



Managing Ministers' Office Records

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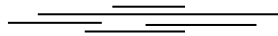
Introduction

Reliable records are needed by Cabinet ministers to carry out their responsibilities effectively. Records provide important evidence of actions taken and decisions made, and allow government to account for its actions. Ultimately, these records will form part of Manitoba's archival heritage.

Under [The Archives and Recordkeeping Act](#), the Archives of Manitoba is responsible for central records management policy, guidance, and processes. Ministers' offices, like all other government offices, are responsible for use of the policies and processes to ensure that records are effectively created and managed.

The purpose of this guidance is to assist ministers and their staff with the management of Ministers' Office Records. It is intended to help ministers' offices understand their recordkeeping obligations and avoid two serious risks:

- failure to fully document the actions of the office
- loss of records due to a failure in recordkeeping processes or from unauthorized destruction



Records in Ministers' Offices

Two distinct categories of records are found in ministers' offices:

1. Constituency, Political Party (Caucus), and Personal Records

Records compiled as part of the minister's constituency, political party (caucus), or personal activities are **not government records** under *The Archives and Recordkeeping Act*, and the requirements and obligations for managing Ministers' Office Records do not apply. These personal records should be kept separately from the Office Records, and may be removed from the office as the minister sees fit. If the minister wishes, they may be donated to the Archives of Manitoba by private agreement. Information on [donating private records](#) can be found on the Archives of Manitoba website.

All other records in ministers' offices belong to the second category, 'Ministers' Office Records', which are the focus of this guidance.



2. Ministers' Office Records

These include all records made or received in the course of carrying out portfolio responsibilities and in the minister's role as a member of Cabinet. Ministers' Office Records, whether in paper, digital, or any other form are **government records** subject to *The Archives and Recordkeeping Act*.

The term "**Ministers' Office**" includes all of the following positions:

- Ministers of the Crown (including the Premier)
- Assistants to the ministers (including Executive, Legislative, and Special Assistants)
- Ministers' office staff

Note: there is no separate category of 'political records' that falls outside the scope of the Ministers' Office Records. Records created by Special Assistants or other political staff when carrying out activities of the minister's office are *government records*, and must be managed as part of the Ministers' Office Records.

Ministers' Office Records typically include:

- records of the activities of the minister relating to departmental operations, policy development and delivery, intergovernmental relations, stakeholder relations, and other activities of the government
- all correspondence sent and received by the minister's office about departmental business
- records pertaining to the minister's involvement in Cabinet or any of its committees
- records relating to public communications and issues management activities
- records relating to administrative functions such as human resources, financial management, ministerial travel, and expenses

Non-Records: Published material or other reference material common to every minister's office are not records and therefore not subject to records management requirements.

Recordkeeping Requirements

Ministers must be aware of and in compliance with recordkeeping legislation, policies, and standards. They should ensure that all staff in their office understand the requirements, that appropriate responsibility is assigned, and that records management activities are monitored.

Creating records

It is expected that ministers' offices will create full and accurate records of all actions, decisions, communications, and other activities related to the official business of the office. This is often referred to as the "duty to document." Full documentation is needed for continuity and effective government administration. It also enables government to account for its actions – not just to the public under freedom of information laws, but also to the legislature, auditors, public inquiries, and the Courts.



Filing and maintaining records

Not all program areas in government need to keep paper records; however, areas with functions that are considered [high-risk/high-value](#) may be required to do so. **Please note: All records created and received by ministers' offices are high-risk/high-value because they have been designated as archival and will be preserved for future generations.**

At the current time, paper [recordkeeping systems](#) continue to be needed to protect the integrity, reliability, and authenticity of the Ministers' Office Records. There are two reasons for this requirement: the current document management system (AIMS or SIMS) does not have the full range of capabilities needed to support digital recordkeeping and long-term preservation of the archival records; and, at this time, the Archives is not yet able to ingest digital records.

Ministers depend on complete and reliable records to carry out their duties. The Archives must be able to care for and protect records of archival value. To ensure both of these goals are met, ministers' offices may use AIMS for their day-to-day work, but must print to file and maintain a logical and well-structured paper recordkeeping system. A good practice is to have an established [file structure](#) that groups related records together and cross-references the documents to the AIMS system.

AIMS may contain information that is not duplicated in a paper file system, as well as descriptive and tracking information needed to understand and access ministers' records. These digital records are an essential part of the Ministers' Office Records and must be managed accordingly (see *Transferring digital records* section below).

Office procedures for creating, filing, and tracking both paper and digital records should be established to ensure that:

- all records of a related activity or issue are maintained together, or persistently linked, so that they can be accessed and viewed as a whole.
- a full set of records is retained, as required by the records schedules for Ministers' Office Records.

Ministers responsible for more than one department or for additional portfolios (such as the Minister Responsible for the Status of Women) should identify and maintain these distinct records separately.

Retention and disposal of records

Record schedules are the mechanism used in the Manitoba government to identify records and recordkeeping requirements. They establish policy for how long and under what conditions the records must be kept and whether, at the end of the retention period, the records may be destroyed or must be retained permanently as archival records.

The following **records schedules** apply to records in ministers' offices:

- Ministers' Office Records - Each office has a records schedule (usually called 'Minister's Office Files') which covers the records of the minister's departmental responsibility. If a minister is responsible for more than one department, there will be a separate records schedule for each area of responsibility. All records schedules at the ministerial level set out the same mandatory provisions for retention and disposal of the



records. **These schedules do not permit destruction of the records: the final disposition of all Ministers' Office Records is transfer to Archives.**

- Ministerial Portfolios - Where a minister has responsibility for one or more additional portfolios (e.g. Status of Women) there will be a separate records schedule for each. Records schedules for ministerial portfolios set out the same mandatory provisions for retention and disposal of the records. Like the schedules for Ministers' Office Records, **the Portfolio schedules do not permit destruction of the records: the final disposition is transfer to Archives.**
- Transitory Records - Each office has a records schedule for transitory paper records (usually called 'Non-Filed Office Paper') which authorizes immediate destruction of the records. For transitory digital records, there is a government-wide General Records Schedule (GRS 0001A) which authorizes deletion. For more information on transitory records, see **Destruction of Records** below.

Transferring paper records

Ministers' offices should use their approved records schedules and follow the Government Records Office procedure to transfer records due for storage or disposal. The established transfer process is designed to control and document authorized retention and disposal of the records. For more information, see [GRO 2: Transferring Government Records](#).

Transferring digital records

Digital records in ministers' offices are also archival, but cannot yet be transferred to the Archives of Manitoba. For the time being, all digital records in the AIMS system will be managed within that system *and* must be printed to file.

All records in Outlook, shared drives, phones, and other collaborative works spaces such as Teams and SharePoint must be also be printed and filed with related records based on their content (what they are about), not their format. For more information, see: [Text & Instant Messages](#) and our [Microsoft Teams Recordkeeping Guidance](#).

Destruction of Records

In the Manitoba government, an approved records schedule is the sole authority for destroying records. It is an offence under [The Archives and Recordkeeping Act](#) for any person to alter, conceal, remove, or destroy a record with an intent to deprive government of the use of or access to the record.



Transitory records

The *only* Ministers' Office Records that are authorized to be destroyed are transitory records. Transitory records are government records that have short term use only and do not need to be filed. The [Transitory Records](#) fact sheet provides important advice on how to correctly identify these records. Destruction of transitory records should be done according to Government Records Office procedures. Office paper shredders **should not be used** in ministers' offices.

Hold on destruction

In exceptional circumstances, records normally due for authorized destruction, including transitory records, may be needed for a legal proceeding, investigation, or *Freedom of Information and Protection of Privacy Act* (FIPPA) request. A hold on destruction may be placed and regular, authorized destruction is not permitted until the hold has been removed.

Leaving Office

When a minister leaves office (e.g. retirement or cabinet shuffle) but there is **no change of government administration**, the Minister's Office Records remain with the office so the mandate of the administration can continue to be fulfilled.

When ministers leave office as a result of a **change of government following an election**, there is a different protocol for managing Ministers' Office Records. In Canada's Westminster system of government, all records of Cabinet, its committees, and ministers are considered to be privileged information of the government of the day, and therefore the succeeding administration does not normally have access to the records. Accordingly, in the Manitoba government, the records schedules for Ministers' Office Records provide for the paper records to be physically removed from the office and transferred immediately to the Archives. For digital records in the AIMS system and other applications, arrangements are made for the records to be retained, but protected from access by the incoming administration.

Access to Ministers' Office Records following a change in government

When information from Ministers' Office Records of the previous administration is needed by the incoming government to deal with particular issues and for administrative continuity, new ministers are asked to consult with their deputy minister, who will prepare the necessary information from records in the deputy minister's office and department program files. In exceptional circumstances where access to specific ministerial records is required, this may be requested through written application to the Clerk of the Executive Council.

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Visit our website to learn more about [Government Recordkeeping](#)