



POLICY NO. 9

POLICY ON RECORDS MANAGEMENT AND ARCHIVES

This Policy was adopted for the first time by Resolution Number 347-13 on June 13, 2012 and subsequently amended by Resolution:

- 397-03 November 26, 2019

POLICY NO. 9 – POLICY ON RECORDS MANAGEMENT AND ARCHIVES

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ARTICLE 1 - PURPOSE

The purpose of this Policy is to improve the quality of records management in line with the College's needs and in compliance with the Archives Act (CQLR, c. A-21.1). The Legal Affairs Office is responsible for the development and application of a classification system for all the College's administrative and teaching-related records.

ARTICLE 2 - DEFINITIONS

2.1 *Archives*

All records, regardless of their date or nature, produced or received by the College for its needs or the performance of its activities and retained for their general information value, or in view of their legal, administrative or historical value.

2.2 *Documents/Records*

Any recorded information, analogue or digital, including the data it contains, produced or received in the context of all CEGEP activities and likely to be used for consultation, study or evidence.

2.3 *Retention schedule*

Document specifying the periods of use and media of retention of the College's active and semi-active records; it also indicates which inactive records are to be preserved permanently, and which are to be disposed of or formally transferred to the archives, depending on their legal, administrative or historical value. It contains rules for retention applying to series of records. These rules ensure management of the life cycle of the records produced and received in the performance of the College's functions.

2.4 *Retention period*

Period during which the records must be retained.

2.5 *Primary Holder*

Administrative or teaching unit responsible for the physical processing of a file or record when it is deemed to be active.

2.6 *Active record*

Any record routinely used for administrative or legal purposes that is retained by the administrative units.

2.7 *Administrative record*

Record relating to the internal activities of an administrative or teaching unit. These activities include in particular: human, financial, physical and informational resources management, and organizational control.

The following records are deemed to be administrative records in public administration, including but not limited to: an actuarial analysis, proceedings, contract, financial statement, impact study, form, permit, report, register or visa..

2.8 *Essential record*

Record indispensable for the operation of an organization and ensuring the organization's continuity following a disaster.

2.9 *Inactive record*

Record no longer used for administrative or legal purposes which has to be disposed of in line with the rules set down in the retention schedule, if it has no historical value.

2.10 *Semi-active record*

Record occasionally used for administrative or legal purposes, which the administrative or teaching unit may transfer to the College's archives.

2.11 *Primary file*

File containing the original documents on a given subject.

2.12 *Secondary file*

File established to replace the primary file, for a limited period and for specific purposes.

2.13 *Records management*

Series of operations and techniques used to plan and control the creation, use and retention of records until their destruction or their transfer to the archives.

Records management takes into account both analog (paper, audio or video material, microfilm, etc.) and digital records (email, textual record, image, database, etc.).

2.14 *Retention rule*

Rule which specifies the retention periods for a given record or series of records in line with the different periods of use, and the status (active or semi-active) of the records, and which determines the disposal of inactive records.

2.15 *Transfer of records*

Operation whereby records are transferred from an administrative or teaching unit to the College's archives. The records remain the property of the administrative unit.

2.16 *Administrative or teaching unit*

Administrative part of the College representing departments, divisions or sections, where given work is performed, as shown in the organization chart.

ARTICLE 3 - OBJECTIVES

Each administrative or teaching unit is responsible for the preservation of records in line with the retention period set down in the College's retention schedule. The administrative or teaching unit may, however, decide to transfer semi-active or inactive records to the College's archives.

The College is responsible for maintaining an effective records management system permitting rapid record retrieval. It has also to ensure the preservation of its heritage.

ARTICLE 4 - RETENTION SCHEDULE

The College has to follow the rules of the retention schedule in order to comply with the Archives Act (CQLR, c. A-21.1). In applying these rules, the College ensures sound management practices for administrative and teaching records. Furthermore, in complying with the retention schedule, the College ensures that each administrative and teaching unit will retain records appropriately.

ARTICLE 5 - SCOPE OF APPLICATION

This Policy applies to all administrative or teaching-related record, irrespective of medium (textual, digital, audiovisual or other records), received or produced by the College, regardless of its status (active, semi-active or inactive).

ARTICLE 6 - REFERENCES

- [Act respecting Bibliothèque et Archives nationales du Québec \(CQLR, c. B-1.2\)](#)
- [La numérisation des documents administratifs \(Bibliothèque et Archives nationales du Québec – \(BAnQ\) juin 2019\)](#)
- [Archives Act \(CQLR, c. A-21.1\)](#)
- [Act to establish a legal framework for information technology \(CQLR, c. C-1.1\)](#)
- [Act respecting access to documents held by public bodies and the Protection of personal information \(CQLR, c. A-2.1\)](#)
- [Copyright Act \(RS, 1985, c. C-42\)](#)
- [Cultural Property Act \(CQLR, c. B-4\)](#)
- [Act respecting the ministère des Services gouvernementaux \(CQLR, c. M-26.1\)](#)
- [Public Administration Act \(CQLR, c. A-6.01\)](#)
- [Civil Code of Quebec \(SQ, 1991, c. 64\)](#)
- [College Procedure no. 8 Digitization of Documents](#)
- College Policy no 23 - Digital Information Security Policy

ARTICLE 7 - SHARING OF RESPONSABILITY

- 7.1 The Legal Affairs Office is responsible for application of the Policy and:
- it has the mandate to approve, sign and submit for approval to BAnQ of the Minister of Cultural Affairs, the retention schedule for College records as well as its amendments;
 - it is responsible for application of the Act respecting access to documents held by public bodies and the Protection of personal information;
 - it is responsible for application of the Archives Act.
- 7.2 The heads of departments and administrative units shall:
- Ensure the application in their respective departments and units of the methods and standards in effect for classifying and preserving records.
- 7.3 The Information Technology Services department is responsible to ensure proper safeguard of digital information on the servers ensuring that the information is well protected and accessible. College Policy no 23 -Digital Information Security Policy.

ARTICLE 8 - OWNERSHIP OF RECORDS

All records received and produced by the College and all archives are the property of the College. An employee may not use or reproduce a record belonging to the College for purposes other than those associated with the College's activities.

ARTICLE 9 - TRANSFER OF RECORDS

- 9.1 An administrative or teaching unit may request the transfer of its inactive records to the College's archives. Said request is made in advance to the Legal Affairs Office who will evaluate the demand and advise the unit of its decision.
- 9.2 All records are identified and cleaned up, with duplicates and irrelevant documents removed. Records for which there is no need should not be retained.

ARTICLE 10 - DESTRUCTION OF RECORDS

Destruction of records shall be carried out in line with the provisions of the retention schedule, and the request for it shall be made to the College's archives, which is responsible for the destruction. Subsequently, the record destruction notice is retained, and a copy is given to the head of the administrative or teaching unit who requested the destruction of the record.

Confidential or personal information records must be destroyed using a shredder or confidential document destruction services.

It is the responsibility of all to ensure proper and safe destruction of documents.

ARTICLE 11 - ACCESSIBILITY TO RECORDS

According to the *Act respecting access to documents held by public bodies and the Protection of personal information*, every person has a right of access, on request, to the documents held by a public body (sec. 9). The College must be in a position to provide this information. A person has a right of access to the classification list or plan on request, except as regards information confirmation of the existence of which may be refused under the Act (sec. 16). The department responsible for requests for access to records is the Legal Affairs Office.

ARTICLE 12 - PROTECTION OF PERSONAL INFORMATION

When the College receives a request for access to administrative or teaching-related records, it has to ensure that the request is consistent with the *Act respecting access to documents held by public bodies and the Protection of personal information* and must not disclose personal information that is excluded under sections 53, 54 and 59 of the Act.

ARTICLE 13 - CONSERVATION OF DIGITAL DOCUMENTS

13.1 Produced by means of data banks

Documents produced by means of data banks, that is, documents which may be saved or printed from the screen and documents readable only on-screen, must be identified and entered in the retention schedule along with the systems by means of which they were produced. In order to ensure the integrity of the documents, the information on the system itself must be retained when there is a change in the system in question.

The same retention rules apply regardless of the document medium (i.e., paper, electronic, etc.)

13.2 Digitization of administrative documents

A document whose integrity is guaranteed possesses a legal value, on the same basis as the analogue source document, if it meets one of the following conditions:

- it is likely to be legally effective (e.g., a contract);
- it is likely to be admitted as evidence before a court or arbitrator in order to enforce a right.

The integrity of a document means that it is possible to verify that:

- the information is complete and has not been altered;
- the medium of the information ensures that it remains stable and long-lasting.

Documents which are subject to a transfer of medium may be destroyed when the integrity of the information is ensured and the digitization process has been applied and documented.

The digital reproduction must be available, searchable and readable to all those with access rights.

With respect to the destruction of inactive permanent preservation documents that have been digitized, special procedures are provided for in the Archives Act. The authorization of BAnQ must be obtained before destroying the source documents.

In cases of digitization work associated with the substitution of a medium for administrative, judicial or retention purposes, a comprehensive visual verification of each of the digitized documents must be carried out in order to document and ensure the integrity of the reproductions.

Compliance with copyright must also be borne in mind. In order to carry out digitization, it must be ensured that the copyright of the documents to be reproduced is held or that the consent of the copyright holder has been obtained.

For documents which must be retained permanently, digitization must be of higher quality (size, resolution and format*) than for documents digitized merely for publication on the Internet, for instance.

Refer to the College Procedure no. 8 Digitization of Documents.

*It is recommended by *Bibliothèque et Archives nationales du Québec* to use the following format for digitization of documents: TIFF, PDF/A.

ARTICLE 14 - RESPONSIBILITY FOR APPLICATION OF THE POLICY

The Legal Affairs' Office is responsible for the application of this Policy.

ARTICLE 15 - EFFECTIVE DATE

This Policy will come into force when enacted.

Sites consulted

Bibliothèque et Archives nationales du Québec

Office québécois de la langue française

Publications Québec - Gazette Officielle