

Records Management

Purpose

Establishes requirements and associated accountabilities for the management of recorded information in accordance with legislation and outlines the roles and responsibilities associated with BCLC's Records Management program.

Scope

This policy applies to all BCLC employees and Contractors.

Policy Statement

BCLC is committed to maintaining a Records management program that is in compliance with provincial legislation, improves operational and administrative efficiency, reduces risk and manages Records as valuable organizational assets.

All Records that are required to be retained under the *Information Management Act*, British Columbia, must be retained by the Organizational Unit that is the Office of Primary Responsibility.

All employees and Contractors are responsible for managing Records in their custody. If a Record is required for ongoing legal, fiscal, audit, administrative or operational purposes, the employee or Contractor must transfer the Record to the Organizational Unit's shared Record Keeping System suitable for retention of ongoing Records. If a Record meets the criteria for a Transitory Record, the employee or Contractor should dispose of the Record as soon as it is no longer required, provided it is not subject to a Legal Hold.

Each director must appoint at least one employee to be the lead for managing their Organizational Unit's Records (the Records Lead). Upon a change in the employment (i.e., termination or transfer) of the employee assigned as the Records Lead(s), the director must promptly reassign the role to another employee. Depending on the size of the Organizational Unit, more than one Records Leads may be required. This role requires in-depth knowledge of and access to the Organizational Unit's Records. The Records Lead is accountable for:

- completing training provided by the Records Management team;
- acting as the primary Records management contact for their Organizational Unit;
- acting as the local resource for knowledge and direction on the management of Active Records; and
- supporting proper management of their Organizational Unit's Semi-active and Inactive Records.

The Records Management team provides ongoing support and resources to the Records Lead(s) to assist them in fulfilling their accountabilities as defined within this policy.

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On occasion, the Government may provide BCLC employees with temporary custody of confidential or otherwise sensitive government information. This information must be managed in accordance with all information management requirements as specified by the Government at the time temporary custody is provided. This includes but is not limited to directions on the storage, use, retention and disposal of the government Information.

Context

All Records created or received by BCLC in the transaction of business, or the conduct of its affairs, are considered Government Information and must be managed, regardless of the form or medium, in accordance with the *Information Management Act* and the Government's Recorded Information Management Manual. The *Information Management Act* requires government bodies, including BCLC, to create and maintain an adequate record of the government body's decisions.

Government Information must be retained and disposed of in accordance with Information Schedules, subject to BCLC's Legal Hold Policy. Information Schedules, when properly followed, make certain that Active and Semi-active Records are retained for the period of time required to meet legal, operational, audit, fiscal and other government requirements.

In accordance with the Legal Hold Policy, a Legal Hold supersedes the Information Schedule and requires employees and Contractors to suspend the disposition of all Records within the scope of the Legal Hold, including Transitory Records. Records subject to the Legal Hold must be preserved even if the applicable retention period under the Information Schedule has expired or is set to expire while a Legal Hold is in place.

In managing Records, employees and Contractors must comply with statutory requirements for access to information and protection of privacy under FIPPA and direction provided in the following BCLC corporate policies:

- Privacy Policy;
- Managing Freedom of Information Requests Policy;
- Information Classification Policy; and
- Appropriate Use of Information and Information Technology Resources Policy.

Policy Details

DUTY TO DOCUMENT DECISIONS

In accordance with the *Information Management Act*, employees and Contractors must create and keep complete and accurate Records to adequately document their decision-making and work activities in accordance with Government's directives and guidelines. This applies to Records in all formats that provide the best evidence of business activities, transactions, policy or decisions.

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Decisions must be documented in a format that is capable of being saved to a shared electronic Record Keeping System. For greater clarity, text or instant messaging must not be relied upon as the Record of a business or other decision where a record of the communication is required to be retained.

STORAGE

Each Organizational Unit must maintain a shared electronic Record Keeping System. Active Records must be stored in a manner that ensures they are accessible to the Records Lead of the Organizational Unit, either in a paper file or on their Organizational Unit's shared electronic Record Keeping System. Storing Records in employee-specific network drives or email folders does not satisfy this requirement. Additional guidance on the proper use and maintenance of a shared electronic Record Keeping System can be found in BCLC's [Managing Electronic Record Keeping Systems Guideline](#).

BCLC uses government-approved records centres for the off-site storage of its Semi-active Records.

INSTANT MESSAGES

Employees and Contractors must not use instant messaging chat functions on corporate applications (e.g., Microsoft Teams) to communicate BCLC decisions that are required to be documented under the *Information Management Act*. Instant messaging communications are regularly deleted and must not be relied upon as a Record of decision.

EMAIL

A Record's content and context determines whether it is a Transitory Record, not its format or storage medium. There is therefore no single retention for all email. If an email, or other Record, is essential to understanding BCLC business, e.g., how a particular decision was reached, then the Record is non-transitory and must be retained in a shared Record Keeping System.

Employees and Contractors must give attention to emails that protect financial, legal and other rights of BCLC and of persons directly affected by BCLC actions. This includes emails that contain information about executing policies, decisions and actions, legal advice, personnel matters, contract and bid information. Emails that are required for ongoing purposes must be transferred to the Organizational Unit's shared electronic Record Keeping System. The [Managing Email Guideline](#) provides guidance for employees and Contractors in this regard.

SERVICE PROVIDER RECORDS

Records of BCLC's Service Providers and Retailers are Government Information if they fall within BCLC's mandate to conduct and manage gaming on behalf of the Government. As such, all Service Provider and Retailer contracts must contain provisions regarding the custody, control, retention, disposition, use and security of, and access to, those Records.

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FINAL DISPOSITION OF RECORDS

Information Schedules provide for the timely destruction of Inactive Records when they are no longer required to support BCLC's functions and identify Records with enduring value that must be transferred to government archives.

The disposition of Inactive Records must be in accordance with the applicable Information Schedule and occurs as follows:

Transferring the Record to the government archives	Records identified within the Information Schedule as requiring full or select retention must be retained and remain accessible until they are transferred to the legal custody of the government archives.
Physical destruction	Destruction of Records that are eligible to be destroyed must be in accordance with BCLC's Records Destruction Procedure .

Approval is required from the Records Management team prior to the destruction of any Inactive Record. This does not apply to Transitory Records as all employees and Contractors are authorized to dispose of Transitory Records as soon as their business-use ends, unless the Transitory Record in question is subject to a Legal Hold.

EMPLOYEE TRANSITION

Employees and Contractors must ensure they properly manage Records in their custody prior to their departure from BCLC, or when changing roles within BCLC. Procedures outlined within BCLC's [Managing Information due to Changes in Employment Procedure](#) must be followed. Records created or received in the course of BCLC business are, and remain, the property of BCLC and Government. In circumstances where the departure of an employee or a Contractor occurs with short notice, the employee's manager or the Contractor's BCLC contact is accountable for making certain the records are properly managed.

Roles and Responsibilities

All BCLC employees and Contractors are responsible for:

- Documenting their work and ensuring non-Transitory Records are filed in their Organizational Unit's shared electronic Record Keeping System;
- Completing all Records management training that may be provided by their Records Lead or the Records Management team;
- Properly managing all Records in their custody in accordance with applicable Information Schedules; and
- Seeking assistance or direction from their Records Lead when they are uncertain about the proper management of Records.

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Records Leads are responsible for:

- Training employees in their designated Organizational Unit on Records management practices and the use of Information Schedules;
- Ensuring that their Organizational Unit's Records are:
 - classified in accordance with applicable Information Schedules;
 - transferred to offsite storage when they become Semi-active Records; and
 - destroyed in accordance with Information Schedules when they become Inactive Records after receiving approval from Records Management; and
- Providing ongoing assistance and advice to employees in their Organizational Unit on properly managing the Records in their custody.

Directors are responsible for:

- Appointing a Records Lead(s) and in the event of the termination or transfer of the appointed employee, promptly reappointing a new Records Lead(s);
- Providing the Records Lead(s) with support and sufficient resourcing to carry-out their responsibilities as defined within this Policy;
- Ensuring that their Organizational Unit(s) is effectively managing their Records in accordance with this policy and the *Information Management Act*; and
- Ensuring that their Organizational Unit(s) is maintaining a shared electronic Record Keeping System that is organized and administered in accordance with this policy and the *Information Management Act*.

The **Records Management** team is responsible for:

- Providing training and support to the Records Lead;
- Assisting Organizational Units with the transfer of Records to offsite storage;
- Acting as liaison with Government;
- Authorizing final disposition of Inactive Records; and
- Co-ordinating, developing and implementing a Records Management program that provides Records Leads with the resources, procedures and training they need to maintain Records in all media.

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Definitions

Defined (capitalized) terms or acronyms used but not defined within this policy have the meaning attributed to them within the [Policy Glossary](#).

Active Record	Means a Record that is in use, regardless of the date of creation, and needs to be retained in a manner that ensures it is easily accessible for users.
Contractor	Means an individual engaged to provide professional services to BCLC with access to BCLC systems and information.
Government Information	Has the meaning ascribed to it within the <i>Information Management Act</i> . As at the date of this policy, government information means recorded information created or received by a government body in connection with government business and the following are some of the types of information that are identified within the definition: <ul style="list-style-type: none"> • Information that must be held by the government body by law; • Information that documents a decision by a government body respecting a course of action that directly affects a person or the operations of the government body; • Information that documents or supports the government body's organization, policies, procedures; transactions or operations; or • Information created or received by the government body that has archival value.
Inactive Records	Means a Record that is no longer required for ongoing business. These are Records that are ready for final disposition.
Information Schedule	Means a prescribed timetable that governs the life cycle of a Record from creation, through active use within an office, retention in off-site storage during its semi-active period, to final disposition when it becomes inactive and includes the approved Administrative Records Classification System (ARCS), Operational Records Classification System (ORCS), and other special schedules .
Legal Hold	Has the meaning ascribed to it within the Legal Hold Policy.
Office of Primary Responsibility	Means the Organizational Unit that has primary responsibility for maintaining the official master copy of the Records in order to satisfy operational, financial, legal, audit and other requirements.
Record	Has the meaning ascribed to it in the <i>Interpretation Act</i> and, as at the date of the policy, includes books, documents, maps, drawings, photographs, letters, vouchers, paper and any other thing on which information is recorded or stored by any means whether graphic, electronic, mechanical or otherwise.

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Record Keeping System	Means a filing system in which Records are captured, protected, retained and destroyed in accordance with approved Information Schedules (e.g., files shares and SharePoint sites).
Semi-active Record	Means a Record that is used only occasionally and therefore need not be retained in a manner that ensures it is easily accessible to users. Semi-active Records still retain administrative, operational, fiscal, audit or legal value for BCLC.
Transitory Record	Means a Record of temporary usefulness that is only required for a limited period of time for the completion of a routine action or the preparation of an ongoing Record. Transitory Records are not required for financial, legal, audit or other statutory purposes. Examples of Transitory Records include, but are not limited to, meeting arrangements, copies created for convenience/reference purposes, emails sent to provide an attachment without added value, preliminary notes and other rough content used to prepare a final record, or drafts or revisions that are not needed to document decisions or approvals.

Policy Ownership

Contact Position	Records Management Analyst
Policy Owner	Director, Data and Information Governance
Approving Body	Vice President, Legal, Compliance, Security

Revision History

Version	Effective	Approved by	Amendment
4.1	Aug 15, 2022	Director, Data and Information Governance	Minor amendments to align with BCLC's new Legal Hold Policy.
4.0	Jun 24, 2022	Vice President, Legal, Compliance, Security	Additional direction provided in the Policy Statement and Roles and Responsibilities on the accountabilities of the Records Lead and Organizational Units for managing their Records. New direction added on managing sensitive Government information that employees may be provided temporary custody of. New section added on Instant Messages. Definitions for Active and Semi-active Records updated.

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Version	Effective	Approved by	Amendment
3.0	Apr 1, 2019	Vice President, Legal, Compliance, Security	Additional direction added related to the duty to document decisions. Definitions were updated to align with the <i>Information Management Act</i> . Duplicated content contained in the Records Hold Procedure was removed.
2.1	Oct 31, 2016	Director, Information Management	Legislative references were updated to the <i>Information Management Act</i> and the definition for a “record” was revised to align with the <i>Interpretation Act</i> .
2.0	Mar 30, 2016	Vice President, Corporate Security and Compliance	Major revisions made to all section of the policy to reference the Records Management program and include associated policy direction and assign roles and responsibilities.
1.0	Feb 2, 2009	President and Chief Executive Officer	Inaugural document.