

4.1 Records Management Policy

Policy Statement

It is the policy of the Government of Nova Scotia that public bodies shall manage the records in their custody or under their control so that they meet their obligations under the *Government Records Act* and the *Public Archives Act*.

Definitions

For the purposes of this policy, the following definitions, as defined in the *Government Records Act*, are provided.

PUBLIC BODY

A government department or an agency, board, commission, committee, office, foundation, tribunal, task force, council, association, or other body of persons, whether incorporated or unincorporated, all the members of which, or all the members of the board of management or board of directors of which, are appointed by order of the Governor in Council or, if not so appointed or specified, in the discharge of their duties are public officers or servants of Her Majesty in right of the province, subject to certain exclusions and inclusions in the *Government Records Act*.

RECORDS

Information or data that is recorded or stored by graphic, photographic, electronic, mechanical, or other means and includes public archives vested in Her Majesty in right of the province.

RECORDS SCHEDULE

A comprehensive description and classification of all records of a public body, with a plan governing the life cycle of the records from creation or receipt to disposition or permanent preservation.

Application

This policy applies to all public bodies.

Objectives

The objectives of this policy are

- to ensure that public bodies maintain the records in their custody or under their control as an asset and resource, managed so as to maintain their usefulness, integrity, and ability to support the delivery of programs and services, and as a reliable source of information about the actions of government
- to ensure the accountability of government to the public by protecting and preserving the records documenting the decisions made by government and recording the rights of governments, corporations, and individuals
- to ensure that records created and kept by public bodies provide an authentic, reliable, complete, and trustworthy record of government activity
- to reduce the time and effort necessary to locate documents needed for business and information purposes in order to increase government efficiency. Additional economy will be achieved through the disposal, non-retention, or non-creation of documents that duplicate existing records or that have no continuing role in relation to a public body's mandated functions.

Directives

As provided for in the *Public Archives Act*, Nova Scotia Archives and Records Management (NSARM) shall provide advice to all public bodies concerning records management, provide records centre and archives services, and set policies, standards, and guidelines for public bodies to follow in their records management programs. NSARM shall also promote best practices in records management and monitor their adoption throughout the public service.

As provided for in the *Government Records Act*, public bodies shall prepare and apply records schedules. Records schedules and associated tools such as directories, indexes, and file lists are an integral part of a comprehensive departmental records management program compliant with NSARM policies, standards, and guidelines.

As required by the *Government Records Act*, public bodies shall protect records. Authentic and reliable records serve as evidence of transactions or rights and enable the provision of speedy and complete responses to information needs, which may include the support of mandated functions, requests under the *Freedom of Information and Protection of Privacy Act*, and legal discovery.

Public bodies shall create and maintain only records that support their mandated functions and operations.

As required by the *Government Records Act*, no person shall destroy or alienate, except in accordance with an approved records schedule, the records of a public body. Any person who does so may be found guilty of an offence and liable on summary conviction to a fine of not more than two thousand dollars or to imprisonment for six months, or both, under the *Summary Proceedings Act*.

Public bodies shall have policies protecting records from unauthorized destruction or alienation.

As provided for in the *Government Records Act*, public bodies shall classify, retain, and dispose of records in their custody or under their control according to an approved records schedule.

Each public body shall identify records management designates, at both the management and the activity levels, who shall have direct responsibility for the conduct of records management within the public body.

In developing records management programs, public bodies shall include consideration of the requirements of the *Freedom of Information and Protection of Privacy Act* in program design and implementation.

Accountability

The member of the Executive Council assigned responsibility for Nova Scotia Archives and Records Management is responsible for the general supervision of records management for all public bodies.

As provided for in the *Government Records Act*, the Minister is responsible for the approval of all records schedules recommended for such approval by the Government Records Committee (GRC).

As provided for in the *Government Records Act*, the GRC is responsible for reviewing records schedules, and any procedures for the retention, preservation, destruction, or alienation of records, and recommending records schedules for the Minister's approval.

As provided for in the *Public Archives Act*, Nova Scotia Archives and Records Management (NSARM) is responsible for developing standards and guidelines for records schedules.

As provided for in the *Public Archives Act*, NSARM is responsible for the development of policies, standards, and procedures for public bodies to follow in their pursuit of effective records management, including the provision of advice, assistance, and training by NSARM as necessary.

As provided for in the *Public Archives Act*, NSARM will deliver records storage and archival and records management services to public bodies. In accordance with this mandate, NSARM is responsible for the provision of archival review of records schedules, archival appraisal scheduling and disposition planning, and the acquisition and retention of archival records.

Deputy ministers on behalf of ministers, or equivalents, are responsible for compliance with this policy. These responsibilities include application of records schedules and protection and maintenance of records in the custody or under the control of the public body through the development of a records management program compliant with NSARM policies, standards, and guidelines.

Within public bodies, management level designates are responsible for the preparation, maintenance, and implementation of records schedules as defined by the *Government Records Act*.

Monitoring

NSARM will monitor this policy on behalf of Treasury and Policy Board and, from time to time, report to the Minister responsible for NSARM on the progress and status of records management programs, policies, and schedules throughout government. NSARM may conduct such audits of records management activity and adherence to policies and standards as may be necessary.

References

The following legislation is related directly to the corporate Records Management Policy:

- *Freedom of Information and Protection of Privacy Act*
- *Government Records Act*
- *Public Archives Act*

NSARM records management policies, standards, and guidelines are available from the NSARM Intranet site, <<http://iweb.nsarm.gov.ns.ca>>.

Enquiries

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