
SECTION 5

RECORDS AND INFORMATION MANAGEMENT

5.02 POLICY RESPONSIBILITIES

AUTHORITY: *ARCHIVES AND RECORDS ACT*

ADMINISTRATION: DEPARTMENT OF EDUCATION AND EARLY YEARS
PUBLIC ARCHIVES AND RECORDS OFFICE

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5.02 POLICY RESPONSIBILITIES

(1) GENERAL PRINCIPLES

The records held by Government departments, Crown corporations, boards, agencies, commissions and other public bodies defined as such by the *Archives and Records Act* contain information which constitutes Government's corporate memory. These records must be managed as an invaluable public resource and a Government asset. The following principles guide the effective implementation of a records and information management (RIM) program:

- (a) the creation, capture and maintenance of records are integral business practices which are essential to the delivery of programs and services;
- (b) the management of records enables effective decision making, provides evidence of business activities, and assists in maintaining government accountability to its citizens;
- (c) a comprehensive records and information management program must be implemented and maintained to ensure consistent adherence to the *Archives and Records Act*. In the Government of Prince Edward Island, the Public Archives and Records Office (PARO) is responsible for the preparation, implementation, and monitoring of a provincial records and information management program;
- (d) public bodies have the responsibility for the creation, capture, and maintenance of records pertaining to their programs, services, and operations. Public bodies must manage the public records in their control and custody in accordance with policies, procedures, guidelines and records retention and disposition schedules issued by the PARO; and
- (e) the *Archives and Records Act* provides for the classification, retention and disposition of all public records.

(2) ACCOUNTABILITY, RESPONSIBILITY, AUTHORITY

Records and information management is the responsibility of all who are employed by government including: the Premier and their staff; Ministers; Deputy Heads; permanent and casual or temporary staff; volunteers; students; and individuals under contract.

These responsibilities are as follows:

- (a) All **Employees of public bodies** are responsible for:
 - (i) creating full and accurate records of actions that support programs, services and ongoing operations;

- (ii) managing records by filing and capturing them in formal recordkeeping systems;
 - (iii) maintaining and protecting records for as long as required by approved records retention and disposition schedules;
 - (iv) not destroying records until their retention rule has elapsed or they are deemed as a non-record, and when destroying records, doing so in accordance with established procedures for records destruction;
 - (v) reporting to their supervisor or Senior Records Management Designate all suspected or known cases of the improper destruction of public records as soon as the employee becomes aware of an incident, be it internal or external;
 - (vi) understanding that records created while employed by the Government belong to Government; and
 - (vii) following all Records and Information Management policies, procedures, file plans and retention schedules.
- (b) The **Provincial Archivist** is responsible for:
- (i) overseeing the development and implementation of the Government-wide records and information management program, including developing RIM strategies, policies, standards, procedures and services for effective records and information management practices across government;
 - (ii) advising and assisting public bodies in meeting the requirements of the *Archives and Records Act*;
 - (iii) providing information, consultation, reference, training and other services related to records management to public bodies;
 - (iv) liaising with Senior Records Management Designates to direct the activities of the RIM Coordinators;
 - (v) chairing the Public Records Committee;
 - (vi) with the approval of the Public Records Committee, issuing directives to the heads of public bodies in relation to the management of public records in the custody or under the control of public bodies; and
 - (vii) monitoring public bodies for compliance with the *Archives and Records Act* and preparing an annual report to be tabled in the Legislative Assembly.

- (c) The **Public Archives and Records Office** is responsible for:
- (i) the development and implementation of records and information management strategies, policies, standards and guidelines;
 - (ii) the administration of the Provincial Records Centres which store, service and assist with the disposal of the inactive records of public bodies;
 - (iii) the development and administration of a records and information management training program for staff of public bodies;
 - (iv) the dissemination of records and management information to public bodies;
 - (v) the monitoring of public bodies' records and information management programs to determine compliance with approved policies, directives and records retention and disposition schedules;
 - (vi) the care and control of all public records of any public body, the functions of which have ceased to exist; and,
 - (vii) serving as the permanent repository for public records which have been identified to be records of enduring value. As such, the PARO is responsible for:
 - (a) the identification, appraisal, selection, preservation, arrangement and description of public records;
 - (b) the custody and control of records which have been transferred from the depositing public body to the PARO, while ownership continues to be vested in the Government of Prince Edward Island; and
 - (c) the provision of access to public records at the PARO which are deemed to be available for public and Government research once they have been transferred and processed. Access to public records transferred to the PARO is subject to any access restrictions specified in records retention and disposition schedules or identified by the Provincial Archivist and, for records transferred after 2002, to the *Freedom of Information and Protection of Privacy Act* (FOIPP).
- (d) The **Public Body head** is responsible for:
- (i) protecting and maintaining all records, regardless of format, that are in their control and custody, and ensuring the records are accessible, legible, understandable, usable and transferable throughout the life cycle of the records, from creation to final disposition;

- (ii) maintaining records in formats, media and conditions that ensure the retention and preservation of the records;
 - (iii) ensuring that one or more records retention and disposition schedules are developed, in respect of the public records in the custody or under the control of the public body;
 - (iv) retaining and disposing of records in accordance with approved retention and disposition schedules;
 - (v) ensuring that records identified as having archival importance are transferred to the care and control of the Public Archives in accordance with the approved records retention and disposition schedules;
 - (vi) establishing and resourcing the records and information management program of the public body including:
 - (a) designating to at least one person at the senior management level the role of Senior Records Management Designate which is accountable for all records and information management activities (management level); and
 - (b) assigning responsibilities for the implementation, maintenance and administration of the public body's records management program to at least one RIM Coordinator (activity level) if one is not assigned by the PARO and who also reports to senior management;
 - (vii) supporting the development and maintenance of an implementation plan for the management of records and information which identifies and addresses program goals on an annual basis, and responds to recommendations made in the course of program monitoring undertaken by the PARO;
 - (viii) complying with any directives issued under subsection 6.1(1) of the *Archives and Records Act*;
 - (ix) responding within a reasonable time to a request for information by the Provincial Archivist; and
 - (x) taking reasonable steps to ensure that officers and employees of the public body do not contravene subsection 19.1(1) of the *Archives and Records Act* regarding prohibitions under the *Act*.
- (e) The **Public Records Committee** is responsible for:
- (i) reviewing records retention and disposition schedules submitted by a public body;

- (ii) reviewing procedures for the retention, preservation, destruction or alienation of records identified in a records retention and disposition schedule; and
- (iii) approving records retention and disposition schedules.

The Committee may, at the request of the Provincial Archivist:

- (iv) review the policies, procedures and legislation applicable to public bodies respecting the management of public records;
- (v) provide advice with respect to the management of public records; and
- (vi) approve the issuance of a directive under subsection 6.1(1) of the *Archives and Records Act*.

(f) The **Records Analyst** is responsible for:

- (i) coordinating the ongoing development, implementation and review of operational records retention and disposition schedules;
- (ii) maintaining and assisting with the government-wide implementation of the Classification Plan and Retention Schedules for Common Records;
- (iii) providing advisory and training services, as well as learning materials (as needed), to staff of public bodies and RIM Coordinators on retention schedules, and records and information management processes/procedures;
- (iv) providing administrative support to the Public Records Committee;
- (v) assisting in the promotion of the RIM Program across a cohort of Government departments; and
- (vi) providing supervision to the RIM Coordinators employed by the PARO, electronic records coordinators, records clerks, and to some RIM staff designated as such by a public body.

(g) The **RIM Coordinator** is responsible for:

- (i) providing training, implementing, coordinating and monitoring the RIM Program of a public body in accordance with the *Archives and Records Act* and corporate RIM Program policies, procedures and guidelines;
- (ii) developing and maintaining a written public body policy and procedures document relating to all aspects of the public body's records management practices for approval by the public body's management team;

- (iii) providing records management consulting, administration and training services to public body staff; and
 - (iv) developing, maintaining, evaluating, reviewing and periodically revising retention and disposition schedules for a public body.
- (h) The **Senior Records Management Designate** is responsible for:
- (i) in consultation with the Provincial Archivist or designate, setting the priorities for the RIM Program of the public body;
 - (ii) in cooperation with the Provincial Archivist or designate, providing direction to the daily activities of the RIM Coordinator;
 - (iii) providing support to the RIM Coordinator in the provision of records and information management direction to the public body;
 - (iv) ensuring the public body meets records and information management business objectives and legislated requirements;
 - (v) allocating public body staff time and resources to the RIM Program;
 - (vi) approving the RIM policy & procedures manual for the public body; and
 - (vii) reviewing records retention and disposition schedules and sending them to the Deputy Head of a public body for approval.

(3) ADMINISTRATION

- (a) Public bodies have a responsibility to establish, administer, and maintain a comprehensive records and information management program that shall include:
- (i) a records and information management implementation plan;
 - (ii) records and information management designates (senior management level and others as needed);
 - (iii) a records and information management policy and procedures manual specific to the public body;
 - (iv) a comprehensive inventory of information holdings;
 - (v) file classification plan(s);
 - (vi) filing centres (centralized and decentralized);
 - (vii) records retention and disposition schedules; and,

- (viii) a plan for managing electronic records within the public body.
- (b) Records and information management programs for public bodies shall be implemented and maintained in accordance with the policies, standards, and guidelines defined by the PARO.
- (c) Public bodies shall develop, maintain and implement records retention and disposition schedules in accordance with the procedures outlined in the *Archives and Records Act*. Records retention and disposition schedules shall be comprehensive, describing and scheduling all records and information resources in all formats. Records retention and disposition schedules shall cover all offices and agencies of a public body. Public bodies shall work with the PARO in the development, review and approval of records retention and disposition schedules.
- (d) Public bodies have a responsibility to assign the necessary resources for the implementation and maintenance of systems for managing records.

(4) MONITORING AND COMPLIANCE

The Provincial Archivist shall be responsible to the Minister responsible for the *Archives and Records Act* for the monitoring and compliance with the *Archives and Records Act* and any related records and information management strategies, policies, procedures, guidelines, directives, and records retention and disposition schedules. The Provincial Archivist shall undertake any inquiries necessary to ascertain the degree of compliance of a public body with the *Archives and Records Act* or to determine if an offence has been committed with respect to the improper destruction of records.

Pursuant to subsection 6(2) of the *Archives and Records Act*, the Provincial Archivist shall make an annual report in writing to the Minister respecting:

- (a) the work of the Public Archives and Records Office;
- (b) the degree or rate of compliance within public bodies with:
 - (i) records retention and disposition schedules;
 - (ii) directives issued under subsection 6.1(1) of the *Archives and Records Act*; and
 - (iii) requests for information under subsection 6.1(2) of the *Archives and Records Act*; and
- (c) such other matters related to the objects and functions of the Public Archives and Records Office as the Provincial Archivist considers appropriate.

(5) INTERPRETATION

In cases where an interpretation is required, such should be referred to the Public Archives and Records Office, who will make the interpretation, or refer the matter to the Secretary to Treasury Board to determine if a Treasury Board decision is deemed necessary.