

# GOVERNMENT RECORDS SERVICE GUIDE

## MANAGING RECORDS DURING AN ELECTION

### OVERVIEW

This guide provides government employees with instructions for managing cabinet records and other **government records** during an election period. It covers custody and access considerations, roles and responsibilities, and distinguishing Cabinet and government records from personal and **MLA records**.

**Interregnum:** 1. A period when normal government is suspended, especially between successive reigns or regimes.  
2. A lapse or pause in continuity.

When the writs of election are officially issued and an election is declared, the Lieutenant Governor dissolves the Legislative Assembly, and the government enters a caretaker period or “**interregnum**.” While MLAs no longer hold office once the election writs are issued, ministers continue to hold their positions as Executive Council (Cabinet) until a new Cabinet is sworn in. The period following Election Day until a new Cabinet is sworn in is referred to as “**transition**.” Provincial general elections are set to occur on the second Tuesday in May every four years. The next provincial election is set for May 9, 2017, with the interregnum scheduled to begin April 11, 2017.

During the interregnum, basic conventions require government to avoid implementing major policy initiatives or entering into new contracts or undertakings that would bind an incoming government. To this end, ordinary meetings of Cabinet, Treasury Board and Cabinet Committees are not held during the interregnum. While Cabinet members and Deputy Ministers (DMs) are legally able to make ministerial decisions during these periods, in practice all major actions and decisions are deferred and only routine ministry business continues. There may, however, be special meetings of Cabinet or a committee of Cabinet, if required.

Procedures for managing Cabinet records during the election period respect the British Parliamentary tradition that all Cabinet records are considered to be privileged information of the government of the day. A succeeding administration of a different political party does not normally have access to these records. This protects the confidentiality of the collective decision-making process of parliamentary democracy.

### Three Basic Tips for the Interregnum *(see Roles and Responsibilities table below for details)*

1. **Cabinet records** must be identified, sent to the Deputy Minister’s Office, and managed to ensure access is limited to those who “need to know” (as identified by the Deputy Minister or designate).
2. **Appropriate security and access measures** must be in place for these records, whether in physical or digital storage (e.g., **EDRMS**, LAN/shared drive, SharePoint, or CLIFF).
3. Any digital or physical **records that are eligible for disposal** must be destroyed in a secure manner that ensures sensitive or confidential information is rendered unreadable, and complies with current destruction policies. Note that during the interregnum period, all commercial document shredding for Ministers’ offices within the Legislative Precinct is suspended.

### Help from Records Officers

The Government Records Service (GRS) Records Officer (RO) assigned to the relevant ministry will advise Minister’s Office and Deputy Minister’s Office (DMO) staff during the interregnum. The RO can provide guidance on identifying and properly processing Cabinet records prior to transfer to a secure digital location or offsite storage (i.e., a location where access is controlled by the DM). The RO also provides guidance

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regarding the ongoing management of government records in accordance with relevant legislation, policy, and information schedules.

The following table provides guidance for managing the Cabinet records, government (non-Cabinet) records, MLA and personal records that are located in ministers', deputy ministers', and other government offices during and after an election interregnum. The DMO or ministry program area designated to manage Cabinet records may have more specific procedures for the regular management of these types of records.

<b>Roles and Responsibilities for Different types of Recorded Information (Cabinet Records, Government Records (non-Cabinet), MLA and Personal Records)</b>	
<b>1. CABINET RECORDS</b>	
<b>Definition</b>	<p>Ministers create and use Cabinet records in their role as members of Cabinet and its committees.</p> <p><b>Cabinet committee records</b> relate to the establishment, organization, and functions of Cabinet committees and related DMs' committees. These include ministry and agency submissions prepared for Cabinet or its committees (i.e., Cabinet submissions). Records types include correspondence, submissions, significant/substantive draft submissions, working materials and supporting documentation, communication plans and strategies, notices, agendas, minutes, records of decision, reports, and presentation handouts. See <a href="#">ARCS 201</a> for further information.</p> <p>Cabinet records also include: Treasury Board briefing information presented to Executive Council or the Minister; briefing notes about submissions to Cabinet or Treasury Board; and speaking notes for the Minister for presentation at Cabinet. Common ARCS classifications for Cabinet records include: ARCS 201-20, ARCS 280-20, and ARCS 324-20.</p>
<b>Cabinet Operations</b>	<p><b>Cabinet Operations holds the final versions of Cabinet documentation.</b> The ministry responsibility centre (i.e., the <b>Office of Primary Responsibility [OPR]</b>) is the DM's or Minister's office. In some ministries the DM delegates custody of these records to an operational business unit (e.g. ADM's office or central policy section). The ministry copies of Cabinet submissions and draft submissions must be kept secure to ensure no unauthorized access.</p> <p><b>During the interregnum and transition periods,</b> control of access to Cabinet designated records remains with the Cabinet Secretary. In cases where a ministry requires access to these files in order to process a request under the <a href="#">Freedom of Information and Protection of Privacy Act (FOIPPA)</a> or for litigation, the DM will send a written request to the Cabinet Secretary. The Cabinet Secretary will advise the DM of the approval to release the records. The ministry will then process the request in the usual manner.</p>
<b>Minister's Office</b>	<p><b>During the interregnum,</b> any Cabinet records in a Minister's Office need to be identified, separated from other government records, and prepared for transfer to the control of the relevant DM. This includes physical and digital records (e.g., located on LAN or SharePoint sites). Non-cabinet government records stay in the Minister's Office so as to maintain the administration of the ministry.</p>



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	<p><b>After the transition period</b>, should a change in administration occur and the ministry is required to prepare material on an issue to which previously prepared Cabinet records pertain, the proper procedure is to create a new document as the actual documents prepared for any previous government cannot be shared.</p> <p><b>Previous Cabinet submissions</b> may continue to be used as resource documents by staff preparing the new submissions, where authorized by the DM. In responding to requests of the new government, ministries must prepare new reports and submissions, rather than simply bringing forward past ones.</p>
Deputy Minister's Office (DMO)	<p><b>Prior to the interregnum</b>, DMOs will ensure that any Cabinet designated records are removed from their Minister's Office and placed in a secure location controlled by the DMO.</p> <p>Access to Cabinet designated records is restricted to ministry officials authorized by the DM.</p> <p><b>The DMO may delegate custody</b> of these records to another office within the ministry (e.g., to an Assistant Deputy Minister [ADM]'s Office, or central policy section). In these cases, the DMO needs to notify relevant office staff regarding access and use restrictions.</p>
Ministry Program Areas	<p><b>Forward any draft or final Cabinet submission</b> to the DMO or to the operational unit delegated to retain these records on behalf of the DM (e.g., ADM or ministry policy section).</p> <p><b>Offices with delegated responsibility for Cabinet records:</b> Cabinet records may be located in ministry offices under the delegated custodial care of the DM. Only ministry officials authorized by the DM may access these records. Staff in these areas should be aware of access and use restrictions relating to these records.</p> <p>Where cabinet submission material is an integral part of ministry business files, it should be retained in the relevant operational/business unit files.</p> <p><b>Transitory copies of Cabinet documents</b> should be deleted or securely destroyed.</p>
<b>2. GOVERNMENT INFORMATION (Non-Cabinet)</b>	
Definition	<p>As defined in the <i>Information Management Act (IMA)</i>, government information consists of all recorded information created or received by a ministry or other government body in connection with government business. Government information (often referred to as "records") is created in a variety of digital and physical formats. Within any government office there may be several storage locations (e.g., LAN/shared drive, EDRMS, CLIFF, SharePoint sites, personal email folders, physical file banks, desk drawers).</p> <p>Government information is subject to the <i>IMA</i>, <i>FOIPPA</i>, other legislation pertaining to specific programs and functions, the Core Policy and Procedures Manual, the Recorded Information Management (<a href="#">RIM</a>) Manual, and approved <a href="#">information schedules</a>.</p>
Minister & Deputy Minister	<p><b>Prior to and during the interregnum</b>, Minister's Office and DMO office staff need to ensure that non-Cabinet government records are either transferred to the appropriate program area (responsibility centre) or are properly classified and filed in the office recordkeeping system, in accordance with normal practice. These records are needed to maintain the administration of the ministry.</p>



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	<p>Minister's calendars, for the duration of the Minister's term, must be output and filed (e.g., printed to PDF and filed on the LAN.)</p> <p><b>After the election</b>, The Minister's Office and DMO are responsible for ensuring that non-Cabinet government records are sent to the newly appointed Minister's Office. The Chart of Accounts code indicates where the administrative records are to be sent.</p> <p><b>If a ministry is dis-established</b>, its records are sent to the ministry that inherits its functions.</p>
<b>Ministry Program Areas</b>	During the interregnum, ministry program area offices should manage non-cabinet government information in accordance with legislation and policy, just as they are required to do at all other times.
<b>3. MLA and PERSONAL RECORDS</b>	
<b>MLA Records Definition</b>	Recorded information created and/or accumulated and used by a Member of the Legislative Assembly of British Columbia (MLA) acting in that capacity. MLA records document an MLA's legislative and political activities and include records created by the MLA's constituency office (constituency information). Examples include MLA's records of caucus and legislature meetings. MLA records do not include an MLA's personal or business records.
<b>Personal Records Definition</b>	Personal records are personal in nature and relate to one's private life. They are not received or created as part of daily ministry business activities. They are NOT government records governed by the <i>Information Management Act</i> .
<b>Minister's Office</b>	<p><b>Ministers' office staff</b> are responsible for ensuring that the Minister's personal and MLA records are separated from government records prior to the interregnum, under the direction of the DMO.</p> <p>Once the interregnum begins, the Minister's personal and MLA physical records will be placed in boxes, and digital records will be saved to their personal portable storage devices. Any digital records on government systems must be deleted.</p> <p>The Minister should indicate where these records are to be delivered. If a location is not given they should be sent to the caucus office. For physical records, MLAs also have the option to use GRS-administered offsite storage facilities to store their MLA and personal records for up to 5 years, using the <a href="#">MLA Records Transfer Agreement (ARS409)</a> available on the Records Management website.</p> <p><b>Minister's office employees' personal records:</b> Individual employees are responsible for managing their own non-government records and removing them from the office.</p>

**Additional Information**

Contact your [Records Officer](#) or check out the rest of the [Records Management website](#). For definitions of special terms that appear in **bold blue font**, see the [RIM Glossary](#).

