MIDA Training Speaking Notes
For PPT Presentation

Before proceeding straight to the session there are a few administrative matters to deal with. We would like you to sign in for this session so we are circulating the sign-in sheets for you to complete. You should have a copy of the MIDA binder and a documentation kit; these were put at each place around the table. If you don't have these, raise your hand. For the MIDA training, we have adopted a "train the trainer" approach since we are unable to provide training for all staff involved in applying the MIDAs. We will have a training package available for your use upon request.

Although we have set aside time for questions at the end, we really encourage you to raise questions throughout the day as we would like our session to be as inter-active as possible. We have microphones to enable everyone in the room to hear so raise your hand when posing a question or making a comment and you will be given one of the portable microphones.

In case you haven't found them, the washrooms are on the second corridor on the left as you leave this room. There is also a cloakroom in the same vicinity.

Are there any questions about the arrangements before we get down to business?

Slide 1 – Welcome

Good morning everyone and welcome to the training session on the Multi-Institutional Disposition Authorities or MIDAs. I'm ……… of ……. With me today are my colleagues ……; we will be sharing facilitating duties throughout the day.

Tour de table.

Now that we have introduced ourselves, we would like to know who is in attendance today. In addition to your name and your institution, we would like to know what you do in the institution, and in particular, whether you are responsible for implementing the MIDAs and whether you are responsible for training your colleagues.

Tour de table (concluded)

Option 1

The MIDAs were and continue to be an innovative and efficient way of granting Records Disposition Authorities to government institutions to enable them to dispose of records that are created by many government departments. But before we jump straight into the MIDA training, we would like to update you on the Recordkeeping initiatives being undertaken by LAC as a result of the Deputy Ministers' Round Tables on Recordkeeping in the GC held in 2006 and the subsequent ADM Task Force on Recordkeeping which continues to meet on this subject.

_____, Director of the _____, will provide this overview and situate the MIDA training in this context

Option 2

Before we jump straight into the MIDA training, we would like to draw your attention to a LAC key strategic priority; and that is, the current recordkeeping initiatives being undertaken by LAC as a result of the Deputy Ministers' Round Tables on Recordkeeping in the GC held in 2006 and the subsequent ADM

Task Force on Recordkeeping which continues to meet quarterly on this subject. You will find information on these projects on LAC's web site under *What we do for Government, News and Events.*

http://www.lac-bac.gc.ca/information-management/001/007001-6000-e.html

We are very excited, and committed to our role in recordkeeping. As a result, we are offering learning events to assist the community to implement our tools. The MIDAs were and continue to be an innovative and efficient way of granting Records Disposition Authorities to government institutions to enable them to dispose of records that are created by many government departments.

Slide 2 – Agenda

As per the slide. You have a shorter version of this in your documentation kit.

Slide 3 – Objectives

At the end of the MIDA training session, you will understand the MIDA concept, know what MIDA tools are available and where to find them. You will also have the knowledge to apply the MIDAs in your institution.

Slide 4 – Context

For the next few slides, you may want to refer to several handouts in your kit: the chart on record types and the chart showing the Records Disposition Authorities. [hold up charts] You will also find a copy of the *Library and Archives of Canada Act* in your MIDA binder; it's behind tab 16.   You may want to consult these as we move through the presentation.

Every year, federal government institutions create and manage information in all media of recorded communications in support of public policy, the administration of government, and the delivery of programs and services to Canadians.

The management of information in the Government of Canada is guided by the *Policy on Information Management* (2007) whose purpose is to:

- achieve effective and efficient information management to support program and service delivery;
- foster informed decision-making;
- facilitate accountability, transparency and collaboration; and
- preserve and ensure access to information and records for the benefit of present and future generations.

Under this Policy all employees of the Government of Canada are charged with record-keeping responsibilities, and certain departments are given key roles. In particular, Library and Archives Canada has the responsibility to provide direction and assistance on recordkeeping for the Government of Canada.

Recordkeeping may be defined as "a framework of accountability and stewardship in which records are created, captured, and managed as a vital business asset and knowledge resource to support effective decision making and achieve results for Canadians" .(TBS. *PIM,* s.8.2.3)

The *Library and Archives of Canada Act (2004)* reflects its recordkeeping role, provides definitions and describes its various responsibilities.   Records are defined "as any documentary material other than a

publication, regardless of medium or form." And government records are those under the control of a government institution. (*LAC Act*). One of the objects of LAC is to facilitate the management of information by government institutions (*LAC Act*, s. 7.d). Specifically, LAC advises "government institutions concerning the management of information produced or used by them and provides services for that purpose" (section 8.g). In addition, there are two clauses regarding the disposal of this information, including the authorization of records destruction by government institutions (section 12),

> Section 12 (1)
>> No government or ministerial record, whether or not it is surplus property of a government institution, shall be disposed of, including by being destroyed, without the written consent of the Librarian and Archivist or of a person to whom the Librarian and Archivist has, in writing, delegated the power of such consents.

and the preservation of records for their archival or historical importance (section 13).

> Section 13 (1)
>> The transfer to the care and control of the Librarian and Archivist of government or ministerial records that he or she considers to have historical or archival value shall be effected in accordance with any agreements for the transfer of records that may be made between the Librarian and Archivist and the government institution or person responsible for the records.

In case anyone asks what documentary heritage means: "documentary heritage means publications and records of interest to Canada." (*LAC Act*, definitions)

Slide 5 - What is a Records Disposition Authority or RDA?

To meet these legislative requirements, the Librarian and Archivist issues Records Disposition Authorities to enable government institutions to dispose of records which no longer have operational utility, either

- by permitting their destruction,
- by requiring their transfer to Library and Archives Canada, or
- by agreeing to their alienation from the control of the Government of Canada.

[The concept is that legal **consent or permission** of LAC is required.]

Records Disposition Authorities are granted by the Librarian and Archivist of Canada to government institutions in two ways, either

- on an institution-specific basis, known as ISDAs

  or

- on an multi-institution basis, known as MIDAs.

Slide 6 - ISDAs vs MIDAs

An Institutional Specific Disposition Authority or ISDA is a Records Disposition Authority related to records managed by a single government institution, and which allow the institution to dispose of records according to the terms and conditions of an agreements negotiated between Library and Archives Canada and the institution.

ISDAs take precedence over all other Records Disposition Authorities issued by the Librarian and Archivist.

Slide 7 - ISDAs vs MIDAs (continued)

A Multi-Institutional Disposition Authority or MIDA is a Records Disposition Authority granted by the Librarian and Archivist to government institutions on a multi-institutional basis, which relates to records managed by all or a multiple number of government institutions, and which allow the institutions empowered to use the authorities to dispose of records under certain terms and conditions.

Slide 8 - How does my institution obtain a Records Disposition Authority?

To obtain a RDA or ISDA, LAC established the Government Records Appraisal and Disposition Program (GRAD Program) in 1991 to assist government institutions in receiving a Disposition Authority or ISDA for their records. In order to make the process consistent and systematic, LAC prepared the Government-Wide Plan for all GC institutions subject to the *LAC Act* – currently there are 230 such institutions. The Government-Wide Plan enables LAC to strategically plan the acquisition of the documentary heritage of the Government of Canada, or what we used to call the collective memory of the federal government.

The focus of the GRAD Program is on comprehensiveness and function to ensure the longevity of the keep-destroy decision. The program comprises a number of components or steps. When LAC approaches an institution for disposition work, both institutions enter into a MOU which is binding on both parties and contains a mechanism for resolving difficulties. The MOU often includes an implementation plan. Disposition work includes the preparation and signing of the MOU, the undertaking of the archival appraisal by the LAC portfolio archivist, the crafting of Terms and Conditions which are legally binding once the GC institution has signed the document. The optional Application Guide provides additional guidance for mapping the functional Terms and Conditions clauses to the recordkeeping environment of the institution.   Once the Terms and Conditions have been signed by both LAC and the GC institution, then the RDA is approved by the Librarian and Archivist of Canada.

Generally, at the terms and conditions stage of the disposition process, some effort is made to ensure that MIDAs applicable to your institution are identified in your Authority.   For example, one of the scope clauses may indicate that the institution may use the Minister's office MIDA or the MIDA for the records in the Deputy Head's Office.

Slide 9 - The RDA Equation

The important point to remember is that both ISDAs and MIDAs are Records Disposition Authorities, **legal instrument** by which institutions shall dispose of their records.

Slide 10 - Hierarchy of RDA Application

This chart is presented to introduce the relationship between the ISDAs and the MIDAs and to provide you with an overview of the kinds of MIDAs available. You also have a copy in your documentation kit that you can consult. We will return to the application of RDAs as we move through the presentation.

Slide 11 - Disposition Context

To provide background on the evolution of the MIDA concept, this part of the presentation considers the historical context which produced the MIDAs and their predecessor, the General Records Disposal Schedules or the GRDS. (Some of you may be familiar with this document.) There is a more detailed disposition context document in your kit.

The roots of the MIDA approach, indeed the roots of the modern LAC, began in the period just before the Second World War when the Treasury Board issued a minute concerning the destruction of certain classes of documents. The use of a TB Minute emphasized the concept that an official instrument or some type of Authority was needed to dispose of records.

In 1963 a combined records schedule and Authority to dispose of housekeeping records, known today as the common administrative records, was issued, known as the General Records Disposition Schedules (GRDS). The subsequent *Public Records Order of 1966* stated that no department shall destroy records or permit records to be removed from the ownership of the GC without approval of the Dominion Archivist.

By 1987, a new *National Archives of Canada Act* gave specific instructions to government institutions that no government of Canada record was to be destroyed without the prior approval of the National Archivist of Canada in the form of an agreement. Treasury Board issued the *Management of Government Information Holdings Policy* in 1989 which gave government institutions the responsibility of setting retention periods for their records (*MGIH*, s.6). The National Archives then launched its Government Records Disposition Program in 1991 and solidified the Records Disposition Authority as the legal instrument by which institutions disposed of their records. All of these factors combined to stop the Archives' practice of reviewing and approving records schedules and shifted the focus to **functional analysis** of institutions.

Among other records disposition initiatives, the National Archivist of Canada issued the Transitory Records Authority to be applied throughout the Government of Canada for records identified as transitory in 1990. This was a precursor to the MIDA concept because it applied to all government institutions. The first group of MIDAs issued by NA during the mid-1990s related to records in the Offices of Ministers, of Deputy Heads, and media records.

To replace the GRDS, the National Archivist of Canada approved the first MIDAs for records created as a result of Common Administrative Functions in 1998. This reflected the shift away from the former GRDS subject-based to **functionally-based** terms and conditions, in order to ensure the **longevity** of the disposition instruments. (functions are generally more stable than subjects)

Of note: MIDAs for Common Administrative Records take precedence over the GRDS; that is, the MIDAs apply and not the GRDS. Therefore, remember to use the MIDAs for Common Administrative Records **and not** the old GRDS which is obsolete.

Significantly, with the issuance of the MIDAs, the Authority to dispose of records and the retention guidelines were not part of the same document, as was the case with the former GRDS. The MIDAs are **Authorities** to be used by institutions under the *LAC Act* for the disposition of certain common records throughout the Government of Canada.

Slide 12 - The MIDA Family

Just for reference, the next two slides list all the MIDAs LAC has issued to date.

Common Administrative Records
- General Administration Function, RDA 98/001
- Human Resources Management Function, RDA 98/005
- Materiel Management Function, RDA 99/003
- Comptrollership Function, RDA 99/004
- Real Property Management Function, RDA 2001/002

Media-Specific Records
- Records Related to Electronic Imaging Systems, RDA 96/023
- Poster-creating Areas, RDA 96/024
- Audio-Visual Records, RDA 2001/004

Slide 13 - The MIDA Family (continued)

Specific Offices of Provenance
- Institutional Records in the Office of a Minister, RDA 96/021
- Records of Deputy Heads of Government Institutions, RDA 96/022

Operational Case File Records (RDA 2005/006)

Operational Records of Institutions with Identical Mandates
- 4 Pilotage Authorities, RDA 99/024
- 19 Canadian Port Authorities, RDA 2002/001

Surplus Publications, RDA 2008/007 (new)

Transitory Records Authority (1990)

Slide 14 - Roles and Responsibilities

Here we will look at who is responsible for what. The role of GC institutions is to apply the MIDAs to their records. As a prerequisite to implementing the MIDAs, GC institutions must develop **retention plans** for all records covered by MIDAs.

The role of LAC is to provide advice in applying the MIDAs as well as to develop guidance tools.

Introduce Exercise 1

To help you understand where you might start implementing the MIDAs, we have a short exercise that we want everyone to do, using a small agency – the Atlantic Pilotage Authority – as our example.

This is an excerpt from Info Source which describes the legislation, role and responsibilities of the Atlantic Pilotage Authority. It is an excellent source of information if you are looking for a description of the legislation, functions, activities and types of records your organization creates. It is available to you via Internet.

For today's exercise, we are providing you with an example of an organization to help you understand the context for using the MIDA in your organization. Now take five minutes to review the information and identify what are the business records (operational records) of the institution and what are the common administrative records that act as business enablers. Please refer to your handouts. Then we will share our findings.

The development of a records retention plan challenges many government institutions. With respect to the MIDAs for Common Administrative Records, the LAC has provided advice and guidance through the *Retention Guidelines for Common Administrative Records* issued in 2000 and updated in 2007. These are guidelines only and may be adapted to the institution's needs as necessary. And remember these are *guidelines* for retention. Always consult the MIDAs first as they are your authority to dispose of records. Then you can use the *Retention Guidelines* to help you in disposing of common administrative records. These are found in your MIDA binder behind tabs 13 and 14.

For the rest of the MIDAs and in fact for all the operational records, it is the responsibility of each institution to develop a records retention plan that covers the disposal of those records. LAC provides general advice and guidance on setting retention periods for operational records. However, there are other helpful resources available such as the advice found on the ARMA web site. You could also consult the web sites of various provincial governments.

Slide 15 - Helpful Resources

As per the slide.

- Retention Guidelines for the Common Administrative Records - How to Section
  http://www.lac-bac.gc.ca/information-management/002/007002-3100.4-e.html

- IM Portal
    http://www.informationmanagement.gc.ca/index_e.asp

- Establishing retention plans for operational records and other MIDAs

  - **ARMA** http://www.arma.org/records%20retention/index.cfm?key=retention
  - **Provincial governments**
    - **QC:**
      http://www.banq.qc.ca/portal/dt/services/archivistique_ged/publications/publications.jsp?bnq_resolution=mode_1024#guidecalendrier
    - **ON:** http://www.archives.gov.on.ca/english/rimdocs/guidlist.htm
  - **NARA**
    - **FAQs**: http://www.archives.gov/records-mgmt/faqs/scheduling.html#schedule
    - **Regulations**: http://www.archives.gov/about/regulations/part-1228/b.html

Slide 16 - MIDA Concepts - Common Administrative Records

There are several concepts that you need to understand before attempting to apply the MIDAs in your institution. And that is the difference between common administrative records and operational records.

Let's look at the definition for Common Administrative Records. These are "records that are created, collected or received by a federal government institution to support and document broad internal administrative functions and activities *common to or shared by all federal government institutions*, for example: finance, and the management of human resources."   Common administrative records are those created in support of the Common Administrative Functions of real property management, materiel management, comptrollership, human resources management and general administration (management of government information, security and administrative support).

Slide 17 - MIDA Concepts (continued) - Operational Records

"Operational records are records created, collected or received by a federal government institution to support and document business functions, programmes, processes, transactions, services and all other activities *uniquely or specifically assigned to that particular institution* by legislation, regulation or policy."

Why are These Definitions Important?   In order to apply all the MIDAs or RDAs it is necessary to understand the differences between common administrative records and operational records. To help keep these definitions straight, refer to the RDA chart (hold up the long chart).

Slide 18 - MIDA Concepts (continued)

There are additional important points to remember.

- MIDAs apply to record in all media; that is, textual, electronic, audio-video, cartographic, photographic, art and motion picture film.

- The records may also include different types of files including policy files, general files and subject specific files.

Any questions up to this point?

Slide 19 - MIDA Concepts (continued) - Common Administrative MIDAs

We are now going to examine the Common Administrative MIDAs in more detail, starting with three important concepts:

- What is a function?
- What is an Office of Primary Interest?
- What is an Office of Collateral Interest?

Slide 20 - What is a function?

Before discussing how these concepts relate to the interpretation and application of the Common Administrative MIDAs, let's examine the definition implied in each of the questions.

Definition of function: public administration is formally assigned responsibilities (*functions*) by an elected body of representatives with constitutional jurisdiction and mandate through the promulgation of laws, regulations, and policies. To perform these functions, the administration organizes itself into institutions (departments, agencies, boards and offices) with particular jurisdictional *mandates*, some exclusive to a single institution, some shared with others. Generally speaking, these institutions are created and organized by government to respond to the contemporary requirements and needs of Canadian society, i.e., to what society "values" and to what society deems to be the obligations of the federal state. (from the *Appraisal Methodology, Part A*)

Another way of expressing what a function is (*as per the slide; also refer to the Record Type chart*). A function is:

- any high level purpose, responsibility, task or activity which is assigned to the accountability agenda of an institution by legislation, policy or mandate;

- typically common administrative or operational functions of **policy development** and **program and/or delivery** of goods or services;

- a set or series of activities (broadly speaking a **business process**) which, when carried out according to a prescribed sequence, will result in an institution or individual producing the expected results in terms of the goods or services it is mandated or delegated to provide.

That's a lot to absorb.   Here is a concrete example of the functions undertaken by Library and Archives as linked to our mandate:

- To **preserve** the documentary heritage of Canada for the benefit of present and future generations;

- To be a **source of enduring knowledge accessible to all**, contributing to the cultural, social and economic advancement of Canada;

- To **facilitate in** Canada cooperation among communities involved in the acquisition, preservation and diffusion of knowledge; and

- To **serve as the continuing memory** of the government of Canada and its institutions.

Those are our principal functions. Perhaps you can start thinking about your own institution and its main functions and activities.

One of the challenges facing institutions is the difficulty in applying the function-based MIDAs to their records which are mainly in subject-based file classification system. Often GC clients will approach LAC for help in mapping the MIDAs to the records in their file classification system. Consulting the Retention Guidelines should help in understanding the difference between function and subject/activity.

Show the Retention Guidelines on our web site to illustrate the difference: function on one side, subject on the other. Use 3rd row down – Financial Management.

Another piece of helpful advice: always investigate the purpose and function for which the record was created or received, and the function evidenced in the content and context of the record itself. There are only two types of records: common administrative records and operational or business records.

Slide 21 - What is an Office of Primary Interest or OPI?

The OPI is the administrative entity within government which is *exclusively* responsible and/or accountable for formulating policy, making decisions, or delivering a program or service to Canadians by virtue of law, regulation or mandate, and is the location for the best archival record. The identification of the *OPI* within the organization of government relevant to particular functions requires substantial and often complicated research and analysis. This is the main reason why the government records disposition program supports its macro-appraisal theory with a research agenda. Library and Archives Canada through this methodological research will achieve *consistent appraisal outcomes* to create a more focused records preservation program. (adapted from *Preserving the Archival and Historical Memory of Government* and the *Macro-Appraisal Methodology, Part A*)

(As per the slide) Within the MIDA context, an *office of primary interest* (OPI) is the federal government **institution** -- department, agency, board, office or commission -- to which the authority, responsibility and accountability to perform a particular function on behalf of the Government of Canada has been specifically assigned by legislation, regulation, policy or mandate.

(Source: *MIDA 3.1.A, General Administration*, Appendix I - Terms and Conditions, A. Key Definitions)

Example of an OPI – pose question to the group; get them to identify

E.g.   TBS is the lead institution or OPI responsible for the information management policy.

Slide 22 - What is an Office of Collateral Interest or OCI?

Within the *MIDA* context, an *office of collateral interest* (OCI) is the federal government institution -- department, agency, board, office, or commission -- which is implicated in or associated with the performance of, or some aspect of, a function, the management of a program, or the delivery of a service for the Government of Canada by virtue of legislation, regulation, policy or mandate. (Source: MIDA 3.2.A, Real Property Management, Appendix I – Terms and Conditions, A. Key Definitions)

Again ask the group if they provide an example of an OCI.

E.g. # 1   Keeping the TBS example of a OPI in mind, LAC is an OCI for the implementation of the information management policy, especially with regard to recordkeeping.

Question: Think about your own institution which has responsibilities for recordkeeping.   Are your recordkeeping responsibilities part of the legislation for your institution? Are you considered an OCI? Maybe yes, if your institution is assisting TBS on some aspect of IM. Likely no because it is not in your legislation."   Your institution is just implementing records management.

BREAK

Slide 23 - OPI and OCI: Two Questions on these MIDA Concepts

Keep in mind the previous slides when considering the following questions:

- Why is the concept of OPI important in relation to the common administrative MIDAs?

- Why is the concept of OCI important in relation to common administrative MIDAs?

Wait for any response from participants.

Answer: Institutions with specific operational mandates as an OPI or OCI for aspects of functions covered by a common administration MIDA shall not apply that MIDA to their operational records regarding those aspects of the common administration function

Another way of putting this is: MIDAs cannot be applied to records created as a result of the legislative mandate of a GC institution. For example, PWGSC cannot apply the Real Property Management MIDA to their operational records because they are, through their legislation, an OPI for that function in the Government of Canada.

Just a note of caution regarding the application of the Common Administrative MIDAs to records created by Crown Corporations, Agencies, Commissions, and Boards because they *may* have legislative or policy mandates for such functions as Human Resources (HR) and Real Property Management (RPM). Keep these distinctions in mind because we will return to these concepts as we explore the Common Administrative MIDAs in more detail.

Slide 24 - What will I find in a MIDA?

Before jumping into each of the MIDAs, it would be useful to tell participants what they will find in a RDA. Use the General Admin. MIDA as an example, and just walk them through it so they know Authorities follow a similar format (more or less; there are definite variations). Get the group to open their binders to tab 5, p. 2.

In Appendix 1, Terms and Conditions, there is a section on key definitions, then the Scope of the Authority, followed by Authorization to Destroy Records. Other MIDAs have sections on obligations relating to archival records, transfer of archival records or access to the archival records. All sections contain important information and should be read carefully. The Common Administrative MIDAs all have a second appendix called a Functional Profile (p. 9) which provides more description of the functions, sub-functions, activities, processes and tasks as appropriate.

Slide 25 - Common Administrative MIDAs Explained

Now we are going to examine the Common Administrative MIDAs in more detail. That is, we are focusing on these five functions that produce common administrative records:

- General Administration Function, RDA 98/001
- Human Resources Management Function, RDA 98/005
- Materiel Management Function, RDA 99/003
- Comptrollership Function, RDA 99/004
- Real Property Management Function, RDA 2001/002

An important point to remember is that **no** archival records are involved in these five MIDAs.

Slide 26 - General Administration Function, RDA 98/001 (tab 5)

General Administration function encompasses the functions, processes, activities, and transactions of administrative business concerning the administrative services commonly provided in and across all federal government institutions to facilitate the application of operational policies and the delivery of programmes and services.

They include records related to the three sub-functions of

- Management of Government Information
- Security
- Administrative Support

Management of Government Information generally encompasses the business processes and activities which produce records created by government institutions within the context of the life cycle of information, that is, from its creation, organization, retrieval, use, access, storage, and protection, to its disposal. More specifically, this sub-function includes *ten core programmes or activities* which are common to all government institutions: Access to Information; Protection of Privacy; Records Management, including the Essential Records Programme; Management of Technology; Library Services; Correspondence Management; Forms Management; Manuals Management; Mail and Messenger Services; and Photocopying and Printing Services.

Security generally encompasses the business processes and activities which produce records created by government institutions relating to the primary components of security such as classification and designation, security and risk management, control of access, personnel security, safeguards and security breaches and violations. More specifically, this sub-function includes the classification of sensitive information in the national interest; the administration of security clearances on government employees and contractors; all aspects of physical security related to sensitive or classified information; the secure handling of information assets; it **excludes** the activities and records of those security and investigative institutions whose legislative mandate relates to subversive activities, or the investigation of such activities.

Administrative Support encompasses the business processes and activities which produce records created by government institutions relating to the most routine aspects of the General Administration Function. More specifically, it includes the management of travel & parking; telecommunication services; and administrative support services such as word processing, stenographic, & translation services.

Slide 27 - Human Resources Management Function, RDA 98/005 (tab 6)

Human Resources Management encompasses the functions, processes, activities, and transactions of administrative business concerning the management of human resources commonly conducted in and across all federal government institutions to facilitate the application of operational policies and the delivery of programmes and services.

There are major eleven sub-functions associated with this function and each is further sub-divided into tasks, activities and processes, as appropriate. The main functions are indicated on the right side of the slide: staffing; training and development; performance assessment; occupational safety and health; staff relations; compensation and benefits; human resources planning and utilization; classification; official languages; employment equity; and special programmes.

Remember that the Functional Profile or Appendix II accompanying the Authority and Terms and Conditions provides a more complete description of these sub-functions. That goes for all the Common Administrative MIDAs.

Slide 28 - Materiel Management Function, RDA 99/003 (tab 7)

The function of Materiel Management, as a broad conceptual description of a common or shared function within and across all government institutions, is the management of movable assets, such as furniture, furnishings, equipment, supplies, vehicles and other materiel used or acquired by an institution for the purpose of administratively supporting its mission and mandate. The main legislation underpinning the Materiel Management Function includes the *Department of Public Works and Government Services Act, Defence Production Act, Surplus Crown Assets Ac*t, and the *Financial Administration Ac*t.

Materiel Management as a life-cycle approach to the management of the materiel assets of an institution, as described in the Treasury Board Secretariat's *Materiel Management Polic*y, can be applied to any institution whether or not it is subject to federal central agency policies and guidelines.

Materiel Management consists of four Phases of the life-cycle of materiel assets within which are eight sub-functions as follows:

Phase 1. **assessing** and **planning** requirements,

Phase 2. **acquiring** materiel assets and related services,

Phase 3. **operating, using**, and **maintaining** materiel, and
Phase 4. **replacing** and **disposing** of materiel assets.

Examples of subjects covered by this MIDA include office equipment, audio-visual equipment, construction materials, stationery, clothing and office supplies.

Slide 29 - Comptrollership Function, RDA 99/004 (tab 8)

Comptrollership encompasses the functions, sub-functions, processes, activities, and transactions of administrative business concerning the management of financial resources commonly conducted in and across all federal government institutions to facilitate the application of operational policies and the delivery of programmes and services. The main legislation underpinning the Comptrollership Function includes the *Financial Administration Act* and the *Auditor General Act*. The Comptrollership Function has three sub-functions:

- **External Audit**,

- **Financial Management**, and
- **Program Management**

(in case anyone asks about what's included under each of these sub-functions)

A   External Audit

B   Financial Management
- Financial reporting and planning
- Classification of accounts
- Budgetary control
- Financial Information Systems and Controls Development
- Accounting and Control of expenditures
- Accounting and control of revenues
- Accounting for assets and liabilities
- Accounting for special funds and accounts
- Revolving funds

C   Program Management
- Expenditure management system
- Capital plans and projects
- Agreements and arrangements with other levels of government
- Risk management
- External user charges
- Alternative Service Deliver
- review

Slide 30 - Real Property Management Function, RDA 2001-002 (tab 9)

Encompasses the functions, sub-functions, processes, activities, and transactions of administrative business, concerning the management of federal real property or other real property used or acquired by an institution, commonly conducted in and across all government institutions to support and facilitate the delivery of programmes and services. The main legislation underpinning the Real Property Management Function includes the: *Department of Public Works and Government Services Act, Federal Real Property Act, Department of Canadian Heritage Act, National Capital Act, Financial Administration Act, Historic Sites and Monuments Act, Natural Resources Act, and Expropriations Act.*

For the purpose of identifying and explaining records disposition requirements, the Real Property Management Function as set out in the Treasury Board of Canada Secretariat's real property policies can be applied conceptually to any government institution and is divided into five sub-functions related to the life-cycle management of real property immovable assets:

1. **assessing** and **planning** real property requirements,

2. **acquiring** real property assets and related services,

3. **operating** and **using** real property,

4. **maintaining** real property assets, and

5. **replacing**, **transferring** and **disposing** of real property assets.

Taking a closer look at this MIDA, federal real property may be defined as "…real property belonging to Her Majesty, and includes any real property of which Her Majesty has the power to dispose."   Real property refers to   "...land whether within or outside of Canada, including mines and minerals, and buildings, structures, improvements and other fixtures on, above or below the surface of the land, and includes an interest therein."

Remember our overview of the concepts of the OPI and OCI?   The Real Property Management MIDA is a good example of how this might be applied.

- For example: PWGSC is an OPI for the real property management function in the GoC. The MIDA for the Real Property Management function therefore cannot be applied to those PWGSC's records which were created as a result of the real property management function. This function is part of this institution's legislative mandate.

- For example: Department of National Defence (DND) is an OCI for the real property management function as per its legislative mandate. The MIDA for the Real Property Management function therefore cannot be applied to those DND's records which were created as a result of the real property management function.

- Important point: always read the **Scope of the Authority** for more specific instructions on OPI and OCI institutions

In both of these examples, a separate ISDA is required. For further information read part B - Scope of MIDA2001/002.   To illustrate this, go to:

http://www.collectionscanada.gc.ca/information-management/007/007007-1031-e.html

Scroll to the paragraph beginning with Institutions with specific operational mandates as Offices of Primary Interest ()OPI) or Offices of Collateral Interest (OCI) for aspects of the Real Property Management Function shall not apply ….…."

Slide 31 - Standard Exclusions

Not in the MIDA binder, but on the LAC web site under *MIDA, Introduction*. Scroll down to the end, just above the Table of Contents:

http://www.collectionscanada.gc.ca/information-management/007/007007-1008-e.html#contents

The **standard exclusions** are all records created, collected, or maintained in any medium by a federal institution in support of the [specific common administrative MIDA] Function of the Government of Canada that:

- are operational in nature;
- are of a mixed operational and administrative character;
- do support an administrative function in an Office of Primary Interest;

Slide 32 - Standard Exclusions (continued)

- are otherwise excluded from the application of the Authority [a specific MIDA] by virtue of the definitions and scope statement contained in this Appendix;
- are anterior to 1946; and
- have retention periods - established by the institution according to its legal and operational requirements - which have not expired.

Slide 33 - Exercise 2 on the Common Administrative MIDAs

Now we have another **exercise** to determine how well you have mastered the art of the common administrative MIDAs. You have 5 minutes to come up with answers and then share with the group.

Important points to stress (recalling from earlier slides):

- Difference between operational records and common administrative records
- Difference between function and subject

Slide 34 - Transitory Records Authority (1990) (Tab 12)

Turning away from the Common Administrative MIDAs, we will look at several other Authorities before the lunch break. The First is the Transitory Records Authority.

Slide 35 - Transitory Records Authority (continued)

According to this Authority, TRANSITORY RECORDS are those records that are required only for a limited time to ensure the completion of a routine action or the preparation of a subsequent record.

TRANSITORY RECORDS **do not** include records required by government institutions or Ministers to control, support, or document the delivery of programs, to carry out operations, to make decisions, or to account for activities of government.

This Authority can be tricky to apply. It may be helpful to think of a transitory record as "… a record which has inherent characteristics whereby the record has been appraised as having (and will have) no archival value. A transitory record *may* be an official corporate record and must be disposed of according to the TRA. Some examples may include identical copies, convenience copies, personal notes not meant as part of government business or sent to anyone beyond the individual creator, etc. However, if records, even in a draft stage, as per the TRA, are "required by government institutions or Ministers to control, support, or document the delivery of programs, to carry out operations, or to account for activities of government", then they are not considered transitory and would have to be disposed of under an ISDA, and may have archival value. (from Paul Sabourin's advisory notes re the TRA.)

As part of its Recordkeeping initiative, LAC is developing Documentation Standards which will require GC institutions to identify their records having business value. This will facilitate the identification of records with potentially no archival value some of which could include Transitory Records.

What will this mean for the Transitory Records Authority? At this point we are not certain how the Documentary Standards will have an impact on the TRA — this is something to watch for.

When are these standards expected to be put in force? Again these are well underway because we are currently testing aspects of the DS with several institutions as part of the GRB Recordkeeping Assessment Projects initiatives. [Eg. There is an Assessment project with HRSDC.] We are not yet in a position to provide an exact date.

Slide 36 - MIDAs for Media-Specific Records (Tabs 3, 4, and 10)

Now we will look at three MIDAs that are media-specific. We are just going to highlight some of the important points. You should review them in their entirety.

They are:

- Records Related to Electronic Imaging Systems, RDA 96/023
- Poster-creating Areas, RDA 96/024
- Audio-Visual Records, RDA 2001/004

Slide 37 - Records Related to Electronic Imaging Systems, RDA 96/023 (Tab 3)

Some important points and cautions regarding the use of this Authority.

"Source record" includes any correspondence, memorandum, book, map, plan, pictorial or graphic work, photograph, film, microform, or any other documentary material. These terms and conditions apply to source records scanned into an electronic imaging system and to the electronic images themselves. Where source records exist both on paper and microfilm, these terms and conditions apply to both media.

These terms and conditions do not apply to machine-readable records captured by an imaging system and for which there exists no hard-copy source record.

Except where an existing Records Disposition Authority permits the destruction of all the source records, source records which may have intrinsic value based on unusual physical characteristics or age are excluded from this Authority.

Where it is the intent of the institution to rely on the electronic images as the official or corporate "business record" (as opposed to the system providing "convenience" or "reference" copies), disposition of the source records and/or electronic images may take place as described in Section 4 below. Imaging Systems producing records which may be relied upon for these business or legal operational purposes should:

- comply with the ten principles described in Part IV, section 3.7 of the Canadian General Standards Board's *Microfilm and Electronic Images as Documentary Evidence* (CAN/CGSB-72.11-93); [Show copy of this document]
- be capable of identifying and grouping together images related to specific subjects, cases, functions, activities, or offices managed by the Institution; and
- support the extraction of individual images.

Institutions must also ensure that when hardware and software systems are replaced or updated, all electronic images are migrated to the new environment so that the records will remain available, understandable and usable.

If the imaging system meets these requirements, disposition of records may take place. It is best to *consult with LAC before applying this Authority.*

Slide 38 - Poster-creating Areas, RDA 96/024 (Tab 4)

This MIDA applies to all posters and broadsides created by or for all institutions of the Government of Canada.

A *poster* is defined as a single or multi-sheet notice, chiefly pictorial, made to attract the attention to events, activities, causes, goods, or services for posting, usually in a public place, and intended to make an impression from a distance.

A *broadside* is a single textual notice, printed on one side only and intended to be read unfolded and publicly posted, such as proclamations, news-sheets, and handbills.

This authority does not apply to posters and broadsides under the control of an institution that were not created by or for that institution, or to posters used to announce personnel-related activities such as competitions, secondments, and appeals.

Slide 39 - Audio-Visual Records, RDA 2001/004 (Tab 10)

The Audio-Visual MIDA applies only to audio-visual records under the control of institutions subject to the *Library and Archives of Canada Act*; and stored on their behalf by the Client Services and Industry Relations Directorate, of Public Works and Government Services Canada (PWGSC), within the film and video storage facilities at 350 Albert Street, Ottawa, Ontario, and within the PWGSC off-site storage in Ottawa and Gatineau, Québec.

Archival records identified by this Authority shall be transferred to Library and Archives Canada five years after completion of the final audio-visual product (as specified in the storage agreement between the CSIRD and the creating/transferring agency).

The Authority provides further information on accompanying documentation as well as appropriate formats for transfer.

Slide 40 - Guidelines for Managing …

For additional guidance on managing media records, there are several guides available on the LAC web:

- Audio-visual records
  - http://www.collectionscanada.gc.ca/information-management/002/007002-2049-e.html

- Cartographic and Architectural Records
  - http://www.collectionscanada.gc.ca/information-management/002/007002-2050-e.html

- Documentary Art
  - http://www.collectionscanada.gc.ca/information-management/002/007002-3011-e.html

- Photographic Records
  - http://www.collectionscanada.gc.ca/information-management/002/007002-2048-e.html

LUNCH

Slide 41 - MIDAs Covering Specific Offices of Provenance (Tabs 1 and 2)

Now that we have stuffed ourselves with lunch, we have to return to the MIDAs. We will ease into the afternoon by focusing on two MIDAs that cover Specific Offices of Provenance. These are the MIDAs for Institutional Records in the Office of a Minister, RDA 96/021 and Records of Deputy Heads of Government Institutions, RDA 96/022. These are shorter Authorities which we will deal with first before spending most of the afternoon on the MIDA for Operational Case File Records.

Slide 42 - MIDA for Institutional Records in the Office of a Minister, RDA 96/021 (Tab 1)

This MIDA applies to records under the control of an institution in the Office of the Minister (institutional records) that are *maintained in a distinct record-keeping system or series* related to that Office. It shall **not** be applied to Cabinet documents, the Minister's personal and political records, ministerial records, or scattered ministerial correspondence on various policy and subject files under the control of the institution.

Under this MIDA the archival records are transferred to LAC five years after the Minister leaves office.

Slide 43 - Records of Deputy Heads of Government Institutions, RDA 96/022 (Tab 2)

This MIDA applies to all government institutions subject to the *Library and Archives of Canada Act*, and covers records in all media created or acquired by the chief executive officer as part of directing and controlling the operations of the government institution for which he or she is responsible and *maintained in a distinct record-keeping system or series* related to that Office.

Once again, the archival records are transferred to Library and Archives Canada upon the expiry of the retention periods, or five years after the Deputy Head of the institution leaves office, whichever comes first.

Slide 44 - Hierarchy of Authorities for MIDA 96/021 and MIDA 96/022

Later in this presentation we will examine the relationship between the MIDAs to ISDAs in the Hierarchy of application. However for added clarity, it is necessary to discuss as few points here in relation to these two MIDAs.

Here is the order in which to apply Records Disposition Authorities to Institutional Records in the Office of a Minister and to Records of Deputy Heads of Government Institutions.

1. Apply the ISDA if there is one first — the Ministers and Deputy Head records may be covered. Most often the ISDA will take precedence over the MIDA.

2. Apply MIDA 96/021 and 96/022.
    i.   It is important to note that if the records are mixed up - that is, there is no separation between ministerial records and institutional records, these MIDAs cannot be applied. These records would be transferred to the Canadian Archives and Special Collections Branch of LAC and not the Government Records Branch. Ministerial records may include the private papers of a minister and are not considered to be Government Records.
    ii. For emphasis: There needs to be a separate record-keeping system for the institutional records, otherwise these MIDAs cannot be applied.

3. Apply other MIDAs as applicable.

Supplementary Notes about Ministerial Records if someone asks.   This is not part of the presentation.

(from the *Guidelines for Managing Record Information in a Ministers' Office*)
http://www.collectionscanada.gc.ca/obj/007/f2/007-1016-e.pdf

A ministerial record is defined in the *LAC Act* as "a record of a member of the Queen's Privy Council for Canada who holds the office of a Minister and that pertains to that office, other than a record that is of a personal or political nature or that is under the control of a government institution."

In other words, ministerial records pertain to portfolio business but do not fit into any other category--personal or political, institutional, or cabinet papers.
Some examples:

- records that reflect internal deliberations involving a minister and his or her exempt staff on official matters relating directly to the minister's portfolio that are not referred to the minister's department(s) or agency(ies);
- records dealing with portfolio business that originated in the institution and were subsequently annotated by the minister or exempt staff;
- records concerning administrative matters that pertain only to the minister's duties or office.

Another example: John Crosbie was Minister of Transport; TC set up institutional files in his office; Crosbie moved to another portfolio after a number of years and took some of those institutional records with him; after the defeat of the Conservative government in 1993, those Transport records became part of John Crosbie's deposit held by the Political Archives area at LAC where they remain today (much to the chagrin and annoyance of TC records staff.). They became ministerial records "by default."
Issue: No one holds the minister to account when this type of situation arises. How do we get around this and ensure institutional records in a Minister's office stay within the institution instead of moving to another portfolio?   In fact, there are other cases where those records leave the GC entirely and go "home" with the Minister. (eg. Brian Tobin has institutional records of his former departments in Newfoundland.)

Current status of the Guidelines document: *Guidelines* document revised several years ago but currently on hold pending decision by the Federal Court regarding Jean Chrétien's agenda books.

Slide 45 - The Multi-Institutional Disposition Authority on Operational Case File Records (tab 11 for Terms and Conditions only)

Before we get started, I want to let you know that this part of the training session, as well as additional training materials are available as part of a larger package intended to facilitate an understanding of the use and limitations of the Case File MIDA. At the end of today's session, Judy will indicate where you can go to find further information.

So far in this training session you have learned about MIDAs for Common Administrative Functions, the Transitory Records Authority, Media-Specific MIDAs, MIDAS for Specific Offices of Provenance…and now for something a little bit different--a MIDA for Operational Case File Records of the Government of Canada.

Slide 46 – Outline of Presentation

Now this part of the training will cover a number of important aspects of MIDA 2005/006 including:

- The context of MIDA 2005/006

- The two parts of the MIDA, the Definition and the Archival Criteria, as well as the applicable exclusions

- Implementing the MIDA

- Transfer and Destruction aspects of the MIDA

Slide 47 – Scope of MIDA 2005/006 -

Context

Within the GoC, next to common administrative records, what other type of records are the most voluminous? Any ideas?

From our experience with records, we point to operational case file records created by the GoC. And to add to the situation of massive amount of records, in the past disposal of these records was problematic as RDA coverage was incomplete at best relying on coverage through ISDAs. The bottom line--there were gaps in coverage and in many instances GC institutions could not dispose of these records which stretched their capacity to store or deal with these records.

Therefore, LAC responded to a need and developed a MIDA for Operational Case File Records. Now MIDA 2005/006 is one of many tools available for the disposition of Government Records once their retention periods have expired and that there are no further operational/business values, legal or ATIP requirements.   It applies to all government operational records that meet the definition of the MIDA and are not currently covered by another RDA regardless of the creating institution.
Refer to text on slide

Scope of MIDA 2005/006

- **Applies to all government institutions subject to the *Library and Archives of Canada Act.***

- **Enables the disposition of operational case file records upon the expiry of their retention periods while requiring the transfer of certain archival records to Library and Archives Canada.**

- **MIDA 2005/006, with a few exceptions, applies to all operational case file records series in all media created or acquired by a government institution as part of its business activities which are currently not covered by any other valid Records Disposition Authority.**

- **Uniqueness of the Case File MIDA: KEEP and DESTROY****

**Of note is the dual application of this MIDA, that is, it is used for the transfer of archival records and the destruction of records without archival value.

Slide 48 – Definition of a Case File Record

We all think we know what case files are, we think of rows of shelving containing identical looking files, with alphanumeric codes attached to them, linking the file to the particular person or event, and of course they take up huge blocks of shelves… and your sense that these are series of case files is probably right.

However, for the purpose of applying and interpreting this case file MIDA, there is a very specific definition of a case file record. **All three parts** of the following case file record definition as described in the Terms and Conditions of the new MIDA must be met for a record to be considered a case file record. **Please refer to your binder - tab 11 for the T&Cs of the CF MIDA. See Section A for the three-part definition of a case file record**. To assist you in interpreting the Terms and Conditions of MIDA 2005/006, there is a generic *Application Guide* which is available with other documentation on the LAC Web site.

Part 1 of the definition:

> The first part is that Case file records **document a single type, or series, of repetitive transaction** (s) within a business process relating continuously to a particular item, object, entity, person, event, or thing.

The Application Guide uses the example of applying for a Canada Pension Plan Retirement benefit to illustrate the three different parts of the definition. Another example used here in this presentation is that of the **Income Tax File** created when an individual files their tax form at the end of April each year.

The case file records are created according to a prescribed procedure used by all taxpayers who are obliged to file a tax report by April 30 of each year. All taxpayers follow the same procedure - taxpayers send the completed T2 - Income Tax Form to the Tax Office either electronically or by mail; completion of the form is one transaction, sending the form is another; this is repeated by each taxpayer; then, receiving, processing and if you're lucky, issuing a refund cheque, are further transactions in the overall processing of income tax submissions.

If a file was created for an individual and included all requests that individual ever made to the GC, such a file could not be considered a case file under the definition from MIDA 2005/006. The file can only contain a transaction or a series of transactions within a single business process. Such as the file created for Ms X for her 2007 income tax return.

Part 2 of the Definition:

> Case file records contain **replicated documentation** in standardized formats and structures including (but not restricted to) forms, orders, pro forma letters and memos, contracts, invoices, vouchers, receipts, spreadsheets, announcements, bulletins, and payments.

Using the same example of the taxpayer file, the information we submit is in a standardized form, that is, the T2 plus any of the schedules that may apply. The process using the standardized documentation is repeated for each taxpayer filing their statement. The accompanying attachments such as the T4, T5, as well as applicable receipts for such deductions as charitable donations or payment of tuition fees are all forms of one type or another. The case file may also include routine pro-forma type correspondence. These standardized documents form the basis of the file.

However even if there were not the same pro-forma documents, the case file would still be recognizable because there is a structure to the file that is prescribed according to an established procedure that indicates what kind of information needs to be submitted by the taxpayer and how this information is processed.

If a file was created for assessing income tax returns and consisted of the meeting notes, policies and recommendations of a review board for a variety of cases, these records would not be considered case file records.

Part 3 of the Definition:

> Case file records document transactions that have a **definite beginning and an end** within the same case file regardless of the size of the file or number of records within the file.

Looking again at our example of the Income Tax file, the file is opened for each taxpayer in Canada yearly. It concludes once the income tax submission is processed, any refunds issued or at the conclusion of any complaint or appeal action. The taxpayer file has a definite beginning and a definite end and there is a clear and understood point at which the file is closed.

Slide 49 - MIDA Criteria for Archival Value

If a series of records are case file records as per the three-part MIDA definition, then it is necessary to determine if any of these records have archival value.

The MIDA has established seven criteria which are used to determine if the case file records have archival value. Please refer to Section C of the Terms and Conditions.

Each of the seven criteria is meant to identify the kinds of records that archives world-wide have traditionally agreed are crucial for protecting individual and collective rights within society, and for documenting the obligations between individual citizens and the state.

The criteria identify the records of highest archival value in these areas. In applying the MIDA, institutions will confirm the extent of the archival record with LAC and transfer a sufficient volume of archival records to document these rights and obligations in consultation with their portfolio archivist.

Criterion 1

> **Records crucial for the protection of individual and/or collective rights and that document obligations of citizens.**

Specifically, the archival records are those that prove, grant, establish, and/or evidence the rights and obligations of citizens, and those that contain vital or essential information about citizens. These archival records include only the following records and may not be applied to other records:

- Civil status records pertaining to immigration status, Canadian citizenship, and the status of Aboriginal peoples

- Land Registers

- Survey records collected by Statistics Canada for the Census of Population

- Taxation records consisting of the Taxpayer Master file and its successors.

These four groups of records were identified as having archival value under this MIDA as a reflection of the general consensus in the international community that archives have a responsibility to preserve records essential for the protection of citizens' rights and obligations. These are the only case file records which meet Archival Criterion 1 under this MIDA.

Criterion 2

> **Records of judicial or quasi-judicial decisions.**

Specifically, the archival records are those that document any final decision made by the highest judicial or quasi-judicial level possible for a specific case. In order to avoid duplication, this archival criterion is only for decisions made by judicial and quasi judicial bodies. It does not apply to line departments or entities where a case originates.

There are two categories of archival records:

- First, archival records are all records of decisions appealed to a superior court by a judicial or quasi-judicial body.
- Second**,** archival records are records of decisions considered to be precedent setting at the time of decision or records of decisions that have attained a high media profile, regardless of whether they are appealed to a superior court.

These categories are not mutually exclusive and some overlap may occur. An example would be precedent setting decisions by the Canadian Human Rights Tribunal.

Criterion 3

> **Records that document decision-making by the Deputy Head (or equivalent), Minister, Cabinet or Prime Minister.**

This criterion is intended to capture decision making at the highest levels of government. It is not intended to replace the records identified as archival by the MIDAs dealing with Ministerial records (MIDA 96/021) or the records of deputy heads of institutions (MIDA 96/022). Rather it applies to those decisions which are raised to the highest level **and** that document **extraordinary** intervention or even reversal of decisions. This level of decision-making may or may not be part of the normal course of business.

One example is records documenting the intervention of the highest levels in immigration cases.

Another example would be where criminal sentences are commuted as a result of the direct intervention of the highest levels of government.

Criterion 4

> **Records that document federal responsibility in the areas of compensation and fiduciary obligations.**

Specifically, the archival records are those that document a significant or unique type of compensation by the government and/or the exercise of its fiduciary obligations, where the government has accepted responsibility for care and/or compensation of an identifiable sector of society (based on a particular set of circumstances), which results in the provision of a specific type of settlement, benefit, or redress. These archival records include Chinese Canadian Head Tax compensation, records on Hepatitis C victims eligible for government compensation, either through the results of the Krever inquiry or other government decisions, and files on Japanese Canadian Redress for their treatment during Second World War.

The key to this criterion is to understand that it applies to specific and identifiable groups in specific and unique situations. It is not meant to apply to employment insurance, pensions, or other general and ongoing forms of compensation. It is meant to apply in cases where the federal government caused harm, either directly or indirectly (including through negligence) and has taken steps to compensate for it.

Slide 50 - MIDA Criteria for Archival Value (continued)

Criterion 5

> **Records that document federal responsibility and claims by or against the Canadian government under any of its domestic treaties or bilateral and multilateral international treaty obligations**

Specifically, the *archival records* are those that document a claim by or against the Canadian government under any of its domestic treaties, or bilateral and multilateral international treaty obligations; claims that challenge how government fulfills its treaty obligations; and/or, treaty claims that cause a change in the way government institutions conduct their business.

This criterion does not mean that all case files created as a result of a treaty or some other agreement are archival. Rather, they must be files which either challenges how government meets its treaty obligations or that change the way government conducts its business. These archival records include Land Claims by First Nations.

Criterion 6

> **Records that document specific investigative activities under a federal jurisdiction.**

Specifically, the archival records are those that document investigative activities involving deliberative or intense efforts and resources beyond what is normally allocated to complete that business process, or that cause a change in the way government institutions conduct their business.

This criterion applies to investigations carried out as part of the normal course of business, either by the RCMP or other bodies, as well as investigations conducted as a result of special events or initiatives.

Not all case files created in the course of investigations are archival under this criterion. The criterion is intended to capture **extraordinary** cases. This could involve additional funding and personnel, or investigations which take significantly longer than normal. It also includes cases which change the way in which government conducts its business. These archival records include high profile criminal investigations and investigations into threats against national security.

Criterion 7

> **Records that document and /or are used for creative or research activities in the cultural, social and scientific domains.**

This criterion is meant to be selective. Similar to the other criteria, the records deemed to be archival are those which contribute significantly to the advancement of knowledge, involve the commitment of effort or resources beyond what would normally be allocated, produce results which have a significant impact on Canadians, or change the way that government does business. An example would be records documenting the approval of pharmaceutical drugs previously banned for human consumption.

Slide 51 - Exclusions

> MIDA No. 2005/006 applies only to those records in operational files that meet the **three-part definition** that define and limit what a case file is for the purpose of this Authority.

Exclusions

- There are exclusions where the case file MIDA cannot be applied, these are basically the same as for all the other MIDAs.

The MIDA does **not** apply to: records that are already covered by an existing Records Disposition Authority, common administrative records, and pre-1946 records, Institutional records in the Office of a Minister or [*Next slide*] the Records of Deputy Heads of government institutions.

Slide 52 - Exclusions (continued)

- Also excluded are the MIDAs related to Electronic Imaging Systems, Posters, and Audio-Visual Records, or Transitory records.

- In addition operational files that contain a **mix** of transactional and subject-based records are excluded from the scope of the CF MIDA.

If subject-based records are contained in a file containing transactional records, the file may not actually be a case file for the purpose of MIDA 2005/006. Subject based records include, for example, meeting minutes, policy directives, contextual information and other materials relating to one or more subjects. In

some instances, a case file may contain subject-based records in support of the business process, and still meet the three-part definition of MIDA 2005/006.

In contrast, when a file predominately contains subject-based materials which are not in support of the business process, the file is likely not to be considered a case file for purposes of the Authority.
If records that meet the case file definition are mixed with records that do not meet the definition within the same file, archival records may be at risk of being destroyed when applying MIDA 2005/006.

Before applying MIDA 2005/006 to records series containing files with a mix of these types of records, the GC institution is advised to consult with their LAC portfolio archivist.

Exercise — use Institutional Report checklist as part of the exercise

BREAK

Answer: The Arts Division file meets the definition of a case file because it documents a series of transactions within a single business process, contains replicated documentation and has a definite beginning and end.

The NATO file does not meet the definition of a case file because it is difficult to tell what the business process is; committee minutes are generally operational records; there are no standardized forms or documentation in the file; and there is no definite beginning or end (file seems to continue on).

Slide 53 – Implementation – March 2007 to March 2009

When the Librarian and Archivist of Canada issued this Authority, he requested that an implementation period be established. This was deemed appropriate because MIDA 2005/006 contains provisions in its Terms and Conditions for the **transfer** and the **destruction** of operational records throughout the Government of Canada.

LAC has designed a **twenty-four month implementation phase** from March 2007 to March 2009, during which time the impact of the MIDA will be documented and measured.

The implementation phase will also see a **close collaboration** between LAC and its client institutions. For example, an Advisory Group consisting of representatives from several GC institutions has met and will continue to provide advice to LAC on the implementation of the Case File MIDA. As well, LAC looks forward to closer collaboration on a portfolio basis as the application of the MIDA proceeds.

The role of Government of Canada Institutions:

- As a condition for using and applying MIDA 2005/006, government institutions must agree to all Terms and Conditions of the Authority including the identification and transfer of archival records to the care and control of Library and Archives Canada. By applying this MIDA to its records, the institution thereby confirms its agreement with the Terms and Conditions.

  During the implementation phase, from March 2007 to March 2009, institutions are required to inform LAC of how they intend to apply the MIDA to the case file records series in their holdings. Resources, such as training has been provided and training materials are available from LAC in order to facilitate an understanding of the MIDA and how to apply it to an institution's records. Institutions will be required to identify and confirm which records series will be covered in conjunction with their LAC portfolio archivist.

- The MIDA for Case File records is for all operational records that meet the MIDA's definition of a case file record, **which are not currently covered** by a valid Institution Specific Disposition Authority. It is a tool which allows for fuller coverage of the Government of Canada's operational case file records by complementing existing Authorities. In applying the MIDA, institutions must ensure that their records are **not already covered by an ISDA**. As with all other MIDAs, ISDAs must be applied first and foremost, followed by generic or Multi-Institutional Disposition Authorities.

- Then, it is necessary to **identify and verify** which of your institution's records meet the definition of an operational case file record, as set out in Section A of the MIDA's Terms and Conditions.

- The Institution through a designated individual submits an Institutional Report to LAC to confirm which records series are covered by the MIDA.

   LAC, in turn, will **verify, discuss (where necessary) and confirm** application decisions made by Government of Canada institutions and will measure the impact of the MIDA in terms of volume of records transferred and disposed. LAC will use its Records Disposition Authority Control System (RDACS) as a primary tool for the dissemination of this information.

Slide 54 - Implementation—Steps

Reminder: As we mentioned above, the Case File MIDA is only for case file series that are not covered by a current ISDA. If you have an ISDA that covers case files but is problematic, then discuss what options are available with your LAC archivist.

The First Step is to identify your potential case file universe:

   Specifically, identify operational case file records series that do not have Records Disposition Authority (RDA) coverage.

Various strategies can be adopted to optimize the Case File MIDA's utility. For example, begin the identification process with record series that have certain characteristics which will facilitate timely disposal, such as:

- Record series with established retention periods.

   Those record series with retention periods already in place that meet the MIDA's definition of a case file record, can be disposed of upon the expiry of their retention periods and that there are no further operational/business values, legal or ATIP requirements either by destruction or transfer. No delays.

- Very voluminous records without RDA coverage that are causing real storage pressures and a real drain on resources. The Case File MIDA can be used strategically to alleviate hot spots.

- Records from defunct programs that are unlikely to be included in the scope of a future Institution-Specific Disposition Authority. The MIDA can provide disposition coverage in a timely manner.

- Target case file record series where none of the records meet any criteria for archival value. Disposition is simpler and clearer where there is no requirement to transfer records to LAC and this can be another consideration as you proceed to implement the MIDA in your institution. Of course, in cases where records series contain documents to be transferred and documents to be destroyed, the disposition will be more complex.

Slide 55 - Implementation—Steps (continued)

The Second Step is to determine if MIDA 2005/006 applies to the operational records series identified in your potential case file universe.

> Does the three-part definition as per Section A of the MIDA's Terms and Conditions apply to the operational records series identified in your potential case file universe? If all three parts of the definition are applicable, then you must also determine if any of these records have archival value as per the seven archival criteria in Section C of the MIDA's Terms and Conditions.

The Third Step is to discuss the series you have identified with your LAC archivist.

> This will enable you to understand the kind of contextual information that LAC requires in order to verify the applicability of the Case File MIDA to the records series you have initially identified. This benefits your institution because you will have a better understanding of the resources necessary to implement MIDA 2005/006. This, in turn, will enable you to devise a more realistic implementation plan.

> Generally speaking the kind of information that explains the processes involved which resulted in the creation of the case file records is required by LAC in order to verify an institutional report.

> Here is an example of contextual information that LAC needs in order to verify institutional reports:

> We are using the Grants and Contribution programs as an example of a possible case file series, but this kind of information can be relevant to other programs as well:

> - Identify the program
> - Provide an overview of the program
> - Outline roles and responsibilities of the institution, including regional operations
> - Explain the process involved in the administration of the program and the resulting case file records

The Fourth Step is to develop a plan for the implementation of the Case File MIDA in your institution.

> Determine which records series you want to focus on, allocate the appropriate staff time for completing an Institutional Report, and consult with LAC as required.

The Fifth Step is the Institutional Report.

> In order to confirm which records series are operational case files according to the MIDA, an Institutional Report must be completed and submitted to LAC(Liaison Centre) for verification. LAC will confirm in writing the applicability of MIDA 2005/006 to the specified records series. LAC is keeping a Register of those decisions based on the information provided in the report. Summary information will be made available on RDACS.

Slide 56 - The Institutional Report and How To Complete It

See blank report on slide. There is a copy of the Report in the documentation kit.

This report must be **completed for each series** to which an institution wishes to apply the MIDA but the manner in which this is undertaken may vary depending on the institution. For instance, some may wish to submit an Institutional Report documenting all operational case file records to which you want the

MIDA to apply at one time and others may wish to proceed on a series by series basis. In other words, a GC institution may submit as many Institutional Reports as it likes.

The Institutional Report is designed to capture the **key information about a record series** thereby enabling anyone looking at this information, whether the record series is in the National Capital Region or on the West or East coasts, to make the same decisions across the board, and year in / year out.

Specifically the Institutional Report consists of the following:

- **Case File Series Name** (1st Column)
  Information should be as complete and descriptive as possible to ensure accurate identification of the records in question.

     A **series** is a group of files or documents arranged systematically or maintained as a unit, either physically or intellectually, because they relate to a particular subject or function, result from the same activity, document a specific type of transaction, or have some other relationship arising out of their creation, receipt, maintenance, or use. (From the *Application Guide* for the Case File MIDA).

- **File Number / Primary / Secondary / Tertiary** (2nd column)
  This information should be as complete and descriptive as possible to ensure accurate identification of the records in question. It should include all file numbers (including primaries, secondaries or tertiaries) used for that particular record series, including regional and headquarters variations.

  The info in both columns will facilitate consistent understanding.

- **Media** (3rd column)
  As the MIDA applies to records in all media that meet the three part definition of an operational case file record, the media column is intended to capture whether or not the records identified are textual, electronic or some form of mixed media. Media includes textual, electronic, microform, cartographic, architectural, technical drawings, photographic, art, audio-video and motion picture film records. The records can also be a mix of one or more media.

- **Applicable archival criteria** (4th column)
  Institutions are asked to determine if any of the records identified as case file records have archival value as per Section C of the Terms and Conditions for RDA 2005/006. If the records fall into one or more of the categories for archival value then all applicable criteria must be listed in this report. If the records are not archival, no criteria apply. GC institutions should then indicate N/A and skip to column, "Current rate of file/record creation".

- **Headquarters or Regional Records with Archival Value** (5th & 6th column)
  The reason that there are two distinct columns is to ensure consistency in understanding and application across the various offices in an institution since archival records may be held in either HQ or a region, or in both areas.

  If records in the series have been identified as archival, GC institutions must identify if these records are held at their headquarters offices, regional offices or both. To avoid transfer of duplicate records, LAC only acquires records from one source which represents the most complete operational record (i.e. annotated copies, legal copies, etc.). GC institutions should describe the purpose of the different copies of records series held at its various offices.

- **Current rate of file/record creation and Extent of records in dormant storage** (7th & 8th column)
  Here we are asking you, where possible, to document the current rate of records creation and extent in dormant storage so LAC can anticipate the volume of records to be transferred or disposed of under the Terms and Conditions of MIDA 2005/006.   This can be expressed in feet, metres or bytes. If there are mixed media, indicate the current rate of creation.   In requesting this information, LAC is attempting to measure the impact of the MIDA and whether or not the needs of our client institutions in the Government of Canada are being met.

- **Contact information** of the individual who completed the report.
  This is necessary for any follow-up that maybe required.

The Institutional Report form can be found on the LAC Web Site along with the MIDA Terms and Conditions and other supporting documentation.   The instructions accompanying this report now include additional guidance as well as an example of a completed report. This version of the Institutional Report will be posted on the LAC web site in the future.

Slide 57- Implementation—Steps (continued)

The Sixth Step is LAC confirms the applicability of MIDA 2005/006

After the Institutional Report is completed and submitted to LAC for verification, LAC will acknowledge in writing that the Institutional Report has been received. LAC may contact the person designated in your institution as the contact person for the MIDA if required for further information. Once the verification process has been completed, LAC will confirm in writing the applicability of the CF MIDA to the identified records series. The results of the verification exercise will also be posted on the LAC Records Disposition Authority Control System (RDACS) under the name of the GC institution.

The Seventh Step is to ensure that retention periods are established.

Institutions should ensure that retention periods have been established so that disposition can occur in a timely manner. Once the retention periods have expired, the disposition of records to which MIDA 2005/006 can be applied can take place according to its Terms and Conditions.

The Eighth Step is the disposition of the records according to the Terms and Conditions of MIDA 2005/006.

That is, the records can either be destroyed or transferred to LAC.

Slide 58 - Transferring Archival Records

If you determine that a series of case file records contains records with archival value, these records must be transferred to Library and Archives upon the expiry of their retention periods.

A transfer of archival records to LAC involves the following steps:

- Ensure an Institutional Report has been completed and confirmed by LAC for the identified case file records series.

- GC institution must contact their portfolio archivist to confirm the nature and extent of the records to be transferred **prior to the segregation** of archival from non-archival records.

- GC institution ensures that all relevant accompanying metadata (documentation) will be included in the transfer.

- LAC archivists will **confirm** that the records do have archival value and will also make a determination about the volume of records to be preserved. An archivist may determine that only a **portion of a series of archival case file records** needs to be kept.

- GC institution segregates the archival from the non-archival records according to the directions from the LAC portfolio archivists.

- Complete the Notice of Transfer in RDACS to confirm the application of the MIDA's definition of a case file record and the extent to be transferred. This notice is automatically sent to the Liaison Centre of LAC for transmission to the portfolio archivist. If you do not have access to RDACS please contact the Liaison Centre.

- Upon receipt of confirmation from LAC, GC institutions proceed to transfer as per the normal channels.

Slide 59 - Destroying Records Without Archival Value

This involves the following steps:

- Ensure the Institutional Report has been completed and confirmed by LAC for the identified case file records series.

- As with all other disposition, institutions should ensure that appropriate retention periods have been established for their records and that these have expired and that there are no further operational/business values, legal or ATIP requirements prior to proceeding with disposition.

  The destruction of non-archival records can only take place once retention periods have expired.

- Complete the Notice of Destruction in RDACS to confirm the application of the MIDA's definition of a case file record and the extent to be destroyed. When the Notice is submitted, it is automatically sent to the Liaison Centre of LAC for further transmission to the portfolio archivist.

- Once an archivist has **confirmed in writing** that the destruction of records is appropriate, institutions can proceed with disposition. Ensure that the archival records are segregated from the non-archival records prior to destruction.

Summary of the process involved — Refer to Procedure Flowchart handout

Questions on the Case File MIDA?

Slide 60 - Hierarchy of RDA Application

As per the slide. Once again, the ISDA takes **precedence** over the MIDAs; that's an important point to remember.

ISDAs (Institution Specific Disposition Authorities)

MIDAs by Specific Office of Provenance and by Medium

96/021	Institutional Records in the Office of a Minister
96/022	Records of Deputy Heads
96/023	Electronic Imaging Systems
96/024	Poster-Creating Areas of Government Institutions
2001/004	Audio-Visual Records

2005/006 Operational Case File Records

Common Administrative MIDAs
98/001 General Administration Function
98/005 Human Resources Management Function
99/003 Materiel Management Function
99/004 Comptrollership Function
2001/002 Real Property Management Function

The Transitory Records Authority may be applied at any time.

Slide 61 - Questions

Do you have any questions for us or wish to make comments**?**

Slide 62 - For further information

Contact info and **web site address** as per the slide.

At the beginning I mentioned that we had **training packages** available. There are actually two, a general one for all the MIDAs except the Case File MIDA which has its own. Eventually we will post these on the web but in the meantime, if you are planning to undertake training of your own staff, we can provide you with the materials. Contact the Liaison Centre.

Thank you for your attention.

Please complete the **evaluation sheet** found in your documentation kit and make sure to include contact info if you have additional questions that you would like answered.