

GOVERNMENT OF ONTARIO

COMMON RECORDS SERIES

TRANSITORY RECORDS

December 8, 2008

These series govern the retention and disposal of the transitory records (in paper, electronic, and other formats) created and received by the Government of Ontario.

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REVISION LOG		
Series Revised	Summary of Change	Date revision signed
Introduction	Updated terminology to refer to common series rather than common schedules. Updated references to existing common series numbering. Hyperlinks removed.	December 8, 2008
TR-[ACRONYM]-100	Deleted - unnecessary because records are fully covered by sub-series.	December 8, 2008

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
TRANSITORY RECORDS**

AUTHORIZATION

**Government of Ontario Common Records Series
For Transitory Records**

Copy of original signed document available – please contact 416-327-1600.

Miriam McTiernan, Archivist of Ontario Date

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
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1. INTRODUCTION

1.1 Authority

Public records are created or received as part of the activities of government. Within government, it is our obligation to ensure that these records are preserved and that the information within records is accessible until disposed of in accordance with an approved records schedule.

As defined by the *Archives and Recordkeeping Act 2006, S.O. 2006, c. 34, Sched. A* (the Act), a “public record”, means a record made or received by a public body in carrying out the public body’s activities, but does not include constituency records of a minister of the Crown or published works; (“document public”) 2006, c. 34, Sched. A, s. 2 (1).

These series have been approved by the Archivist of Ontario in accordance with the Archivist’s authority under the *Archives and Recordkeeping Act, 2006*. Under the Act, a public record shall not be transferred, destroyed or otherwise disposed of except in accordance with the applicable approved records schedule or with the written consent of the Archivist. The Act is available through the Government of Ontario e-laws website.

1.2 Adoption and Scope

These common series apply to all transitory records, in all media and formats, created or received by public bodies of the Government of Ontario.

Transitory records are records of temporary usefulness in any format or medium, created or received by a public body in carrying out its activities, having no ongoing value beyond an immediate and minor transaction or the preparation of a subsequent record. Transitory records are of such short-term value that they are not required to meet legal or fiscal obligations, initiate, sustain, evaluate or provide evidence of decision-making, administrative or operational activities.

These series must be adopted by all public bodies in order to authorize all staff to destroy the transitory records that they have created, received or are responsible for immediately upon the conclusion of the stated retention period. Public bodies, as defined in the *Archives and Recordkeeping Act 2006*, include:

- The Executive Council or a committee of the Executive Council,
- A minister of the Crown,
- A ministry of the Government of Ontario,
- A commission of inquiry under the Public Inquiries Act, or

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- An agency, board, commission, corporation or other entity designated as a public body by regulation.

Ontario Regulation 336/07 designates a number of provincial agencies, boards and commissions as public bodies. These series should be used by those designated agencies, boards and commissions as well as by ministries. This regulation is available through the Government of Ontario e-laws website.

In order to obtain approval of the Archivist of Ontario to include these series in its records schedule, the public body must prepare “Adoption of Government Common Schedule Series” template found in Appendix C of the **Government of Ontario Records Schedule Requirements**.

Transitory Records are subject to the *Freedom of Information and Protection of Privacy Act (FIPPA)* and legal discovery.

Transitory records, like any other public records, may have to be reviewed and disclosed in response to a formal request for information (note: even if they have been kept when they could have been destroyed). Given that transitory records are retained for only as long as they are actively used or referred to and then destroyed, this may have implications for FIPPA access requests and legal action. When a FIPPA access request is received, any transitory records that are responsive to the request must not be destroyed until the request has been processed and any appeal period has elapsed. Similarly, transitory records related to any legal action must not be destroyed during the course of the legal action.

1.3 Excluded from these Series

In the past, the following items were conventionally regarded as transitory records. However, under the *Archives and Recordkeeping Act, 2006* they are **not** considered public records and are therefore excluded from these series.

1.3.1 Published works

These series do not apply to published works. Published works are not considered a public record under the *Archives and Recordkeeping Act, 2006*. Publications can be from external sources, collected and maintained for general reference, or Government of Ontario publications. Publications include books, journals, magazines, newspapers, newsletters, reports, product manuals in any medium or form (printed material, web-based, optical disk, video or audio tape) that are made available in multiple copies or at multiple locations, to the public generally or by subscription, with or without charge, or otherwise.

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Ontario government publications are Ontario government documents in any form, including print and electronic, intended to be distributed to the general public. They include, for example, statutes, regulations, annual reports, public documents on programs and services provided by public bodies and statutory reports. Public bodies should ensure that master copies of all editions of Ontario government publications they have produced are retained and deposited as mandated in the **Government Publications Directive**. Extra copies of Ontario government publications may be retained and disposed of as a public body sees fit.

Note: Records relating to the production and development of Ontario government publications as well as the general administration, printing, layout, graphic design, binding, sale, and distribution of these published materials, are public records. See **Common Records Series for the Administrative Functions of the Government of Ontario**, Publishing and Publications, Series GOV-[ACRONYM]-7450.

Non-Ontario government (external) publications are published works or extracts of published materials from external (non-Ontario government) sources that are kept solely for general reference. They may be retained and disposed of as a public body sees fit.

1.3.2 Private records

These series do not apply to private records. Private records are records that are not public records i.e. records that are **not** created, received, used, circulated or communicated in the course of carrying out government activities. They are documents of a personal nature that belong to an individual and are not work-related, for example, resumes, e-mail messages to family and friends, non work-related travel information and plans, an individual's copy of training materials and certificates, personal copies of performance reviews or pay/benefits records, and records of other organizations with which an employee is involved, but not as part of the government's activities, i.e. associations or community organizations.

These materials are the personal property of the individual and may be disposed of in any manner the individual sees fit. Non-work-related records are to be kept separate from government records and those in electronic format managed in accordance with the **Operating Procedures for Use of I&IT Resources**.

Another example is minister's constituency records – the records ministers hold pertaining to their role as elected members of the provincial parliament (MPPs) and relating to party business and to their constituents. Minister's constituency records are not government records. These files are the minister's personal property and may be disposed of as the minister sees fit.

Note: The Information and Privacy Commissioner has ruled that ministers' personal, political and constituency records may fall under the jurisdiction of the *Freedom of Information and Protection of Privacy Act* if they are integrated with other records held by the public body (Order P-267). Care should therefore be taken to ensure that these are organized, maintained and stored separately from Ministers' Office (public) records.

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1.3.3 Blank forms

These series do not apply to blank forms i.e. forms that have **not** been used to record information. Forms are a data collection, recording or transmittal interface, typically formatted with empty spaces or fields into which information is recorded. The *Archives and Recordkeeping Act, 2006, c. 34, Sched. A, s. 2(1)* excludes “a mechanism or system for making, sending, receiving, storing or otherwise processing information” from the definition of a record. Blank forms can be any format or media including paper, (electronic) e-forms, digital forms, stationery or letterhead. Obsolete blank forms and stationery that are no longer useable may be disposed of at the discretion of the public body.

Note: Records relating to the delivery of an Ontario government forms management program, or documenting the analysis, design, identification, usage, and control of government forms -- including forms requests, forms history files, forms inventories, authorizations, artwork, and revisions, are public records. See **Common Records Series for the Administrative Functions of the Government of Ontario**, Forms Management - Case Files, GOV-[ACRONYM]-6700-10.

2. UNDERSTANDING AND USING THE RECORDS SERIES

2.1 Description of the Records

These series describe the transitory records commonly found in all Ontario government offices. The transitory records series and its constituent sub-series have a unique number that includes the acronym of the public body. This unique number is used as a reference number in the public body's records schedule.

In the sub-series descriptions are examples of the transitory record types covered. The examples are not meant to be exhaustive, and the types described are not necessarily exclusive. It is intended to identify and illustrate typical transitory records and their purpose. Where required, the description also indicates records that are specifically excluded, and provides notes about particular limitations on the records.

2.2 Retention Period

Retention indicates how long a time records are to be retained within the public body after a certain trigger event occurs: e.g. until superseded or obsolete. As the records covered by these series are transitory, no off-site storage retention period applies.

2.3 Final Disposition

Disposition indicates what must be done when the transitory records reach the end of their designated retention period.

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All records, in all formats, covered by these common series are approved for immediate destruction by the staff that create, receive or are responsible for them – e.g. read and delete, secure document destruction, recycle.

Transitory records must be destroyed using methods appropriate to their level of sensitivity and/or security classification. For example, if a transitory record contains personal information it must be disposed of in such a manner that the personal information cannot be reconstructed. For further information on identifying and classifying sensitive information, please refer to the **Information and Information Technology Security: Information Security and Privacy Classification Operating Procedures**.

As noted in section 1.2 of this document, transitory records, like any other public records, may have to be reviewed and disclosed in response to a formal request for information. When a Freedom of Information access request is received, or during the course of a legal action or inquiry, the final disposition of any related transitory records is suspended, and the records must not be destroyed, until the request or legal action has been processed and any appeal period has elapsed. The public body's FOI Coordinator or legal counsel will provide notification and instructions when such requests are received.

3. Records Series

3.1 Summary of Records Series

Series Number	Series Title	Retention and Disposition
TR- [ACRONYM]-100-01	Advertising and Promotional Material	Destroy immediately upon receipt when the material is not required, or when it has been replaced by a newer version, or is no longer actively referred to
TR- [ACRONYM]-100-02	Surplus Duplicates	Destroy immediately when no longer actively used and referred to
TR- [ACRONYM]-100-03	Failed Output Records	Destroy immediately upon output failure
TR- [ACRONYM]-100-04	Records of Short-Term Value	Destroy immediately when the material is no longer required

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Series Number	Series Title	Retention and Disposition
TR- [ACRONYM]- 100-05	Intermediate Records	Destroy immediately upon successful replacement or incorporation into the subsequent or final record
TR- [ACRONYM]- 100-06	Draft Documents and Working Materials	Destroy immediately when the final master record has been completed and filed

3.2 Transitory Records

Consists of records of temporary usefulness in any format or medium, created or received by a public body in carrying out its activities, having no ongoing value beyond an immediate and minor transaction or the preparation of a subsequent record.

Transitory records are of such short-term value that they are not required to meet legal or fiscal obligations, initiate, sustain, evaluate or provide evidence of decision-making, administrative or operational activities. Includes the types of records found in any or all of the following sub-series:

- 100-01 Advertising and Promotional Material
- 100-02 Surplus Duplicates
- 100-03 Failed Output Records
- 100-04 Records of Short-Term Value
- 100-05 Intermediate Records
- 100-06 Draft Documents and Working Materials

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Series #	SERIES TITLE AND DESCRIPTION	Retention & Disposition
<p>TR- [ACRONYM]- 100-01</p>	<p>ADVERTISING AND PROMOTIONAL MATERIAL</p> <p>Consists of solicited or unsolicited information received from businesses, or individuals acting in a business or professional capacity, advertising or promoting their products or services.</p> <p>Examples of advertising and promotional materials are product bulletins, course and seminar announcements, company profiles, sales letters, flyers, listserv emails, brochures, e-bulletins, menus, catalogues, free trial CDs or DVDs, price lists, direct mail/e-mail notices also referred to as “junk mail” and “spam”, broadcast facsimiles.</p> <p><u>Excludes:</u> Advertising or promotional material required to document and support a transaction or purchase such as price quotations, price and product comparisons. See Common Records Series for Administrative Functions of the Government of Ontario - Purchasing: Equipment, Supplies and Services 2000-2999.</p>	<p>Destroy immediately upon receipt when the material is not required, or when it has been replaced by a newer version, or is no longer actively referred to.</p>

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Series #	SERIES TITLE AND DESCRIPTION	Retention & Disposition
<p>TR- [ACRONYM]- 100-02</p>	<p>SURPLUS DUPLICATES</p> <p>Consists of extra or additional copies of a master document where nothing has been added, annotated, changed or deleted and the copies have been created, distributed, and used only for convenient reference.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • Photocopies of paper documents, • Extra electronic copies of electronic documents, • Unaltered print-outs from electronic records where the electronic version is the master record, • Unaltered electronic copies of paper records where the paper version is the master record, • Reading or circulation copies, • Extra copies of the identical document within the same file, • Copies of widely distributed materials such as manuals, directives, bulletins, instructions, guidelines, reports, agendas/minutes, • Prints from a microfilm or microfiche image. <p><u>Excludes:</u> Duplicate records in a different medium that are maintained on an ongoing basis because they add significant functionality beyond other available formats (e.g. database records; linked or macro-enabled spreadsheets; negatives).</p> <p><u>Excludes:</u> Duplicate records that are maintained because an organizational decision has been made that they are required for an extended period in order to carry out administrative, operational and decision-making activities.</p> <p><u>Note:</u> Transitory records must be destroyed using methods appropriate to their level of sensitivity and/or security classification. For example, if a transitory record contains personal information it must be disposed of in such a</p>	<p>Destroy immediately when no longer actively used and referred to</p>

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Series #	SERIES TITLE AND DESCRIPTION	Retention & Disposition
	<p>manner that the personal information cannot be reconstructed. For further information on identifying and classifying sensitive information, please refer to the Information and Information Technology Security and Information Security and Privacy Classification Operating Procedures.</p>	

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Series #	SERIES TITLE AND DESCRIPTION	Retention & Disposition
TR- [ACRONYM]- 100-03	<p data-bbox="370 333 789 365">FAILED OUTPUT RECORDS</p> <p data-bbox="370 386 1117 457">Consists of records that are unusable as a result of a failed output or duplication process.</p> <p data-bbox="370 478 1130 657">Examples include failed print jobs (printer, photocopier, facsimile, photo finishing), failed audio or video reproductions, outputs resulting from abnormally ended jobs, improper selection criteria and programming errors.</p> <p data-bbox="370 678 1130 1071">Note: Transitory records must be destroyed using methods appropriate to their level of sensitivity and/or security classification. For example, if a transitory record contains personal information it must be disposed of in such a manner that the personal information cannot be reconstructed. For further information on identifying and classifying sensitive information, please refer to the Information and Information Technology Security and Information Security and Privacy Classification Operating Procedures.</p>	Destroy immediately upon output failure

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Series #	SERIES TITLE AND DESCRIPTION	Retention & Disposition
TR- [ACRONYM]- 100-04	<p>RECORDS OF SHORT-TERM VALUE</p> <p>Consists of records created or received for minor or short-term informational purposes.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • “All staff” memoranda and messages about holidays, charity events, office parties, special events, retirements, IT help desk notifications, fire drill notices originating in another office, • “FYI” and “cc” messages that do not pertain directly to your office’s business and do not initiate or require action, • Internal telephone lists derived from the main directory, • Basic phone messages such as “please return my call”, “I’m on my way”, • Transmittal information such as e-mail, cover memos and facsimile cover sheets that accompany a document, but do not add any substantive information such as date of transmittal, distribution list to the transmitted material, • Opened envelopes where the envelope does not provide any necessary additional information such as sender’s address, date of receipt stamp, • Minor administrative messages such as confirming meeting times, • Photographs eliminated immediately after creation because of poor quality or repetitiveness. <p>Note: Transitory records must be destroyed using methods appropriate to their level of sensitivity and/or security classification. For example, if a transitory record contains personal information it must be disposed of in such a manner that the personal information cannot be reconstructed. For further information on identifying and classifying sensitive information, please refer to the Information and Information Technology Security and Information Security and Privacy Classification Operating Procedures.</p>	<p>Destroy immediately when the material is no longer required</p>

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Series #	SERIES TITLE AND DESCRIPTION	Retention & Disposition
TR- [ACRONYM]- 100-05	<p>INTERMEDIATE RECORDS</p> <p>Consists of records that are used solely in the preparation of other records and are not needed once the preparation of other records is completed.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • Electronic transaction files, used to update a master file, that become obsolete once the update is validated and/or backed-up, • Electronic transmittal files that are used to send information to another location and will become obsolete at the point of transmittal once the action is complete, • Input source documents, used for data entry into a master file, that become obsolete once the data entry is validated and/or backed-up (where the source documents are not required for financial, legal, audit or other statutory purposes), • Audio recordings or voice mail messages that have been transcribed (e.g. audio recordings of dictated correspondence, conferences and meetings used to prepare correspondence, papers, minutes and transcripts) • Negatives created solely as an intermediate stage in printing operations (such as negatives used to create lithographic or photo off-set plates) <p><u>Excludes:</u> Intermediate or source records that are addressed by existing Government of Ontario common series or public body records series because they are required by the public body to control, support or document the delivery of programs; carry out operations; make decisions or account for activities of government.</p> <p><u>Note:</u> Transitory records must be destroyed using methods appropriate to their level of sensitivity and/or security classification. For example, if a transitory record contains personal information it must be disposed of in such a manner that the personal information cannot be reconstructed. For further information on identifying and classifying sensitive</p>	<p>Destroy immediately upon successful replacement or incorporation into the subsequent or final record</p>

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	information, please refer to the Information and Information Technology Security and Information Security and Privacy Classification Operating Procedures.	

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Series #	SERIES TITLE AND DESCRIPTION	Retention & Disposition
TR- [ACRONYM]- 100-06	<p>DRAFT DOCUMENTS AND WORKING MATERIALS</p> <p>Consists of: preliminary versions of documents, such as correspondence, reports, minutes; rough notes; research materials and calculations, that were collected and used in the preparation of a final document, but are not needed once the final version of a document is completed, distributed and filed as the master record, i.e. drafts and working materials that do not indicate new decisions, formal approvals, or contain significant or substantial changes or comments that provide insight into the evolution of the final version.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • Annotated duplicates with editing and formatting notes, • Drafts that represent stylistic, spelling or grammatical changes, • Comments on drafts of internal memoranda, routine correspondence, and reports incorporated into a final draft, • Rough notes, outlines and calculations, • Lists of points to be considered or included, • Ideas or suggestions received from co-workers, • Audio recordings of dictated correspondence, conferences and meetings used to prepare correspondence, papers, minutes and transcripts, • Minor drafts not circulated for comment. <p><u>Excludes:</u> Intermediate or source records that are addressed by existing Government of Ontario common series or public body records series because they are required by the public body to control, support or document the delivery of programs; carry out operations; make decisions or account for activities of government.</p> <p><u>Excludes:</u> Draft documents and working materials that are required by public bodies to control, support</p>	<p>Destroy immediately when the final master record has been completed and filed</p>

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	<p>or document the delivery of programs, carry out operations, make decisions or account for activities of government such as those produced and used in the preparation of:</p> <ul style="list-style-type: none">• Legislation (act, regulations, Orders-In-Council)• Legal documents (contracts, agreements)• Audit reports• Policies, standards, guidelines, best practices and procedures• Significant stages in the preparation of recommendations, advice or briefings to senior management and members of the Executive Council,• Scientific research (laboratory notes, calculations)• Investigation field notes. <p>Note: <u>Transitory records must be destroyed using methods appropriate to their level of sensitivity and/or security classification.</u> For example, if a transitory record contains personal information it must be disposed of in such a manner that the personal information cannot be reconstructed. For further information on identifying and classifying sensitive information, please refer to the Information and Information Technology Security and Information Security and Privacy Classification Operating Procedures.</p>	

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