



Managing Minister's Office Records

Overview

Government information created and held by British Columbia's cabinet ministers and their staff is a valuable public asset. The appropriate creation and maintenance of government information supports openness and transparency, facilitates effective decision making, provides evidence of government policies, programs and decisions, and contributes to the historical record for future generations.

Like the rest of government, ministers' offices are subject to statutory and policy requirements regarding information management, freedom of information, and privacy. They are also subject to the government-wide directive on appropriate use of information and information technology resources ("[Appropriate Use Policy](#)") and the Chief Records Officer Directive on [Documenting Government Decisions](#) (CRO 01-2019). Minister's Office employees must also adhere to their Oath and to the Standards of Conduct.

A minister's office typically has three categories of records:

- **Non-government records** that relate to the private life and personal interests of the minister and staff.
- **Member of Legislative Assembly (MLA) records**, which are the political and constituency records generated by ministers in their capacity as members of the Legislative Assembly.

Personal and MLA records should be managed separately from government records, in order to protect privacy and avoid having to separate them later on (it is unlikely that an incoming minister and staff would have access to the personal and MLA records of their predecessors).

- **Government information** that is created or received by ministers and their staff as ministers of the Crown. These include both official and transitory records and are subject to the [Information Management Act \(IMA\)](#) and the [Freedom of Information and Protection of Privacy Act \(FOIPPA\)](#).

Official Records

Given the level of responsibility of a minister's office, official records must be maintained in an appropriate recordkeeping system. This includes the master or file copies of records that document decisions, decision-making processes, and substantive activities of the office.

A government body should document a decision where a record would serve one or more of the following purposes:

- Informing the government body or others about the evolution of the government body's programs, policies or enactments;
- Protecting the legal or financial rights or obligations of the government body, the Crown, or any person, group of persons, government or organization that is directly and materially affected by the decision;
- Facilitating the government body's accountability for its decisions, including through internal or external evaluation, audit or review.

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For more information on how to identify decisions that should be documented, see the Chief Records Officer [Guidelines on Documenting Government Decisions](#). Minister's office records now are increasingly digital (e.g. electronic messages and documents) and are maintained in many locations by multiple responsible bodies. Records are typically received from many offices, acted upon by the minister's office, and then routed to other offices for action and/or retention.

While practices may vary somewhat among offices, the following are best practices: **For most records received by or sent from a minister's office, the Office of Primary Responsibility (OPR) is the deputy minister's office** (i.e. with such exceptions as listed below, most records are sent to the deputy minister's office for retention, when no longer needed by the minister's office).

The deputy minister's office is able to provide continuity and appropriate public service administration of the records of successive ministers. In some cases, certain minister's office records are best maintained along with other related records within the appropriate functional area.

- **Cabinet records go to Cabinet Operations.**
- **Expense records go to the Ministry of Finance.**
- **Other types of records** (e.g. approved decision notes) may go to the **relevant ministry program area OPR** for the subject matter.

Recordkeeping Requirements for Official Records

Since ministers' office records are maintained by a variety of responsibility centres, it is important to maintain documentation of where specific types of records are routed. Best practice is to maintain this documentation within the deputy minister's office.

Appendix A provides an overview of the basic routing and documentation requirements, which are:

- **Identify the offices responsible for maintaining official records received from the minister's office.** See the records' location and types list at the end of Appendix A for an example of an easy way to track designated responsibility centres for various types of records.
- **Ensure that offices identified as responsibility centres are aware of their role.** Offices receiving the master "file copies" of minister's office records need to be aware that they are responsible for maintaining the records for the required length of time, in a secure, accessible manner. (Under current information schedules, official records of minister's offices must be retained at least 10 years).
- Keep Government Records separate from the records related to their personal affairs, caucus or political party work, constituency business, or Legislative Assembly business. This will avoid potential confusion should an FOI request be made for the government information.
- **When a freedom of information (FOI) request or litigation search occurs, use the above documentation to provide relevant information about where the requested records are held.**

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Transitory Information

Transitory information is information of temporary usefulness that is only needed for a limited period of time to complete a routine action, enter into a digital system, or prepare an official record. This information does not have ongoing value for supporting or documenting the work of the minister's office, and therefore does not need to be maintained as part of the official records of the office.

Note that it is the content and use of a record that determines its value, not its form (e.g. an email may be transitory or official.)

It is good practice for all offices to regularly dispose of transitory information when it is no longer useful. This makes it easier to identify and manage the official records. Transitory information can and should be disposed of when it is no longer of value (e.g. deleted from an individual's email account).

For further guidance see the [Transitory Information Schedule](#). See **Appendix B** below for scenarios regarding transitory information and official records of minister's offices.

Freedom of Information and Protection of Privacy

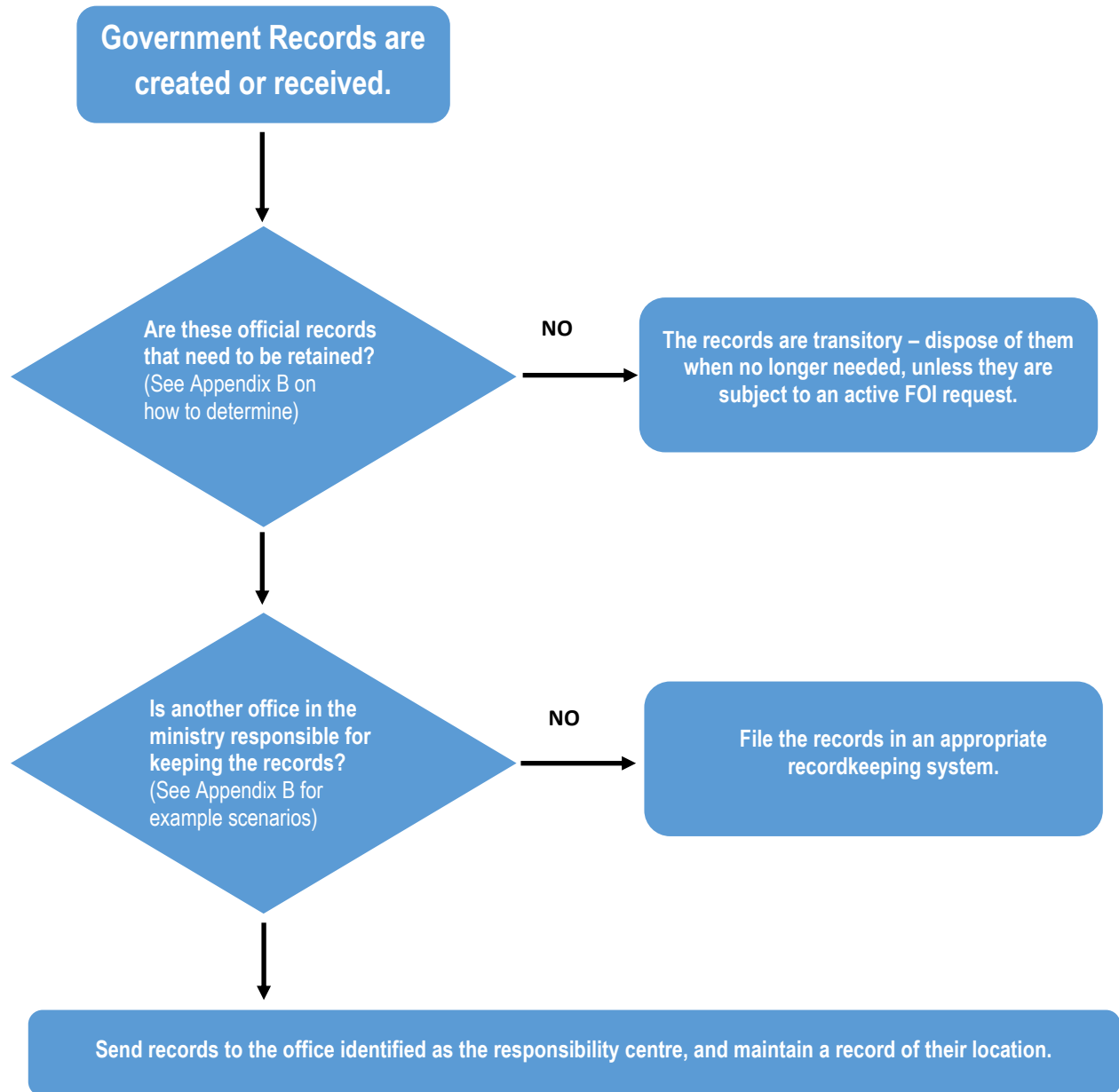
Government records within a minister's office are subject to *the Freedom of Information and Protection of Privacy Act (FOIPPA)* and must be searched in response to an FOI request. Designated FOI contacts for ministers' offices are located within the deputy ministers' office. Ministers' offices are also subject to government-wide privacy policies.

If the minister's office receives a freedom of information or litigation search request, ALL relevant records must be provided, including transitory information. Transitory information that is subject to such requests must be retained pending completion of the applicable FOI response process and review period or the applicable litigation activities (contact Information Access Operations and Legal Services Branch, respectively, for guidance on particular cases).

Where a single record (e.g. an email thread) contains information related to an MLA's personal affairs, caucus or political party work, constituency business, or Legislative Assembly business, and that information is inseparable from and integrated into a government record (e.g. in a single email thread or on the same page of a notebook), the entire record is subject to FOIPPA and must be treated as responsive to an FOI request.

APPENDIX A

Ministers' Office Records Processes



APPENDIX B

Scenarios Regarding Transitory Information and Official Records

The following scenarios illustrate the variety of functions performed by a minister’s office (MO) and the types of records it receives and creates. These scenarios assume that many of the official records for a minister’s office will typically be filed and saved by the deputy minister’s office (DMO) or other appropriate responsibility centre. Under this practice, residual copies remaining in the minister’s office are transitory and may be disposed of when no longer needed.

Scenario 1 – Speeches and Presentations

The minister has been asked to speak about a new ministry initiative at a conference at UNBC. The MO works with the ministry program area on the speech/presentation.

Function/Process	Records are
Event planning correspondence (email strings around choices of hotel, flights, government vehicle use)	<p><u>Transitory</u></p> <ul style="list-style-type: none"> • Dispose of when no longer useful.
Official invitations and itinerary (e.g. purpose for minister’s attendance, background on the event, venue, dates)	<p><u>Official records</u></p> <ul style="list-style-type: none"> • Retain records in MO or DMO. • Any attachments need to be removed from calendar entry and filed separately.
Minister’s speech or presentation (e.g. text, audio-video)	<p><u>Official Records</u></p> <ul style="list-style-type: none"> • Government Communications and Public Engagement (GCPE) retains the official record of the minister’s speech or presentation. • Official copies of presentation material may be retained by the originating program area if they are of continuing value to that program. <p><u>Transitory</u></p> <ul style="list-style-type: none"> • Residual copies may be retained by the MO or DMO for reference purposes until no longer useful.

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Scenario 2 – Travel Planning and Expenses

The minister is travelling to Ottawa to attend an annual meeting of Federal/Provincial/Territorial ministers.

Function/Process	Records are
Travel planning correspondence (Email strings relating to choice of flights, airport transports, car rentals, hotels etc.)	<p><u>Transitory</u></p> <ul style="list-style-type: none"> • Dispose of when no longer useful.
Travel and meeting itineraries (e.g. purpose of trip, planned meetings, dates, venues, attendees)	<p><u>Official records</u></p> <ul style="list-style-type: none"> • Retain records in either MO or DMO. If the official records are retained in the DMO, then residual MO copies are transitory.
Invitation logged in Outlook calendar	<p><u>Official records</u></p> <ul style="list-style-type: none"> • MO will save a pdf of the calendar each month. • These records will be retained in MO or DMO.
Meeting-related records prepared by ministry (e.g. briefing notes, handouts, slides)	<p><u>Transitory</u> (residual MO copies)</p> <ul style="list-style-type: none"> • Official records are retained in DMO and/or other appropriate responsibility centre. • MO copies should be disposed of when no longer needed.
Meeting related records received before or at meeting (agenda, minutes, notes, content provided by other attendees)	<p><u>Official records</u></p> <ul style="list-style-type: none"> • Retain records in either MO or DMO. If the official records are retained in the DMO, then residual MO copies are transitory.
Travel expenses for Minister and accompanying staff (e.g. transportation and accommodation costs, per diem, receipts)	<p><u>Official records</u></p> <ul style="list-style-type: none"> • Travel vouchers and receipts are sent to Ministry of Finance. • Residual MO copies are transitory.
Presentations or speeches by Minister	<ul style="list-style-type: none"> • See Speeches and Presentations scenario.

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Scenario 3 – House briefing materials

Ministry program areas have been asked to provide the Minister with material for the budget estimates debate in the House.

Function/Process	Records are
Briefing materials and questions (e.g. hardcopy binders, documents attached in CLIFF)	<p><u>Transitory</u> (residual MO copies)</p> <ul style="list-style-type: none"> • Official records are retained in the DMO or other relevant responsibility centre. • Copies in MO should be disposed of when no longer useful.
Correspondence relating to direction on preparation of budget estimates	<p><u>Transitory</u> (residual MO copies)</p> <ul style="list-style-type: none"> • Official records are retained in the DMO.

Scenario 4 – Non-Cabinet Committees/Meetings

The minister is attending a meeting with key stakeholders about progress to date on a ministry-sponsored project.

Function/Process	Records are
Meeting invitation in Outlook Calendar	<p><u>Official records</u></p> <ul style="list-style-type: none"> • The MO will save a PDF calendar each month for filing. • These records will be retained in the MO or DMO.
Meeting preparation (includes background/briefing materials and reports developed by the ministry, content prepared for meeting stakeholders)	<p><u>Transitory</u> (residual MO copies)</p> <ul style="list-style-type: none"> • Official records are retained in the DMO or other appropriate responsibility centre. • Minister's office copies should be disposed of when no longer useful.
Meeting records (includes agenda, records received from stakeholders, agenda, minutes, notes)	<p><u>Official records</u></p> <ul style="list-style-type: none"> • These records will be retained in the MO or DMO. If the official records are retained in the DMO, then residual MO copies are transitory.

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Scenario 5 – Unfiled Minister’s Office E-Mail

Due to volume, MO personnel have accumulated e-mail that has not been disposed of over time as clearly transitory or filed in other systems (e.g. EDRMS Content Manager).

Function/Process	Records are
Accumulation of email messages in Outlook folders	<p><u>Official records</u></p> <ul style="list-style-type: none">• MO retains these records until they have been either filed in another office system or transferred to the DMO (e.g. when the minister transfers to another portfolio).• MO personnel should continue to dispose of transitory messages (per the Transitory Records Guide) consistent with policy direction, except those identified in FOI and litigation searches, and to remove or dispose of any MLA or personal messages.• DMO will ultimately assume responsibility for these e-mail accumulations.

Additional Information

Please see the [Government Information Management](#) page and [contacts](#).