Managing Transitory Records Fact Sheet

What’s a transitory record?

This fact sheet and accompanying decision diagram will help take the guess work out of identifying transitory records so you can manage them easily and effectively.

Under the Archives and Recordkeeping Act, 2006, all public bodies are required to manage their public records in accordance with records schedules approved by the Archivist of Ontario. Public records are made or received by a public body (e.g., ministry or designated agency, board or commission) in carrying out its activities, but this does not include constituency records, publications or blank forms.

There are two types of public records: business and transitory.

Business records have ongoing value or usefulness to support business operations. They are required to document, support or direct government decision-making, policy development, activities or operations, or to meet legal or fiscal obligations. Business records must be saved in shared repositories (e.g., office filing cabinet or shared electronic drive) for the length of time specified in your ministry’s records schedule.

Transitory records have no ongoing value or usefulness beyond an immediate and minor transaction or the preparation of a subsequent record. They are not required to meet legal or fiscal obligations, or to document, support or direct government decision-making, policy development, activities or operations. The Government of Ontario Common Records Series Transitory Records empowers all OPS staff to destroy transitory records when they are no longer needed.

Over the course of a workday, you make and receive a wide assortment of records in many different formats. Often, it is obvious that a record is a business record, to be saved in a shared repository. But sometimes it is not so clear if a record is transitory or not.
Managing Transitory Records Fact Sheet

What are some examples of transitory records?

Transitory records include:

- Administrative messages containing minor administrative or courtesy information, such as confirming meeting times, attendance status or requesting a return call.
  - Example: An email sent to a colleague to let her know you will be five minutes late to a meeting.

- Convenience copies, which are extra or additional copies of a record that are only used for informational purposes and do not contain additional input (e.g., additional information, annotations, substantive changes or deletions). This includes “FYI”, “cc” and “bcc” messages that do not initiate or require action, or records that are kept as potential research resources (e.g., white papers).
  - Examples: A paper copy of a slide deck you reviewed at a meeting; an email you were cc’d on to let you know a meeting took place.

- General announcements and notices, such as memoranda and messages about holidays, special events, newsletters, advertising and promotional material.
  - Examples: An all-staff email about a colleague’s retirement; IT help desk notifications.

- Minor drafts that contain only minor changes (e.g., writing style, formatting or spelling) and do not show the substantive evolution of decision-making or policy development or provide evidence of activities or operations.
  - Example: A draft of a policy proposal that contains changes to spacing and font size.

- Reference materials, which are unpublished ministry and program area resources and tools that are used in the preparation of a subsequent record but do not inform decision-making, policy development, activities or operations, such as communications guides, annotated bibliographies, research guides, citation guides, writing style guides, visual identity guides, formatting guides and technical and software manuals.

However, the following are not transitory records:

- Substantive drafts that show the substantive evolution of government decision-making or policy development, or provide evidence of government activities or operations.
  - Example: A briefing note that contains an additional option for consideration from the previous version.
Managing Transitory Records Fact Sheet

- Source records:
  - Records that contain the details to substantiate a transaction entered into a system, such as records containing data that are entered into an electronic database;
    - Example: Field notes containing data that you enter into a database;
  - Records that are converted from one format to another, either in whole or in part, such as paper records that are digitized, electronic records converted from one software format to another.
    - Example: Original signed paper forms that you scan and save as a PDF.

How and when should I destroy transitory records?

You should securely destroy transitory records when they are no longer needed using methods appropriate to their level of sensitivity in accordance with the Information Security and Privacy Classification Policy and Operating Procedures.

Transitory records may be no longer needed once a decision is made, a process is complete or an event is over. Some examples include:

- Minor drafts of a policy document are destroyed once the policy is finalized;
- An invitation to a colleague’s retirement party is destroyed after the party; or
- A convenience copy of a slide deck distributed at a meeting is destroyed once the meeting is over.

It’s important to remember that transitory records, like any other public record, may contain sensitive or confidential information. For example, a paper transitory record that does not contain any sensitive or confidential information can be recycled, but a paper transitory record that does contain sensitive or confidential information must be shredded by placing it in a secure shredding container provided by the Secure Document Destruction Vendor of Record.

The easiest way to manage transitory records is to destroy them on a daily basis – don’t wait until there is a pile of paper records on your desk that need to be sorted, or there are hundreds of emails in your inbox. Once you become comfortable identifying transitory records, it will only take seconds to know what to save and what to destroy.

Why should I destroy transitory records?

Destroying transitory records on a regular basis will:

- Unclutter office space by getting rid of unnecessary paper records;
- Reduce the waste of government resources on storing duplicate or unneeded electronic records;
Managing Transitory Records Fact Sheet

- Make it easier for you to search for, retrieve and share important records quickly and easily.

**What if I have the same record in both paper and electronic formats?**

Often when a record is in both paper and electronic formats, one is deemed to be the authoritative record that must be retained and one is considered transitory, unless it is a source record. Your program area may determine whether the paper or electronic format of a record is the authoritative record. Your ministry records schedule may also specify whether you need to keep one or both formats for business reasons.

It’s important to note that usefulness and value, not format, determine whether a record is transitory. You may need to keep a record in both paper and electronic formats if each has ongoing business value or usefulness because each support business operations, provide evidence of government decisions or meet legal or fiscal obligations.

If one format contains additional information (e.g., annotations, notes or comments) that the other format does not contain, they are two distinct records.

**When should I not destroy transitory records?**

Any public record in the possession of a public body, including transitory records, may be subject to a legal request for records (e.g., access request or legal discovery). Public records that are responsive to a legal request for records must not be transferred, altered, destroyed or otherwise disposed of until such time as you have been notified that the matter is concluded. If you are unsure whether your transitory records are responsive to a legal request for records, check with your manager before destroying them.

**Where can I go for more assistance with transitory records?**

For more information on transitory records, you can look at the *Common Records Series Transitory Records*. If you require additional assistance with understanding this document, the *Common Records Series Transitory Records* or your records management responsibilities generally, you can contact your ministry’s records and information management unit. You can also contact the Recordkeeping Support Unit at the Information, Privacy and Archives Division at recordkeeping@ontario.ca, or visit the iNetwork intranet site for more recordkeeping resources.
Managing Transitory Records: Should it Stay or Should it Go?

Was the record made or received by your ministry in carrying out the ministry's activities?

The record is NOT A PUBLIC RECORD

The record is a PUBLIC RECORD

Does the public record have ongoing value or usefulness because it is needed to:
- Document, support or direct ministry decision-making, policy development, activities or operations? Or
- Meet legal or fiscal obligations?

The record is a BUSINESS RECORD

Save in the shared repository

Refer to your ministry's records schedule for its retention and disposition

The record is a TRANSITORY RECORD

Is the record subject to a legal request for records, e.g., an access request made under FIPPA, a request by the Legislative Assembly or one of its committees, legal discovery, a public inquiry or any other legal proceeding?

Do not destroy until you have received notification that the matter is concluded.

Destroy using methods appropriate to the level of sensitivity when no longer needed.