

THE LEGISLATIVE ASSEMBLY OF
BRITISH COLUMBIA

RETENTION AND DISPOSAL OF GOVERNMENT RECORDS

SELECT STANDING COMMITTEE ON PUBLIC ACCOUNTS



SECOND REPORT

THIRD SESSION, THIRTY-EIGHTH PARLIAMENT

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November 22, 2007

To the Honourable
Legislative Assembly of the
Province of British Columbia

Honourable Members:

I have the honour to present herewith the Second Report of the Select Standing Committee on Public Accounts.

This Report outlines the committee's role in approving the retention and disposal of government records, pursuant to section 3 of the *Document Disposal Act* (R.S.B.C. 1996, c. 99).

Respectfully submitted on behalf of the Committee,

Rob Fleming, MLA
Chair

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COMPOSITION OF THE COMMITTEE

MEMBERS

Rob Fleming, MLA	Chair	Victoria-Hillside
Joan McIntyre, MLA	Deputy Chair	West Vancouver-Garibaldi
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John Yap, MLA		Richmond-Steveston

CLERK TO THE COMMITTEE

Craig James, Clerk Assistant and Clerk of Committees

COMMITTEE RESEARCHERS

Josie Schofield, Committee Research Analyst

STATUTORY AUTHORITY

Under section 3 of the *Document Disposal Act* (R.S.B.C. 1996, c. 99), three separate entities are required to approve the destruction of government records: the Public Documents Committee, the Select Standing Committee on Public Accounts and the Legislative Assembly:

APPROVALS REQUIRED

- 3 (1) *A document must not be destroyed except on the written recommendation of the Public Documents Committee, which consists of the chief executive officer of the museum or a person designated by the chief executive officer, a person designated by the minister responsible for the administration of this Act, the Comptroller General, and 3 other persons to be named by the Lieutenant Governor in Council.*
- (2) *A document must not be destroyed before the expiration of 7 years from the date on which it was created unless one of the following conditions is met:*
 - (a) *2 years have expired from the date on which the document was created and a microfilm copy of it is available to the officer who would, but for the destruction, have charge or custody of the document;*
 - (b) *a recommendation under subsection (1) has been approved by the Legislative Assembly on the recommendation of the Select Standing Committee of the Legislative Assembly on Public Accounts and Economic Affairs;*
 - (c) *the document is*
 - (i) *listed in a records schedule approved by the Select Standing Committee of the Legislative Assembly on Public Accounts and Economic Affairs, and*
 - (ii) *destroyed in accordance with the instructions in the records schedule.*

REVIEW OF RESOLUTIONS FOR RECORDS RETENTION AND DISPOSAL AUTHORITIES

BACKGROUND

The *Document Disposal Act* requires the consent of the Legislative Assembly to destroy a government record within the provincial public service. The Public Documents Committee (PDC) reviews each year the records retention schedules created by the line ministries and central agencies according to the legal, operational and financial obligations inherent in the records. If the records have long-term value to the corporate government, then the PDC recommends their retention by the government archives. If their value is limited, the PDC recommends that the records be kept in ministry storage for a period of time and then once the obligations have lapsed, be confidentially destroyed.

Pursuant to section 3 of the Act, the PDC submits each year for consideration and approval by the Select Standing Committee on Public Accounts Committee (the Committee) a copy of each of the records retention and disposal authorities the PDC has recommended for approval by the Legislative Assembly. Once approved, those authorities will govern the retention and final disposition of the government records.

At the meeting on April 19, 2007, the PDC Chair and Provincial Archivist presented to the Committee 16 resolutions for records retention and disposal authorities. He pointed out that this collection of schedules contains a major streamlining of recordkeeping practices relating to the human resources component of the government — the first major overhaul in at least 20 years.

Several other schedules relate to general housekeeping practices and cleanup, including a review of how the legal discovery program is working, primarily for tobacco litigation. Finally, there were seven new records schedules from agencies, covering such topics as liquor distribution, police services, gaming, natural resource authorization and emergency health.

COMMITTEE INQUIRY

Members asked the witness two general questions — first, whether there are currently any really severe, or crisis-level, problems with record preservation in the B.C. government. In his response, the PDC Chair stated that his committee has received no indication of such problems, and that the challenge of managing electronic records is in hand.

The second question focused on the relationship between the B.C. Archives and the Legislative Library. Members were informed that the mandates of the two repositories differ, with the former collecting archival records and historical papers, while the latter collects records relating to governance and the province's legislative history.

COMMITTEE RECOMMENDATIONS

The Committee recommends to the Legislative Assembly acceptance of the following 16 resolutions for records retention and disposal authorities:

1. That the management of the retention and final disposition of the human resources records of the ministries of the Government of British Columbia be amended in accordance with the *Administrative Records Classification System (ARCS): 2006 Amendment – Section 5 Human Resource Management*.
2. That the management of the retention and final disposition of the non-Office of Primary Responsibility (non-OPR) administrative records and other administrative records of the ministries of the Government of British Columbia be amended in accordance with the *Administrative Records Classification System (ARCS): Non-OPR Retention Management*.
3. That the management of the retention and final disposition of the administrative records of the ministries of the Government of British Columbia be amended in accordance with the *Administrative Records Classification System (ARCS): 2006 Amendment – Miscellaneous*.
4. That the management of the retention and final disposition of the operational records of the British Columbia Public Service Agency be in accordance with the records schedules, standards, and guidelines described in the *Public Service Personnel Management Operational Records Classification System*.
5. That the management of the retention and final disposition of the operational records of the Liquor Distribution Branch be in accordance with the records schedules, standards, and guidelines described in the *Liquor Distribution Operational Records Classification System*.
6. That the management of the retention and final disposition of the administrative records of the Liquor Distribution Branch relating to facility and security management, payroll services, and most human resource management services be in accordance with the records schedules, standards, and guidelines described in the *Liquor Distribution Administrative Records Classification System (ARCS) Supplement*.
7. That the retention and final disposition of the operational records of Regional Client Services, Ministry of Agriculture and Lands, relating to “FrontCounter BC” be in accordance with the records schedules, standards, and guidelines described in the *Natural Resource Authorization Processing Operational Records Classification System*.
8. That the retention and final disposition of the operational records of the Environmental Assessment Office, Ministry of Environment, be in accordance with the records schedules, standards, and guidelines described in the *Environmental Assessment Office Operational Records Classification System*, as amended.
9. That the retention and final disposition of the operational records of the Office of the Comptroller General, Ministry of Finance, be in accordance with the records schedules,

standards, and guidelines described in the *Office of the Comptroller General Operational Records Classification System*.

10. That the management of the retention and final disposition of the non-Office of Primary Responsibility (non-OPR) operational records of the Ministry of Forests and Range be in accordance with the records schedules, standards, and guidelines described in the *Ministry of Forests Operational Records Classification System – Amendment 9 Standard Non-OPR Retention*.
11. That the management of the retention and final disposition of the operational records of the Emergency Health Services Commission, Ministry of Health, be in accordance with the records schedules, standards, and guidelines described in the *Emergency Health Services Operational Records Classification System*.
12. That the management of the retention and final disposition of the operational records of the Emergency Medical Assistants Licensing Board, Ministry of Health, be in accordance with the records schedules, standards, and guidelines described in the *Emergency Medical Assistants Licensing Operational Records Classification System*.
13. That the management of the retention and final disposition of the operational records of the Provincial HR Management Systems Partnership, Ministry of Labour and Citizens' Services, be in accordance with the records schedules, standards, and guidelines described in the *Payroll Services Operational Records Classification System*.
14. That the management of the retention and final disposition of the operational records of the Community Safety Policy and Programs Division, Ministry of Public Safety and Solicitor General, be in accordance with the records schedules, standards, and guidelines described in the *Police Services Operational Records Classification System*.
15. That the management of the retention and final disposition of the operational records of the Gaming Policy and Enforcement Branch, Ministry of Public Safety and Solicitor General, be in accordance with the records schedules, standards, and guidelines described in the *Gaming Operational Records Classification System*.
16. That the retention and final disposition of cross-government document discovery coordination records created and received by the Tobacco Control Programs Branch, Ministry of Health, be managed in accordance with the Tobacco Litigation Ongoing Records Schedule.