



Destruction of Records Guidelines

Overview

The Archives and Records Management Act (APRMA) mandates the way public records in all formats are managed, maintained and disposed. All government institutions must ensure that public records are protected from destruction, damage, removal, or concealment until their retention period (according to their applicable schedule) has elapsed and authorization for disposal has been received from the Provincial Archivist. **Public records can only be destroyed upon the approval of the Provincial Archivist.**

To receive approval for the disposal of public records, institutions must follow the process set out by the Provincial Archives of Saskatchewan (PAS) as outlined in the [Guidelines to Records Disposal](#). Any individual who willfully destroys records in contravention of the *APRMA* may be subject to penalties stated in the Act.

The following guidelines will focus on the roles and responsibilities of government institutions in ensuring legislative compliance when destroying public records in all formats.

Disposal versus Destruction

Disposal refers to either the destruction of public records or their transfer to the PAS's permanent collection.

Destruction refers to the permanent physical obliteration or deletion of records. Destruction can only occur when the conditions listed below (section: **Conditions and Eligibility for Destruction**) have been met.

Institution Responsibility

Government of Saskatchewan institutions must comply with *APRMA*, *The Freedom of Information and Protection of Privacy Act (FOIP)*, and any other applicable legislation when it comes to the destruction of records by:

- Establishing internal written policies and procedures regarding the lawful destruction of public and transitory records. These policies and procedures should include how the institution fulfills their other responsibilities as listed below.



- Designating staff to undertake roles and responsibilities related to the management and disposal of records.
- Ensuring that a records schedule is created, approved by the Public Records Committee, and implemented for the institution to properly classify and apply retention periods to the public records of the institution.
- Protecting personal information owned by or under the control of the institution, including during the destruction process, as per *FOIP* section 24.1.
- Adhering to the disposal process set out by the PAS for the Provincial Government.
- Administering or facilitating the destruction of records **only when authorization for destruction has been received from the Provincial Archivist.**
- Documenting the destruction of public records by retaining copies of detailed records inventories, internal or external disposal authorizations, disposal request forms, disposal request notification forms, certificates of destruction¹ and any other documentation related to disposal of records.

Conditions and Eligibility for Destruction

For public records to be eligible for destruction the following conditions must be met:

- Records must be classified using a current, approved administrative (ARMS), ORS, or comprehensive records schedule.
- Records must meet the retention period outlined in the records schedule.
- Internal approvals and reviews must be obtained as per the institution's policies.
- Authorization for destruction must be received from the Provincial Archivist via the PAS's disposal process or through accreditation².
- All legislative requirements related to the destruction of records are met.
- Records are not subject to any legal holds or access requests.

Considerations

When destroying public records, the following needs to be considered and documented in policies and procedures:

¹ See Appendix A for an example Certificate of Records Destruction.

² Accreditation refers to the process that allows Government Institutions with fully developed records management programs to request an appraisal review of or destroy records based on information included in their retention schedule, without submitting a disposal request to the PAS. For more information about Accreditation, see [Accreditation for Executive Government, Agencies, Boards and Commissions](#) or [Accreditation for Crown Corporations](#).



- 1) **Destruction of all copies** – When the official copy of a record is deleted or destroyed, all other transitory copies under the institution’s control also need to be destroyed. This means that if both paper and electronic copies of a record exist or records have been duplicated in a digital environment, all duplicates in all formats should be destroyed at the same time.
- 2) **Destruction of transitory records** –Transitory records³ are not considered public records and therefore do not require authorization from the Provincial Archivist to be destroyed. However, institutions need to have policies that outline the proper management and destruction of their transitory records. All government employees must be trained to identify transitory records correctly to ensure no public records are accidentally destroyed.
- 3) **Conditions preventing destruction** – Holds placed on records due to changes to legislation or business processes, Freedom of Information (FOI) or other access requests, and litigation may occur while the PAS is processing disposal requests. If authorization to destroy records is received from the Archives after these conditions are applied, the records can only be destroyed after any and all holds have been removed from the records.
- 4) **Records with personal, confidential, or sensitive information** - Additional precautions should be taken to protect personal, personal health, confidential, or sensitive information, and prevent contravention of privacy legislation.

Methods

Government institutions are responsible for initiating and coordinating the destruction process for public records that have met the criteria outlined in this document's Conditions and Eligibility for Destruction section. Internal policies and procedures must be created to address the processes and methods of destruction.

Records stored in an office space, internal records storage centre, or another storage facility can be destroyed by office staff, storage facility staff, or a credible external company. Government institutions must keep documentation of all destruction activities alongside the relevant disposal documentation so that there is a complete history of the records, no matter how they are destroyed or by whom.

³ Transitory records are defined by *The Archives and Public Records Management Regulations* and the policies created by the PAS.



Records with personal, confidential, or sensitive information

- Confidential or sensitive records may need to be designated as “on-site secure shredding only” to alleviate security concerns. This typically means the records must be destroyed in a secure location by authorized personnel using a cross-cut shredder or other acceptable method according to internal policy.
- If confidential records must be taken off site for destruction, all records must be securely transported (usually via a locked disposal bin) and this must be witnessed and documented.

Contracting external companies

- Ensure any company contracted to carry out the destruction of records is a credible company
- Service contracts should include:
 - Details ensuring the protection of confidential, personal and personal health information.
 - Details ensuring complete and secure destruction of all records in a secure destruction facility
- Government institutions must receive documentation of the destruction of records (e.g., a certificate of destruction) from the facility after the records are destroyed.

Offsite storage facilities

- Offsite records storage facilities such as the SaskBuilds and Procurement Records Centre or Access (formerly Crown Store All), require authorization from the institution that owns or acts as custodian of the records to carry out their destruction. The PAS does not initiate this process on behalf of government institutions.
- Government institutions must receive documentation of the destruction of records (e.g., a certificate of destruction) from the facility after the records are destroyed.
- Offsite storage facilities are not responsible for maintaining the destruction documentation of records past the period allotted for their operational requirements. Government institutions are responsible for the retention of destruction documentation and proving the legality of records destruction.

Electronic Records

The destruction of electronic records can be particularly complex, depending on the format and environment the records are captured in. You may require assistance from IT services (e.g., the Information Technology Division of the Ministry of SaskBuilds and Procurement), service providers, or other internal IT staff.

All digital storage devices or media such as removable storage (e.g., USB sticks), microfilm, tapes, and hard drives must be destroyed in a manner that ensures the data cannot be reconstituted.



All electronic systems, software must have the functionality to permanently delete records so they cannot be recovered.

After records are deleted, copies should also be deleted from trash bins, cloud storage, or backup systems. Government institutions that use external IT service providers must be aware of their provider's backup policies and procedures to ensure that copies of records are not being kept any longer than necessary. It is best practice for Government institutions to choose service providers where the data residency remains in Canada.

Emergency Situations

If you discover a situation in which records have been contaminated, damaged, or accidentally destroyed without authorization, please immediately contact the Information Management Services program area of the PAS at the phone number or email listed below.

If you discover a privacy breach at your organization due to mismanagement of public or transitory records, please immediately contact your organization's Privacy Officer.

Resources

Information Management Services

Phone: 306-787-0734

Email: recordhelp@archives.gov.sk.ca

Website: saskarchives.com

Useful Links

[Policies and Procedures for a Records Management Program](#)

[Electronic Records Guidelines](#)

[Transitory Records Guidelines](#)

[Schedule Development Guide](#)



Appendix A – Example Certificate of Records Destruction

The following is for reference purposes only. Destruction certificates can differ in content but must contain at a minimum: The date and method of destruction, whom it was carried out by, and the extent of the records.

Certificate of Records Destruction

This form must be filed and retained in ARMS 2014 - 1525 RECORDS MANAGEMENT – DISPOSITION along with all other disposal request documentation related to the records listed in the attached inventory.

Before destruction takes place, all necessary approvals must be in place, inventories must be verified, and all necessary documentation must be collected to be filed as indicated above.

Date of Authorization from Provincial Archivist:
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Disposal Request #:

Records indicated in the attached inventory have been approved for destruction and have been destroyed.

Number of Boxes Destroyed:
Volume of Electronic Records Destroyed:
Method of Destruction:
Notes:

Destroyed By: _____ Date: _____
(Name and Signature)

Witnessed By: _____ Date: _____
(Name and Signature)