

Legal hold	A process that an organization uses to preserve all forms of relevant information when litigation is reasonably anticipated, threatened, pending, or in progress.
Lifecycle	Distinct phases of a record's existence, from creation to final disposition.
Official record	Original document from which subsequent copies might be made.
Record	Information created, received and maintained as evidence by an organization or person, in pursuance of legal obligations or in the transaction of business. A record may be in any form. This includes notes, images, audio-visual recordings, x-rays, books, documents, maps, drawings, photographs, letters, vouchers and papers and any other information that is written, photographed, recorded or stored in any manner, but does not include software or any mechanism that produces records.
Record custodian	All SAIT employees, contractors, sub-contractors and agents are considered record custodians. Record custodians need and use SAIT records as part of their assigned duties. Record custodians may act in one or more specific roles when creating, receiving, collecting, reading, coping, querying, updating, maintaining, transmitting, accessing or using paper or electronic records and must understand and fulfill the responsibilities associated with their roles. All record custodians have an obligation to properly document what they do by creating accurate records of their activities and by ensuring that the appropriate records and information relating to business decisions are retained.
Records Management Services	The Records Management Services unit, Finance department, is responsible for all aspects of records management, including managing and maintaining the Retention Schedule, and designing, implementing and providing training on records management programs and operations.
Retention and Disposition Schedule	A legal instrument that describes the records under the control of a public body, that specifies how long and where the records must be kept as they progress through the phases

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of their life cycles, the format in which the records must be stored, and what their final disposition will be (destruction or archival preservation) at the end of their life cycles. This is also referred to as the “Retention Schedule”.

Source document

An original record that has been scanned and saved as a digital image by electronic or imaging methods according to a scanning procedure. It cannot be destroyed as a transitory record. Record schedule retention periods still apply.

Transitory record

A record that has only immediate or short-term usefulness and will not be needed in the future. Transitory records contain information that is not required to meet legal or financial obligations or to sustain administrative or operational functions and has no historical value.

GOVERNING PRINCIPLES

1. All information that is sent and received in the course of business is a record. This includes records created in all media formats, throughout their entire lifecycle. Records need to be managed to ensure they remain fit for their intended purpose and use.
2. Not all records created or received in the course of business need to be treated as official records. These types of records are considered transitory.

PROCEDURE

A. Scope

1. SAIT is the owner of all recorded information related to the institution and to all of its organizational units.
2. In the regular course of their work, all record custodians are responsible for making decisions about which records are official or transitory.

B. Determining Official Records

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1. Official records document and provide evidence of SAIT business. These are records that must be retained, filed and managed in accordance with policies, standards and best practice. Official records are created when they:
 - a) Contain information that has ongoing business value;
 - b) Are required to support business operations;
 - c) Document and provide evidence of business transactions;
 - d) Are required by legislation;
 - e) Protect the rights of record custodians and SAIT;
 - f) Provide evidence of compliance with accountability or other business requirements; or
 - g) Provide future business, financial, legal, or historical value.

2. In their day-to-day work, all record custodians at SAIT need to consider the following questions when deciding what documentation is considered an official record. If the answer to any of these questions is "yes", then the record is an official record and must be retained and filed.
 - a) Does the information explain, justify or document an official action or decision?
 - b) Does the information have ongoing or long-term operational value?
 - c) Is the record custodian the original author, sender or assigned designate?
 - d) Is the record custodian the primary recipient (designated recipient for first name on the "To" field) on an email message?
 - e) Was the record created during the course of official duty?
 - f) Will the information in the record have some future business, legal or historical value to SAIT?

For further information, contact Records Management Services.

C. Determining Transitory Records

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1. Transitory records:
 - a) Are not entered into an official record system;
 - b) Are not needed as evidence of a SAIT business activity;
 - c) Are not required to meet legislative or regulatory obligations;
 - d) Are produced or received in the preparation of other records which supersede them or for convenient reference; and
 - e) Have no further value beyond an immediate and minor transaction.

2. The following questions can be considered when deciding what documentation is considered a transitory record in day-to-day work situations. If the answer to any of these questions is “no”, the record is generally considered transitory and can be destroyed, subject to the exceptions set out in paragraph C.3 of this procedure.
 - a) Does it explain, justify or document an official action or decision?
 - b) Was it created during the course of official duty?
 - c) Will the information in the record have some future business, legal or historical value to SAIT?

See Schedule A, an Associated Document to this procedure, for information on determining official and transitory records. For further information, contact Records Management Services.

3. In some situations, a record that appears to be transitory may still need to be retained. These situations include but are not limited to:
 - a) Source documents: Scanning or imaging is the process by which paper documents are copied and saved as digital images.
 - i) Scanning paper records does not automatically authorize the destruction of source documents from which the scanned images have been created.
 - ii) Source documents can only be disposed of once their electronic forms have been stored in a secure records management system with established,

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documented practices that demonstrate the imaged records will be reliable and accessible through time.

- b) Not all drafts are considered transitory. Offices responsible for drafting legal documents, policies, budgets or procedures might need to track the evolution of the final agreement or product.
- c) Records may appear to be transitory, but the role of the record custodian and the use of the information makes the record official. For example, a post-it note that documents an approval on a spending decision may appear to be transitory due to its format, but it is an official record and needs to be kept.
- d) An annotated copy of a convenience or duplicate copy showing significant input should be filed and saved with other records related to that activity or function.

D. Holds on Transitory Records

1. There are specific instances when transitory records must be retained.
 - a) Notification of a legal hold necessitates the suspension of transitory record destruction. This is true in all phases of the litigation process. It is an offence to willfully destroy records during this time.
 - b) Employee Services is responsible for notifying the appropriate employee when either a *Freedom of Information and Protection of Privacy Act (FOIP Act)* request has been received or a legal action is underway. If litigation of any sort is reasonably anticipated, threatened, pending or in progress, all records and information that relate to the litigation must be preserved and cannot be destroyed, as the courts require those records and information to be identified and disclosed as part of the litigation process.
 - c) Transitory records are subject to access to *FOIP Act* information requests. If a *FOIP Act* request is received, the ability to routinely destroy transitory records is suspended until the *FOIP Act* request has been processed and any appeal or appeal period has been completed.

E. Destruction of Transitory Records

1. There is no requirement to submit a request to destroy transitory records. The best practice is to retain a transitory record only while there is an operational need, and to

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ensure the record is destroyed before the end of the retention period that applies to the primary record.

2. If a transitory record contains personal information, it must be disposed of in such a way that the personal information cannot be reconstructed. See Schedule B, an Associated Document to this procedure.

ASSOCIATED DOCUMENTS

Schedule A Official vs. Transitory Records
Schedule B Transitory Records Destruction

POLICY/PROCEDURE REFERENCE

AD.3.2 Records Management policy
AD.3.2.1 Records Management procedure
AD.3.2.3 Retention and Disposition Schedule procedure

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