



# MANAGING RECORDS DURING AN ELECTION

## Overview

This guide provides government employees with instructions for managing [cabinet records](#) and other [government information](#) during an election period. It covers custody and access considerations, roles and responsibilities, and distinguishing Cabinet and government information from non-government information (personal records and cabinet records).

After the Lieutenant Governor dissolves the Legislative Assembly and the writs of election are issued, government enters a caretaker period or “**interregnum**.” While MLAs no longer hold office once the election writs are issued, ministers continue as members of Executive Council (Cabinet) until a new Cabinet is sworn in. The period between the election result becoming clear and the swearing-in of a new Cabinet is referred to as “**transition**.” Provincial general elections are scheduled to be held every four years, and unscheduled or “snap” elections may occur at other times.

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.

### INTERREGNUM

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

### Prepare for an Interregnum KEY COMPONENTS

*(see Roles and Responsibilities table below for details)*

**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).

**Appropriate security and access measures** must be in place for these records, whether in digital or physical storage (e.g. [EDRMS](#), LAN/shared drive, SharePoint, or CLIFF).

Management of government records must be done in a manner ensuring confidentiality and security. Ministerial offices should contact the Government Information Management branch on current policies. During the interregnum period all commercial document shredding is to be suspended.

# GOVERNMENT INFORMATION MANAGEMENT



## Help from Government Information Management

[Government Information Management \(GIM\)](#) will advise Minister's Office and Deputy Minister's Office (DMO) staff during the interregnum.

GIM 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).

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

The table on the following pages 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.

Government bodies must create and maintain adequate records of their decisions to meet their obligations under the *Information Management Act*.

For more information on the requirements to document government decisions see [Documenting Government Decisions guidelines](#).

**Roles and Responsibilities for Different Types of Recorded Information**

**1. CABINET RECORDS**

<p><b>Cabinet Records Definition</b></p>	<p>Ministers create and use Cabinet records in their role as members of Cabinet and its committees.</p> <p><a href="#">Cabinet committee records</a> 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). Record types include correspondence, submissions, significant/substantive draft submissions, working materials and supporting documentation, communication plans and strategies, notices, agendas, minutes, records of decisions, reports, and presentation handouts.</p> <p>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 <a href="#">ARCS classifications</a> for Cabinet records include: ARCS 201-20, ARCS 280-20, and ARCS 324-20.</p>
<p><b>Cabinet Operations</b></p>	<p><b>Cabinet Operations holds the final versions of Cabinet documentation.</b> The ministry responsibility centre (i.e. the <a href="#">Office of Primary Responsibility [OPR]</a>) 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).</p> <p>The ministry copies of Cabinet submissions and draft submissions must be kept secure to prevent 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>
<p><b>Minister's Office</b></p>	<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 to maintain the administration of the ministry.</p> <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 from the new government, ministries must prepare new reports and submissions, rather than simply bringing forward past ones.</p>

# GOVERNMENT INFORMATION MANAGEMENT

## Roles and Responsibilities for Different Types of Recorded Information

### 1. CABINET RECORDS, continued

<b>Deputy Minister's Office (DMO)</b>	<p><b>Prior to and during 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><b>Access</b> 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 is responsible for notifying relevant office staff regarding access and use restrictions.</p>
<b>Ministry Program Areas</b>	<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 <b>should</b> 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 <b>should</b> be retained in the relevant operational/business unit files.</p> <p>Delete or securely destroy <b>transitory copies of Cabinet documents</b>.</p>

### 2. GOVERNMENT INFORMATION (Non-Cabinet)

<b>Definition</b>	<p>As defined in the <a href="#">Information Management Act (IMA)</a>, 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 <a href="#">records</a> or <a href="#">government records</a>) 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 <a href="#">Core Policy &amp; Procedures Manual</a> and approved <a href="#">information schedules</a>.</p>
<b>Minister &amp; Deputy Minister</b>	<p><b>Prior to and during the interregnum</b>, normal practices prevail for the treatment of non-cabinet government information. The DMO and MO should work together to ensure that records are being kept in an appropriate recordkeeping system, and the DMO is aware of the types of government records being held in the MO or in the appropriate program area (responsibility centre). Transfer of custody of records occurs in the event there is a transition in governments.</p> <p>Minister's calendars, for the duration of the Minister's term, must be <b>saved and filed</b> (e.g. printed to PDF, or filed on the LAN.)</p>
<b>Ministry Program Areas</b>	<p>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.</p>

Roles and Responsibilities for Different Types of Recorded Information

3. MLA and PERSONAL RECORDS

<p><b>Personal Records Definition</b></p>	<p><u>Personal records</u> 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>IMA</i>.</p>
<p><b>MLA Records Definition</b></p>	<p>Recorded information created and/or accumulated and used by a Member of the Legislative Assembly of British Columbia (MLA) acting in that capacity.</p> <p>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.</p>
<p><b>Minister's Office</b></p>	<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.</p> <p><b>Any personal records</b> 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.</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>

