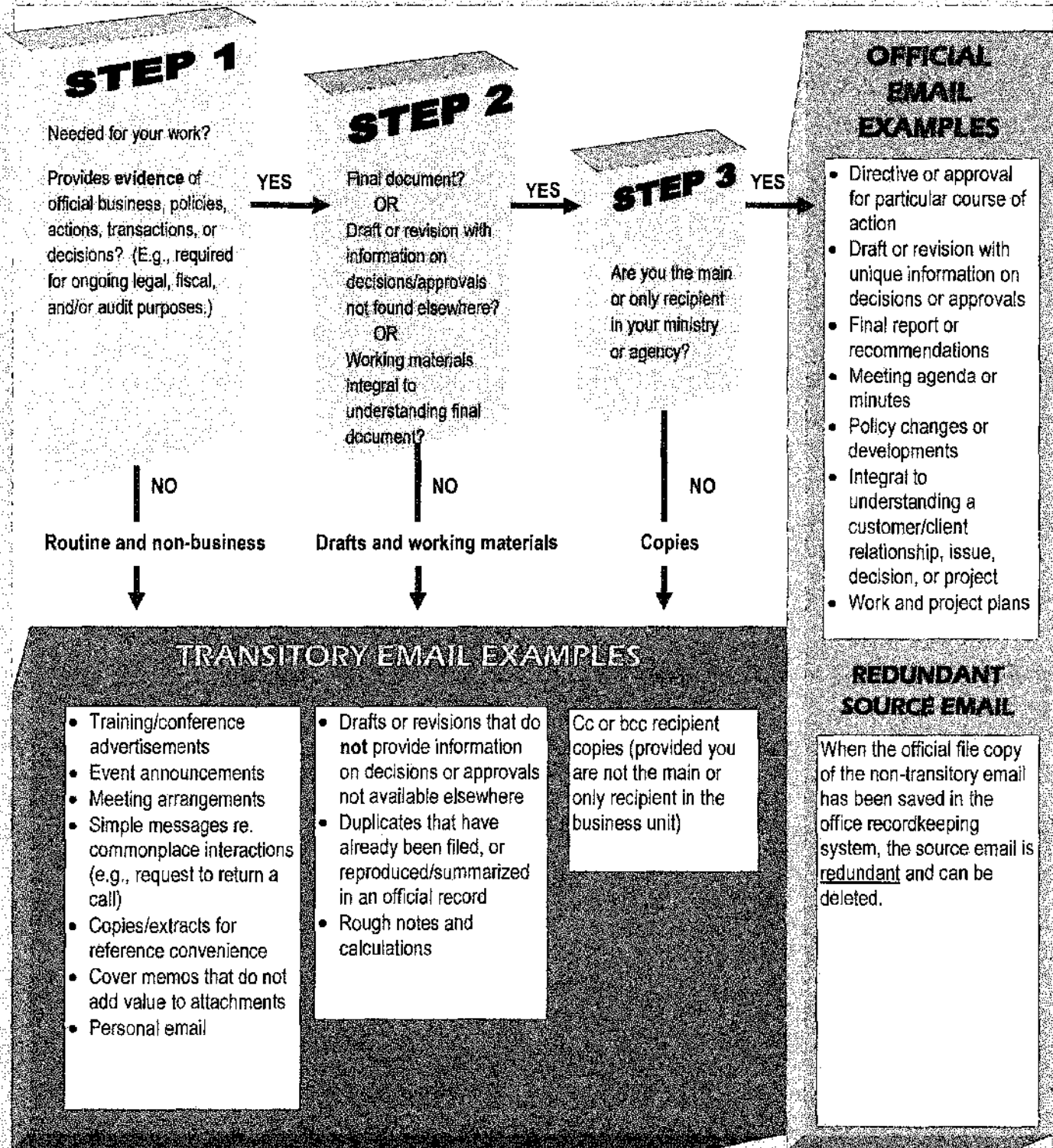
#### **E. Monitoring and Investigations**

24. Any collection, access, use, transmission, or disposal of **Government Information** or use of government **IT Resources**, whether for personal reasons or not, may be audited, inspected, monitored and/or investigated to:
  - a) maintain, repair and manage **IT Resources** for the efficient operation of business systems;
  - b) meet legal requirements to produce information, including by engaging in e-discovery;
  - c) ensure accessibility of government **IT Resources** for the continuity of work processes;
  - d) improve business processes and manage productivity; and
  - e) ensure compliance with legislative and policy requirements, including the Standards of Conduct.



25. Allegations of inappropriate access, collection, use, disclosure, or disposal of **Government Information** or inappropriate use of government **IT Resources** will be investigated on a case-by-case basis. Investigations may include, but are not limited to, the search and/or seizure of **IT Resources**.
26. **Employees** who inappropriately access, collect, use, disclose or dispose of **Government Information** or inappropriately use **IT Resources** may be subject to disciplinary action, including dismissal, cancellation of contract, and/or other legal remedies.

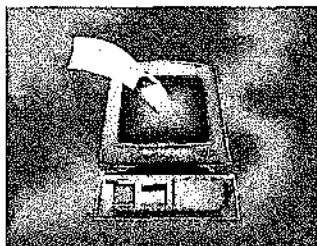
## Email Decision Diagram – Keep or Destroy?



**Additional Information:** Contact your Records Officer or check out the Records Management website – see especially the *Transitory Records Guide*.

## EMAIL: YOUR RECORDKEEPING RESPONSIBILITIES

### Do government records management rules apply to email?



Yes, these standards apply to all types and forms of government records. The retention and disposition of email must comply with existing government legislation, regulations, policies and standards (e.g., Freedom of Information and Protection of Privacy Act (FOIPPA), Document Disposal Act (DDA) and Core Policy and Procedures Manual (CPPM) Chapter 12). Employees need to create and keep sufficient records to document work activities and decisions.

It is important to ensure that significant business emails are:

- Classified under ARCS, ORCS or another approved schedule.
- Filed in the office recordkeeping system (e.g., physical file folders, LAN, TRIM).
- Retained and disposed of in accordance with approved schedules.
- Accessible to authorized staff and available in response to FOIPPA and litigation requests.

### Do I need to file every email?

**No, you do not.** Many emails are only of temporary use and are therefore considered transitory. Transitory records are typically kept for only a short period of time for convenience or reference use; for preparation of revisions or a final version of a record; or, to complete immediate and minor transactions.

Transitory records are covered by the cross-government *Transitory Records Schedule (102901)*. Examples of transitory emails include:

- **Working materials and non-substantive drafts** not scheduled elsewhere.
- **Duplicate copies** retained for reference purposes.
- **Messages** (e.g., telephone, fax, email, instant messages) **that do not** document a decision, activity, or transaction or add any other information needed to meet financial, legal, audit, or other statutory requirements.

### Who is responsible for filing outgoing email messages?

The sender is responsible for filing any significant email and attachments.

### Who is responsible for filing incoming email?

You are responsible for determining which of the emails you receive are significant business records that need to be filed. Consider:

- Is it a **personal** email? If so, delete it promptly.
- Is the email of only **temporary** or transitory use? If yes, then it does not need to be filed and may be disposed of under the *Transitory Records Special Schedule*.

## EMAIL: YOUR RECORDKEEPING RESPONSIBILITIES

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- **Do not keep convenience or reference emails longer than the official file copy.**
- Were you sent a 'cc' (carbon copy) or 'bcc' (blind carbon copy) copy of the message? In most cases you can delete this copy once it is no longer required for business purposes.
- Was the email widely distributed? Ministry-wide notices, for example are received by many offices. The initiating office (as the sender) is responsible for filing an official file copy. Within each receiving agency or office, the person who is responsible for the subject or function covered by the email should assume responsibility for filing an official file copy, if required. Other recipients in the agency or office can then manage their copies as transitory.

If you are the main or sole recipient of a significant business email, then file it (with any attachments) in your office's recordkeeping system. The source email may then be treated as redundant and deleted.

### ***Five Benefits of Well Managed Email:***

1. You and your co-workers have **access** to the records you need to do your jobs. Email is classified and filed in the official recordkeeping system, not left inaccessible and unmanaged in an individual's email folders.
2. Email and all related records are linked together. A **complete file** of a specific activity, case, or topic is maintained – something that isn't possible if records are scattered across various email accounts.
3. Email is disposed of in accordance with approved **records schedules**.
4. Email **server space usage is reduced** as duplicate and transitory emails are promptly deleted.
5. Authorized staff can locate all records required to **comply** with *FOIPPA* or litigation requests.

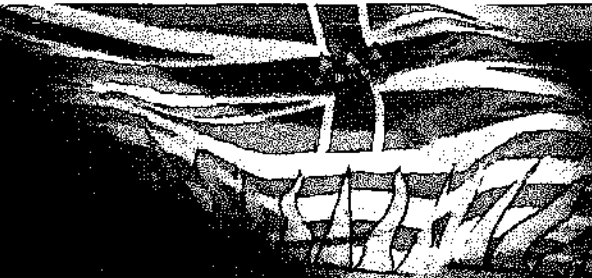
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### **Additional Information**

Contact your Records Officer or check out the rest of the Records Management website.



Ministry of  
Technology, Innovation  
and Citizens' Services



## **Logistics and Business Services**

### **FREEDOM OF INFORMATION**

**Presented October 2015**



Ministry of  
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and Citizens' Services

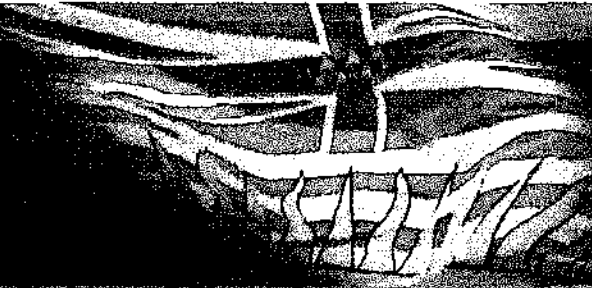


## **FREEDOM OF INFORMATION**

1. What you need to know about the FOI Act
2. Records Management
3. FOI
4. How the FOI process works
5. Trends in FOI
6. Calendars
7. Open Information
8. FOI Contacts



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## **PURPOSES OF THE ACT**

### **Accountability to the Public**

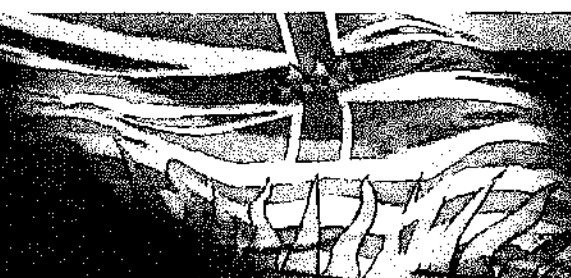
- Legislated right to access all government records - specifying limited exceptions (i.e. make what is commonly referred to as an 'FOI request')

### **Protection of Privacy**

- Provides a right of access to individuals own personal information
- Regulates how public bodies collect, use and disclose personal information
- Right to request correction of personal information

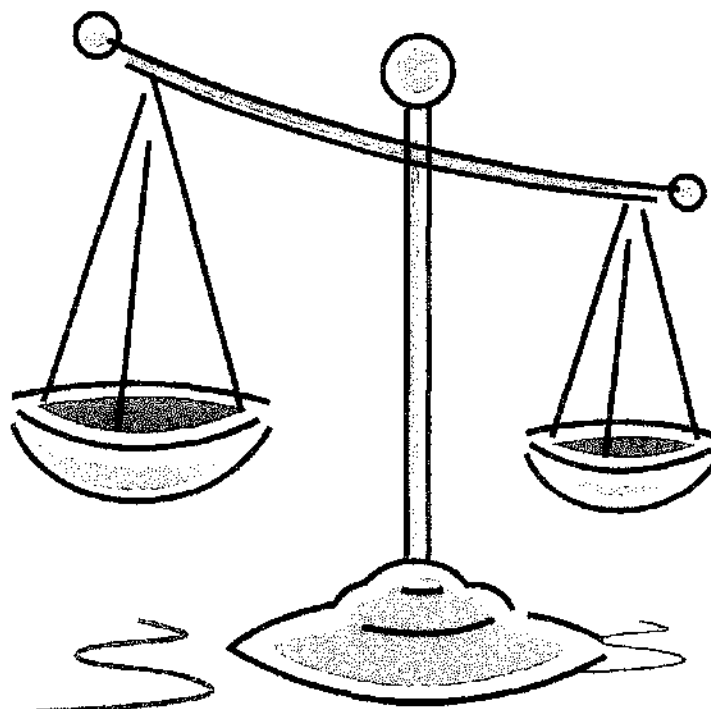
### **Independent Oversight by the Office of the Information & Privacy Commissioner**

- Conducts reviews on decisions regarding disclosure



# Purposes of the Act

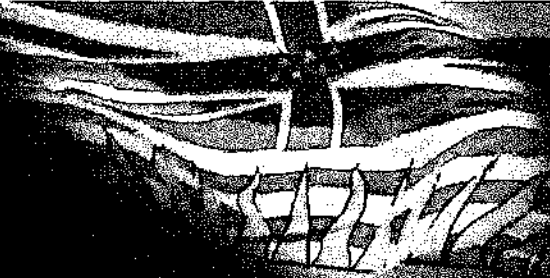
ACCOUNTABILITY  
RIGHT OF ACCESS  
TO RECORDS



PRIVACY  
PREVENT UNAUTHORIZED  
COLLECTION, USE OR  
DISCLOSURE OF  
PERSONAL INFORMATION

INDEPENDENT OVERSIGHT





## WHO IS COVERED BY THE ACT

**All** provincial ministries, and most provincial agencies, boards, commissions, Crown corporations and smaller agencies

### **Local public bodies**

- School Districts
- Colleges and universities
- Regional health boards

### **Self-governing professions and occupations**

- Teachers
- Doctors
- Nurses

➤ Government is only responsible for requests to BC government ministries

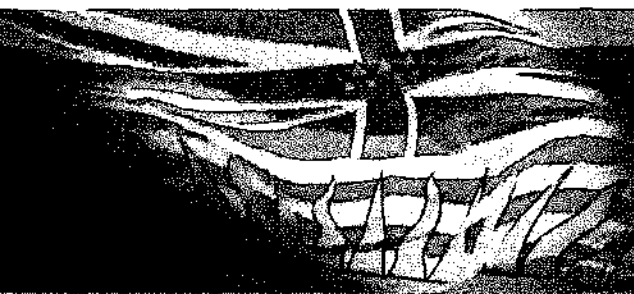


## WHAT RECORDS ARE COVERED BY THE ACT

All records in the **custody** or under the **control** of a public body

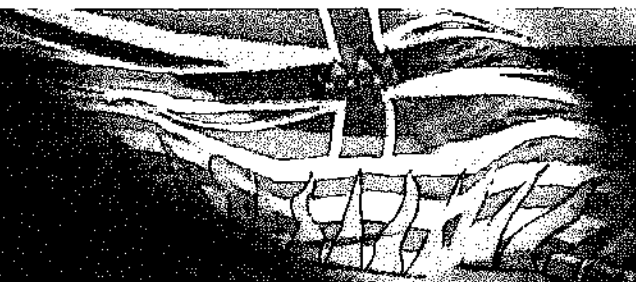
### What is a Record?

- Any information recorded or stored by any means whether in hard copy or in electronic format
- Regardless of content and subject matter, the following are subject to an FOI request:
  - briefing notes
  - vouchers
  - telephone records
  - notebooks/daybooks
  - contractor records
  - email
  - records on your smart phone
  - transitory records



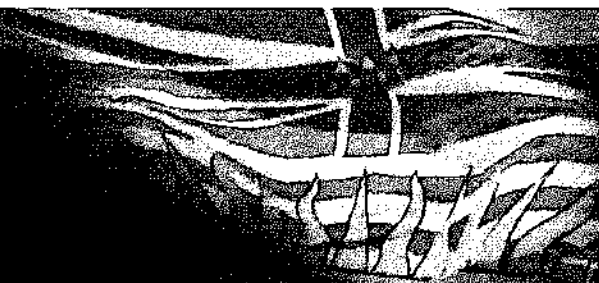
## TRANSITORY RECORDS

- Are records of temporary usefulness not required to document decisions and actions or to support ongoing government business
- Should be regularly deleted as their usefulness ends (e.g.: transitory emails of no further use can be deleted)
- The Transitory Records Schedule does not apply to personal or MLA records



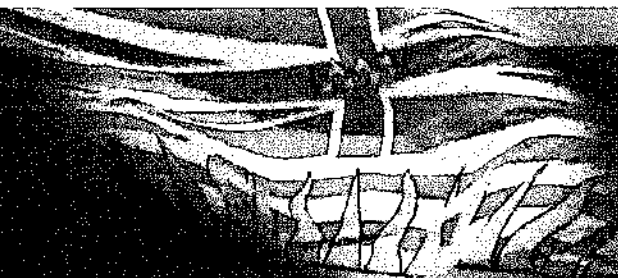
## RECORDS MANAGEMENT

- Records created or received while doing Government business must be managed according to legislation, litigation requirements and Government policy and are subject to FOI and Government policy regardless of where they are located.
- Government email must be conducted using approved Government email systems, not personal email systems. This is essential for information security, privacy protection and effective management of the information
- Government records that are not transitory should be filed in the office's record-keeping system (e.g., TRIM or LAN) and must not be destroyed without an approved schedule (e.g., ARCS/ORCS) or before the schedule allows
- Employees must keep Government records separate from material relating to ministers' constituency matters, legislative committee involvement and other MLA activities. Those, and personal (e.g., family) records, are not Government records



## RESPONSES WITH RECORDS AND NO RECORDS

Fiscal Year	Number of Closed Requests	On-Time Requests	Percentage of No Records Responses
2009/10	7,750	6,984	21%
2010/11	7,939	7,145	24%
2011/12	8,212	7,392	21%
2012/13	9,524	8,325	25%
2013/14	9,827	7,272	19%
2014/15	8,377	6,588	17%



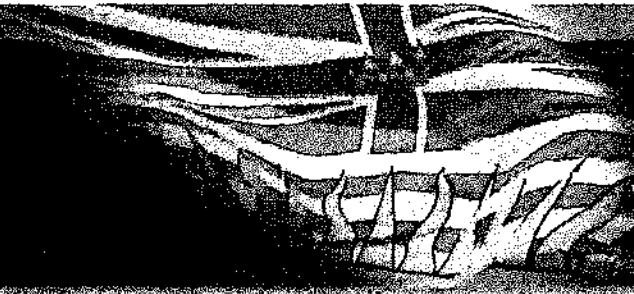
## CROSS GOVERNMENT REQUEST – TIMELINES

**30 DAYS!**

1. Intake	2. Record Gathering	3. Review & Analysis	4. Approval	5. Release
<ul style="list-style-type: none"> <li>• IAO</li> <li>• Ministry</li> </ul>	<ul style="list-style-type: none"> <li>• Ministry</li> </ul>	<ul style="list-style-type: none"> <li>• IAO</li> </ul>	<ul style="list-style-type: none"> <li>• IAO</li> <li>• Ministry</li> </ul>	<ul style="list-style-type: none"> <li>• IAO</li> </ul>
1 day	12 days	10 days	6 days	1 day

***Unless.....***

*The request necessitates a 30 Day Extension under the Act*



## WHAT HAPPENS WHEN AN FOI REQUEST IS RECEIVED?

- Standard Call for Records Forms and Guidelines for record submissions are provided to all ministry program areas
- Ministry responsibilities include provision of the following information to IAO:
  - where search for records was conducted (i.e. TRIM files, databases, off-site records)
  - duration of search time by ministry program area
  - who conducted the record search
  - potential HARMS that could result from disclosure of records gathered
  - ISSUES associated with disclosure of records gathered
  - regional locations where records pertaining to this request may reside

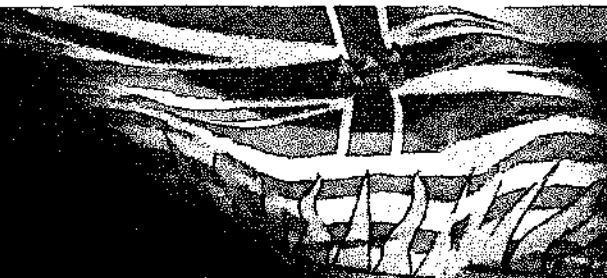
### Mandatory Exceptions

Section 12	Cabinet confidence
Section 21	Third party business information
Section 22	Personal information

### Discretionary Exceptions

Section 13	Policy advice/recommendations
Section 14	Legal advice
Section 15	Law enforcement
Section 16	Intergovernmental relations
Section 17	Financial or economic interests
Section 18	Heritage sites
Section 19	Personal health or safety
Section 20	Information soon to be published



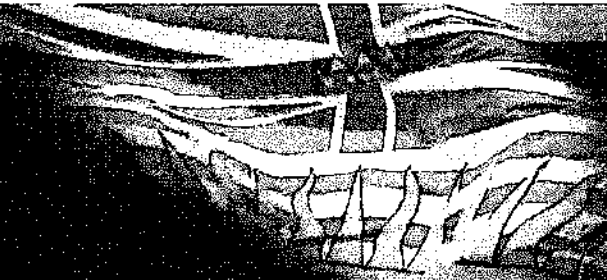


## FOI APPROVAL PROCESS

- FOI requests are sent to program areas (ministries) for review and sign-off
- The DM or delegated head of the public body is responsible for final sign-off on all requests
- The DM or delegated head of the public body exercises discretion with respect to disclosure recommendations



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## FOI FAST FACTS

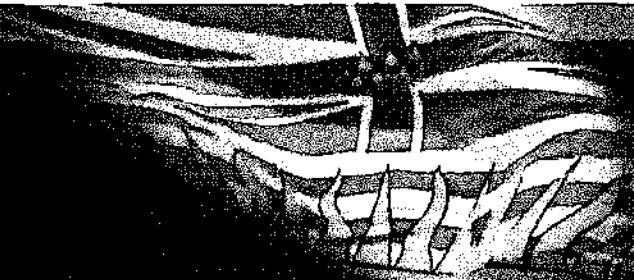
Timeliness was down in 2013/14, but government is still responding to more requests **on-time** than it did prior to centralization in 2009.

**Political party** requests increased by 64% in 2013/14.

2013/14 was the first year in which government received more **general** than personal requests.

Government received close to **10,000** FOI requests in 2013/14, a 25% increase over 2009/10.

Government received **1,800 requests** for the **calendars** of senior government officials/employees.

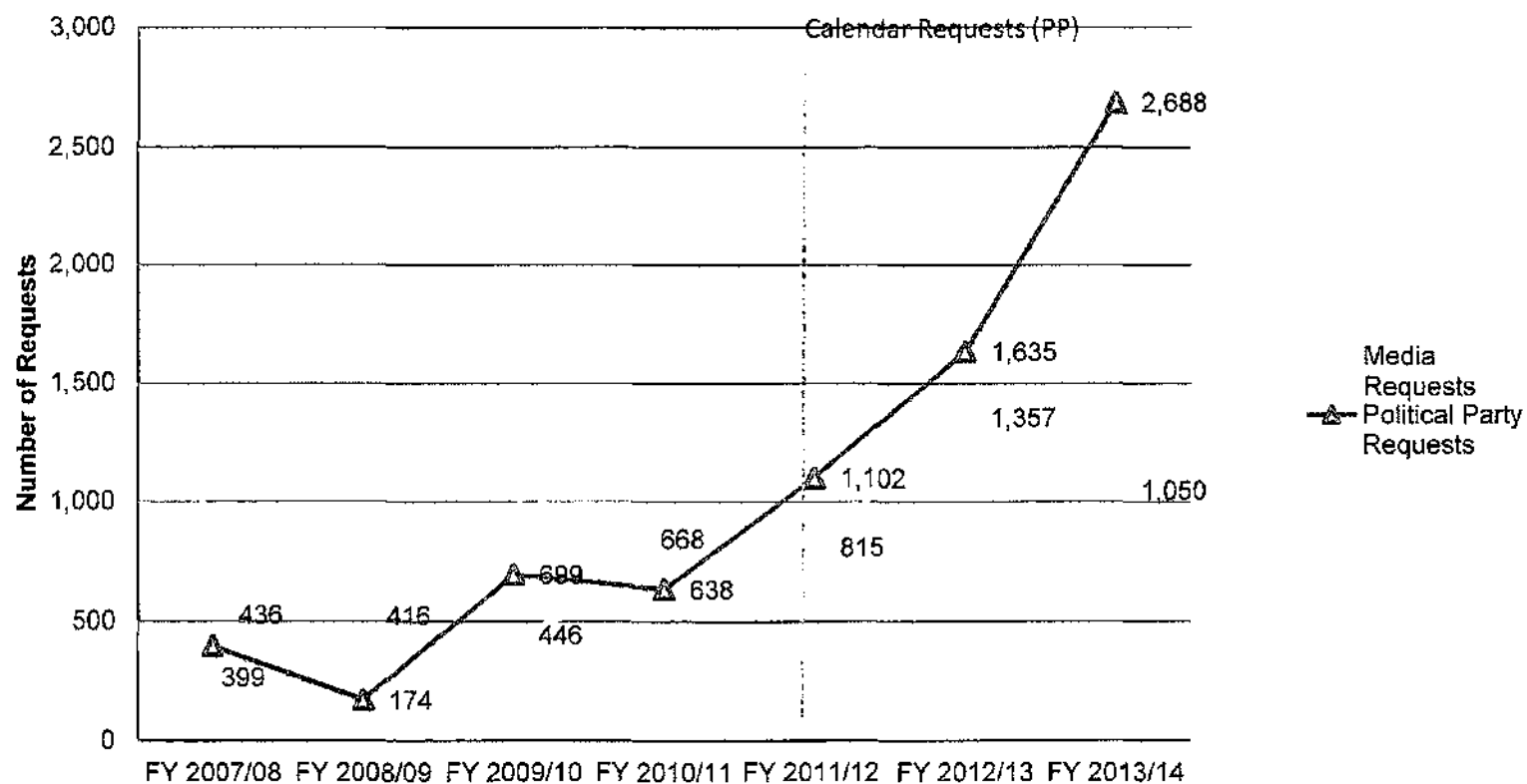


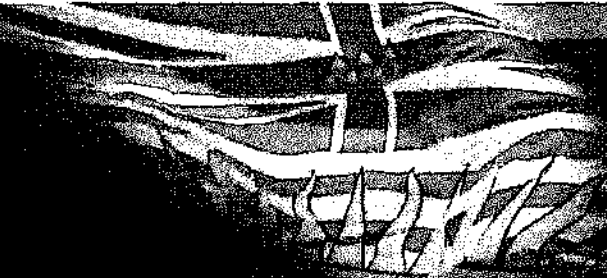
## DEMAND FOR FOI REQUESTS CONTINUES TO INCREASE

Fiscal Year	General Requests	Personal Requests	Total Requests Received	% On-Time
2008/09	1,693	4,877	6,570	74
2009/10	2,532	5,122	7,654	90
2010/11	2,756	5,073	7,829	93
2011/12	3,329	5,094	8,423	90
2012/13	4,815	5,484	10,299	87
2013/14	5,200	4,400	9,600	74
2014/15	4,124	4,151	8,275	79

## CHANGING NATURE OF FOI APPLICANTS

### Requests from Political Parties and Media





## CALENDAR MANAGEMENT

- Government generally receives monthly or bi-monthly requests for DM, ADM and ED calendars and about 25 positions in the Office of the Premier. In November 2013, calendars for Ministers' Office Executive Assistants were included.

### OUTLOOK CALENDARS

- Be wary of embedded documents, as the calendar and the attachments have different life spans
- Ensure calendar consistency and clarity
  - be clear about the subject of the meeting and who is expected to attend
  - keep the meeting subject concise
- Keep calendars current
  - update the calendar as changes occur
  - delete meetings that did not occur or were not attended
  - update the calendar to record the names and titles of individual(s) who actually attended the meeting as the calendar owner's representative
- Personal appointments
  - mark as "private" – details will not show up in a printed copy or to anyone other than the calendar owner or a delegate
  - caution – ensure that only personal appointments are labeled as "private". Calendar records must be accurate and are subject to a formal access request under FOIPPA
  - consider deleting "private" or personal appointments immediately after they occur



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## SEVERING GUIDELINES - CALENDAR ENTRIES

Blackberry/cell phone numbers for  
government employees

**Severed** under section 17 (unless public)

"Cabinet" or "Cabinet Retreat"

**Not Severed**

"Treasury Board"

**Not Severed**

Accommodation details

**Severed** under section 15

Meeting location details

**Severed** under section 15

Constituency related – any entries in  
the Minister's calendar that relate to  
his/her duties as a Member of the  
Legislative Assembly (MLA)

**Out of Scope** - under section 3 - As the  
office of a Member of the Legislative  
Assembly is not a public body, any entries  
in a Minister's calendar that relate to his/her  
duties as an MLA will be severed as outside  
the scope of FOIPPA

360's (executive performance review),  
mentoring, EPDP

**Severed** under section 22

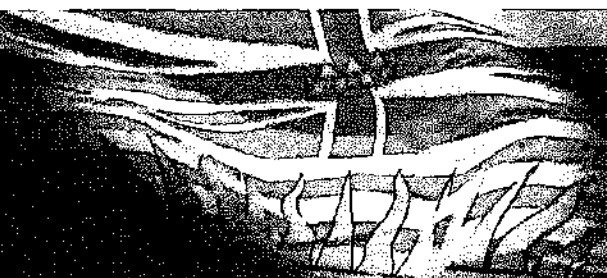


## OPEN INFORMATION

- Introduced July 2011 with policy guidelines
- Over 5,000 General FOI requests posted (no Personals)
- Over 1,700 Minister and Deputy Minister travel expense summaries posted
- Over 21,000 visits to and 15,000 downloads from the Open Information website in 2013/14
- Proactively released 48 per cent of eligible general requests in 2013/14
- Requests are exempt from publication due to security concerns (82 per cent), business information (10 per cent), and personal information (7 per cent)



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## Contact Information

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250 357-9807

Chad Hoskins, Senior Director, FOI

250 356-7343

## FOI Managers:

Sector

Manager

**Justice/Social**

**Kris Ghag**

**250 387-9801**

**Central Agencies**

**Cindy Elbahir**

**250 952-6355**

**Natural Resources**

**Ken Bejcek**

**250 387-0572**

**Business/Infrastructure**

**Russ Fuller**

**250 387-4503**

**Health/Education**

**Maxine Vanzetta**

**250 387-9805**

**Personals**

**Vivian McDonald**

**250 356-6266**

**Intake/Open Information**

**Cindy Kukucska**

**250 387-7356**



## Good Practice Tips for Managing and Maintaining Calendars

This Good Practice Tips sheet is intended to provide tips to employees who are responsible for managing and maintaining calendars.

### *General Tips and Good Practices:*

- ☐ Do not sever non personal information out of a calendar, let IAO help you.
- ☐ Avoid the use of any personal or editorializing comments in making calendar entries.
- ☐ Anything to do with the business of government must be shown in the calendar – Monday to Sunday – 24 hours a day.
- ☐ Do not include appointments of other people. (i.e. Minister or Deputy Minister).

### *Recording Entries:*

- ☐ Ensure that calendar entries are **clear** and **consistent** at time of entry.
- ☐ Be **clear** about the subject of the meeting and who is expected to attend. Keep the meeting subject concise. More information may lead to unnecessary redaction.

#### *Examples:*

- ◆ **Concise entry** – “Meeting with John Smith, EFO, on Citizen Engagement”

This entry can likely be released in full.

- ◆ **Unnecessary degree of detail** – “Meeting with John Smith, EFO, re: cabinet submission on Citizen engagement”

Based on this entry, IAO would be required to make a determination as to whether to redact the entry and it would be necessary to contact the calendar owner’s office, and possibly the Office of the Premier, for further information.

- ☐ Be **consistent** at the time of entry – all those attending the meeting should have the same or similar calendar entry. When arranging meetings with other staff, provide a standard title for the meeting and ask that the other office use this title in recording the meeting - this promotes consistency across calendars in how the meeting is recorded and relayed to citizens.
- ◆ **Tip:** Consider using the Outlook “meeting request function” to schedule meetings; this will automatically assign the same title and description to the same meeting.

### *Personal Appointments:*

- ☐ Consider recording personal appointments (doctor or dentist appointments, children’s events, etc.) as **“Private”** in the Outlook calendar which means that the printed record will simply show “private”, but the details of the entry will appear to the calendar owner (and anyone else with full access to the calendar).

- ◆ Caution: Ensure that only personal appointments are labeled as **private**. Calendar records must be accurate and are subject to a formal access request under the *FOIPPA Act*.

- Delete **Private** or personal appointments after they occur.

- ◆ Note: **Private** or personal appointments need to be redacted from a Calendar record. Deleting **private** or personal appointments after the appointment has occurred eliminates the need for IAO to redact the record.

#### ***Keeping Calendars Current:***

- A calendar is a planning document to record scheduled meetings and events and who is expected to attend. To promote accuracy and completeness, the calendar record should always be current by updating the calendar as changes occur.

##### *Examples:*

- ◆ Delete meetings that did not occur, or where the calendar owner (or their representative) did not attend;
  - ◆ Where someone else attended on behalf of the calendar owner, update the calendar to record the names and titles of the individual(s) who actually attended the meeting as the calendar owner's representative.
- Calendars should be maintained when the calendar owner is on leave or otherwise absent. Where the absent calendar owner is invited to a meeting or event and someone else attends on the calendar owner's behalf, this meeting or event should be recorded in the calendar indicating who attended.

#### ***Point of Contact for IAO:***

- Ministers', Deputy Ministers' and ADM's offices are asked to designate a primary and secondary contact for the IAO to respond to questions as necessary.

# GOVERNMENT RECORDS SERVICE GUIDE

## EMAIL TIPS



Email messages occupy a significant amount of any organization's data storage space. Managing these unstructured records is always a challenge. The following tips should help you manage your email.

### 1. Keep Messages to a Single Topic

- Create separate messages for separate topics.
- Don't mix personal messages with business messages.
- Create a new email with separate message when an email chain starts to address more than one topic (see section 5 for more advice).

### 2. Be Specific in the Subject Line

- Create a clear and descriptive subject title/line.
- Give recipients enough information to quickly manage the email.
- Use the title to indicate actions, purpose and any due dates or status of actions. For example, emails labelled 'FYI', 'work/life' or 'Thank You!' can generally be treated as transitory records, while those flagged 'Answer', 'Question', 'As Requested', or 'Follow up' will often need to be kept and filed.

#### Standard Email Subject Keywords

- Action by <date>
- FYI:
- Phone Msg:
- Work/Life:
- Heads Up:
- Follow Up:
- Question:
- Answer:
- Request:
- As Requested:
- As Promised:
- Thank You!

### 3. Limit the Number of Copies and Recipients

- Limit main recipients to those who are expected to take action or make decisions based on the message content.
- Use 'cc' option when sending messages to recipients for informational purposes only, i.e., if recipient does not need to comment, retain or reply to the message.
- Avoid using the 'reply all' function except in cases where every member on the distribution list needs to receive the message.

### 4. Limit the Use of Attachments and Graphics

- Whenever possible, post the attachment to a shared location (e.g. EDRMS TRIM, shared LAN directory or SharePoint) and send a link.
- Send attachments only to those individuals who require a copy of the document (i.e., avoid using large distribution lists and the reply-to-all icon).

# GOVERNMENT RECORDS SERVICE GUIDE

## EMAIL TIPS

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### 5. Manage Message Discussion Chains

Message discussion sequences generally include previous text from the various senders and recipients to the discussion. This practice creates a complete record, but can be difficult to manage as new discussions and topics emerge during the exchange of emails. Here are some methods for managing chains:

- Indicate if no reply is needed.
- Do not re-send attachments with a reply unless it is necessary.
- Stay on topic. Don't add unrelated material, if the discussion changes significantly, create a new email instead.

### 6. Eliminate Junk Mail and Transitory Records

- Delete messages that are only of temporary usefulness, i.e., transitory messages. These messages are typically needed a short period of time and not required to document government business. See the *Transitory Records Special Schedule 102901*.
- Promptly dispose of junk mail and personal emails. Neither should remain for long on the government email system.

### 7. File Official Email and Attachments (Non-Transitory)

File needed email and attachments within your office recordkeeping system. Once the official copy is filed, the source record/email may be treated as redundant and deleted. It is helpful to include government standard classification numbers (i.e., ARCS and ORCS secondary codes) within email messages to facilitate filing and retrieval.

### 8. Manage Your Inbox

- Handle each message as few times as possible. When you open it, decide whether you will deal with it, delegate it, or delete it.
- Create special folders in your inbox for outstanding email that cannot be actioned immediately.

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### Additional Information

Contact your Records Officer or check out the rest of the Records Management website.

## TRANSITORY RECORDS

Many records do not need to be retained. The Transitory Records Schedule authorizes you to dispose of records of temporary value as soon as their business use ends. This guide will help you identify these records.

### What is a transitory record?

Transitory records are **records of temporary usefulness** that are needed only for a limited period of time in order to complete a routine action or prepare a final record.

As with all records, they can exist in **any format or medium** (paper or electronic), and can be created and shared using a variety of technologies (e.g., email, social media, Live Meeting, SharePoint, wikis).

Transitory records **are not required** for financial, legal, audit or statutory purposes and are not regularly filed in the office recordkeeping system.

They do not need to be filed using the *Administrative Records Classification System (ARCS)* or your office's *Operational Records Classification System (ORCS)*.

### Examples of transitory records:

- o advertising material
- o announcements of social events
- o cc copies (unless you are the main staff member responsible for the matter)
- o copies created for convenience/reference purposes
- o email conveying an attachment (providing it doesn't add value to the attachment)
- o meeting arrangements
- o personal messages
- o simple messages reflecting commonplace interactions (e.g., a request to call someone)
- o outlines, calculations, preliminary notes and other rough content used to prepare a final record
- o drafts and revisions that are not needed to document decisions and associated approvals
- o routine correspondence about drafts and revisions

**See the Quick Reference Guide on last page for more examples.**

### Who can apply this schedule?

You can! You simply need to use your judgment to determine whether a record is, or is not, transitory. The authority to identify transitory records is delegated to each BC government employee.

**However: DO NOT destroy any transitory records that are relevant to a FOIPPA request or legal discovery.**

## TRANSITORY RECORDS

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### What isn't a transitory record?

A record's content and context determines whether it is transitory, not its format or storage medium. If an email, significant draft, or other record is essential to understanding government business, e.g., how a particular decision was reached, then the record is non-transitory and must be kept.

Non-transitory records need to be filed and saved in accordance with the appropriate government records schedule (i.e., *ARCS/ORCS* classification).

### Examples of non-transitory records:

- o work unit activities documentation (e.g., work schedules, assignments, etc.)
- o useful information that helps explain the history of a relationship, decision or project
- o drafts or revisions with information about a decision or associated approvals that is unavailable elsewhere (e.g., directions to change a proposal and recommend a different course of action)
- o a final report with recommendations
- o formal communication about official business
- o policies and directives
- o decision records, instructions, and advice
- o meeting agendas and minutes
- o documentation of a policy matter or how a case was managed
- o documentation of initiation, authorization, or completion of business transactions
- o documentation that is evidence of a significant action (e.g., verification or approval to proceed)

### Why Managing Transitory Records Is Important

By promptly removing transitory records, employees are better able to identify and file key records into their office recordkeeping system, where they can be easily found. As well, government avoids unnecessary costs for storing and processing transitory records.

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### Additional Information

Contact your Records Officer or check out the other RM Guides.

## GOVERNMENT RECORDS SERVICE GUIDE

### TRANSITORY RECORDS

#### Quick Reference Guide to Transitory Records

WHAT	SHORT DEFINITION	EXAMPLES
1. <b>Records of Short-term Use</b>	Records created or received for informational purposes only; OR convenience copies for reference or ease of use (i.e., the official copy has been filed in the <u>office recordkeeping system</u> )	<ul style="list-style-type: none"> <li>◦ Messages (e.g., email, voicemail, instant messages) that are not required to document a decision, action, or transaction</li> <li>◦ Duplicate copies, partial copies or extracts no longer needed for reference purposes</li> <li>◦ Input source documents no longer required</li> </ul>
2. <b>Working Materials, Drafts, and Revisions</b>	Preliminary versions and supplementary documentation used to prepare a final document, which DO NOT indicate new decisions or provide approvals and are not specified in another records schedule (e.g., <u>ARCS</u> or your <u>ORCS</u> )	<ul style="list-style-type: none"> <li>◦ Drafts and revisions that provide no information on decisions or approvals that cannot be found elsewhere</li> <li>◦ Rough notes, calculations, outlines, lists of ideas or suggestions</li> <li>◦ Newspapers or magazines used for compiling daily 'news clippings' (physical or electronic)</li> </ul>
3. <b>Advertising and Promotional Material from the Private Sector</b>	Advertising and promotional material from businesses or business professionals which DOES NOT relate to a transaction with a private sector provider	<ul style="list-style-type: none"> <li>◦ Company profiles, pamphlets</li> <li>◦ Direct mail/email notices and bulletins</li> <li>◦ Catalogues</li> <li>◦ Free trial CDs and DVDs</li> <li>◦ Course and seminar announcements</li> </ul>
4. <b>Supplies of BC Government Publications and Blank Forms</b>	Stocks of publications and blank forms which have no further usefulness	<ul style="list-style-type: none"> <li>◦ Blank forms, including blank e-forms and e-templates</li> <li>◦ Blank stationary with out-of-date information</li> <li>◦ Out-of-date published material (e.g., pamphlets, brochures, and newsletters)</li> </ul>

**Dispose of Transitory Records as soon as you are finished with them!**



Ministry of  
Technology, Innovation  
and Citizens' Services

**Logistics and Business Services**

# **RECORDS MANAGEMENT AND FREEDOM OF INFORMATION**

**Presented September 2015**





Ministry of  
Technology, Innovation  
and Citizens' Services

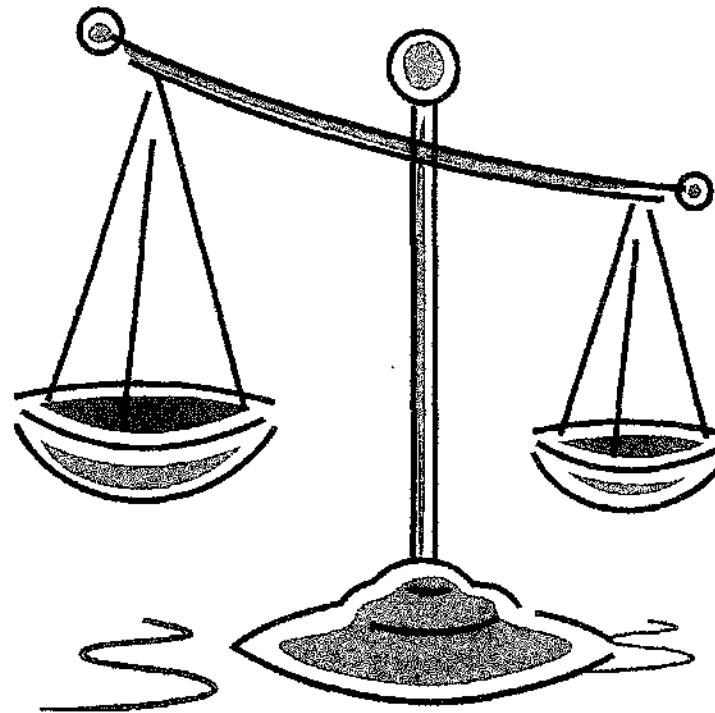
# FREEDOM OF INFORMATION

1. The Act
2. Records Management
3. How the FOI Process Works

## PURPOSES OF THE ACT

Accountability

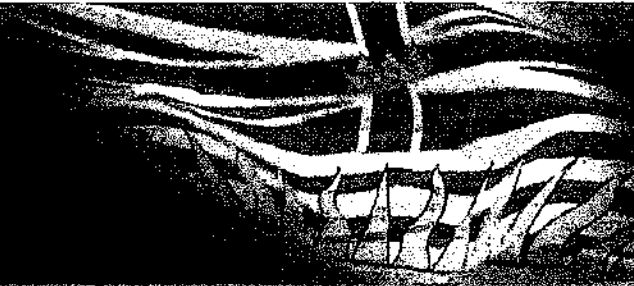
Right of access to  
records



Privacy

Prevent unauthorized  
collection, use or  
disclosure of personal  
information

Independent oversight



# PURPOSES OF THE ACT

## Accountability to the Public

- Legislated right to access all government records - specifying limited exceptions (i.e. make what is commonly referred to as an 'FOI request').
- Independent review of the decisions made under the Act (OIPC).

## Protection of Privacy

- Provides a right of access to individuals own personal information.
- Regulates how public bodies collect, use and disclose personal information.
- Right to request correction of personal information.



## ENTITIES COVERED BY THE ACT

All provincial ministries, and most provincial agencies, boards, commissions, Crown Corporations and smaller agencies.

### **Local Public Bodies**

- School districts, colleges and universities
- Regional health boards

### **Self-Governing Professions and Occupations**

- Teachers
  - Doctors
  - Nurses
- Government is only responsible for requests to BC government ministries
- NOT MLA offices, Speaker's office, Crowns, etc.

# WHAT RECORDS ARE COVERED BY THE ACT

All records in the **custody** or under the **control** of a public body.

## What is a Record?

- Any information recorded or stored **by any means whether in hard copy or in electronic format.**
- Regardless of content and subject matter, the following are subject to an FOI request:
  - briefing notes
  - vouchers
  - telephone records
  - notebooks/daybooks
  - contractor records
  - email
  - records on your smart phone
  - transitory records

## RECORDS MANAGEMENT

Records created or received while doing Government business must be managed according to legislation, litigation requirements and Government policy and are subject to FOI and Government policy regardless of where they are located.

- Government **email** must be conducted using approved Government email systems, not personal email systems. This is essential for information security, privacy protection and effective management of the information.
- Government records that are **not transitory** should be filed in the office's record-keeping system (e.g., TRIM or LAN) and must not be destroyed without an approved schedule (e.g., ARCS/ORCS) or before the schedule allows.
- Employees must keep Government records separate from material relating to ministers' **constituency matters**, legislative committee involvement and other MLA activities. Those, and personal (e.g., family) records, are not Government records.

## RECORDS SCHEDULES

- Executive records schedule includes all government business of ADMs and above, including Ministers' offices.
- Retention period for executive records is typically 10 years after business use has ended.
- ARCS are administrative records common to all program areas (e.g., competition files, financial information) and the retention period is typically around 7 years.
- ORCS are program specific business records with a retention period typically under 10 years.



## TRANSITORY RECORDS

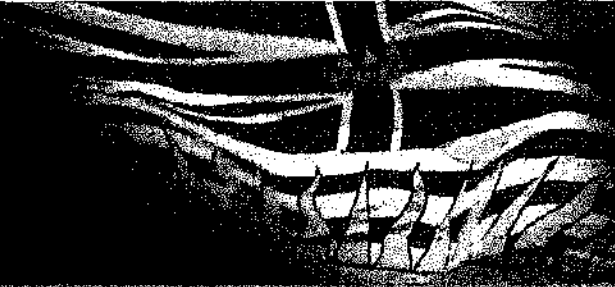
- Are records of **temporary usefulness** not required to document decisions and actions or to support ongoing government business.
- Should be **regularly deleted** as their usefulness ends (e.g., transitory emails of no further use or convenience copies of submission or briefing notes can be deleted).
- The Transitory Records Schedule does not apply to personal or MLA records.





## BEST PRACTICES FOR EMAIL

- Use government email accounts for government business.
- Keep email inbox up to date.
- Retain records that document government decisions in your office's electronic filing system – email sender is generally responsible for retaining the original.
- Regularly eliminate transitory records (e.g., personal emails, duplicates, working materials or non-substantive drafts).



## WHAT HAPPENS WHEN AN FOI REQUEST IS RECEIVED?

Ministry responsibilities include provision of the following information to IAO:

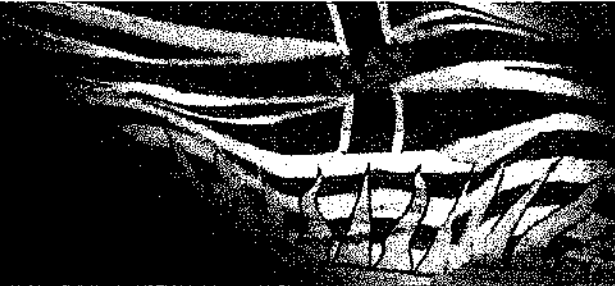
- where search for records was conducted (i.e. TRIM files, databases off-site records);
- duration of search time by ministry program area;
- who conducted the record search;
- potential **harms** could result from disclosure of records gathered;
- **issues** associated with disclosure of records gathered;
- regional locations where records pertaining to this request may reside.

### **Mandatory Exceptions**

Section 12	Cabinet confidence
Section 21	Third party business information
Section 22	Personal information

### **Discretionary Exceptions**

Section 13	Policy advice/recommendations
Section 14	Legal advice
Section 15	Law enforcement
Section 16	Intergovernmental relations
Section 17	Financial or economic interests
Section 18	Heritage sites
Section 19	Personal health or safety
Section 20	Information soon to be published



## SECTION 12

- Section 12 is a mandatory section of the Act that enables Cabinet Committees to discuss issues in confidence.
- The head of a public body (e.g. the DM) must refuse to disclose information that would reveal the **substance** of deliberations (implications, options, advice, etc.) of Cabinet Committees.
- Section 12 does not apply to **background explanations** or analysis to Cabinet **if** the decision has been made public, has been implemented, or five or more years have passed since the decision was made or considered. The 'Substance' still remains withheld.

## FOI APPROVAL, PUBLICATION & APPEAL

- FOI requests are sent to program areas (ministries) for review and sign-off.
- The DM or delegated head of the public body exercises discretion with respect to disclosure recommendations.
- The DM or designate signs-off the final version of the request before it is released to the applicant.
- Applicant has the right to appeal to OIPC.
- General FOI requests are posted to the Open Information site.
- It is important to consider that broader release gives more people access to the information in the FOI release.



Ministry of  
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## CONTACTS

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### FOI Managers:

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#### *Manager*

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Cindy Elbahir

250 952-6355

Natural Resources

Kris Ghag

250 356-5702

Business/Infrastructure

Russ Fuller

250 387-4503

Health/Education

Maxine Vanzetta

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Personals

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# QUESTIONS ?

# **FREEDOM OF INFORMATION BEST PRACTICES FOR MINISTRIES**

## **FOI Roles and Responsibilities and General Best Practices**

### Ministries and IAO – a Partnership

The processing of Freedom of Information (FOI) requests is a partnership between BC Government ministries whose records are requested and Government's FOI service provider - Information Access Operations (IAO). The respective roles and responsibilities are assigned to the parties that are best-positioned to undertake them; i.e.:

- Ministries have custody and control of their records, and are the “knowledgeable owners” of those records. They are best-positioned to determine whether their records are responsive to applicants' requests, and whether release of information in those records will result in harms.
- IAO holds the expert knowledge of the *Freedom of Information and Protection of Privacy Act* (FOIPPA) and how it can be applied in various situations, and provides advice and guidance to client ministries regarding the application of FOIPPA.

This document describes recommended best practices for ministries to employ in carrying out their FOI-related responsibilities. The attached Appendix provides a high level summary of the respective roles and responsibilities of both IAO and ministries in working together to process FOI requests.

### Ministry FOI Coordinator/Central Point of Contact

A dedicated, in-house FOI Coordinator is recommended for ministries, to enable them to meet their statutory obligations to respond on time to ever-increasing FOI request volumes. The FOI Coordinator ensures that all ministry responsibilities regarding the processing of FOI requests are assigned, understood and completed; provides clear advice and direction to ministry program areas; and serves as the ministry's central point of contact with IAO. FOI Coordinator responsibilities and best practices are described further in subsequent sections of this document.

### Electronic Sharing and Transmission of Records Saves Time and May Reduce Errors

FOIPPA legislates very tight timelines and strict deadlines for responding to FOI requests. The statutory obligations that must be met during these time frames are considerable, leaving little time for records to be in transit. Electronic sharing and transmission of records is recommended to minimize “downtime” while records are in transit, and to facilitate concurrent reviewing of records by ministry officials. Electronic transmission also facilitates the tracking of records' whereabouts and control over document versions, which reduces the risk of releasing incorrect records.

### FOI is a Government Priority

Giving FOI a high profile in ministries is a recommended best practice. The importance of FOI can be profiled in executive communications to ministry staff. Some ministries include FOI as a standing agenda item at executive meetings.



## **Record Gathering Best Practices**

### FOI Coordinator's Role

When IAO receives FOI requests for records of its client ministries, IAO prepares and sends a Call for Records to the appropriate ministry's FOI Coordinator with a requested response date. It is recommended that each ministry maintains a central FOI e-mailbox for this purpose. The ministry FOI Coordinator reviews the Call for Records and then forwards the Call to the ministry program area(s) that are likely to have records that are responsive to the applicant's request. The FOI Coordinator receives and organizes all responses from the program areas; reviews them for accuracy and completeness, and follows up with program areas when information provided is incomplete or unclear; removes duplicate records; and then sends the complete ministry package back to IAO. Should the program areas have differing opinions on what needs to be provided, the FOI Coordinator discusses the issue with the relevant parties and then provides IAO with clear ministry direction.

### Managing Timelines

FOIPPA establishes a 30 business day time frame for responding to most FOI requests (with limited provisions to extend deadlines or put requests on hold temporarily). FOI is a complex process, and there is potential for delays at all stages. It is recommended that all steps in the FOI process be completed with appropriate due diligence as expeditiously as possible. Time saved in the Record Gathering stage may be needed in later stages of the process to keep the FOI request from going overdue. Overdue requests can cause considerable additional work for ministries, and those should be avoided to the extent possible.

### Duty to Assist and Adequate Search

FOIPPA establishes a duty to assist FOI applicants. This duty involves making every reasonable effort to assist applicants and responding without delay to each applicant openly, accurately and completely. The duty to assist is shared by IAO and its client ministries, and is facilitated by good communication between the parties.

Most duty to assist complaints from FOI applicants pertain to adequacy of search. Adequate search involves making reasonable interpretations of applicants' FOI requests, requesting clarification when applicants' requests are unclear, and then performing a reasonable search for the requested records.

In limited circumstances, the duty to assist requires ministries to create a record.

### Fee Estimating

FOIPPA permits the charging of limited fees for certain activities pertaining to the processing of FOI requests for general records (not personal records). As most applicants prefer to receive their records electronically, FOI fees are charged primarily for time spent locating, retrieving and producing responsive records; and for preparing records for disclosure; at a rate of \$30 per hour. (Per FOIPPA, the

first three hours spent locating and retrieving records, and any time spent reviewing responsive records for harms or severing are provided free of charge.)

When total fees on an FOI request are estimated at \$50 or more, FOI Coordinators are encouraged to send their ministry's fee estimate information to IAO as quickly as possible, to enable IAO to send the fee estimate to the applicant, which stops the FOI clock until the applicant responds. Record gathering on files with fees should begin when the required deposit or fee is paid, or when the fee is waived.

FOI applicants have the right to challenge fee estimates and to complain to the Office of the Information and Privacy Commissioner about same; therefore, fee estimates should reflect reasonable estimates of chargeable work that will be required to process individual FOI requests.

#### Responsive Records Only

While FOIPPA requires ministries to conduct a thorough search for records requested through FOI, it is important to provide **ONLY** records that respond to the applicant's request. Providing additional records that are not responsive to the applicant's request causes delays in the processing of that request, increasing the likelihood that the ministry will not meet its statutory deadline to respond.

#### Complete Call for Records Form

Recipients of Calls for Records are requested to complete all ministry sections of the Call for Records form and to send that completed form with the responsive records to the FOI Coordinator, for review and forwarding to IAO. The ministry sections of the Call for Records form are:

- Section 1: Initial Records Assessment - Complete this section for all FOI requests.
- Section 2: Fee Estimate – Complete this section for all general FOI requests where the total estimated fees for the MINISTRY are \$50 or more (check with FOI Coordinator if unsure).
- Section 3: Search Summary and Program Area Recommendations – Complete the search summary field for all FOI requests, including “no records responses” to demonstrate that the ministry exercised due diligence in determining its response. Complete the “harm” sections (the appropriate check box and the description field) if responsive records are located (see the Harms Assessments paragraphs below).
- Section 4: Contact Information – Complete this section for all FOI requests.

#### Harms Assessments

Completion of the above-referenced “harm” sections of the Call for Records form is critical. When doing this, ministries are not being asked to sever records or to identify applicable sections of FOIPPA. As the “knowledgeable owners” of their records, ministries are being asked to identify information in the records that could reasonably be expected to cause harm if released, and to identify the type(s) of anticipated harm. Most of the FOIPPA exceptions to disclosure are harms-based. IAO reviews the ministry-supplied responsive records and accompanying harms assessments, and provides ministries with informed recommendations on how FOIPPA may be applied correctly to sever information that meets the stipulated harms tests.

An example of a harms assessment statement is “If the cost estimate figures in Schedule 1 of Document A are released, this will reveal and harm the ministry’s negotiating position for the upcoming round of contracts”. Depending on the content and context of the referenced record, IAO likely would respond to this harms assessment by recommending that the referenced cost estimate figures be severed from the record under FOIPPA section 17 (disclosure harmful to the financial or economic interests of a public body).

### Cabinet Confidences

FOIPPA section 12 requires severing of information that would reveal the substance of deliberations of Cabinet or its committees from records that are released through FOI. Where responsive records have been prepared for, or used to inform, a decision of Cabinet or any of its committees, ministries need to identify the applicable records and to answer the following two questions:

1. What is the status of the issue that went to Cabinet or one of its committees?
2. Has the decision been made public or implemented?

The Call for Records form asks ministries to include this information in the Harms Assessments that they provide with their responsive records to IAO. This information enables IAO to recommend appropriate section 12 severing to ministries.

## **Sign-off Best Practices**

### FOI Coordinator’s Role

Once IAO has completed its review of the ministry-provided responsive records and harms assessments (and any necessary external consultations or notifications), IAO prepares and sends an FOI sign-off package (through the ministry’s central FOI e-mailbox if it has one) to the ministry FOI Coordinator. The FOI Coordinator manages the ministry’s internal FOI sign-off process, by routing the sign-off package through the appropriate ministry officials to the “delegated head” with authority to sign-off on that particular FOI response (see Delegate Sign-off Authority paragraph below). The FOI Coordinator investigates sign-off delays, and advises IAO if changes to the sign-off package are required by the “delegated head”. When sign-off is obtained, the FOI Coordinator e-mails the completed sign-off package/approval back to IAO.

### Managing Timelines

Six business days are notionally allocated for ministry FOI sign-offs, but this time period might be reduced when the statutory response date is approaching or increased for large and complex files if sufficient additional time is available. IAO needs time to do a final check of all FOI response packages after sign-offs are received from ministries and before records are released to applicants. These final checks are necessary to minimize the likelihood of privacy breaches or other information incidents. If FOI sign-offs are not sent to IAO until the statutory response dates, there may not be time for IAO to do the necessary final checks that same day, in which case, responses to applicants will go out late.

### Delegate Sign-off Authority to Lowest Level Based on Risk

FOIPPA section 66 permits the head of a public body to delegate his or her FOIPPA-related responsibilities and authorities to other persons or positions. It is recommended that Deputy Ministers delegate their FOIPPA-related responsibilities and authorities to the lowest level organizational positions with which they are comfortable, based on risk. Delegating to the most appropriate level expedites FOI processing by providing ministries with the flexibility to allow incumbents of specified lower level positions to exercise authorities and sign-off on responses to low risk FOI requests; but it does not preclude the incumbents of positions at higher levels in the same lines of authority, including Deputy Ministers, from exercising their authorities or signing off on select FOI responses.

### Limit Internal Signatures Required before Sign-off

It is recommended that ministry “delegated heads” limit the number of internal signatures that they require before signing off on FOI responses, as requiring multiple internal signatures prior to sign-offs increases the likelihood that responses to FOI applicants will be late. FOIPPA’s very tight timelines do not facilitate multiple internal approvals prior to formal ministry sign-offs.

## **Complaints and Reviews Best Practices**

### Time is of the Essence

FOI applicants have the right to file a complaint or request a review by the Office of the Information and Privacy Commissioner (OIPC) when they are dissatisfied with the processing of an FOI request. For example, applicants may question or challenge: the adequacy of search for requested records; FOI fees estimated or collected; the severing applied to records that are released; or the failure to respond to an FOI request by the statutory deadline (an “alleged deemed refusal”). When applicant complaints or requests for review are received, ministries and IAO need to work with the OIPC to resolve the issue(s) raised as expeditiously as possible. Issues that cannot be resolved to an applicant’s satisfaction may be referred to inquiry, which is a time-consuming process involving legal counsel that can be very costly to ministries.

### Resolve through Mediation where Possible

When the OIPC opens a review or complaint file, it may request through IAO copies of correspondence with the applicant, or it may send a list of questions about the processing of the FOI file at various stages. Depending on its initial findings, the OIPC may request that the ministry reconsider its earlier decisions to sever or withhold records. Working in partnership with IAO to respond to those OIPC questions and requests as quickly as possible can lead to an early resolution of the issue(s) and prevent the file from going to inquiry.

### Comply with OIPC Orders

When FOI applicant complaints and requests for review go to inquiry, the usual result is an OIPC order. Frequently these orders are to release records. OIPC orders have the force of law and must be carried

out within the time frames stipulated in those orders (unless a judicial review is requested before the deadline). Please work with IAO to comply with all OIPC orders.

## Appendix: ROLES AND RESPONSIBILITIES FOR PROCESSING FOI REQUESTS

**PREAMBLE:** The processing of FOI requests is a partnership between IAO and its client ministries. The respective roles and responsibilities for this process are assigned to the parties that are best-positioned to undertake them; i.e.:

- IAO is the client ministries' service provider to FOI applicants. IAO holds the expert knowledge of FOIPPA and how it can be applied in various situations, and provides advice and recommendations to client ministries regarding same. IAO also provides FOI activity data to client ministries, and coordinates client responses to reviews and complaints from applicants.
- Client ministries have custody and control of their records, and are the "knowledgeable owners" of those records. They are best-positioned to determine whether their records are responsive to applicants' requests, and whether release of information in those records will result in harms. Client ministries approve the application of FOI exceptions to disclosure based on recommendations from IAO, and they approve the release of records to applicants.

It is assumed that both parties will make the best use of available technology to streamline the process.

### 1. INTAKE – IAO

- Determine whether request complies with FOIPPA and is addressed to an IAO client
- If requirements above are met, log request in and open file
- Assign request to appropriate IAO Team
- Send formal acknowledgement of request to applicant
- IAO Team to issue Call for Records to client ministry FOI Coordinator

### 2. RECORD GATHERING – Client Ministry

- Determine if request is sufficiently voluminous to warrant a fee and, if so, complete Fee Estimate information on the Call for Records form and email it to IAO ASAP
- If request proceeds, locate all responsive records, and send them electronically to IAO, along with the completed Call for Records form, which includes a harms assessment
- Where information revealing Cabinet confidences is identified, provide required information to support FOIPPA section 12 severing with the records and harms assessment

**3. REVIEW & ANALYSIS – IAO**


- Issue fee estimate to applicant where applicable
- Analyze and provide recommendations to client on any fee waiver requests
- Initiate and process any necessary consultations or third party notifications
- Review responsive records and harms assessments provided by client, and consultation responses where applicable
- Apply for OIPC extensions where warranted
- Determine appropriate severing recommendations and prepare sign-off package for client ministry
- email sign-off package to client ministry FOI Coordinator

**4. SIGN-OFF – Client Ministry**


- Manage client's internal review and sign-off process
- Route sign-off package through appropriate parties determined by client ministry; obtain approval signature from ministry's delegated FOI approval authority
- email completed sign-off package back to IAO

**5. RELEASE – IAO**

- Finalize release package
- Issue response to applicant
- Close file




Ministry of  
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and Cyber Services




**Logistics and Business Services**

**RECORDS MANAGEMENT  
AND  
FREEDOM OF INFORMATION**

**Presented September 2015**



Ministry of  
Technology, Innovation  
and Cyber Services




**FREEDOM OF INFORMATION**

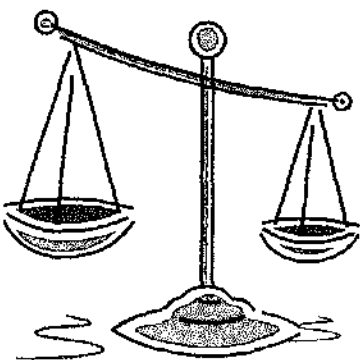
1. The Act
2. Records Management
3. How the FOI Process Works

2




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and Citizens' Services

## PURPOSES OF THE ACT




Accountability  
 Right of access to records

Privacy  
 Prevent unauthorized collection, use or disclosure of personal information

Independent oversight

3


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Technology, Innovation  
and Citizens' Services

## PURPOSES OF THE ACT


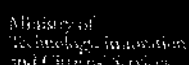

### Accountability to the Public

- Legislated right to access all government records - specifying limited exceptions (i.e. make what is commonly referred to as an 'FOI request').
- Independent review of the decisions made under the Act (OIPC).

### Protection of Privacy

- Provides a right of access to individuals own personal information.
- Regulates how public bodies collect, use and disclose personal information.
- Right to request correction of personal information.

4

## ENTITIES COVERED BY THE ACT

All provincial ministries, and most provincial agencies, boards, commissions, Crown Corporations and smaller agencies.

### Local Public Bodies

- School districts, colleges and universities
- Regional health boards


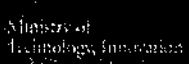

### Self-Governing Professions and Occupations

- Teachers
- Doctors
- Nurses

➤ Government is only responsible for requests to BC government ministries

- NOT MLA offices, Speaker's office, Crowns, etc.

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## WHAT RECORDS ARE COVERED BY THE ACT


All records in the custody or under the control of a public body.

### What is a Record?

- Any information recorded or stored by any means whether in hard copy or in electronic format.
- Regardless of content and subject matter, the following are subject to an FOI request:
 

○ briefing notes	○ contractor records
○ vouchers	○ email
○ telephone records	○ records on your smart phone
○ notebooks/daybooks	○ transitory records

6




## RECORDS MANAGEMENT

Records created or received while doing Government business must be managed according to legislation, litigation requirements and Government policy and are subject to FOI and Government policy regardless of where they are located.

- Government email must be conducted using approved Government email systems, not personal email systems. This is essential for information security, privacy protection and effective management of the Information.
- Government records that are not transitory should be filed in the office's record-keeping system (e.g., TRIM or LAN) and must not be destroyed without an approved schedule (e.g., ARCS/ORCS) or before the schedule allows.
- Employees must keep Government records separate from material relating to ministers' constituency matters, legislative committee involvement and other MLA activities. Those, and personal (e.g., family) records, are not Government records.


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## RECORDS SCHEDULES

- Executive records schedule includes all government business of ADMs and above, including Ministers' offices.
- Retention period for executive records is typically 10 years after business use has ended.
- ARCS are administrative records common to all program areas (e.g., competition files, financial information) and the retention period is typically around 7 years.
- ORCS are program specific business records with a retention period typically under 10 years.

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## TRANSITORY RECORDS

- Are records of **temporary usefulness** not required to document decisions and actions or to support ongoing government business.
- Should be **regularly deleted** as their usefulness ends (e.g., transitory emails of no further use or convenience copies of submission or briefing notes can be deleted).
- The Transitory Records Schedule does not apply to personal or MLA records.

9




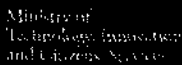

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## BEST PRACTICES FOR EMAIL

- Use government email accounts for government business.
- Keep email inbox up to date.
- Retain records that document government decisions in your office's electronic filing system – email sender is generally responsible for retaining the original.
- Regularly eliminate transitory records (e.g., personal emails, duplicates, working materials or non-substantive drafts).

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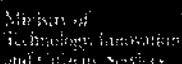





## WHAT HAPPENS WHEN AN FOI REQUEST IS RECEIVED?

Ministry responsibilities include provision of the following information to IAO:


- where search for records was conducted (i.e. TRIM files, databases off-site records);
- duration of search time by ministry program area;
- who conducted the record search;
- potential harms could result from disclosure of records gathered;
- issues associated with disclosure of records gathered;
- regional locations where records pertaining to this request may reside.

11

Mandatory Exceptions	
Section 12	Cabinet confidence
Section 21	Third party business information
Section 22	Personal information
Discretionary Exceptions	
Section 13	Policy advice/recommendations
Section 14	Legal advice
Section 15	Law enforcement
Section 16	Intergovernmental relations
Section 17	Financial or economic interests
Section 18	Heritage sites
Section 19	Personal health or safety
Section 20	Information soon to be published

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## SECTION 12

- Section 12 is a mandatory section of the Act that enables Cabinet Committees to discuss issues in confidence.
- The head of a public body (e.g. the DM) must refuse to disclose information that would reveal the **substance** of deliberations (implications, options, advice, etc.) of Cabinet Committees.
- Section 12 does not apply to **background explanations** or analysis to Cabinet if the decision has been made public, has been implemented, or five or more years have passed since the decision was made or considered. The 'Substance' still remains withheld.

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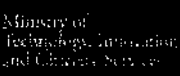



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## FOI APPROVAL, PUBLICATION & APPEAL

- FOI requests are sent to program areas (ministries) for review and sign-off.
- The DM or delegated head of the public body exercises discretion with respect to disclosure recommendations.
- The DM or designate signs-off the final version of the request before it is released to the applicant.
- Applicant has the right to appeal to OIPC.
- General FOI requests are posted to the Open Information site.
- It is important to consider that broader release gives more people access to the information in the FOI release.

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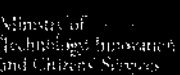

## CONTACTS

Wes Boyd, ADM, Logistics and Business Services	250 508-5791
Brad Williams, Executive Director, FOI	250 387-9807
Chad Hoskins, Senior Director, FOI	250 356-7343

**FOI Managers:**


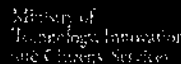

<i>Sector</i>	<i>Manager</i>	
Justice/Social	<u>Kris Ghag</u>	250 397-9801
Central Agencies	<u>Cindy Elbahir</u>	250 952-6355
Natural Resources	<u>Ken Bejcek</u>	250 356-5702
Business/Infrastructure	<u>Russ Fuller</u>	250 387-4503
Health/Education	<u>Maxine Vanzetta</u>	250 387-9805
Personals	<u>Vivian McDonald</u>	250 356-6266
Intake/Open Information	<u>Cindy Kukucska</u>	250 387-7356

15

## QUESTIONS ?

16


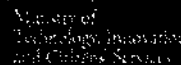

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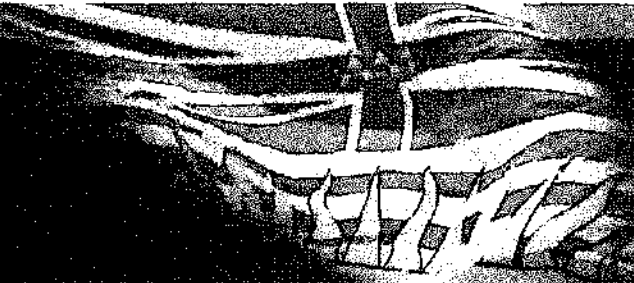
## QUESTIONS ?

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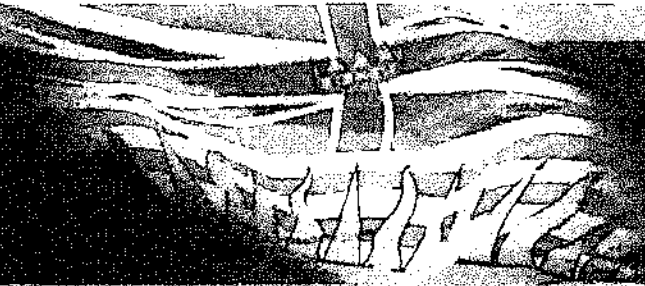
## **Logistics and Business Services**

# **FREEDOM OF INFORMATION**

**Presented April 2015**



Ministry of  
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and Citizens' Services



## **FREEDOM OF INFORMATION**

1. What you need to know about the FOI Act
2. Records Management
3. FOI
4. How the FOI process works
5. Trends in FOI
6. Calendars
7. Open Information
8. FOI Contacts



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## **PURPOSES OF THE ACT**

### **Accountability to the Public**

- Legislated right to access all government records - specifying limited exceptions (i.e. make what is commonly referred to as an 'FOI request')

### **Protection of Privacy**

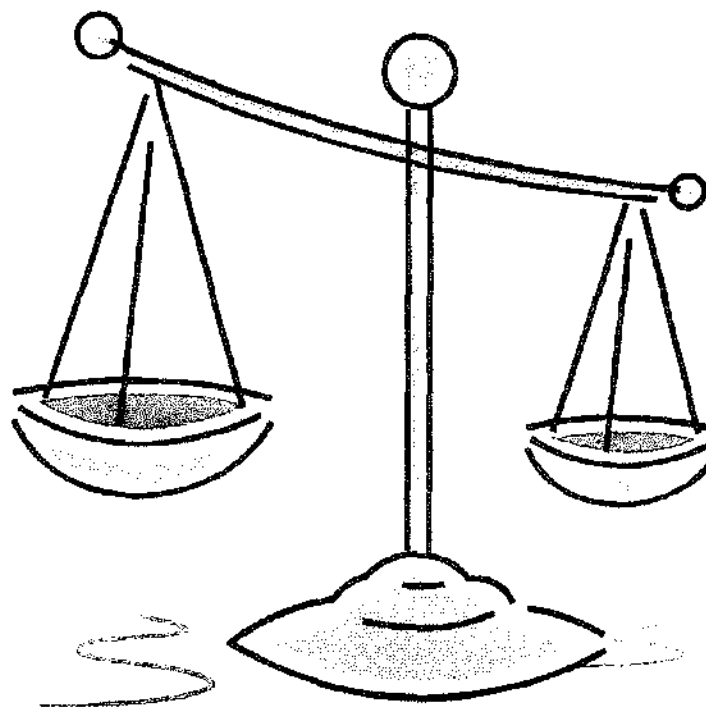
- Provides a right of access to individuals own personal information
- Regulates how public bodies collect, use and disclose personal information
- Right to request correction of personal information

### **Independent Oversight by the Office of the Information & Privacy Commissioner**

- Conducts reviews on decisions regarding disclosure

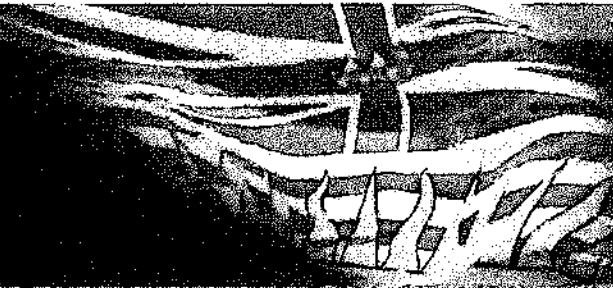
# Purposes of the Act

ACCOUNTABILITY  
RIGHT OF ACCESS  
TO RECORDS



PRIVACY  
PREVENT UNAUTHORIZED  
COLLECTION, USE OR  
DISCLOSURE OF  
PERSONAL INFORMATION

INDEPENDENT OVERSIGHT



## WHO IS COVERED BY THE ACT

All provincial ministries, and most provincial agencies, boards, commissions, Crown corporations and smaller agencies

### **Local public bodies**

- School Districts
- Colleges and universities
- Regional health boards

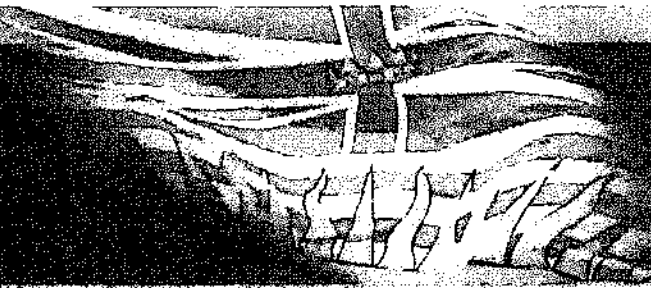
### **Self-governing professions and occupations**

- Teachers
- Doctors
- Nurses

➤ Government is only responsible for requests to BC government ministries



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## WHAT RECORDS ARE COVERED BY THE ACT

All records in the **custody** or under the **control** of a public body

### What is a Record?

- Any information recorded or stored by any means whether in hard copy or in electronic format
- Regardless of content and subject matter, the following are subject to an FOI request:
  - briefing notes
  - vouchers
  - telephone records
  - notebooks/daybooks
  - contractor records
  - email
  - records on your smart phone
  - transitory records



## TRANSITORY RECORDS

- Are records of temporary usefulness not required to document decisions and actions or to support ongoing government business
- Should be regularly deleted as their usefulness ends (e.g.: transitory emails of no further use can be deleted)
- The Transitory Records Schedule does not apply to personal or MLA records

## RECORDS MANAGEMENT

- Records created or received while doing Government business must be managed according to legislation, litigation requirements and Government policy and are subject to FOI and Government policy regardless of where they are located.
- Government email must be conducted using approved Government email systems, not personal email systems. This is essential for information security, privacy protection and effective management of the information
- Government records that are not transitory should be filed in the office's record-keeping system (e.g., TRIM or LAN) and must not be destroyed without an approved schedule (e.g., ARCS/ORCS) or before the schedule allows
- Employees must keep Government records separate from material relating to ministers' constituency matters, legislative committee involvement and other MLA activities. Those, and personal (e.g., family) records, are not Government records





## RESPONSES WITH RECORDS AND NO RECORDS

Fiscal Year	Number of Closed Requests	On-Time Requests	Percentage of No Records Responses
2009/10	7,750	6,984	21%
2010/11	7,939	7,145	24%
2011/12	8,212	7,392	21%
2012/13	9,524	8,325	25%
2013/14	9,827	7,272	19%
2014/15	8,377	6,588	17%



## CROSS GOVERNMENT REQUEST – TIMELINES

### 30 DAYS!

1. Intake	2. Record Gathering	3. Review & Analysis	4. Approval	5. Release
<ul style="list-style-type: none"><li>• IAO</li><li>• Ministry</li></ul>	<ul style="list-style-type: none"><li>• Ministry</li></ul>	<ul style="list-style-type: none"><li>• IAO</li></ul>	<ul style="list-style-type: none"><li>• IAO</li><li>• Ministry</li></ul>	<ul style="list-style-type: none"><li>• IAO</li></ul>
1 day	12 days	10 days	6 days	1 day

**Unless.....**

*The request necessitates a 30 Day Extension under the Act*

## WHAT HAPPENS WHEN AN FOI REQUEST IS RECEIVED?

- Standard Call for Records Forms and Guidelines for record submissions are provided to all ministry program areas
- Ministry responsibilities include provision of the following information to IAO:
  - where search for records was conducted (i.e. TRIM files, databases, off-site records)
  - duration of search time by ministry program area
  - who conducted the record search
  - potential HARMS that could result from disclosure of records gathered
  - ISSUES associated with disclosure of records gathered
  - regional locations where records pertaining to this request may reside

### Mandatory Exceptions

Section 12	Cabinet confidence
Section 21	Third party business information
Section 22	Personal information

### Discretionary Exceptions

Section 13	Policy advice/recommendations
Section 14	Legal advice
Section 15	Law enforcement
Section 16	Intergovernmental relations
Section 17	Financial or economic interests
Section 18	Heritage sites
Section 19	Personal health or safety
Section 20	Information soon to be published



## FOI APPROVAL PROCESS

- FOI requests are sent to program areas (ministries) for review and sign-off
- The DM or delegated head of the public body is responsible for final sign-off on all requests
- The DM or delegated head of the public body exercises discretion with respect to disclosure recommendations

## FOI FAST FACTS

Timeliness was down in 2013/14, but government is still responding to more requests **on-time** than it did prior to centralization in 2009.

**Political party** requests increased by 64% in 2013/14.

2013/14 was the first year in which government received more **general** than personal requests.

Government received close to **10,000** FOI requests in 2013/14, a 25% increase over 2009/10.

Government received **1,800** requests for the **calendars** of senior government officials/employees.

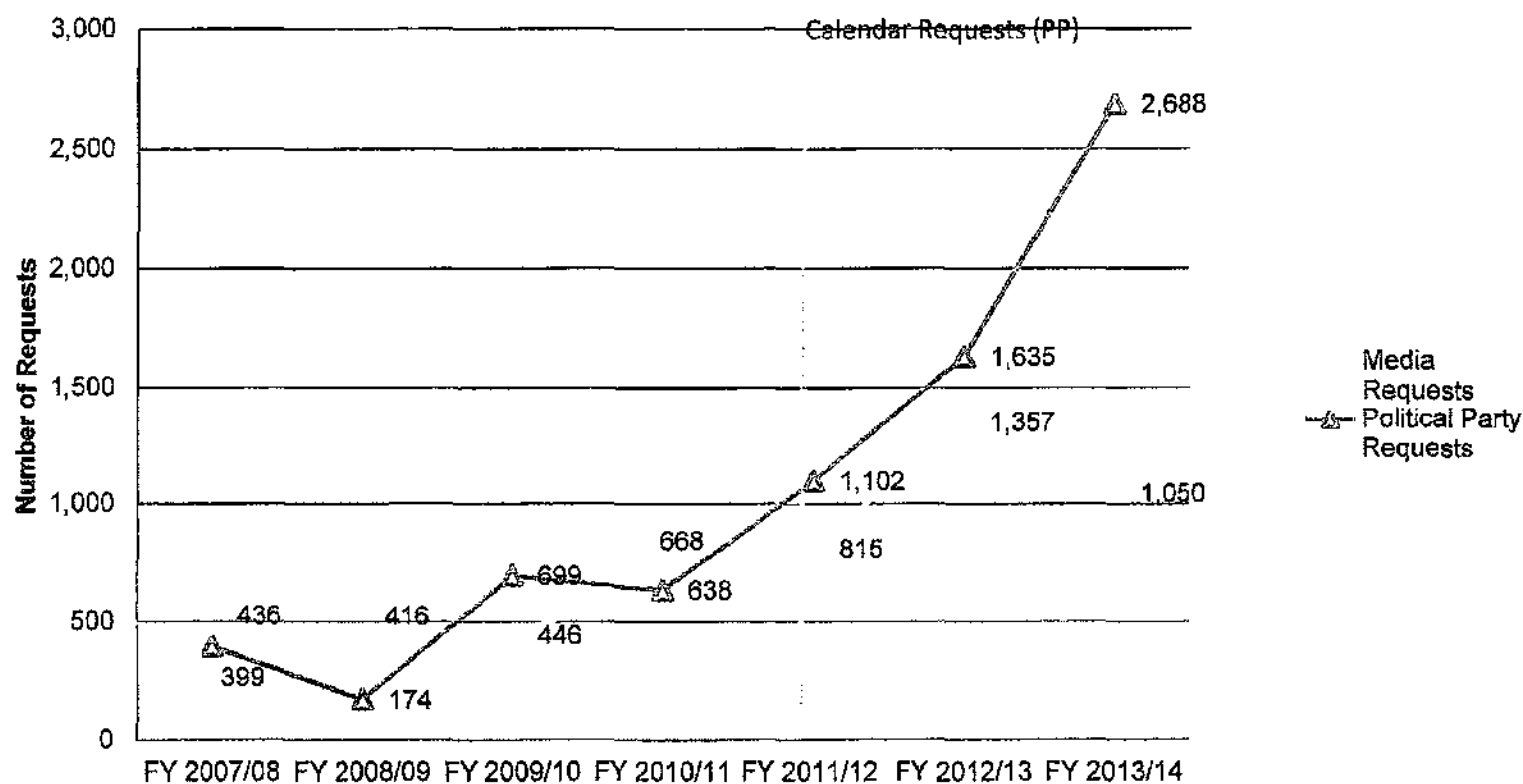


## DEMAND FOR FOI REQUESTS CONTINUES TO INCREASE

Fiscal Year	General Requests	Personal Requests	Total Requests Received	% On-Time
2008/09	1,693	4,877	6,570	74
2009/10	2,532	5,122	7,654	90
2010/11	2,756	5,073	7,829	93
2011/12	3,329	5,094	8,423	90
2012/13	4,815	5,484	10,299	87
2013/14	5,200	4,400	9,600	74
2014/15	4,124	4,151	8,275	79

## CHANGING NATURE OF FOI APPLICANTS

### Requests from Political Parties and Media







## CALENDAR MANAGEMENT

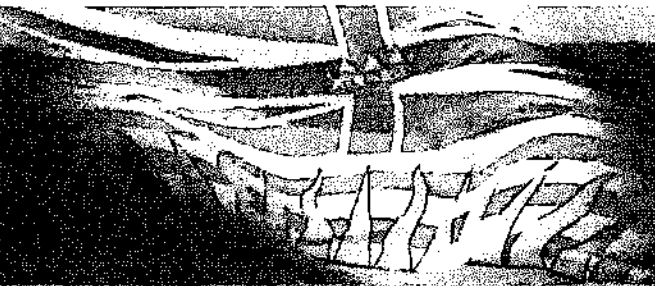
- Government generally receives monthly or bi-monthly requests for DM, ADM and ED calendars and about 25 positions in the Office of the Premier. In November 2013, calendars for Ministers' Office Executive Assistants were included.

### OUTLOOK CALENDARS

- Be wary of embedded documents, as the calendar and the attachments have different life spans
- Ensure calendar consistency and clarity
  - be clear about the subject of the meeting and who is expected to attend
  - keep the meeting subject concise
- Keep calendars current
  - update the calendar as changes occur
  - delete meetings that did not occur or were not attended
  - update the calendar to record the names and titles of individual(s) who actually attended the meeting as the calendar owner's representative
- Personal appointments
  - mark as "private" – details will not show up in a printed copy or to anyone other than the calendar owner or a delegate
  - caution – ensure that only personal appointments are labeled as "private". Calendar records must be accurate and are subject to a formal access request under FOIPPA
  - consider deleting "private" or personal appointments immediately after they occur



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## SEVERING GUIDELINES - CALENDAR ENTRIES

Blackberry/cell phone numbers for  
government employees

**Severed** under section 17 (unless public)

"Cabinet" or "Cabinet Retreat"

**Not Severed**

"Treasury Board"

**Not Severed**

Accommodation details

**Severed** under section 15

Meeting location details

**Severed** under section 15

Constituency related – any entries in  
the Minister's calendar that relate to  
his/her duties as a Member of the  
Legislative Assembly (MLA)

**Out of Scope** - under section 3 - As the  
office of a Member of the Legislative  
Assembly is not a public body, any entries  
in a Minister's calendar that relate to his/her  
duties as an MLA will be severed as outside  
the scope of FOIPPA

360's (executive performance review),  
mentoring, EPDP

**Severed** under section 22



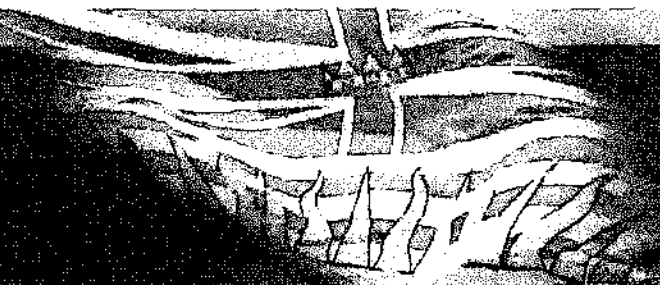
Ministry of  
Technology, Innovation  
and Citizens' Services

## OPEN INFORMATION

- Introduced July 2011 with policy guidelines
- Over 5,000 General FOI requests posted (no Personals)
- Over 1,700 Minister and Deputy Minister travel expense summaries posted
- Over 21,000 visits to and 15,000 downloads from the Open Information website in 2013/14
- Proactively released 48 per cent of eligible general requests in 2013/14
- Requests are exempt from publication due to security concerns (82 per cent), business information (10 per cent), and personal information (7 per cent)



Ministry of  
Technology, Innovation  
and Citizens' Services



## Contact Information

Brad Williams, Executive Director, FOI

250 357-9807

Chad Hoskins, Senior Director, FOI

250 356-7343

### FOI Managers:

#### Sector

#### Manager

**Justice/Social**

Vicki Hudson

**250 356-0845**

**Central Agencies**

Cindy Elbahir

**250 952-6355**

**Natural Resources**

Kris Ghag

**250 356-5702**

**Business/Infrastructure**

Russ Fuller

**250 387-4503**

**Health/Education**

Maxine Vanzetta

**250 387-9805**

**Personals**

Vivian McDonald

**250 356-6266**

**Intake/Open Information**

Cindy Kukucska

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## **Severing Guidelines - Calendar Entries**

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“Cabinet” or “Cabinet Retreat”	<b>Not Severed</b> – there is not enough information in this entry to reveal the substance of deliberations of the Executive Council or its committees.
“Chambers” as a subject	<b>Not Severed</b>
“Chambers” as a location	<b>Severed</b> under Section 15
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Accommodation details	<b>Severed</b> under section 15
Meeting location details	<b>Severed</b> under section 15
Working from “Home”	<b>Severed</b> under section 15 “Home” (only)
“WFH” (acronym for working from home)	<b>Severed</b> under section 15 in its entirety
“Caucus” “House” “House Business Update” “Duty House Leader” “House Duty”	<b>Severed</b> as Not Responsive in a Minister’s calendar only;  <b>Not severed</b> in any other calendar
Entries that relate to the exercise of the duties/functions of an Officer of the Legislature (see Schedule 1 definition) under an Act	<b>Severed</b> under section 3 (in any calendar)
Unpublished direct telephone numbers for Minister, DM, ADM, etc.	<b>Severed</b> under section 17 - see comments for severing Blackberry/cellphone numbers
“Private Appointment” (as a stand-alone term)	<b>Not severed</b>
Details of a personal appointment	<b>Severed</b> under section 22, as appropriate
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## **Logistics and Business Services**

### **FREEDOM OF INFORMATION**

**Presented February 2015**

## **FREEDOM OF INFORMATION**

1. What you need to know about the FOI Act
2. Records Management
3. FOI
4. How the FOI process works
5. Trends in FOI
6. Calendars
7. Open Information
8. FOI Contacts

## **PURPOSES OF THE ACT**

### **Accountability to the Public**

- Legislated right to access all government records - specifying limited exceptions (i.e. make what is commonly referred to as an 'FOI request')

### **Protection of Privacy**

- Provides a right of access to individuals own personal information
- Regulates how public bodies collect, use and disclose personal information
- Right to request correction of personal information

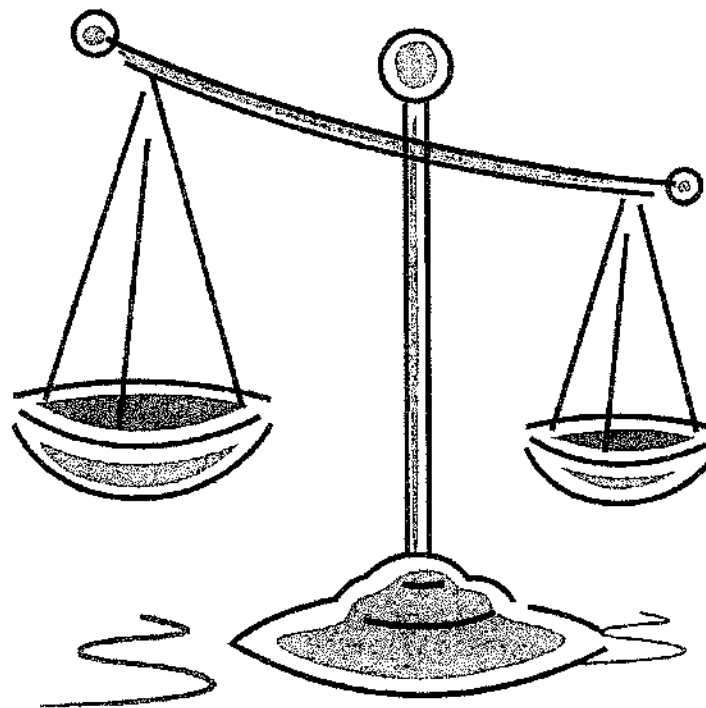
### **Independent Oversight by the Office of the Information & Privacy Commissioner**

- Conducts reviews on decisions regarding disclosure



# Purposes of the Act

ACCOUNTABILITY  
RIGHT OF ACCESS TO  
RECORDS



PRIVACY  
PREVENT UNAUTHORIZED  
COLLECTION, USE OR  
DISCLOSURE OF PERSONAL  
INFORMATION

INDEPENDENT OVERSIGHT

## **WHO IS COVERED BY THE ACT**

All provincial ministries, and most provincial agencies, boards, commissions, Crown corporations and smaller agencies

### **Local public bodies**

- School Districts
- Colleges and universities
- Regional health boards

### **Self-governing professions and occupations**

- Teachers
  - Doctors
  - Nurses
- Government is only responsible for requests to BC government ministries

## WHAT RECORDS ARE COVERED BY THE ACT

All records in the **custody** or under the **control** of a public body

### What is a Record?

- Any information recorded or stored by any means whether in hard copy or in electronic format
- Regardless of content and subject matter, the following are subject to an FOI request:
  - briefing notes
  - vouchers
  - telephone records
  - notebooks/daybooks
  - contractor records
  - email
  - records on your smart phone
  - transitory records

## **TRANSITORY RECORDS**

- Are records of temporary usefulness not required to document decisions and actions or to support ongoing government business
- Should be regularly deleted as their usefulness ends (e.g.: transitory emails of no further use can be deleted)
- The Transitory Records Schedule does not apply to personal or MLA records

## RECORDS MANAGEMENT

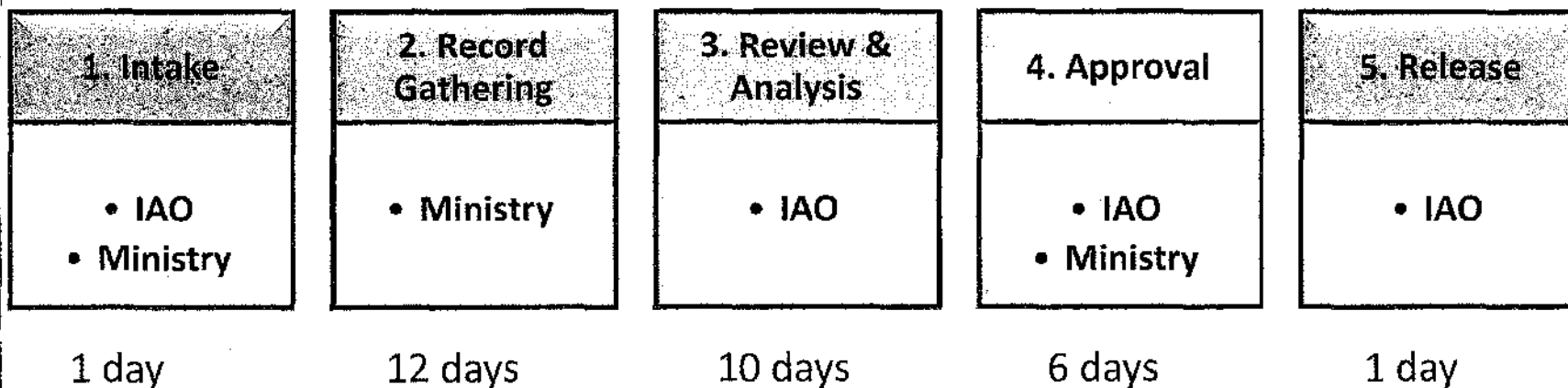
- Records created or received while doing Government business must be managed according to legislation, litigation requirements and Government policy and are subject to FOI and Government policy regardless of where they are located.
- Government email must be conducted using approved Government email systems, not personal email systems. This is essential for information security, privacy protection and effective management of the information
- Government records that are not transitory should be filed in the office's record-keeping system (e.g., TRIM or LAN) and must not be destroyed without an approved schedule (e.g., ARCS/ORCS) or before the schedule allows
- Employees must keep Government records separate from material relating to ministers' constituency matters, legislative committee involvement and other MLA activities. Those, and personal (e.g., family) records, are not Government records

**RESPONSES WITH RECORDS AND NO RECORDS**

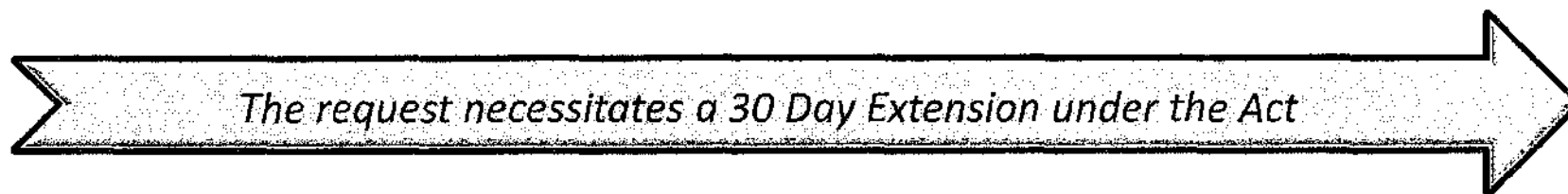
<b>Fiscal Year</b>	<b>Number of Closed Requests</b>	<b>On-Time Requests</b>	<b>Percentage of No Records Responses</b>
2009/10	7,750	6,984	21%
2010/11	7,939	7,145	24%
2011/12	8,212	7,392	21%
2012/13	9,524	8,325	25%
2013/14	9,827	7,272	19%

## CROSS GOVERNMENT REQUEST – TIMELINES

**30 DAYS!**



*Unless.....*



### WHAT HAPPENS WHEN AN FOI REQUEST IS RECEIVED?

- Standard Call for Records Forms and Guidelines for record submissions are provided to all ministry program areas
- Ministry responsibilities include provision of the following information to IAO:
  - where search for records was conducted (i.e. TRIM files, databases, off-site records)
  - duration of search time by ministry program area
  - who conducted the record search
  - potential HARMS that could result from disclosure of records gathered
  - ISSUES associated with disclosure of records gathered
  - regional locations where records pertaining to this request may reside



## How the FOI Process Works

Mandatory Exceptions	
Section 12	Cabinet confidence
Section 21	Third party business information
Section 22	Personal information
Discretionary Exceptions	
Section 13	Policy advice/recommendations
Section 14	Legal advice
Section 15	Law enforcement
Section 16	Intergovernmental relations
Section 17	Financial or economic interests
Section 18	Heritage sites
Section 19	Personal health or safety
Section 20	Information soon to be published

### FOI APPROVAL PROCESS

- FOI requests are sent to program areas (ministries) for review and sign-off
- The DM or delegated head of the public body is responsible for final sign-off on all requests
- The DM or delegated head of the public body exercises discretion with respect to disclosure recommendations

## FOI FAST FACTS

Timeliness was down in 2013/14, but government is still responding to more requests **on-time** than it did prior to centralization in 2009.

**Political party** requests increased by 64% in 2013/14.

2013/14 was the first year in which government received more **general** than personal requests.

Government received close to **10,000** FOI requests in 2013/14, a 25% increase over 2009/10.

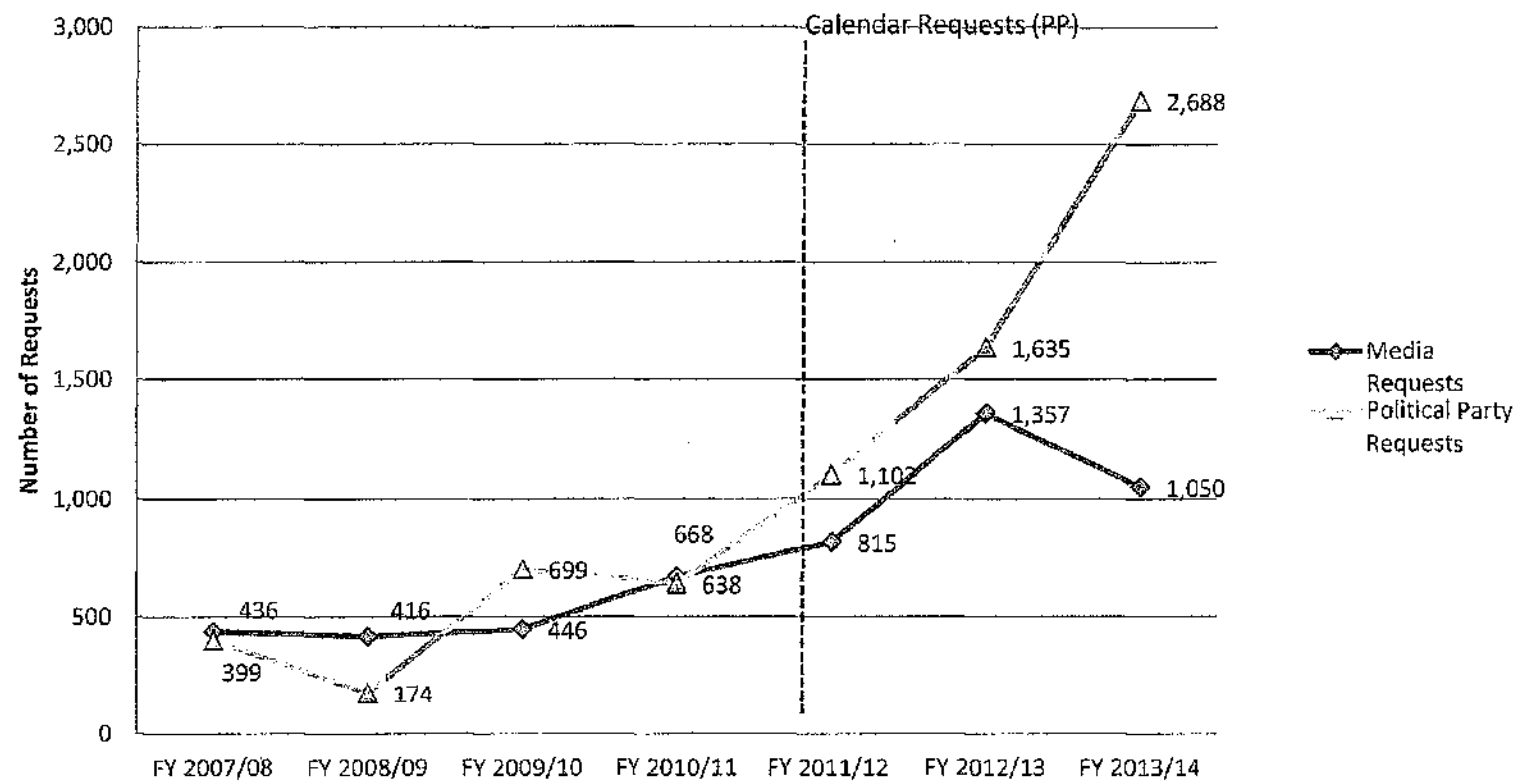
Government received **1,800 requests** for the **calendars** of senior government officials/employees.

## DEMAND FOR FOI REQUESTS CONTINUES TO INCREASE

Fiscal Year	General Requests	Personal Requests	Total Requests Received	% On-Time
2007/08	1,805	3,589	5,394	71
2008/09	1,693	4,877	6,570	74
2009/10	2,532	5,122	7,654	90
2010/11	2,756	5,073	7,829	93
2011/12	3,329	5,094	8,423	90
2012/13	4,815	5,484	10,299	87
2013/14	5,200	4,400	9,600	74

## CHANGING NATURE OF FOI APPLICANTS

### Requests from Political Parties and Media



## CALENDAR MANAGEMENT

- Government generally receives monthly or bi-monthly requests for DM, ADM and ED calendars and about 25 positions in the Office of the Premier. In November 2013, calendars for Ministers' Office Executive Assistants were included.

### OUTLOOK CALENDARS

- Be wary of embedded documents, as the calendar and the attachments have different life spans
- Ensure calendar consistency and clarity
  - be clear about the subject of the meeting and who is expected to attend
  - keep the meeting subject concise
- Keep calendars current
  - update the calendar as changes occur
  - delete meetings that did not occur or were not attended
  - update the calendar to record the names and titles of individual(s) who actually attended the meeting as the calendar owner's representative
- Personal appointments
  - mark as "private" – details will not show up in a printed copy or to anyone other than the calendar owner or a delegate
  - caution – ensure that only personal appointments are labeled as "private". Calendar records must be accurate and are subject to a formal access request under FOIPPA
  - consider deleting "private" or personal appointments immediately after they occur

## SEVERING GUIDELINES - CALENDAR ENTRIES

Item/Category	Severing/Not Severed
Blackberry/cell phone numbers for government employees	Severed under section 17 (unless public)
"Cabinet" or "Cabinet Retreat"	Not Severed
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**Shared  
Services**

## **Logistics and Business Services**

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**Presented October 2014**



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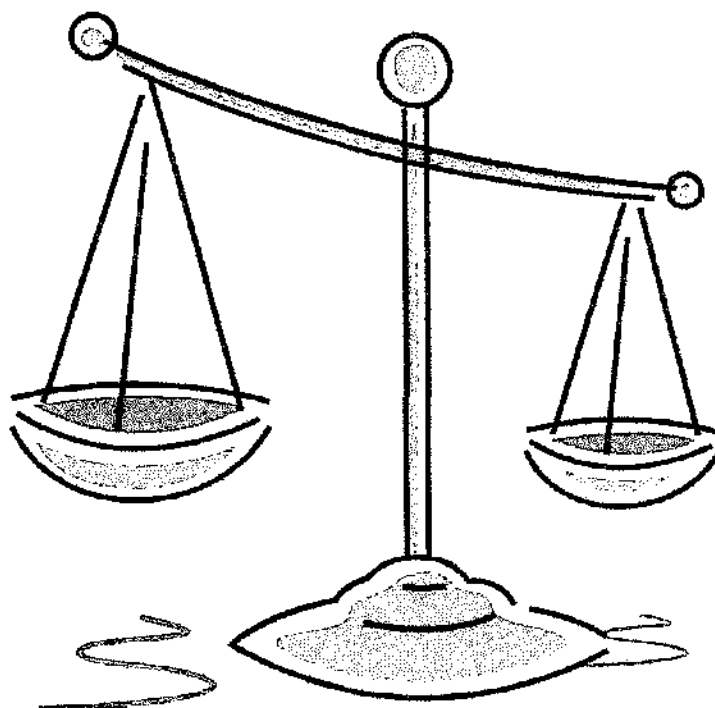
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- Colleges and universities
- Regional health boards

### **Self-governing professions and occupations**

- Teachers
- Doctors
- Nurses

➤ Government is only responsible for requests to BC government ministries

## WHAT RECORDS ARE COVERED BY THE ACT

All records in the **custody** or under the **control** of a public body

### What is a Record?

- Any information recorded or stored by any means whether in hard copy or in electronic format
- Regardless of content and subject matter, the following are subject to an FOI request:
  - briefing notes
  - vouchers
  - telephone records
  - notebooks/daybooks
  - contractor records
  - email
  - records on your smart phone
  - transitory records

## TRANSITORY RECORDS

- Are records of temporary usefulness not required to document decisions and actions or to support ongoing government business
- Should be regularly deleted as their usefulness ends (e.g.: transitory emails of no further use can be deleted)
- The Transitory Records Schedule does not apply to personal or MLA records



## RECORDS MANAGEMENT

- Records created or received while doing Government business must be managed according to legislation, litigation requirements and Government policy and are subject to FOI and Government policy regardless of where they are located.
- Government email must be conducted using approved Government email systems, not personal email systems. This is essential for information security, privacy protection and effective management of the information
- Government records that are not transitory should be filed in the office's record-keeping system (e.g., TRIM or LAN) and must not be destroyed without an approved schedule (e.g., ARCS/ORCS) or before the schedule allows
- Employees must keep Government records separate from material relating to ministers' constituency matters, legislative committee involvement and other MLA activities. Those, and personal (e.g., family) records, are not Government records

## RESPONSES WITH RECORDS AND NO RECORDS

Fiscal Year	Number of Closed Requests	On-Time Requests	Percentage of No Records Responses
2009/10	7,750	6,984	21%
2010/11	7,939	7,145	24%
2011/12	8,212	7,392	21%
2012/13	9,524	8,325	25%
2013/14	9,827	7,272	19%

## CROSS GOVERNMENT REQUEST – TIMELINES

**30 DAYS!**

1. Intake	2. Record Gathering	3. Review & Analysis	4. Approval	5. Release
<ul style="list-style-type: none"> <li>• IAO</li> <li>• Ministry</li> </ul>	<ul style="list-style-type: none"> <li>• Ministry</li> </ul>	<ul style="list-style-type: none"> <li>• IAO</li> </ul>	<ul style="list-style-type: none"> <li>• IAO</li> <li>• Ministry</li> </ul>	<ul style="list-style-type: none"> <li>• IAO</li> </ul>
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*Unless.....*

*The request necessitates a 30 Day Extension under the Act*

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- Standard Call for Records Forms and Guidelines for record submissions are provided to all ministry program areas
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  - where search for records was conducted (i.e. TRIM files, databases, off-site records)
  - duration of search time by ministry program area
  - who conducted the record search
  - potential HARMS that could result from disclosure of records gathered
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## How the FOI Process Works

Mandatory Exceptions	
Section 12	Cabinet confidence
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### FOI APPROVAL PROCESS

- FOI requests are sent to program areas (ministries) for review and sign-off
- The DM or delegated head of the public body is responsible for final sign-off on all requests
- The DM or delegated head of the public body exercises discretion with respect to disclosure recommendations

## FOI FAST FACTS

Timeliness was down in 2013/14, but government is still responding to more requests **on-time** than it did prior to centralization in 2009.

**Political party** requests increased by 64% in 2013/14.

2013/14 was the first year in which government received more **general** than personal requests.

Government received close to **10,000** FOI requests in 2013/14, a 25% increase over 2009/10.

Government received **1,800** requests for the **calendars** of senior government officials/employees.

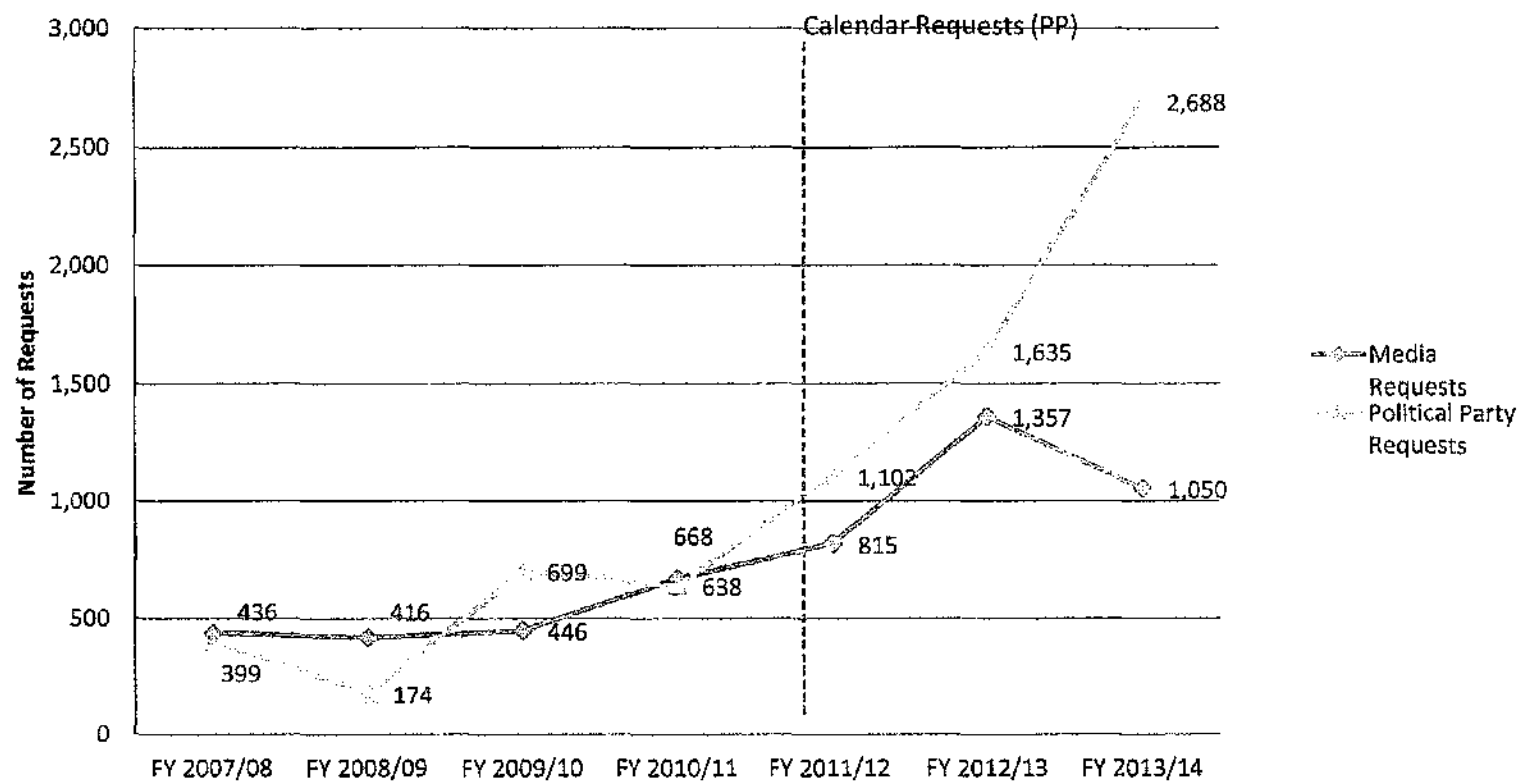
## DEMAND FOR FOI REQUESTS CONTINUES TO INCREASE

Fiscal Year	General Requests	Personal Requests	Total Requests Received	% On-Time
2007/08	1,805	3,589	5,394	71
2008/09	1,693	4,877	6,570	74
2009/10	2,532	5,122	7,654	90
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## CHANGING NATURE OF FOI APPLICANTS

### Requests from Political Parties and Media



## CALENDAR MANAGEMENT

- Government generally receives monthly or bi-monthly requests for DM, ADM and ED calendars and about 25 positions in the Office of the Premier. In November 2013, calendars for Ministers' Office Executive Assistants were included.

### OUTLOOK CALENDARS

- Be wary of embedded documents, as the calendar and the attachments have different life spans
- Ensure calendar consistency and clarity
  - be clear about the subject of the meeting and who is expected to attend
  - keep the meeting subject concise
- Keep calendars current
  - update the calendar as changes occur
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## SEVERING GUIDELINES - CALENDAR ENTRIES

Blackberry/cell phone numbers for government employees	<b>Severed</b> under section 17 (unless public)
"Cabinet" or "Cabinet Retreat"	<b>Not Severed</b>
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Accommodation details	<b>Severed</b> under section 15
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Constituency related – any entries in the Minister's calendar that relate to his/her duties as a Member of the Legislative Assembly (MLA)	<b>Out of Scope</b> - under section 3 - As the office of a Member of the Legislative Assembly is not a public body, any entries in a Minister's calendar that relate to his/her duties as an MLA will be severed as outside the scope of FOIPPA
360's (executive performance review), mentoring, EPDP	<b>Severed</b> under section 22



## OPEN INFORMATION

- Introduced July 2011 with policy guidelines
- Over 4,000 General FOI requests posted (no Personals)
- Over 1,500 Minister and Deputy Minister travel expense summaries posted
- Over 21,000 visits to and 15,000 downloads from the Open Information website in 2013/14
- Proactively released 48 per cent of eligible general requests in 2013/14
- Requests are exempt from publication due to security concerns (82 per cent), business information (10 per cent), and personal information (7 per cent)



Shared  
Services

## Contact Information

Brad Williams, a/Executive Director, FOI

250 356-7343

### FOI Managers:

Sector	Manager	
Justice/Social	<u>Vicki Hudson</u>	250 356-0845
Central Agencies	<u>Cindy Elbahir</u>	250 952-6355
Natural Resources	<u>Kris Ghag</u>	250 356-5702
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Open Information	<u>Chad Hoskins</u>	250 387-2044



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Services

## Logistics and Business Services

### FREEDOM OF INFORMATION

Presented August 2014



Shared  
Services

### FREEDOM OF INFORMATION

1. What you need to know about the FOI Act
2. Records Management
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4. How the FOI process works
5. Trends in FOI
6. Calendars
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8. FOI Contacts



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Services

The Act

## PURPOSES OF THE ACT

### Accountability to the Public

- Legislated right to access all government records - specifying limited exceptions (i.e. make what is commonly referred to as an 'FOI request')

### Protection of Privacy

- Provides a right of access to individuals own personal information
- Regulates how public bodies collect, use and disclose personal information
- Right to request correction of personal information

### Independent Oversight by the Office of the Information & Privacy Commissioner

- Conducts reviews on decisions regarding disclosure

3

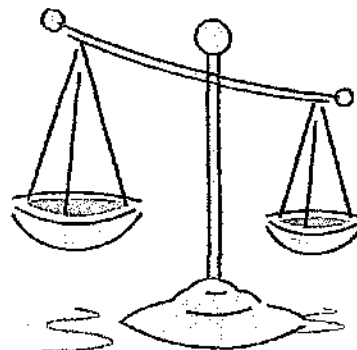


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Services

The Act

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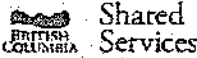
ACCOUNTABILITY  
RIGHT OF ACCESS TO  
RECORDS



PRIVACY  
PREVENT UNAUTHORIZED  
COLLECTION, USE OR  
DISCLOSURE OF PERSONAL  
INFORMATION

INDEPENDENT OVERSIGHT

4



The Act

### WHO IS COVERED BY THE ACT

All provincial ministries, and most provincial agencies, boards, commissions, Crown corporations and smaller agencies

**Local public bodies**

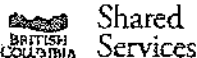
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The Act

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Services

Records Management

#### TRANSITORY RECORDS

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Services

Records Management

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Shared  
Services

FOI

### RESPONSES WITH RECORDS AND NO RECORDS

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Shared  
Services

How the FOI Process Works

### CROSS GOVERNMENT REQUEST – TIMELINES

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Shared  
Services

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Shared  
Services

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Shared  
Services

## How the FOI Process Works

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13



Shared  
Services

## Trends

### FOI FAST FACTS

Government has maintained an on-time rate of 87% despite a 57% increase in volume since 2008/09

In fiscal 2012/13, media requests were up by 68% and political party requests were up by 48%

For the first time, government is receiving almost as many general requests as personal requests

Government received over 10,000 FOI requests in 2012/13, a 22% increase over last fiscal

One media applicant made over 700 FOI requests in 2012/13, and over 1,000 in the past 2 years

14



Shared  
Services

Trends

### DEMAND FOR FOI REQUESTS CONTINUES TO INCREASE

Received	General Requests	Special Requests	Total Requests Received	% On-Time
2007/08	1,805	3,589	5,394	71
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2013/14 (projected)	4,000	5,500	9,500	75

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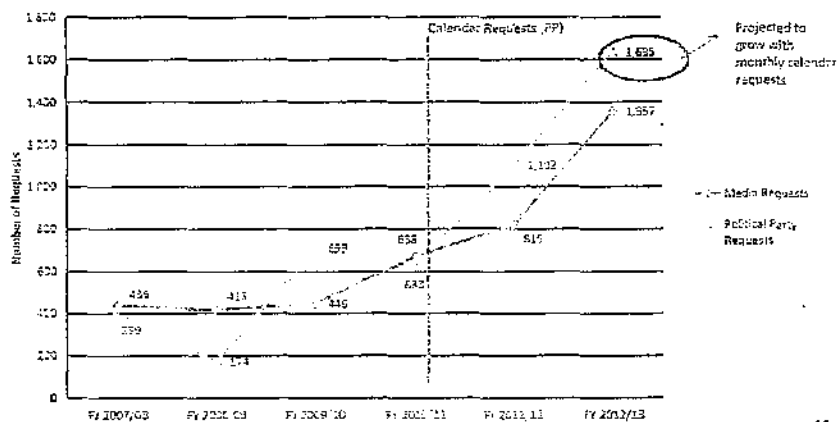


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Services

Trends

### CHANGING NATURE OF FOI APPLICANTS

#### Requests from Political Parties and Media



16



## Shared Services

### Calendars

#### CALENDAR MANAGEMENT

- Government generally receives monthly or bi-monthly requests for DM, ADM and EO calendars and about 25 positions in the Office of the Premier. In November 2013, calendars for Ministers' Office Executive Assistants were included.

#### OUTLOOK CALENDARS

- Be wary of embedded documents, as the calendar and the attachments have different life spans
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17



## Shared Services

### Calendars

#### SEVERING GUIDELINES - CALENDAR ENTRIES

Blackberry/cell phone numbers for government employees	Severed under section 17 (unless public)
"Cabinet" or "Cabinet Retreat"	Not Severed
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360's (executive performance review), mentoring, EPDP	Severed under section 22

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Shared  
Services

## Open Information

### OPEN INFORMATION

- Introduced July 2011 with policy guidelines
- 2,300 General FOI requests posted (no Personals)
- Over 1,000 Minister and Deputy Minister travel expense summaries posted
- Over 52,000 visits to and 38,000 downloads from the Open Information website
- Proactively released 53 per cent of eligible general requests
- Requests are exempt from publication due to security concerns (72 per cent), personal information (14 per cent), and business information (12 per cent)

19



Shared  
Services

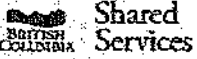
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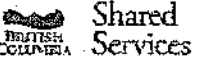
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**Logistics and Business Services**

**FREEDOM OF INFORMATION**

Presented June 2014



**FREEDOM OF INFORMATION**

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Shared  
Services

The Act

## PURPOSES OF THE ACT

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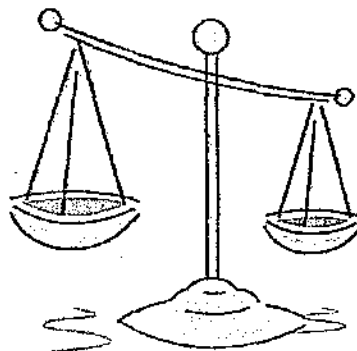


Shared  
Services

The Act

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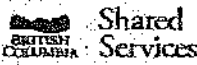
ACCOUNTABILITY  
RIGHT OF ACCESS TO  
RECORDS



PRIVACY  
PREVENT UNAUTHORIZED  
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The Act

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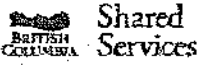
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The Act

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Shared  
Services

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Shared  
Services

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Shared  
Services

FOI

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Shared  
Services

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Shared  
Services

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Shared  
Services

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**Shared Services**

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**Shared Services**

**Trends**

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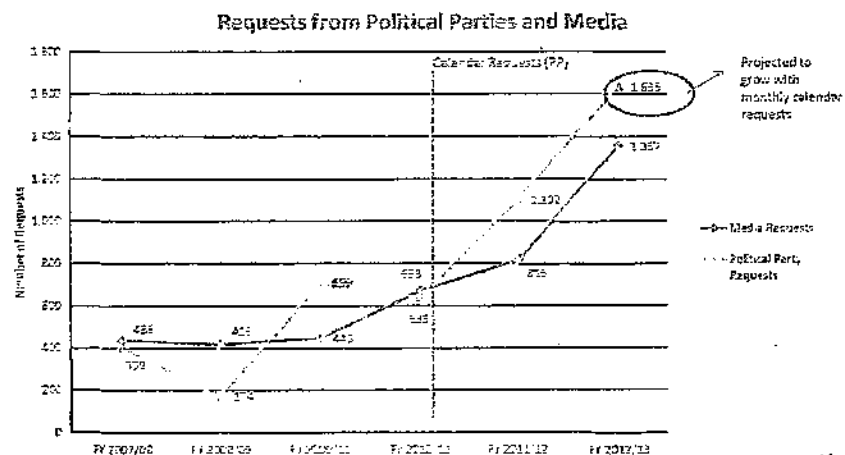
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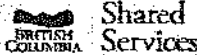
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## CHANGING NATURE OF FOI APPLICANTS



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Calendars

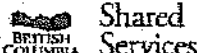
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Calendars

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18





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Services

## Open Information

### OPEN INFORMATION

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Shared  
Services

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Brad Williams, a/Executive Director, FOI 250 356-7343

### FOI Managers:

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Justice/Social	<u>Vicki Hudson</u>	250 356-0845
Central Agencies	<u>Cindy Elbahir</u>	250 952-6355
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Open Information	<u>Chad Hoskins</u>	250 387-2044

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Services

Logistics and Business Services

## FREEDOM OF INFORMATION

Presented April 2014



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## FREEDOM OF INFORMATION

1. What you need to know about the FOI Act
2. Records Management
3. FOI
4. How the FOI process works
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Services

The Act

## PURPOSES OF THE ACT

### Accountability to the Public

- Legislated right to access all government records – specifying limited exceptions (i.e. make what is commonly referred to as an 'FOI request')

### Protection of Privacy

- Provides a right of access to individuals own personal information
- Regulates how public bodies collect, use and disclose personal information
- Right to request correction of personal information

### Independent Oversight by the Office of the Information & Privacy Commissioner

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3

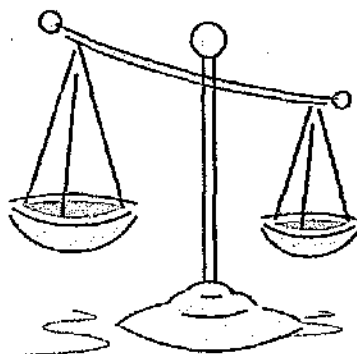


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The Act

## Purposes of the Act


ACCOUNTABILITY  
RIGHT OF ACCESS TO  
RECORDS



PRIVACY  
PREVENT UNAUTHORIZED  
COLLECTION, USE OR  
DISCLOSURE OF PERSONAL  
INFORMATION

INDEPENDENT OVERSIGHT

4



**Shared  
Services**

**The Act**

### WHO IS COVERED BY THE ACT

All provincial ministries, and most provincial agencies, boards, commissions, Crown corporations and smaller agencies

**Local public bodies**


- School Districts
- Colleges and universities
- Regional health boards

**Self-governing professions and occupations**

- Teachers
- Doctors
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5



**Shared  
Services**

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**What is a Record?**

- Any information recorded or stored by any means whether in hard copy or in electronic format
- Regardless of content and subject matter, the following are subject to an FOI request:
 

○ briefing notes	○ contractor records
○ vouchers	○ email
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6



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Services

## Records Management

### TRANSITORY RECORDS

- Are records of temporary usefulness not required to document decisions and actions or to support ongoing government business
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7



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Services

## Records Management

### RECORDS MANAGEMENT

- Records created or received while doing Government business must be managed according to legislation, litigation requirements and Government policy and are subject to FOI and Government policy regardless of where they are located.
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8



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FOI

### RESPONSES WITH RECORDS AND NO RECORDS

Fiscal Year	Number of Closed Requests	On-Time Requests	Percentage of No Records Responses
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Services

How the FOI Process Works

### CROSS GOVERNMENT REQUEST – TIMELINES

30 DAYS!

1. Intake	2. Record Gathering	3. Review & Analysis	4. Approval	5. Release
<ul style="list-style-type: none"> <li>• IAO</li> <li>• Ministry</li> </ul>	<ul style="list-style-type: none"> <li>• Ministry</li> </ul>	<ul style="list-style-type: none"> <li>• IAO</li> </ul>	<ul style="list-style-type: none"> <li>• IAO</li> <li>• Ministry</li> </ul>	<ul style="list-style-type: none"> <li>• IAO</li> </ul>
1 day	12 days	10 days	6 days	1 day
Unless.....				

*The request necessitates a 30 Day Extension under the Act*

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## How the FOI Process Works

### WHAT HAPPENS WHEN AN FOI REQUEST IS RECEIVED?

- Standard Call for Records Forms and Guidelines for record submissions are provided to all ministry program areas
- Ministry responsibilities include provision of the following information to IAO:
  - where search for records was conducted (i.e. TRIM files, databases, off-site records)
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## How the FOI Process Works

Mandatory Exemptions	
Section 12	Cabinet confidence
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Services

## How the FOI Process Works

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## Trends

### FOI FAST FACTS

Government has maintained an on-time rate of 87% despite a 57% increase in volume since 2008/09

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Services

Trends

### DEMAND FOR FOI REQUESTS CONTINUES TO INCREASE

Fiscal Year	Standard Requests	Personal Requests	TOTAL Requests Received	% Disposition
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2009/10	2,532	5,122	7,654	90
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15

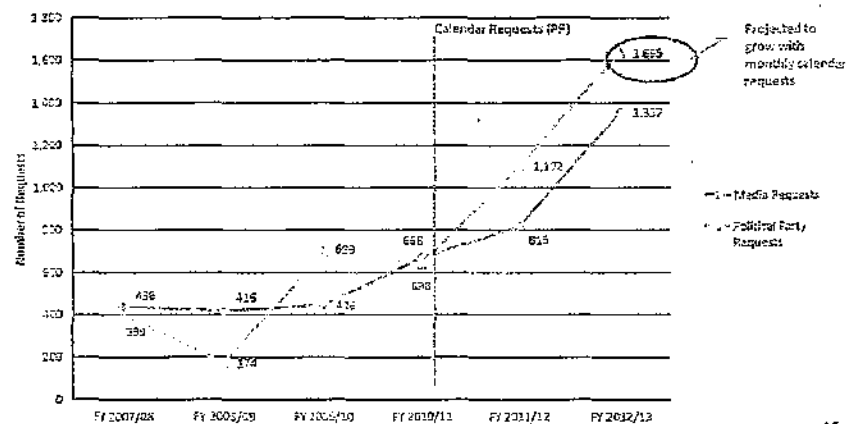


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Services

Trends

### CHANGING NATURE OF FOI APPLICANTS

#### Requests from Political Parties and Media



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## Shared Services

### Calendars

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Shared  
Services

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## **Logistics and Business Services**

### **FREEDOM OF INFORMATION**

**Presented January 2014**



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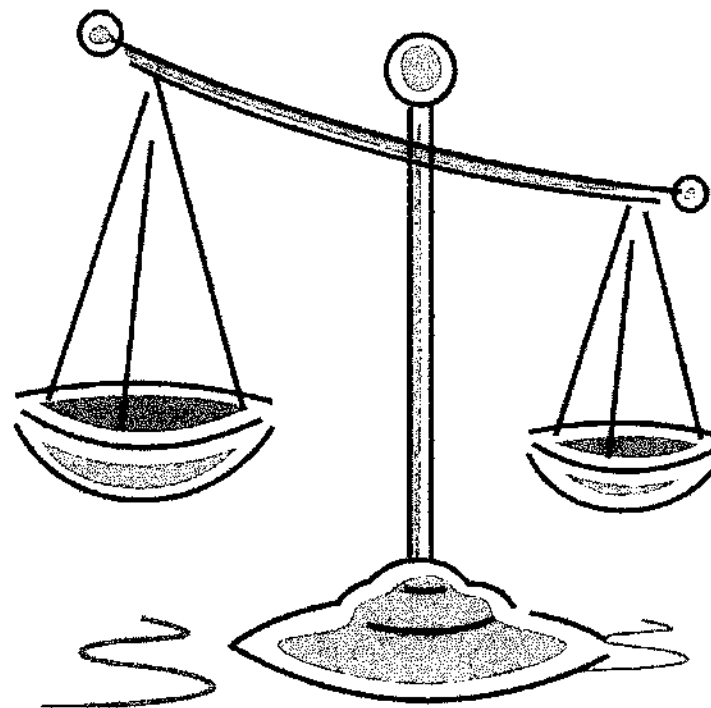
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INDEPENDENT OVERSIGHT

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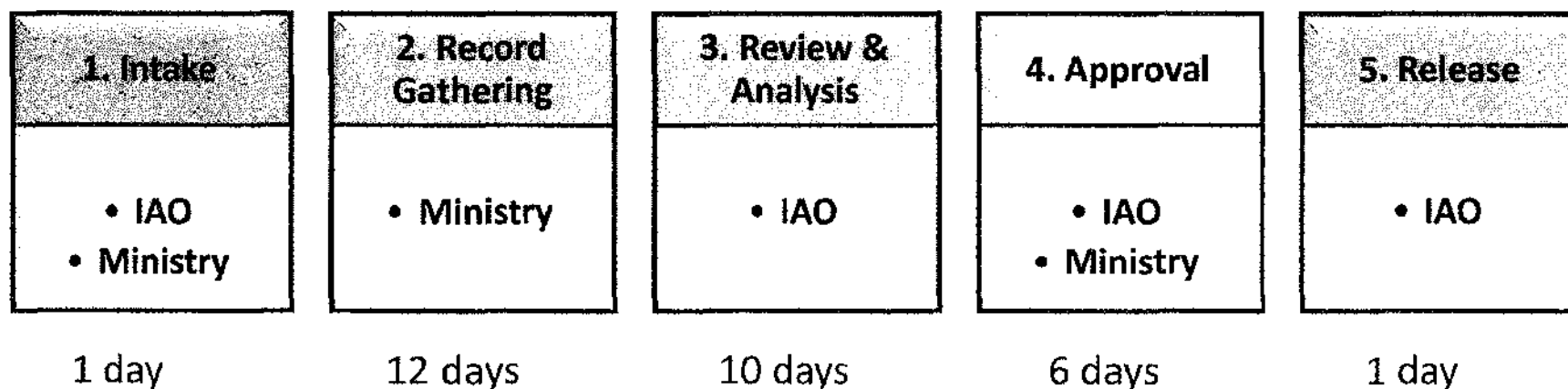
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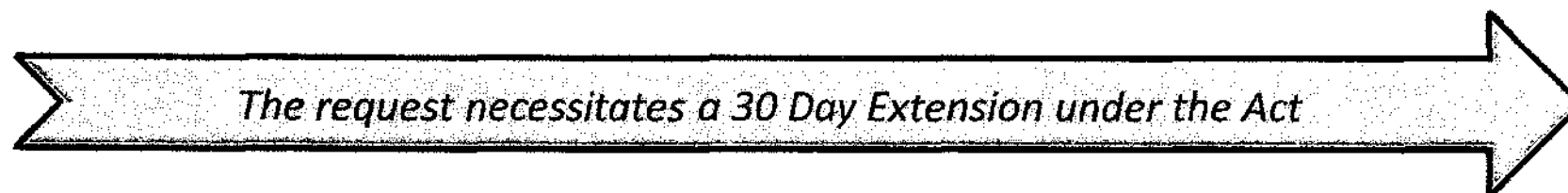
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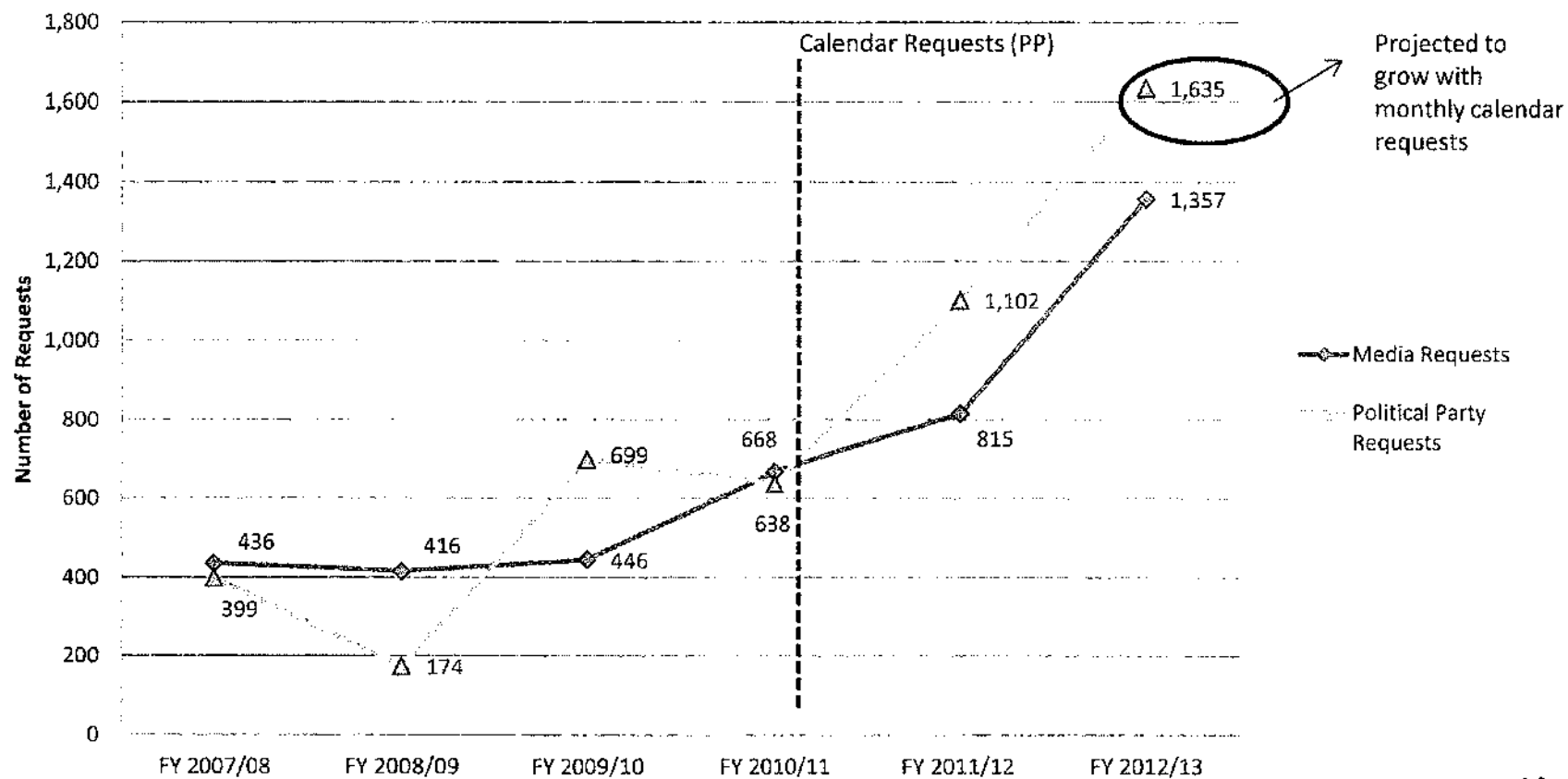
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250 387-9807

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Manager

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Shared  
Services

Logistics and Business Services

## FREEDOM OF INFORMATION

Presented October 2013




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**Shared  
Services**

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2



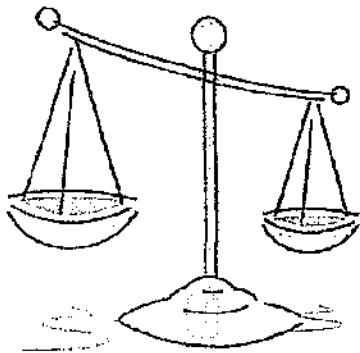
**Shared  
Services**

The Act

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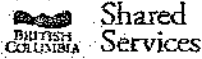
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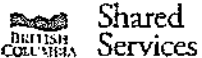
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The Act

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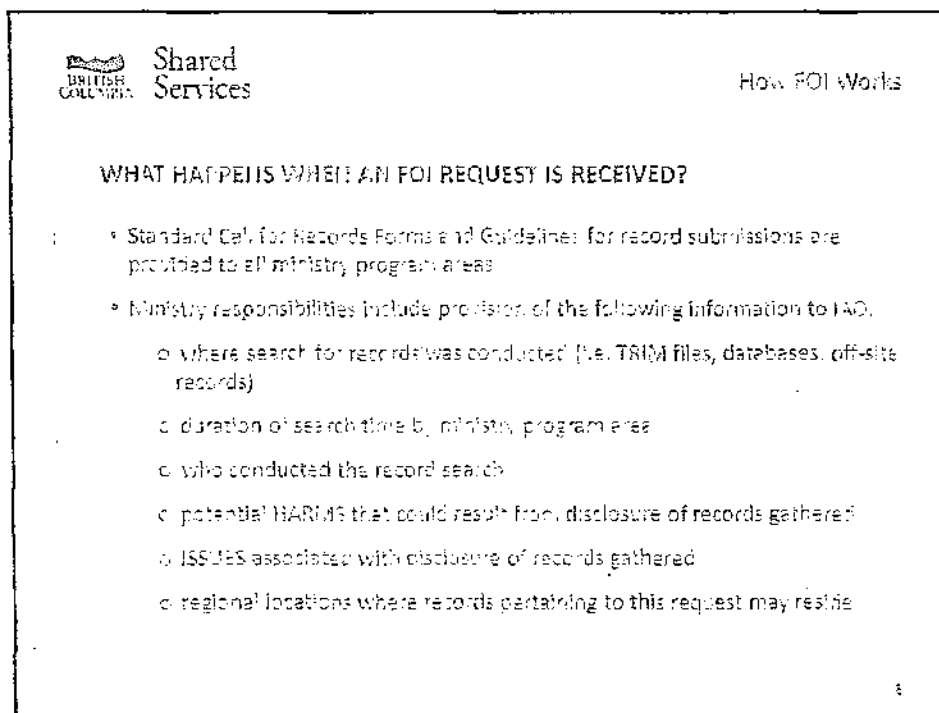
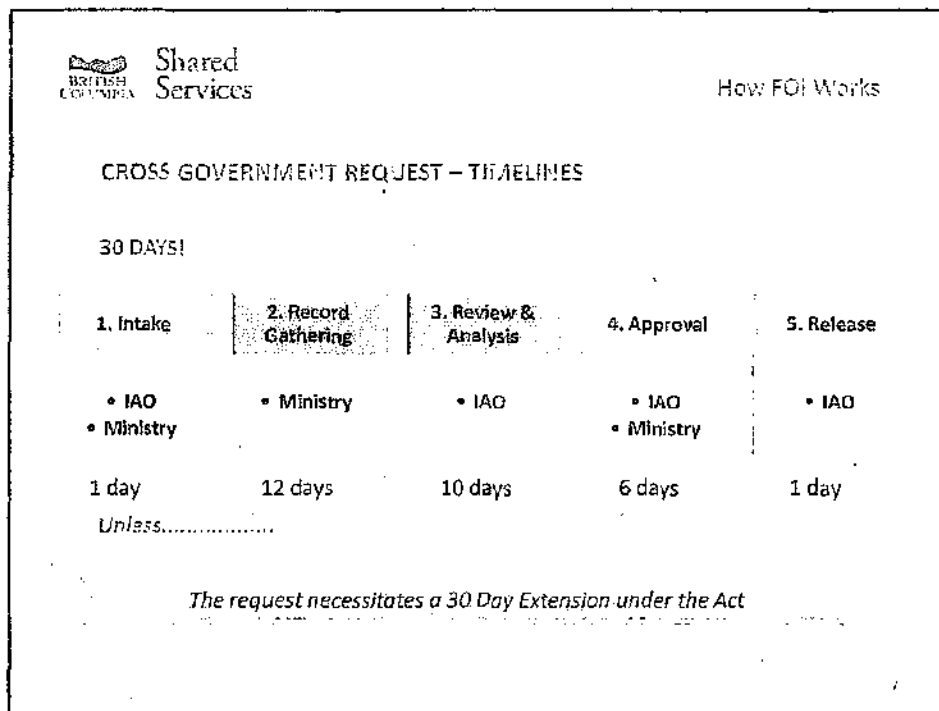
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Shared  
Services

Email

## EMAIL MANAGEMENT

✓ Email messages created or received while doing Government business are records and must be managed according to legislation, litigation requirements and Government policy. They are subject to FOI and Government policy regardless of where they are located.

- Government email must be conducted using approved Government email systems, not personal email systems. This is essential for information security, privacy protection and effective management of the information.
- Government email that is not transitory should be filed in the office's record-keeping system (e.g., TRIM, I or LAM) and must not be destroyed without an approved schedule (e.g., ARCS/OPCS) or before the schedule allows.
- Transitory emails are of temporary usefulness and needed only to complete an action or to prepare a final record (e.g., conference copies, preliminary drafts, routine messages not needed to document a decision or action). These should be deleted when of no further use.
- Employees must keep Government email separate from material relating to ministers' constituency matters, legislative committee involvement and other public activities. Those and personal (e.g., family) records are not Government records.

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Shared  
Services

Trends

## FOI FAST FACTS

Government has maintained an on-time rate of 87% despite a 57% increase in volume since 2008/09

In fiscal 2012/13, media requests were up by 68% and political party requests were up by 48%

For the first time, government is receiving almost as many general requests as personal requests

Government received over 10,000 FOI requests in 2012/13, a 22% increase over last fiscal

One media applicant made over 700 FOI requests in 2012/13, and over 1,000 in the past 2 years

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Services

Trends

### DEMAND FOR FOI REQUESTS CONTINUES TO INCREASE

Fiscal Year	General Requests	Personal Requests	Total Requests Received	% On-Time
2007/08	1,805	3,589	5,394	71
2008/09	1,693	4,877	6,570	74
2009/10	2,532	5,122	7,654	90
2010/11	2,756	5,073	7,829	93
2011/12	3,329	5,094	8,423	90
2012/13	4,815	5,484	10,299	87
2013/14 (projected)	4,000	5,500	9,500	75

13



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Services

Trends

### RESPONSES WITH RECORDS AND NO RECORDS

Fiscal Year	Number of Closed Requests	On-Time Requests	Percentage of No Records Responses
2009/10	7,750	6,984	21%
2010/11	7,939	7,145	24%
2011/12	8,212	7,392	21%
2012/13	9,524	8,325	25%

14

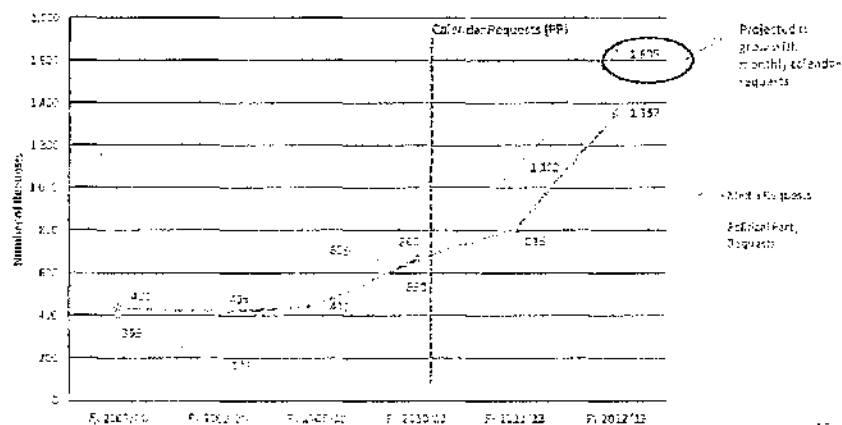


Shared  
Services

Trends

## CHANGING NATURE OF FOI APPLICANTS

### Requests from Political Parties and Media



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Services

Calendars


## CALENDAR MANAGEMENT

Government generally, receives monthly or bi-monthly requests for DfM and ADM calendars. Last month, the requester included ED calendars.

### OUTLOOK CALENDARS

- Be wary of embedded documents as the calendar and the attachments have different life spans
- Ensure calendar consistency and clarity
  - o be clear about the subject of the meeting and who is expected to attend
  - o keep the meeting subject concise
- Keep calendars current
  - o update the calendar as changes occur
  - o delete meetings that did not occur or were not attended
  - o update the calendar to record the names and titles of individual(s) who actually attended the meeting as the calendar owner's representative
- Personal appointments
  - o mark as "private" – details will not show up in a printed copy or to anyone other than the calendar owner or a delegate
  - o caution – ensure that only personal appointments are labeled as "private". Calendar records must be accurate and are subject to a formal access request under FOIPPA
  - o consider deleting "private" or personal appointments immediately after they occur

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**Shared  
Services**

**Calendars**

## SEVERING GUIDELINES - CALENDAR ENTRIES

Blackberry/cell phone numbers for government employees

Severed under section 17 (unless public)

"Cabinet" or "Cabinet Retreat"

Not Severed

"Treasury Board"

Not Severed

Accommodation details

Severed under section 15

Meeting location details

Severed under section 15


Constituency related – any entries in the Minister's calendar that relate to his/her duties as a Member of the Legislative Assembly

Out of Scope - under section 3 - As the office of a Member of the Legislative Assembly is not a public body, any entries in a Minister's calendar that relate to his/her duties as an MLA will be severed as outside the scope of FOIPPA

360's (executive performance review), mentoring, EPOP

Severed under section 22

17

	<b>Shared Services</b>	<b>Open Information</b>
<b>OPEN INFORMATION</b>		
<ul style="list-style-type: none"> <li>▪ Introduced July 2011 with policy guidelines</li> <li>▪ 2,300 General FOI requests posted (no Personals)</li> <li>▪ Over 1,000 Minister and Deputy Minister travel expense summaries posted</li> <li>▪ Over 52,000 visits to and 38,000 downloads from the Open Information website</li> <li>▪ Proactively released 53 per cent of eligible general requests</li> <li>▪ Requests are exempt from publication due to security concerns (72 per cent), personal information (14 per cent), and business information (12 per cent)</li> </ul>		
		18





# Shared Services

## Contact Information

Kathleen Ward, Executive Director, IAO	250 387-9807
Brad Williams, Director, FOI	250 356-7343

### FOI Managers:

Sector	Manager	
Justice/Social	<u>Vicki Hudson</u>	250 356-0845
Central Agencies	<u>Cindy Elbahir</u>	250 952-6355
Natural Resources	<u>Kris Ghag</u>	250 356-5702
Business/Infrastructure	<u>Russ Fuller</u>	250 387-4503
Health/Education	<u>Maxine Vanzetta</u>	250 387-9805
Personals	<u>Vivian McDonald</u>	250 356-6266
Intake	<u>Cindy Kukucska</u>	250 387-7356
Open Information	<u>Chad Hoskins</u>	250 387-2044

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Shared  
Services

## **Logistics and Business Services**

### **FREEDOM OF INFORMATION**

**Presented July 2013**



## FREEDOM OF INFORMATION

1. What you need to know about the FOI Act
2. How the FOI process works
3. Trends in FOI
4. Calendars
5. Open Information
6. FOI Contacts

## **PURPOSES OF THE ACT**

### **Accountability to the Public**

- Legislated right to access all government records - specifying limited exceptions (i.e. make what is commonly referred to as an 'FOI request')

### **Protection of Privacy**

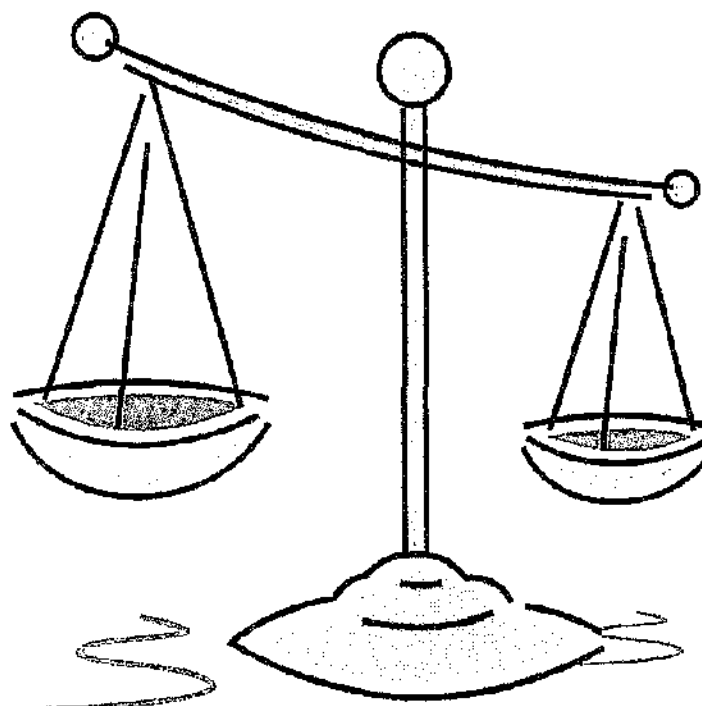
- Provides a right of access to individuals own personal information
- Regulates how public bodies collect, use and disclose personal information
- Right to request correction of personal information

### **Body's decision(s) made under FOIPPA**

- The independent reviews extend beyond decisions regarding disclosure

## Purposes of the Act

ACCOUNTABILITY  
RIGHT OF ACCESS TO  
RECORDS



PRIVACY  
PREVENT UNAUTHORIZED  
COLLECTION, USE OR  
DISCLOSURE OF PERSONAL  
INFORMATION

INDEPENDENT OVERSIGHT

### **WHO IS COVERED BY THE ACT**

All provincial ministries, and most provincial agencies, boards, commissions, Crown corporations and smaller agencies

#### **Local public bodies**

- School Districts
- Colleges and universities
- Regional health boards

#### **Self-governing professions and occupations**

- Teachers
- Doctors
- Nurses

➤ Government is only responsible for requests to BC government ministries

## WHAT RECORDS ARE COVERED BY THE ACT

All records in the **custody** or under the **control** of a public body

### What is a Record?

- Any information recorded or stored by any means whether in hard copy or in electronic format
- Regardless of content and subject matter, the following are subject to an FOI request:
  - briefing notes
  - vouchers
  - telephone records
  - notebooks/daybooks
  - contractor records
  - email
  - records on your smart phone
  - transitory records

## CROSS GOVERNMENT REQUEST – TIMELINES

**30 DAYS!**

1. Intake	2. Record Gathering	3. Review & Analysis	4. Approval	5. Release
<ul style="list-style-type: none"> <li>• IAO</li> <li>• Ministry</li> </ul>	<ul style="list-style-type: none"> <li>• Ministry</li> </ul>	<ul style="list-style-type: none"> <li>• IAO</li> </ul>	<ul style="list-style-type: none"> <li>• IAO</li> <li>• Ministry</li> </ul>	<ul style="list-style-type: none"> <li>• IAO</li> </ul>
1 day	12 days	10 days	6 days	1 day

*Unless.....*

*The request necessitates a 30 Day Extension under the Act*



## WHAT HAPPENS WHEN AN FOI REQUEST IS RECEIVED?

- Standard Call for Records Forms and Guidelines for record submissions are provided to all ministry program areas
- Ministry responsibilities include provision of the following information to IAO:
  - where search for records was conducted (i.e. TRIM files, databases, off-site records)
  - duration of search time by ministry program area
  - who conducted the record search
  - potential HARMS that could result from disclosure of records gathered
  - ISSUES associated with disclosure of records gathered
  - regional locations where records pertaining to this request may reside

## How FOI Works

Mandatory Exceptions	
Section 12	Cabinet confidence
Section 21	Third party business information
Section 22	Personal information
Discretionary Exceptions	
Section 13	Policy advice/recommendations
Section 14	Legal advice
Section 15	Law enforcement
Section 16	Intergovernmental relations
Section 17	Financial or economic interests
Section 18	Heritage sites
Section 19	Personal health or safety
Section 20	Information soon to be published

## FOI APPROVAL PROCESS

- FOI requests are sent to program areas (ministries) for review and sign-off
- The DM or delegated head of the public body is responsible for final sign-off on all requests
- The DM or delegated head of the public body exercises discretion with respect to disclosure recommendations

**FOI FAST FACTS**

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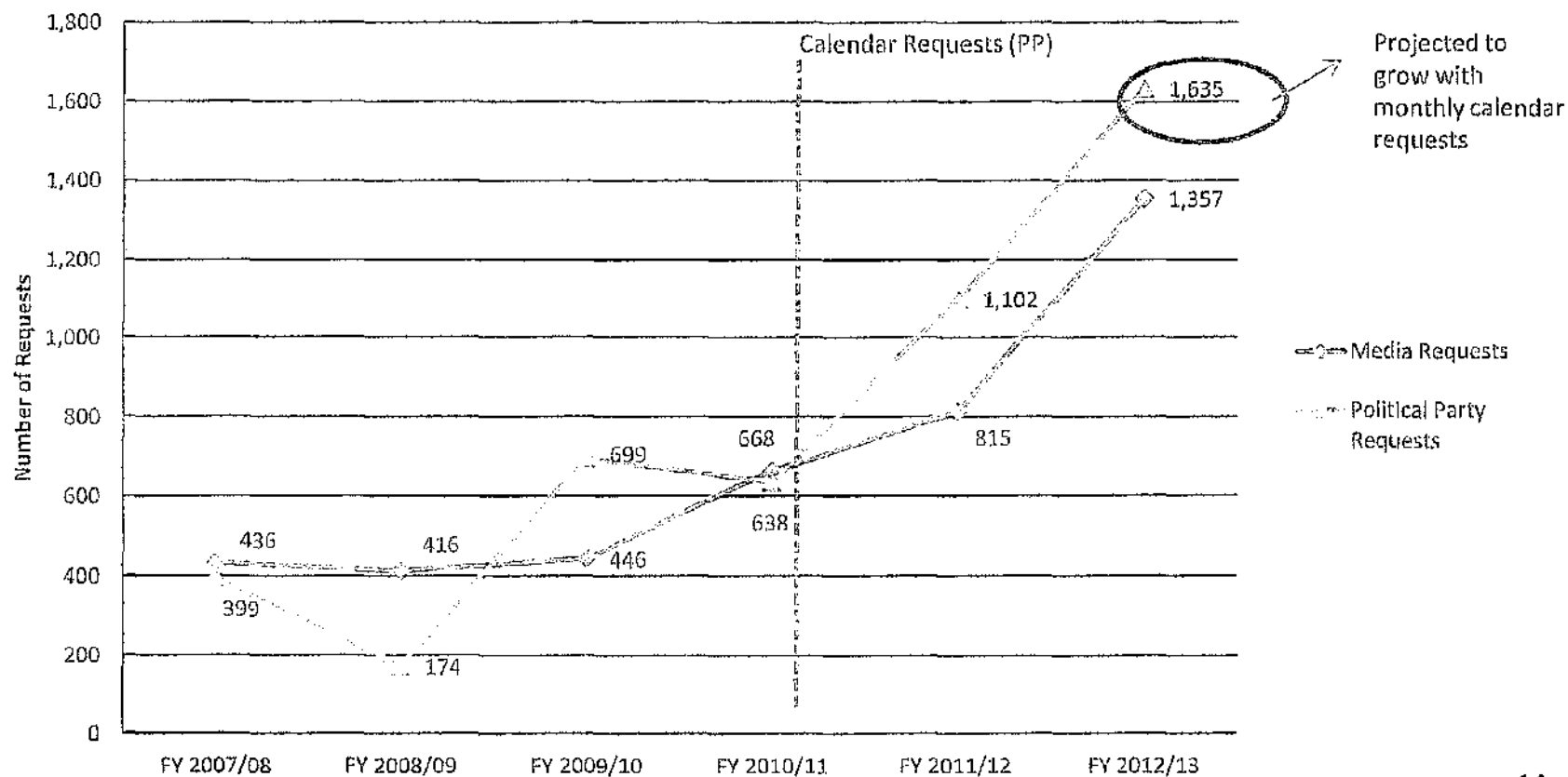
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"Treasury Board"	<b>Not Severed</b>
Accommodation details	<b>Severed</b> under section 15
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360's (executive performance review), mentoring, EPDP	<b>Severed</b> under section 22

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Vivian McDonald

250 356-6266

Intake


Cindy Kukucska

250 387-7356

Open Information

Chad Hoskins

250 387-2044



**Good Practice Tips for Managing  
Minister/Deputy Minister and ADM**

Information Access Operations  
Ministry of Labour, Citizens' Services and Open Government  
February 2012

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**Principles - Goals**

- To ensure accuracy and consistency in the processing and release of calendar requests
- To process calendar requests in a timely and efficient manner
- To minimize workload for staff and Information Access Operations (IAO)
- To retain the calendars functionality for staff

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**Objectives of Today's Session**

- To gain a better understanding of the roles and responsibilities when dealing with FOI requests for calendars
- To discuss good calendar management practices, in general
- To provide an overview of the exceptions to disclosure and severing guidelines for calendar entries
- To understand the dynamic relationship between FOI and Records Management practices

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**The FOI Process - What you need to know!**

Successfully managing FOI requests in 30 days requires Ministries and IAO to:

- collaborate
- coordinate and
- cooperate

We have operational accountabilities & timelines for:

- General Requests
- Personal Requests
- Cross Government Requests (Calendars)

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**Cross Government Request - Timelines 30 Days!**

1. Intake	2. Record Gathering	3. Review & Analysis	4. Approval	5. Release
• IAO • Ministry	• Ministry	• IAO	• IAO • Ministry	• IAO
2 Days	10 Days	10 Days	6 Days	2 Days

**Unless.....**

*the request necessitates a 30 Day Extension under the Act*

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**FOI Process for Calendar Requests**

Upon receipt of a FOI request, calendars must not be altered

Ministry gathers calendar in "calendar details style" for a one-month period. This format does not include providing the attachments or linked information

MO/DMO/ADMO reviews calendar entries and identify "Harms" that could result from disclosure

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### Process cont'd

- IAO conducts a review and contacts MO/DMD/ADMD to clarify entries as required
- IAO makes recommendation to the Delegated Head regarding disclosure
- Once approval is received, the records are released

*Note: any entry that objects cabinet confidence must be sent to the Office of the Premier for consultation*

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### Identifying 'Harms'

'Harms'-- Disclosure of the records would significantly harm the ministry's position, or a third party's interest on a given topic

Ministry must ensure harms are clearly identified and communicated to IAO (identifying date and time of calendar entries that are of concern)

Ministry may need to provide more detail in order for IAO to determine if an exception to disclosure would apply

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### A Summary of 'Harms' in the Calendar Entries

Meeting/Appointment Date	Time	Potential Concerns
April 15, 2011	10:00am	Doctor's appointment
April 17, 2011	3:00pm	Meeting with legal counsel
April 19, 2011	11:00am	Cabinet Submission - New School
April 19, 2011	3:00pm	Drinks with the girls

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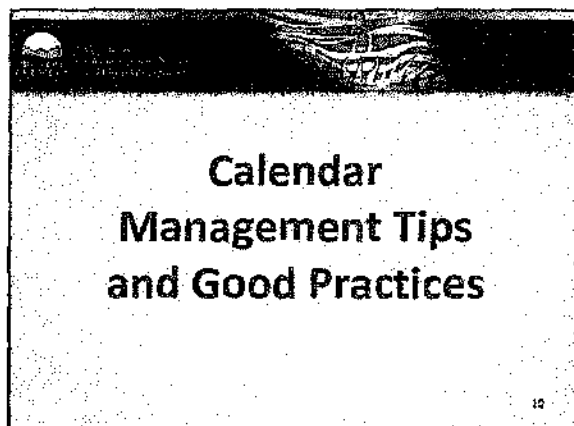
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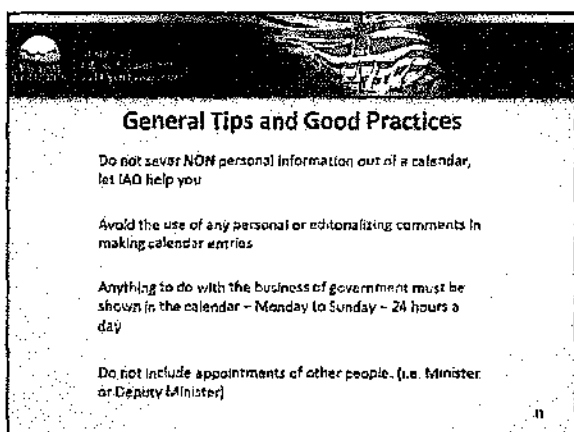
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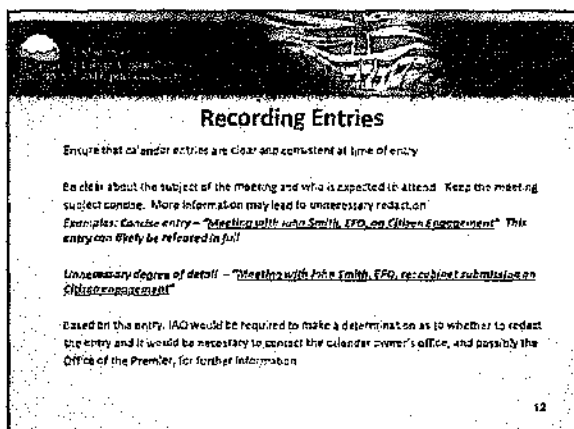
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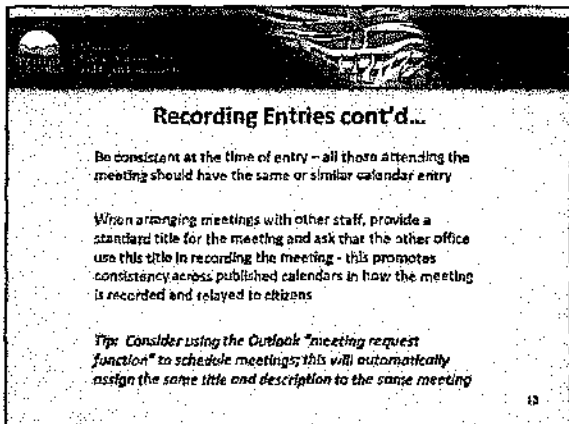
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### Recording Entries cont'd...

Be consistent at the time of entry – all those attending the meeting should have the same or similar calendar entry

When arranging meetings with other staff, provide a standard title for the meeting and ask that the other office use this title in recording the meeting - this promotes consistency across published calendars in how the meeting is recorded and relayed to citizens

*Tip: Consider using the Outlook "meeting request function" to schedule meetings; this will automatically assign the same title and description to the same meeting*

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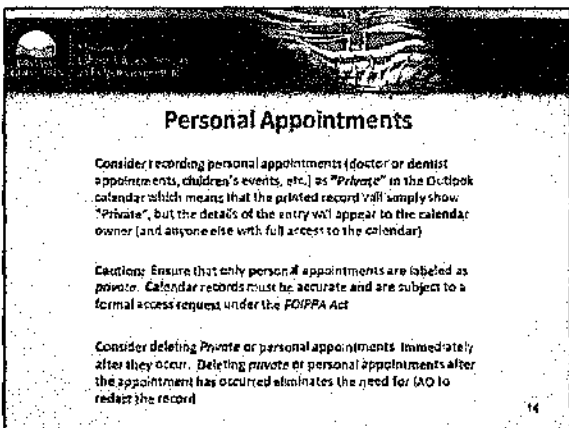
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### Personal Appointments

Consider recording personal appointments (doctor or dentist appointments, children's events, etc.) as "Private" in the Outlook calendar which means that the printed record will simply show "Private", but the details of the entry will appear to the calendar owner (and anyone else with full access to the calendar)

**Caution:** Ensure that only personal appointments are labeled as private. Calendar records must be accurate and are subject to a formal access request under the FOIPA Act

Consider deleting Private or personal appointments immediately after they occur. Deleting private or personal appointments after the appointment has occurred eliminates the need for (AO) to redact the record

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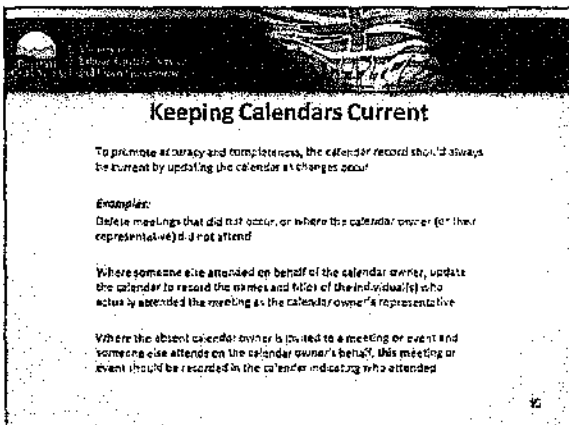
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### Keeping Calendars Current

To promote accuracy and completeness, the calendar record should always be current by updating the calendar as changes occur

**Examples:**

Delete meetings that did not occur, or where the calendar owner (or their representative) did not attend

Where someone else attended on behalf of the calendar owner, update the calendar to record the names and titles of the individual(s) who actually attended the meeting as the calendar owner's representative

Where the absent calendar owner is invited to a meeting or event and someone else attends on the calendar owner's behalf, this meeting or event should be recorded in the calendar indicating who attended

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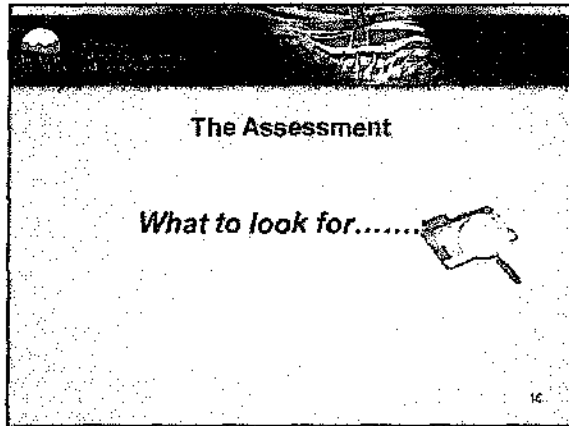
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**The Assessment**

*What to look for.....*

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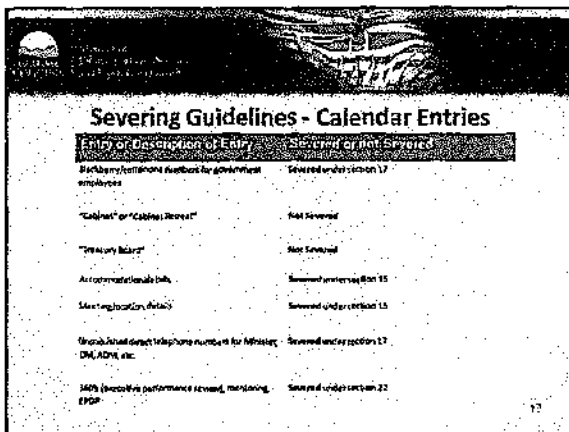
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**Severing Guidelines - Calendar Entries**

Entry or Description of Entry	Severed or Not Severed
Performance/expense statement for government employees	Severed under section 17
"Cabinet" or "Cabinet Review"	Not Severed
"Treasury Board"	Not Severed
Accommodation bills	Severed under section 15
Meeting location, dates	Severed under section 15
Should have direct telephone numbers for Ministers, DM, ADNs, etc.	Severed under section 17
JAO's (Executive performance review, mentoring, EPSP)	Severed under section 22

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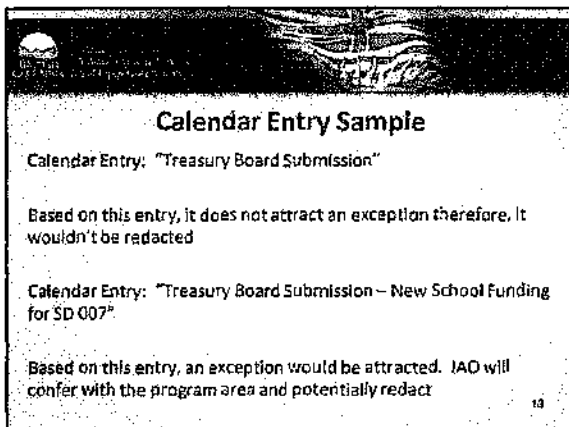
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**Calendar Entry Sample**

**Calendar Entry: "Treasury Board Submission"**

Based on this entry, it does not attract an exception therefore, it wouldn't be redacted

**Calendar Entry: "Treasury Board Submission – New School Funding for SD 007"**

Based on this entry, an exception would be attracted. JAO will confer with the program area and potentially redact

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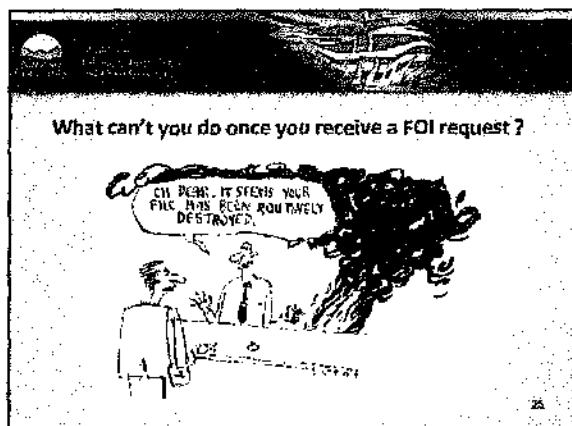
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December 6, 2011 Continued	
Tuesday	
4:30 PM - 5:00 PM	Discuss TRAN RAC HT Policy changes - Peter's Office
December 7, 2011	
Wednesday	
9:30 AM - 10:00 AM	FCO All Day Kindergarten Briefing Note - Financing - Room 314 - Presentation Room Discuss which Ministry is going to cover the cost associated with implementing this. Is this going to be covered by MEDCO or AMOF?
12:10 PM - 1:00 PM	Meeting with Jeta James - Negotiations Regarding ESP ABC & L25 - My Office
4:00 PM - 4:20 PM	Harbour Air Flight 1221 - Inner Harbour Reservation number: 123343434

December 6, 2011 Continued	
Tuesday	
4:30 PM - 5:00 PM	Discuss TRAVELAC III Policy changes - Peter's Office
December 7, 2011	
Wednesday	
9:30 AM - 10:00 AM	EDU AIR Day Co-Separate Briefing Note - Fennel - Room 314 - Presentation Room
	Discuss which Ministry is going to cover the COS's associated with implementing this
	Is this going to be covered by WOEDU or MO??
12:30 PM - 1:00 PM	Meeting with John James - Negotiations Regarding ESPAR R. 921 - My Office
4:00 PM - 4:30 PM	Harbour Air Flight 12321 -- Bruce (Morse)
	Reservation number 323343424




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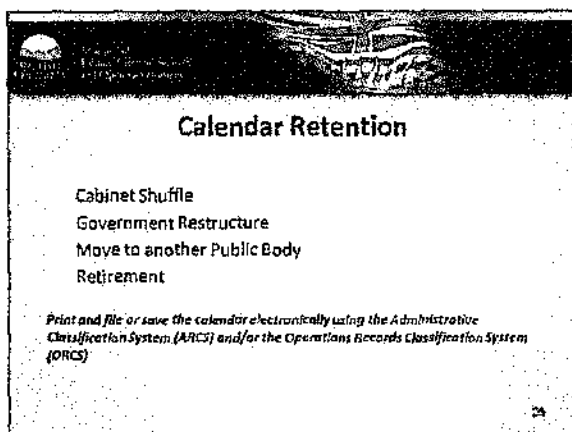
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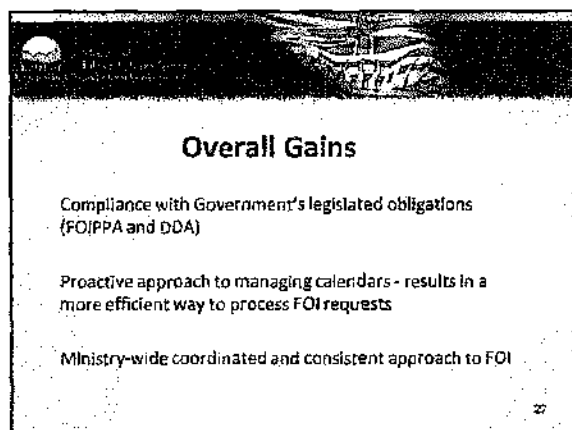
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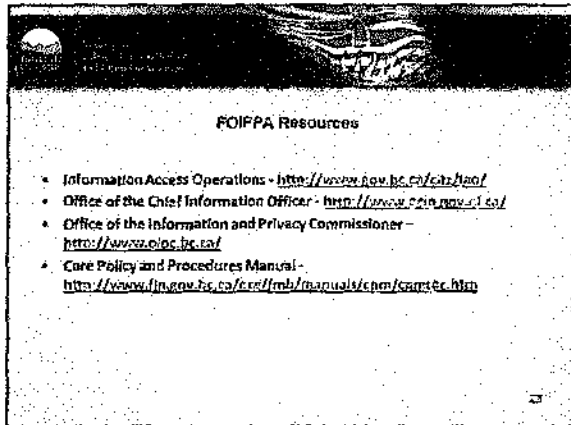
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FOI/PA Resources

- Information Access Operations - <http://www.gov.bc.ca/foi/foi.html>
- Office of the Chief Information Officer - <http://www.oicn.gov.bc.ca/>
- Office of the Information and Privacy Commissioner - <http://www.oipc.bc.ca/>
- Core Policy and Procedures Manual - <http://www.fir.gov.bc.ca/crc/foi/foi/manuals/cpm/cpm-ec.htm>

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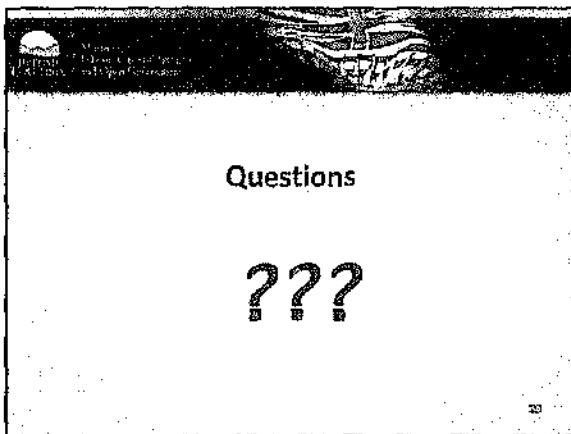
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Questions

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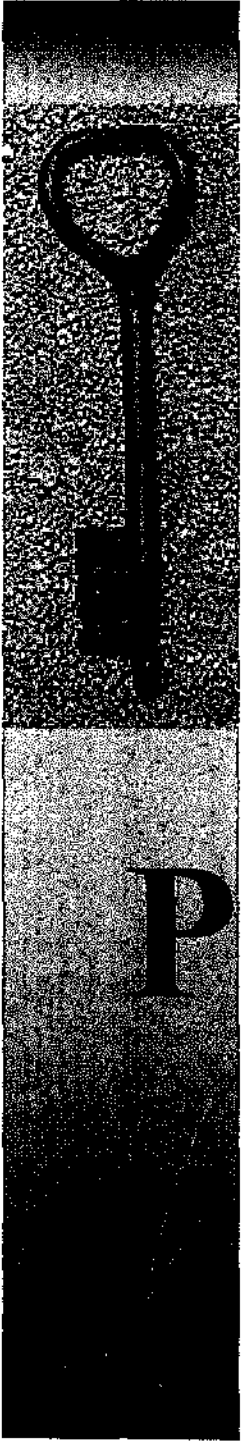
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# **Overview of Freedom of Information and Protection of Privacy Act**



# PURPOSE OF THE ACT

- ◆ to make public bodies more accountable to the public
- ◆ to prevent unauthorized collection, use or disclosure of personal information
- ◆ to promote a spirit of openness subject to specific limited exceptions.

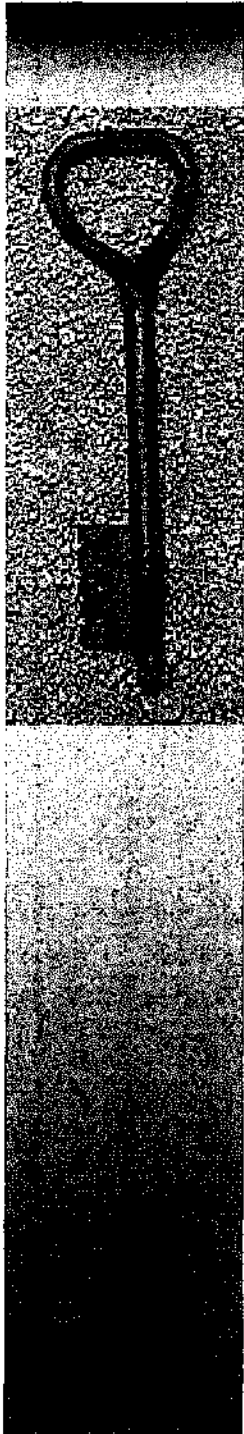


# PUBLIC BODIES COVERED BY THE ACT

The Act applies to all records in the custody or control of provincial government bodies, including:

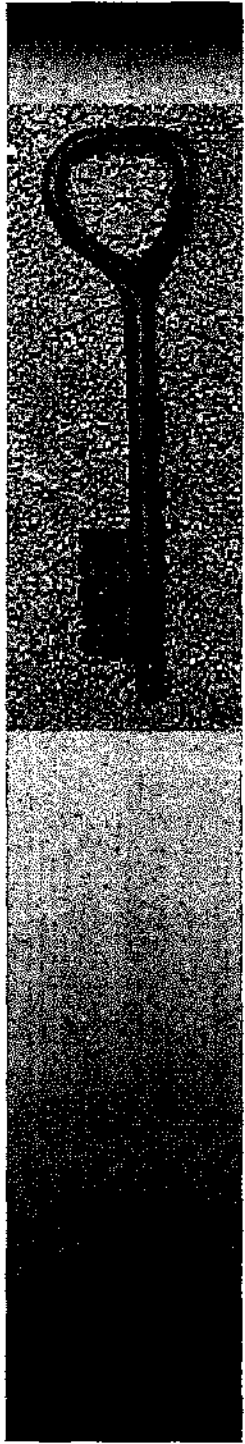
- *Ministries*
- *Crown Corporations*
- *Provincial Agencies, Boards, Commissions*
- *Local Public Bodies and Governing Bodies of Professions or Occupations*





# Who we are

- ◆ In January 2009 the FOI shops serving the Ministries consolidated and are now part of one organization: 'Information Access Operations', within Shared Services B.C., under the Ministry of Citizens' Services. This includes Records Services. The 'Central Agency' Team serves the Office of the Premier, the Public Affairs Bureau and the B.C. Public Service Agency.



# So what is a Government Record?

- ◆ **"record"** includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means.



# Transitory Records

Records only required for a limited period of time for the completion of an action or the preparation of an ongoing record.

Examples: some notes, phone messages,  
data entry sheets



# E-Mail

E-Mail is a record!

If an e-mail is required for ongoing operational, audit, legal or fiscal purposes - it must be kept, printed and filed

Transitory e-mails can and must be deleted



# DUTY TO ASSIST

- ◆ reasonable effort to assist
- ◆ respond accurately and completely
- ◆ timely response



# TIMELINES

- ◆ 30 working day legislated time limit for responding to requests from date of receipt anywhere in the Ministry unless...

- ◆ Extension period (30 days) is justified for:

- clarification
- volume of records requested or to be searched
- consultation with 3rd party or other public body



# WHERE ARE THE RECORDS?

- ◆ confirm records are held in your location
  - includes your offsite records
- ◆ other locations in the Ministry may have records
- ◆ contractors may have records
- ◆ other public bodies may also have records



# FEES

- Fees should not be a barrier to access
- Legislation sets out schedule of fees for:
  - locating and retrieving
  - producing from a database etc.
  - preparing for disclosure
  - copying
  - shipping and handling





## **FEES (cont.)**

- ◆ 3 hours free search - ONLY in Locating and Retrieving category
- ◆ no charge for time spent severing
- ◆ no charge for own personal information
- ◆ fee waiver & review by Commissioner



# **MANDATORY EXCEPTIONS**

- ◆ **Section 12 - Cabinet Confidences**
- ◆ **Section 21 - Harmful to Third Party's Business Interests**
- ◆ **Section 22 - Unreasonable Invasion of Third Party's Personal Privacy**



# **DISCRETIONARY EXCEPTIONS**

- **Section 13 - Policy advice, recommendations**
- **Section 14 - Legal advice**
- ◆ **Section 15 - Disclosure harmful to law enforcement**
- ◆ **Section 16 - Disclosure harmful to intergovernmental relations or negotiations**



# **DISCRETIONARY EXCEPTIONS**

**(cont.)**

**Section 17 - Disclosure harmful to financial or economic interests of a public body**

**Section 18 - Disclosure harmful to conservation of heritage sites, endangered species etc.**

◆ **Section 19 - Disclosure harmful to individual or public health or safety**

◆ **Section 20 - Information available for purchase, or will be published within 30 days**



# **PRIVACY PROTECTION**

- ◆ **Part 3 of the Act deals with -**
- ◆ **Collection, protection and retention of personal information**
- ◆ **Use and disclosure of personal information**



# Personal Information

- ◆ **Section 69 outlines requirements for Privacy Impact Assessments (PIAs) and Information Sharing Agreements (ISAs)**
- ◆ **A recent amendment to the Act requires employees and service providers of public bodies to notify the public bodies of unauthorized disclosures of personal information.**



# REVIEWS AND COMPLAINTS

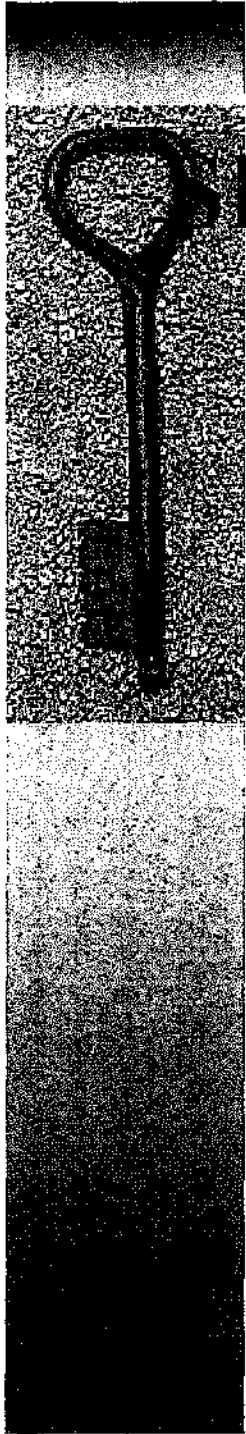
Applicants are entitled to ask the Office of the Information and Privacy Commissioner to review any decision or response provided by the public body



# INFORMATION AND PRIVACY COMMISSIONER

- ◆ independent officer of the Legislature
- ◆ enforces the principles and practices of the Act
- ◆ conducts reviews and investigations
- ◆ produces orders to conclude review





# SHOULD WE STILL CREATE DOCUMENTS?

- ◆ Need to continue to do business - keeping the Act in mind
  - structure of records is important
  - maintain professionalism
  - decisions should be documented



# SUMMARY

- ◆ Anyone can request access to any government record
- ◆ Duty to assist
- ◆ Legislated timelines
- ◆ Specific exceptions to disclosure
- ◆ Protection of privacy




# QUESTIONS ???

- ◆ Information Access Operations
- ◆ Second Floor- 548 Michigan Street
- ◆ PO BOX 9569 STN PROV GOVT  
VICTORIA V8W 9K1
- ◆ Fax: 250-387-9843



# More Information

- ◆ <http://www.gov.bc.ca/citz/iao/>
- ◆ <http://www.oipc.bc.ca/>



**Records Management – Ministers' Offices**

COURAGE   CURIOSITY   SERVICE   ACCOUNTABILITY   PASSION   TEAMWORK

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## Records Management

What are Government Records?

- All recorded information regardless of physical format, received, created or held by or in any ministry.

What do Government Records include?

- Machine-readable records, data stored in information systems, film, audio and audiovisual tapes etc.

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## Records Management

What do Government Records include (continued)

- Records of cabinet ministers that are created and/or accumulated and used by a minister or a minister's office in developing, implementing and/or administering programs of government.

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## Records Management

What do Government Records include (continued)

- Records created by a Minister relating to the administration, implementation and development of government and Ministry programs are all government records.

COURAGE CURIOSITY SERVICE ACCOUNTABILITY PASSION TEAMWORK

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## Records Management

What do Government Records not include?

- Legislative records - records created and/or accumulated and used by an individual or an office in the administration of the Legislative Assembly of B.C. or by a member of the Legislative Assembly.

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## Records Management

What are political records?

- Records that relate to the operation of the Legislative Assembly and the political parties. Example – the offices of cabinet Ministers have political records because each Minister remains a Member of the Legislative Assembly.

COURAGE CURIOSITY SERVICE ACCOUNTABILITY PASSION TEAMWORK

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## Records Management

What are political records?  
(continued)

- Records created by a Minister, while acting as an MLA. These are not government records.

COURAGE CLARITY SERVICE ACCOUNTABILITY PASSION TEAMWORK

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## Records Management

What Political records are in a Minister's office?

- Constituency operations, caucus committee meetings, party matters, conventions, meetings, fund raiser  
Legislative committees, etc.

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## Records Management

What governs how long political records should be kept?

- No statute governs the retention or destruction of political records. These records are the sole responsibility of the member or the party.

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## Records Management

How do I manage government records in a Minister's office?

- Government records must be kept separated from the Minister's personal and political records.
- Government records must be kept according to the government records classification system (ARCS/ORCS) in accordance with the *Document Disposal Act*.

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## Records Management

What are typical government records that I will find in a Minister's Office?

- Invitations
- accounts payable files
- Travel authorizations
- Speeches, and Presentations
- General correspondence

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## Records Management

How long do I keep Executive Records?

- The ARCS classification system has a special schedule (102906) for Executive Records. The retention is: Active records (records in the office) keep until the file is SO (superseded or obsolete – SO = when the file is closed).

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## Records Management

How long do I keep Executive Records? (continued)

- When the file is closed, Executive records must be kept for a minimum of 10 years in off-site storage.
- The Final disposition of the file (after the 10 years are up) is "SR" which means selective retention (a sampling is selected by the archivist to be kept)



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## Records Management

How do I send records to off-site storage from the Minister's office?

- Contact your Records Officer who will guide you through the process.  
(if unsure who your RO is - see link below)
- [http://www.gov.bc.ca/citz/iao/records\\_mgmt/contact\\_us/ministry\\_records\\_officers.html](http://www.gov.bc.ca/citz/iao/records_mgmt/contact_us/ministry_records_officers.html)



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## Records Management

Where do I find the forms to send records off-site and/or for destruction?

- @work site/Forms and Tools  
[https://www.lcs.gov.bc.ca/cs/resources/forms/records\\_mgmt\\_forms\\_index.html](https://www.lcs.gov.bc.ca/cs/resources/forms/records_mgmt_forms_index.html)



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## Records Management

How do I destroy government records in a Minister's office?

- All destruction of government records must be done according to the *Document Disposal Act*. Contact your Records Officer for direction if you have records in your office that need to be listed for destruction.

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## Records Management

What records can I destroy without listing them for destruction and getting approvals?

- Transitory Records (handout)

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## Records Management

What rules apply to calendars?

Refer to ARCS number 100-30 for more detailed information.

- <http://www.gov.bc.ca/citz/iao/arcs/section1/administration/100.html>
- Apply the Special Schedule for Executive Records 102906
- Print "daily detailed calendar style" format.

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## Records Management

How do I manage E-mail?

Handouts:

- Government E-mail – an overview
- Employee Responsibilities
- E-mail tips
- Creating and managing E-mail folders
- E-mail your recordkeeping responsibilities

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## Records Management

How do I manage the following?

- Instant messaging
  - Office Groove
  - Live Meetings
  - Office OneNote
  - SharePoint
- (handouts)

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## Records Management

Do I need to keep a file list?

Yes, all offices must open an ARCS file 423-03 in order to meet legal evidence requirements by maintaining a record of all files opened and used.

Depending on the system you use this could be generated by: Word Document; CRMS; or TRIM.

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## Records Management

Reference Information:

Information Access Operations:

- [http://www.gov.bc.ca/citz/iao/records\\_mgmt/](http://www.gov.bc.ca/citz/iao/records_mgmt/)

ARCS on Line:

- <http://www.gov.bc.ca/citz/iao/arcs/index.html>



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## Records Management

# Questions?



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# GENERAL RECORDS MANAGEMENT INFORMATION FOR A MINISTER'S OFFICE

## What are government records?

- All recorded information regardless of physical format, received, created or held by or in any Ministry. This includes machine-readable records, data stored in information systems, film, audio and audiovisual tapes etc.
- Records created by a Minister relating to the development of government and Ministry programs are government records.
- The *Document Disposal Act* governs the final disposition of government records and provides for the establishment and approval of records schedules.

## What do government records not include?

- Legislative records (records created and/or accumulated and used by an individual or an office in the administration of the Legislative Assembly of B.C. or by a member of the Legislative Assembly).

## What are political records?

- Records that relate to the operation of the Legislative Assembly and the political parties. Example – the offices of cabinet Ministers have political records because each Minister remains a Member of the Legislative Assembly. Records created by a Minister, while acting as an MLA are not government records.

## What political records are in a Minister's office?

- Example - Constituency operations, caucus committee meetings, Legislative Committees and party matters.

## What governs how long political records should be kept?

- No statute governs the retention or destruction of political records. These records are the sole responsibility of the member or the party.

## How do I manage government records in a Minister's office?

- Government records must be kept separated from the Minister's personal and political records. Government records must be kept according to the standard government records classification system (ARCS and ORCS) ARCS on line link: <http://www.gov.bc.ca/citz/iao/arcs/>

## How do I destroy government records in a Minister's office?

- All destruction of government records must be done according to the *Document Disposal Act*. Contact your Records Officer for direction if you have records in your office that need to be listed for destruction. Records Officer contact information can be found at: [http://www.gov.bc.ca/citz/iao/records\\_mgmt/contact\\_us/ministry\\_records\\_officers.html](http://www.gov.bc.ca/citz/iao/records_mgmt/contact_us/ministry_records_officers.html)

## How do I manage my E-mail?

- E-mail is subject to the same controls as other government records. If required for ongoing legal, fiscal, audit, administrative or operational purposes the E-mail must be managed in your filing system. More information is located at: [http://www.gov.bc.ca/citz/iao/records\\_mgmt/guides/email\\_mngt.html](http://www.gov.bc.ca/citz/iao/records_mgmt/guides/email_mngt.html)

## What records can I destroy without listing them for destruction and getting approval?

- Transitory records – paper or electronic. These are records of temporary usefulness that are only required for a limited period of time for the completion of a routine action or the preparation of an ongoing record. For example, convenience copies; unnecessary duplicates, working materials and drafts when the finished document has been incorporated into a filing system. See the transitory records schedule for more information: [http://www.gov.bc.ca/citz/iao/records\\_mgmt/special\\_schedules/transitory\\_records.html](http://www.gov.bc.ca/citz/iao/records_mgmt/special_schedules/transitory_records.html)

## How do I off-site records that I no longer need in the Minister's office?

- Contact your Records officer who will guide you through the process. Executive Records are kept: SO (superseded or obsolete) 10 years (semi-active in off-site storage) and final disposition is DE (destroy).
- It is good practice to annually review the files in the office to determine what records can be closed and sent into off-site storage. Forms used for the off-site storage process are found at: [https://www.lcs.gov.bc.ca/cs/resources/forms/records\\_mgmt/forms\\_index.html](https://www.lcs.gov.bc.ca/cs/resources/forms/records_mgmt/forms_index.html)
- Off-site storage boxes can be purchased at: [http://dcv.gov.bc.ca/Product/Details/7520121002\\_S](http://dcv.gov.bc.ca/Product/Details/7520121002_S) and box labels at: [http://dcv.gov.bc.ca/Product/Details/7520121009\\_S](http://dcv.gov.bc.ca/Product/Details/7520121009_S)

## Where do I find more Records Management information?

- Visit the Information Access Operation's website at: [http://www.gov.bc.ca/citz/iao/records\\_mgmt/](http://www.gov.bc.ca/citz/iao/records_mgmt/)



## Executive Records (schedule 102906)

**A SA FD**

SO 10y SR

Executive records are the administrative and operational records of the offices of ministers, deputy ministers, assistant deputy ministers, and equivalent positions.

Included are records in all formats and media and records classified and scheduled under all primaries of the *Administrative Records Classification System (ARCS)* and *Operational Records Classification System (ORCS)* or other records schedules.

This special schedule for executive records takes precedence over retention periods and final dispositions indicated in *ARCS* and *ORCS*, unless one of those records classification systems specifies a longer retention period or full retention for a given record series.

SO = when file is closed

NOTE: Contact your Records Officer before disposing of any records from executive offices. Off-site storage and retrieval services may be arranged through Records Centre Services at (250) 387-1583.

10y = All executive records will be retained for a minimum combined active and semi-active retention period of ten years from the date of file closure. In some cases, a longer combined active and semi-active retention period may be required under *ARCS* or *ORCS*.

SR = The government archives will selectively retain executive records because of their significant operational, legal, historical, evidential, informational, or other values.

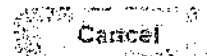
Executive records often document the development, implementation, operation, and evaluation of government legislation, programs, and services. Such records are unique primary source documents and will be retained.

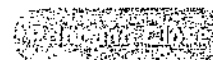
The government archives will fully retain records which pertain to legal precedence, audits or special investigations.

The government archives will fully retain for their evidential value all policy and procedure files created by offices having primary responsibility for policy and procedure development and approval. Draft and duplicate materials which hold no evidential value may be purged and discarded.

Executive records may contain a large volume of transitory and ephemeral material. For example, ministers often receive high volumes of form letters relating to a single issue. In most instances, a sample will be retained and the rest will be discarded. In unusual instances, all letters may be retained.

As with all government records, routine records of no value will be discarded. Unnecessary duplicates, publications, waste and scrap materials, and other items which are not an integral part of the record series will be purged and destroyed.





Cancel

## Transitory Records (schedule 102901)

**A SA FD**

SO nil DE

Transitory records are records of temporary usefulness that are not an integral part of an administrative or operational record series, that are not regularly filed with standard records or filing systems, and that are only required for a limited period of time for the completion of a routine action or the preparation of an ongoing record.

Transitory records are not required to meet statutory obligations or to sustain administrative or operational functions. Originals or copies required for statutory, legal, fiscal, administrative or operational purposes will be retained in a regular filing system and disposed of separately in accord with the *Document Disposal Act*. This schedule covers the following types of transitory records.

**A SA FD**

SO nil DE

### 1.1 CONVENIENCE COPIES

Extra copies of records created and retained only for the convenience of reference, including photocopies.

NOTE: This schedule does NOT cover day files, crutch files, or chronological files. Disposition of those records will be approved separately in accord with the *Document Disposal Act*.

**A SA FD**

SO nil DE

### 1.2 UNNECESSARY DUPLICATES

Stocks of publications, pamphlets, blank forms, informational material, etc. which have no further usefulness.

**A SA FD**

SO nil DE

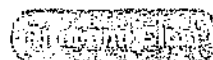
### 1.3 WORKING MATERIALS AND DRAFTS

Rough notes, steno work materials, word processor diskette copies, calculations, preliminary drafts, rough research notes, and similar materials used in the preparation of correspondence, reports, memoranda, statistical tabulations, or other records.

Once the finished record has been produced, documented, and incorporated into a regular filing or records system, these working materials become transitory records.

NOTE: This schedule does not cover working materials and drafts that are described or specified in some other records schedule. For example, this schedule does NOT cover working materials relating to the preparation of legislation or audit reports. Disposition of records relating to legislation and other specified working papers will be approved separately in accord with the *Document Disposal Act*.

If you have any questions about a specific type of working paper, please contact your Records Officer.



Cancel

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## **Your Records Officers:**

Providing services to:

Advanced Education  
Education  
Health

**Terrence McKenny - [RMHELP.HealthEducation@gov.bc.ca](mailto:RMHELP.HealthEducation@gov.bc.ca)**

Office of the Premier  
BC Public Service Agency  
Government Communication and Public Engagement  
Labour, Citizens' Services and Open Government

**Bea Nacey - [RMHELP.CentralAgencyOPS@gov.bc.ca](mailto:RMHELP.CentralAgencyOPS@gov.bc.ca)**

Community, Sport and Cultural Development  
Finance  
Jobs, Tourism and Innovation  
Transportation and Infrastructure

**Blair Turner - [RMHELP.BUSINESS@gov.bc.ca](mailto:RMHELP.BUSINESS@gov.bc.ca)**

Attorney General  
Children and Family Development  
Social Development  
Public Safety and Solicitor General

**Roxanne Weeds - [RMHELP.Justice.Social@gov.bc.ca](mailto:RMHELP.Justice.Social@gov.bc.ca)**

Aboriginal Relations and Reconciliation  
Agriculture  
Energy and Mines  
Environment  
Forests, Lands and Natural Resource Operations

**Jeff Barber - [RMHELP.RESOURCES@gov.bc.ca](mailto:RMHELP.RESOURCES@gov.bc.ca)**

Agencies, Boards, and Commissions (ABCs)

**Mike Lauzon - [Mike.Lauzon@gov.bc.ca](mailto:Mike.Lauzon@gov.bc.ca)**

- Training Team email [TRNRMFOI@gov.bc.ca](mailto:TRNRMFOI@gov.bc.ca)



## Records Disposal:

See: <http://www.pss.gov.bc.ca/csa/csa.html> for more information

Onsite (office curb side) shredding of paper records provided by:

Recall Total Information Management, Inc.  
CAS #000559

Shred-It International Inc.  
CSA #000560

Offsite destruction of paper records provided by:

Recall Total Information Management, Inc.  
CSA #000559

Offsite destruction of multimedia (including microfilm and microfiche; audio/video tapes; magnetic/optical disks, tapes and tape cartridges etc.) provided by:

Asset Inventory Recovery  
<http://www.pss.gov.bc.ca/air/media-destruction-general-public.html>

## Supplies:

Supplies from Office Products Center: <http://pss.gov.bc.ca/dcv/>

- Standard box labels for offsite records storage boxes—Product #7520121009 \$5.75/pack of 50 labels
- Fold top Storage Boxes—Product #7520121002 (2178) 25/bundle \$2.25 each box
- Map Boxes
  - 4 x 4 x 36      Product #7520121005    \$1.75 each box
  - 4 x 4 x 48      Product #7520121006    \$2.12 each box

The following are ordered from Instabox Vancouver Ltd., 620 Audley Blvd, Annacis Island, Delta BC V3M 5P2  
Phone: (604) 522-4269; Fax: (604) 523-0511

- Flat map boxes
  - 52 x 40 x 3      Item# 48809      52 ½ x 41 x 3      Item# 48810
- Map boxes
  - 4 x 4 x 36      Item# 028009      4 x 4 x 48      Item# 02007A
  - 8 x 8 x 40      Item# 028008