

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

STANDING COMMITTEE ON PUBLIC ACCOUNTS

ARCHIVES OF ONTARIO AND INFORMATION STORAGE AND RETRIEVAL SERVICES

(Section 3.01, 2007 Annual Report of the Auditor General of Ontario)

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The Honourable Steve Peters, MPP
Speaker of the Legislative Assembly

Sir,

Your Standing Committee on Public Accounts has the honour to present its Report and commends it to the House.

A handwritten signature in black ink, appearing to read "Norm. Sterling".

Norman W. Sterling, MPP
Chair

Queen's Park
February 2009

STANDING COMMITTEE ON PUBLIC ACCOUNTS

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PREAMBLE

The Standing Committee on Public Accounts held hearings on the Auditor General's 2007 audit of the Archives of Ontario and Information Storage and Retrieval Services on April 10, 2008. The audit findings were reported in s. 3.01 of the Auditor General's *2007 Annual Report*. The Committee has endorsed the Auditor's findings and recommendations.

This report constitutes the Committee's findings and recommendations. Background information on sections of the original audit report is followed by an overview of the hearings' main findings and, as appropriate, new recommendations. *Hansard*, the verbatim record of the hearings, should be consulted for the complete proceedings.

Acknowledgments

The Committee extends its appreciation to officials from the Ministry of Government Services* for their attendance at the hearings. The Committee also acknowledges the assistance provided during the hearings and report writing deliberations by the Office of the Auditor General, the Clerk of the Committee, and staff at the Legislative Library's Research and Information Services.

1. AUDIT OBJECTIVES AND MAIN FINDINGS

The Auditor's objective was to assess whether the Archives of Ontario (Archives) and the Ministry's Shared Services had adequate policies, systems and procedures for:

- administering their responsibilities for information storage and retrieval; and
- acquiring, preserving, safeguarding, and managing the archival records and collections in accordance with legislation and the Management Board's Management of Recorded Information Directive.¹

The Auditor noted that although the Archives has recently introduced a number of initiatives to upgrade its facilities and information systems, it does not yet have adequate systems and procedures to ensure that information of historical significance is being identified, stored, or archived safely and securely, and made readily accessible to users. Observations include the following:

- **Safe Storage of Archival Records:** Most of the Archives' containers were recently moved to an environmentally sound and secure storage facility. In 2009 the Archives will move its head office to a new facility where it will be able to store its remaining collections properly. The Archives has acquired a new information system.

* The name of the Ministry of Government and Consumer Services was changed to the Ministry of Government Services in July 2008. In this report, the Ministry of Government Services is referred to as the Ministry.

- **Ministry and Agency Record-Retention Schedules:** Inadequate systems and procedures are in place to ensure that ministry and agency schedules are complete and up-to-date. The Archives' systems cannot track the schedules.
- **Ministry and Agency Record-Management Practices:** The Archives does not know and has not tried to find out whether ministries are complying with their obligations in this area under the Management Board's directive. The number of records stored in Information Storage and Retrieval (ISR) facilities has doubled over the past 15 years. The Archives has no plans (as required under the directive) to help ministries and agencies reduce growth in record storage.
- **Archiving Electronic Documents:** The Archives has neither a comprehensive strategy nor technical expertise and capacity to accept and store electronic documents and to make them available to the public.
- **Archives Inventory-Control Practices:** Weaknesses have resulted in significant losses, including revisions to estimates of photo holdings and missing archival items from the 17th and 18th centuries.
- **Accessibility of Records and Archives Descriptive Database:** Many archival records are not readily accessible because they were not processed or were not fully described in the Archives Descriptive Database. Detailed lists of contents for some holdings that cost the Archives more than \$1.2 million could not be transferred to the database owing to privacy and freedom of information issues.
- **Storage Facilities:** ISR's storage facilities and methods pose a risk of deterioration to archival records owing to factors including a lack of proper building controls (e.g., controls for humidity and temperature). The Archives stored approximately 600 artworks valued at over \$1 million in a basement unsuitable for storage.
- **ISR Returns:** There are no follow-up procedures at ISR for returns. At least 11,000 containers and 468,000 files had been retrieved by ministries and agencies but not returned.
- **ISR Security and Privacy Issues:** Risk assessments in these areas were not conducted for ISR storage facilities. Inspections did not ensure that the storage contractor met the confidentiality requirements included in its storage agreement.

The Auditor also noted that the Archives and ISR had not ensured that contracts with service providers were managed properly and that documents were retained to support their procurement processes and decisions.²

2. COMMITTEE REQUEST FOR MINISTRY RESPONSE

The Committee requests that the Ministry provide the Committee Clerk with a written response within 120 calendar days of the tabling of this report with the Speaker of the Legislative Assembly, unless otherwise specified in a recommendation.

2.1 Committee Recommendations

1. **The Ministry shall report to the Standing Committee on Public Accounts on best practice standards developed by the recently established Recordkeeping Support Unit for document retention and on its success in working with ministries and agencies to ensure that record retention schedules are completed and are entered into the Archives of Ontario's database of approved record retention schedules.**
2. **The Ministry shall report to the Standing Committee on Public Accounts on the impact of work undertaken by the Archives, the ministries and agencies in limiting the number of documents sent to the Information Storage and Retrieval Unit (ISR) for temporary storage and to the Archives of Ontario for permanent retention.**
3. **The Ministry shall report to the Standing Committee on Public Accounts on initiatives undertaken by the Archivist of Ontario and the Office of the Chief Information and Privacy Officer to train senior civil servants and others in ministries and agencies on what documents should and should not be retained.**
4. **The Ministry shall provide the Standing Committee on Public Accounts with an update of its plan for managing electronic records at the Archives of Ontario that specifically addresses:**
 - **how electronic records at ministries and Crown agencies that have been generated over the past 20 years and that need to be archived, will be managed;**
 - **how electronic records generated by ministries and Crown agencies currently and in future years that require archiving are, and will be managed; and**
 - **how the potential duplication of archiving the same record in both paper and electronic formats will be minimized.**

The Ministry should also report on the outcome of pilot projects being undertaken by the Archives to scan and digitize current archival records.

5. **The Ministry shall report to the Standing Committee on Public Accounts on whether the increase in the volume of electronic records sent to the Archives for retention is accompanied by an associated decrease in the volume of print records for retention or when this decrease is expected to occur.**
6. **Recognizing that the 60% of records in the Information Storage and Retrieval Unit (ISR) that are currently designated to be transferred to the Archives of Ontario is too high a percentage when compared to**

best archival practices, and recognizing that the percentage of records sent by each ministry and Crown agency that may require archiving will be different, the Ministry shall provide the Standing Committee on Public Accounts with the following data for each of the past four years for each ministry and large agency:

- the number of containers sent to ISR; and
- the percentage of total containers sent to ISR that were designated for transfer to the Archives.

The Ministry should also provide the Committee and the Auditor General with an update of this data for the fiscal years 2007-2008, 2008-2009 and 2009-2010 when it is available.

7. The Ministry shall provide the Standing Committee on Public Accounts with a timeline for completing the backlog of records not listed or fully described in the Archives of Ontario Descriptive Database.
8. The Ministry shall report to the Standing Committee on Public Accounts on any new or enhanced security and confidentiality requirements that are included in or planned for new contracts for the private sector storage of records, including provisions for monitoring contractual requirements.

3. OVERVIEW

Summary of Organizations Involved

Ontario ministries and most agencies are responsible for drawing up record retention schedules when they send semi-active records to the government's Information Storage and Retrieval Unit (ISR) for storage. These semi-active records may be retrieved from ISR by the ministries or agencies. The record retention schedule describes the records, specifies the length of time the records are to be retained and designates, after a specified period of time, whether records stored in ISR are to be destroyed or whether these records are to be sent to the Archives of Ontario for permanent retention.

3.1 Responsibility for Records Management

The Archives, which is part of the Ministry, oversees and manages recorded information created by ministries and most agencies, preserves some of this information, and makes it available to the public. The Management Board's Management of Recorded Information Directive specifies Archives tasks under this broad mandate. The record retention schedules created by ministries and agencies play a key role in the record management and storage process. The Archivist of Ontario has sole responsibility under the *Archives Act* for approving

the ultimate preservation or disposal of all the relevant government documents and records.

3.2 The Archives of Ontario

The Archives was established in 1903. It is Canada's largest provincial archives and is a leader in customer service. In 2009 the Archives will be moving to a purpose-built facility on the Keele campus of York University.³

The Archives has many responsibilities including setting government-wide policies, standards and procedures for recorded information, authorizing record-retention schedules, and providing access for public and government users of archival materials. In 2005 the collections were appraised at over \$411 million. The Archives' head office in Toronto stores 15% of the collection; the rest is stored through the services and facilities of a private company in the Greater Toronto Area (GTA).⁴

The Archives' website receives approximately 65 million hits each year – 12 million more than the Library and Archives Canada website and 10 times as many as the British Columbia archives website receive. The Ministry believes that the Archives website is popular for reasons including the following: the Archives brings the past alive for Ontarians; it showcases Ontario's public and private archival records as a resource for studying and interpreting history, people and culture in Ontario; and the Archives develops innovative educational programs.⁵

The Archives' collections include genealogical records, vital statistics, records relating to aboriginal peoples, photos and maps, architectural records, documentary art, and sound and moving images. The collection comprises over 310,000 boxes of paper records; 1.7 million photos; 40,000 maps; 200,000 architectural plans; 40,000 sound and moving image items; 70,000 publications in its library; 50,000 microfilm reels; and almost 2,500 historical and contemporary works of art in the government of Ontario art collection. These works of art are displayed in government locations throughout the province.⁶

3.3 Information Storage and Retrieval Unit

At the time of the audit, the Ministry's Ontario Shared Services was responsible for ISR, the government's official record centre. Subsequently, responsibility for ISR was transferred to the Archives.

As of March 31, 2007, ISR's total holdings comprised about 1 million containers of records. Approximately 60% of the total holdings is stored by a private company; the remaining 40% is stored at two government-owned and -operated warehouses. Recently ISR's volume of records has been growing by more than 60,000 containers annually. In 2006/07 ISR expenditures were \$2.5 million. All ISR costs are recovered from client ministries and agencies.⁷

3.4 Comparison with Other Jurisdictions

The Archives liaises with archives in other jurisdictions in order to keep abreast of best practices within the archival community. Ontario looks to U.S. state archives for information on how to manage government records. For example, Archives' representatives liaise with Washington state archivists to learn best practices in managing electronic records. Within Canada, the Archives excels in customer service, in its descriptive activity and in how it manages the government records.⁸

4. AUDIT OBSERVATIONS AND RECOMMENDATIONS

4.1 Recent Initiatives

Since 2000 the Archives has had multi-year strategic plans. Recent Archives goals include the following:

- better support for government clients in records management;
- promote greater awareness by the public of the Archives' collection;
- improve descriptions of and public access to collections; and
- acquire facilities suitable for long-term preservation and storage.

Initiatives to meet these goals include the following:

- moving records to a private, new, environmentally sound facility (the facility now stores more than 80% of the Archives' collection);
- introducing new or upgraded computerized information systems for records tracking;
- inspecting and describing in detail the contents of more than 80,000 containers;
- following a preventative preservation strategy (preservation treatments have been completed on almost 16,000 items); and
- moving the head office (in 2009) to a new building at the York University campus in Toronto.

The *Archives and Recordkeeping Act, 2006* replaces the *Archives Act*. The new Act puts into law the existing requirements of the Management of Recorded Information Directive, thus strengthening the responsibilities of both the Archives and Archivist, and the ministries and agencies.⁹

Committee Hearings

The Ministry said that it had been modernizing the Archives prior to the Auditor's report.¹⁰ The *Archives and Recordkeeping Act, 2006*, which came into effect on September 1, 2007, brought the Archives into the modern, electronic age. (The *Archives and Recordkeeping Act* replaced the *Archives Act* from 1923.)¹¹ The

Ministry said the Auditor's report confirmed progress with modernization but suggested additional changes.¹²

The Archives is currently focusing on a number of issues including public accessibility. In recent years, its collection has been made more accessible to teachers and students. The Archives, for example:

- is a major player in the Ontario History Quest, an online resource meeting curriculum requirements for grades 7, 8, 10 and 12 students;
- has partnered with the Ontario Institute for Studies in Education (OISE), resulting in a new educational resources section of the Archives website;
- in co-operation with the not-for-profit organization, Historica, created the Archives of Ontario Award, recognizing outstanding student achievement for the best use of original records related to history; and
- has a virtual exhibits section on its website that receives tens of thousands of visits each month.¹³

Last year, the Archives mounted an exhibit, *Eyewitness: Thomas Burrowes on the Rideau Canal*. Upcoming exhibits include an overview of government promotion of good health and a history of the Premiers of Ontario.¹⁴

The Ministry addressed the issue of public access to “documents in transition.” The Ministry said that there is no document in transition per se because each document always has an owner. Even before the Archives accepts a record, a ministry still owns it, regardless of where it is, and has ownership responsibility under the Act and under archival procedures. The Ministry said that on average records can be retrieved within 48 hours.¹⁵

The Ministry also addressed the issue of public access for records held in temporary storage. If these records need to be accessed, ministries will determine initially whether they are able to fulfil the request or whether the request would be subject to freedom of information provisions, in which case the appropriate freedom of information procedure would be followed. However, the Ministry said that material in temporary storage is “absolutely accessible, and certainly by legislation it is.”¹⁶

4.2 Record-Retention Schedules

The Auditor noted that the Archives did not establish adequate systems and procedures for ensuring that the ministries' and agencies' record-retention schedules were complete and up-to-date. This could result in information of archival value being destroyed or in unnecessary ministry/agency costs for longer-than-necessary storage of records.

Assessments of Needs to Prepare Schedules

The Archives uses information gathered through “functional-analysis assessments” of ministries and agencies to appraise their recorded information for

archival value. The appraisal decision is documented in the record-retention schedule.

The Auditor noted that functional analyses for all but one ministry had been prepared and updated over the last two years but that there were only seven analyses on file for 200 Crown agencies and very few more appraisals were scheduled for 2007/08 owing to resource limitations.

The Auditor reviewed functional analyses prepared for four ministries and noted that in many cases the need for more detailed analyses was identified but not completed, and that many record-retention schedules for ministries were missing or out-of-date. The Auditor also noted that there was no formal ministry or agency involvement in the analyses.

Systems for Tracking Record-retention Schedules

The Archives' systems are unable to track record-retention schedules and it is difficult to use Archives records to assess the extent of compliance by ministries and agencies owing to factors such as poor indexing of record-retention schedules.

ISR requires all of its clients to submit a copy of an approved schedule before it will accept records for storage but ISR's computerized inventory tracking system is of limited use owing to its age. The Archives is developing a new computer database.¹⁷

The Auditor recommended that the Archives, in collaboration with ministries and agencies, should complete its analysis of each ministry and agency, establish a list of all program areas that are required to prepare record-retention schedules, and periodically update that list. It should also complete its system enhancements so that it can ensure that it obtains and authorizes record-retention schedules from all those required to provide one.¹⁸

In its initial response the Ministry said that it would continue to enhance the system for approving and maintaining record-retention schedules to create a complete and up-to-date set of schedules. The Archives planned to finish the ministry analyses by the end of March 2008 and has a multi-year strategy for developing and completing agency analyses.¹⁹

Committee Hearings

Assessments of Needs to Prepare Schedules

Under the *Archives and Recordkeeping Act*, the Archives established requirements for ministries to prepare record retention schedules that specify how long government records are to be kept and whether the records are to be destroyed or transferred to the Archives at the end of their operational life.²⁰ In April 2007, the Archives created a Recordkeeping Support Unit. This unit includes staff members who provide recordkeeping information, advice and support to ministries and agencies. It is virtually a compliance unit.²¹ Record

retention schedules are prepared through collaboration between the Archives (including the Recordkeeping Support Unit) and the ministries.²²

An archivist working on a specific ministry will initially undertake an overall assessment of the ministry, determining its key core activities, its key decision-making items, key parts of its service delivery to the public, and how it interacts with the public. Based on the initial high-level review the archivist will then “drill down.”

Archival appraisal documents are called functional analyses. These documents are the analysis of the ministry at the high level and will often identify areas where there are records of no archival value. If a ministry submits a schedule for such an area, the Archives will examine the schedule to ensure that it contains no items that the Archives has not been aware of but the schedule will not receive a full analysis and appraisal.²³

When drilling down to look at a division or a branch, the archivist, working with the ministry representative who is most familiar with the records under review, identifies the best record for retention. For example, the best record might be the one that identifies how decisions were taken. The archivist, working with the ministry, then writes a report. The report is peer reviewed. The final report is sent to the Archivist for a decision on what material is to be saved.²⁴

Records in a ministry can be divided into daily transactional records that are not kept and high-level records in the deputy’s office that must be kept. Records that fall into a less clear-cut middle category require careful thought and assessment. The Archives devotes much of its efforts to records in this category.²⁵

The breakdown of documents in each of the categories varies from ministry to ministry. For example, there is a much higher level of record retention for the Ministry of the Attorney General than for some other parts of the government that do not have the same legislative requirements. Each “business” is examined uniquely so that there are no improper assumptions regarding the split between categories. Ministries tend to err on the side of caution, leaving the adjudicative and judgment processes to those who are appropriately trained.²⁶

Systems for Tracking Record-retention Schedules

A database containing approved records schedules for all ministries has been established since July 2007.²⁷

Committee Recommendations

The Standing Committee on Public Accounts recommends that:

- 1. The Ministry shall report to the Standing Committee on Public Accounts on best practice standards developed by the recently established Recordkeeping Support Unit for document retention and on its success in working with ministries and agencies to ensure that record retention schedules are completed and are entered into the**

Archives of Ontario's database of approved record retention schedules.

- 2. The Ministry shall report to the Standing Committee on Public Accounts on the impact of work undertaken by the Archives, the ministries and agencies in limiting the number of documents sent to the Information Storage and Retrieval Unit (ISR) for temporary storage and to the Archives of Ontario for permanent retention.**

4.3 Overseeing of Ministry and Agency Record-Management Practices

As noted earlier, in general, the Archives had no information on ministries' actual record-management practices and compliance with the Management of Recorded Information Directive. Until April 1, 2007 the Archives offered fee-for-service advice which the Auditor said had been beneficial in some instances. The Archives provides ministries and agencies with guidelines for managing the retention and disposal of records. However, the Archives said that it could not be sure the ministries and agencies were storing their records in suitable facilities.²⁸

The Auditor recommended that the Archives establish a cost-effective means of periodically obtaining the information it needs to monitor ministry and agency compliance, and that it use this information to identify best practices among ministries and agencies and address any gaps between the directive, Archives policies and guidelines, and actual record-management practices.

In its initial response, the Archives said that its Recordkeeping Support Unit, which became operational on October 1, 2007, will play a key part in ensuring compliance. The recent move of ISR to the Archives will also allow the Archives to better monitor compliance. Ongoing research into best practices used by other governments will support this work.²⁹

Committee Hearings

The Committee asked whether all of the ministries' records are sent to temporary storage. The Ministry said that this was not the case. When asked, it was not able to provide the percentage of records sent to temporary storage.

In the six month period prior to the audit report hearings, the Archives developed a schedule for transitory records. The Archives is requesting that ministries do not send transitory records to the records centre but rather that they destroy the records on site.³⁰ However, many records have a five-to-seven year retention period. All of these records are still to be sent to the records centre because this is more economical storage than keeping the records in more costly office space.³¹ Records sent to the records centre will only be those that ministries require for business or, those that the Archives would like to re-appraise at the end of the retention period in the records centre.³²

The Deputy Minister described measures in place to ensure that politically sensitive documents are not destroyed. Deputy ministers are accountable for this under the “privacy and access to information act and through other pieces of legislation” that require them to keep the official records between elected members of the cabinet and the civil service of Ontario.³³ A minister of the Crown has a responsibility as an executive council member regarding documents that should be retained. This process is governed by the executive council office.³⁴

As recommended by Ontario’s Information and Privacy Commissioner, the Ministry created the new position of the Office of the Chief Information and Privacy Officer. The Officer spends a good deal of time educating senior civil servants and others working in similar areas to ensure that there are no “grey areas where people are then making decisions that would be inappropriate.”³⁵ The Archivist and her group also have an important educational role across the government.³⁶

Ministries tend to be cautious and to save more records than necessary so that records that should not be destroyed are not accidentally destroyed. An archivist will examine these saved records with reference to the *Archives and Recordkeeping Act* and other relevant legislation such as legislation related to retention (e.g, employment standards records).³⁷

The Deputy Minister described the process as a “supply chain” and said that there is now one place to go for answers related to questions on culling or preserving documents.³⁸ The governing set of principles is derived from rules related to information management, the *Archives and Recordkeeping Act* and through the position of the Office of the Chief Information and Privacy Officer.³⁹ Within the Ministry itself, one of the benefits of the new Act is that it specifies roles and responsibilities with respect to records management. Ministries now have a very clear role. The Ministry has policies and procedures to help ministries in making the first cull of documents. Further work is then done at the Archives.⁴⁰

Committee Recommendation

The Standing Committee on Public Accounts recommends that:

- 3. The Ministry shall report to the Standing Committee on Public Accounts on initiatives undertaken by the Archivist of Ontario and the Office of the Chief Information and Privacy Officer to train senior civil servants and others in ministries and agencies on what documents should and should not be retained.**

4.4 Electronic Records

The Auditor cited from an internal document used to justify the modernization of the *Archives Act* which said that the Ontario government is facing at least a 20-year gap in its corporate memory owing to technical, policy and procedural issues associated with the management of electronic records.

The Archives did not have a clear and comprehensive strategy for dealing with archival electronic records. The Auditor said that it is urgent for the Archives to finalize its strategies and improve its capacity to deal with electronic records because the Archives expects there will be an enormous growth in this area.

The City of Toronto is undertaking initiatives (including pilot projects) to manage electronic documents in accordance with best practice.

The Auditor recommended that the Archives should ensure that it has the necessary technical expertise and capacity to deal with electronic records and then establish and implement strategic plans that would permit the efficient transfer of archival electronic documents and records to the Archives in accordance with recognized best practices for information management.

In its initial response the Archives said that it recently completed a research project to identify best practices in archival electronic records, resulting in the Preservation of Archival Electronic Records Strategic Plan, 2007-2011. The Archives will undertake a pilot project to process a small collection of electronic records in 2008-09 so that issues around arrangement, description, and access for electronic records can begin to be identified and addressed. The Archives will also seek support from the Office of the Corporate Chief Information and Privacy Officer on standards for electronic recordkeeping in government.⁴¹

Committee Hearings

The Ministry said that the long-term maintenance of archival electronic records is the subject of ongoing research and debate.⁴² The Ministry said that 50 years from now people will be interested in examining how decisions on electronic record-keeping were taken with a particular focus on those decisions related to moving from a “paper-based democratic set of processes.”⁴³ The Archives, because of its size, activities, and the reputation of the Archivist, is aggressively active and has influence in the area of electronic recordkeeping.⁴⁴

In July 2007, the Archives developed its strategic plan for the preservation of archival electronic records.⁴⁵ The plan, which will be implemented over the next four years, identifies goals and associated activities and draws on the experiences of other jurisdictions such as Australia, the EU and the United States.⁴⁶

The Archives must be able to identify the authenticity of electronic records, ensuring that they were created by the right person, and that no subsequent changes were made. The Archives needs to ensure that electronic information can still be accessed as anticipated.⁴⁷ It is currently developing a strategic plan for the digitization of archival records and is undertaking several associated pilot projects.⁴⁸

Both the Auditor and the Ministry noted that government activities are increasingly being documented by electronic records.⁴⁹ The Archives said that electronic records are now “more often the only record.”⁵⁰ The Archives has increased its holding of electronic records to 817 gigabytes in the past year.⁵¹

Ron McKerlie, the corporate Chief Information and Information Technology Officer, said that his department currently manages approximately 600 terabytes of electronic mail information (electronic records such as Word Documents) for the Ontario Public Service, which is the equivalent of about 600 million books' worth of information. This is increasing at about 30% per year and is therefore a significant volume.⁵² Dr. Mark Vale is the Chief Information and Privacy Officer. He has been helping to create structures. He has also been working with deputies and assistant deputy ministers on issues associated with preparing information, what information to keep, how to keep it, what retention should look like in electronic format, and other associated precursor work prior to handing material over to the Archives.⁵³

One goal is to improve the management and tracking of structured and unstructured electronic information. One challenge is search capability; another is electronic space. Media keep changing. It is difficult to predict what software and hardware will be required a generation from now to read electronic information. All jurisdictions are dealing with the same challenge. Microfiche is often used because it has a 500-year lifespan. Financial institutions and others have opted to continue using microfiche for some of their more critical records. The Archives will continue to support microfiche on the grounds that it is likely to remain in use for several generations, but there are associated challenges.⁵⁴

One benefit of moving to electronic records, particularly if electronic records become the record of government in the future, is that this will minimize volume issues associated with paper documents. With better online search tools, public users would be able to search for material covered under Freedom of Information (FOI) provisions; if the material is in the Archives, the material could be viewed online as it would already be digitized.⁵⁵

The Committee asked whether there was a risk of losing records during the 20 year period of transition from paper based to electronic records.⁵⁶ The Ministry said that it had worked on "three or four foundation pieces" to prepare for moving forward. The Ministry "brought in a new piece of legislation that for the first time recognizes electronic records." The Ministry brought together all the various parts of the "supply chain management of information" – the Archives, the records management area and the information and technology area, which includes privacy and access to information – with the intention of preventing "disconnect or disjointedness" in service provision.⁵⁷

Committee Recommendations

The Standing Committee on Public Accounts recommends that:

- 4. The Ministry shall provide the Standing Committee on Public Accounts with an update of its plan for managing electronic records at the Archives of Ontario that specifically addresses:**

- **how electronic records at ministries and Crown agencies that have been generated over the past 20 years and that need to be archived, will be managed;**
- **how electronic records generated by ministries and Crown agencies currently and in future years that require archiving are, and will be managed; and**
- **how the potential duplication of archiving the same record in both paper and electronic formats will be minimized.**

The Ministry should also report on the outcome of pilot projects being undertaken by the Archives to scan and digitize current archival records.

5. **The Ministry shall report to the Standing Committee on Public Accounts on whether the increase in the volume of electronic records sent to the Archives for retention is accompanied by an associated decrease in the volume of print records for retention or when this decrease is expected to occur.**

4.5 Growth in Volume of Stored Records

The Archives is mandated to create plans to reduce growth in the volume of records stored, but the Auditor found no evidence of such plans. ISR and the Archives have instead made arrangements for accommodating the growth of records. The volume of records stored doubled between 1991-2006.

The Archives' Records

Anecdotal evidence indicates that the Archives is storing a higher portion of all government records produced than is the case in other jurisdictions. The Auditor noted that one method for controlling growth of storage volume could be the greater use of standardized record-retention schedules, including their retroactive use for existing records. The Archives developed some standardized schedules in the 1990s but did not effectively promote and monitor their use.

ISR Records

ISR can help to minimize ministry and agency storage costs by ensuring that records are stored only for the period authorized before they are destroyed or transferred to the Archives. Ministries can request ISR storage extension without providing a reason. The Auditor noted a prior recommendation for ISR to increase its efforts to obtain ministry authorization to destroy records being held past their original slated destruction date. The Archives has established a new policy requiring ministries to confirm annually the need for moratoriums on any documents in ISR instead of allowing multi-year moratoriums. (The moratoriums restrict public access to records.) As noted earlier, ISR has no follow-up procedure for ensuring returns.

The Auditor recommended that the Archives should, in collaboration with ministries and agencies, develop strategies and timetables for reducing the growth in and minimizing the volume of records that require storage. The Archives should identify and accept only those records that clearly have a permanent and historical significance. It should determine the number and types of records that remain in ISR storage facilities past their originally authorized retention dates or are unaccounted for and the reasons for the delays in their disposition. The Archives should use this information to evaluate its policies and procedures and those of ISR with the objective of reducing any unnecessary or prolonged storage of records and delays in transferring archival records. The Archives should also investigate ministries and agencies that have not returned records that they retrieved from ISR, and implement controls that will ensure that unreturned records are followed up.

In its initial response the Archives said that it is committed to retaining only those records with permanent and historical significance. The Archives has re-engineered procedures for processing the annual transfer of government records and has introduced selection strategies for high-volume groups of records. The Archives is developing policies/procedures for use by ISR to monitor and control the volume of records placed on hold by ministries past their destruction date and the records retrieved by ministries/agencies from storage but not returned.⁵⁸

Committee Hearings

The Archives' Records

The Ministry and the Archives outlined the record retention process followed by ISR and the Archives.⁵⁹ In order to clarify the process, the Ministry undertook to provide the Committee with “the last three years of . . . the net growth of the collection.”⁶⁰ (This data is listed Table 1 and Chart 1 in the Supplementary Information section below.)

The Ministry said that there is a storage issue related to record retention and that it has initiated corrective action.⁶¹ If it does not continue to implement corrective measures, storage will become problematic as there is an incremental growth in the number of records being stored.⁶²

The Committee sought clarification on the percentage of records retained by the Archives. According to the Archives, “the average number, based on what we take in, is around 3% to 5%, what we actually retain permanently.”⁶³ (Chart 1 in the Supplementary Information section below illustrates the retention process.) Earlier in the hearings, the Ministry stated that the Archives' collection comprises over 310,000 boxes of paper records.⁶⁴

The discussion also focused on the percentage of records sent from temporary storage in ISR to the Archives. The Ministry said that 60% of the records in temporary storage were being “designated” to be transferred to the Archives but stressed that “designated” does not connote “accepted.” The Ministry said that 60% was a high percentage, as the Auditor General indicated.

The Ministry believes that it will be possible to reduce the 60% of records designated for transfer. New legislation clarifies roles and responsibilities, new procedures are being formulated, and the Archivist has been working on an overall strategy to facilitate better culling of documents by ministries. Improving the culling process will save storage space and associated costs, saving taxpayers' money.⁶⁵ The Archivist is working with ministries to assist them in understanding their role in preserving information.⁶⁶

The Archives is beginning to reject more records than in the past.⁶⁷ Under the new procedures for processing the annual transfer of government records, each container is now inspected in order to help ensure that only records of archival significance are retained.⁶⁸ The Ministry said that it has already inspected 300,000 containers of archival records and their contents.⁶⁹ Records assessed as not being significant are identified for destruction and are not added to the inventory. Under the selection strategy for some high-volume groups of records, only a representative sample is retained.⁷⁰ The selection strategy is in keeping with strategies implemented elsewhere in Canada.⁷¹ Through the new measures, 21% of containers in the annual transfer have been selected for destruction.⁷²

The Archives also reappraises records in its collection, sometimes deciding to keep a representative sample of a particular record. Once a selection decision is made, it will be applied retroactively. There is a process of constant rethinking and reappraising, taking into consideration such issues as research interests.⁷³

Some ministries, such as the Attorney General, Government and Consumer Services, Finance and Correctional Services, retain more records than others. For example, the Ministry of the Attorney General stores records such as land claims that can be hundreds of years old as well as large volume court records. Larger ministries, such as Finance or Community Safety and Correctional Services, will have more information to retain.⁷⁴

The Archivist belongs to a group called the Council of Provincial and Territorial Archivists, which discusses major issues common to archives such as managing big-volume court records. Council members compare strategies and determine which will work for their own jurisdictions. What is right for Ontario may be quite different from what is right for organizations elsewhere.⁷⁵

The Ministry described documents associated with audit hearings that would be retained by the Archives. These would include relevant *Hansard* (the Ministry's opening statement would also be kept as a separate archival document), various ministerial e-mails related to preparation for the hearings, and the Deputy Minister's calendar.⁷⁶ Duplications are weeded out.⁷⁷

The Committee asked whether it would be possible to recreate the audit hearing meeting, from the material retained. The Deputy Minister said "a representative sample of events, yes. Maybe not my phone call to the Auditor General, asking who we had been selected, but everything else will be there."⁷⁸

In response to a Committee question, the Ministry said that confidential briefing notes between ministers and their staff are kept in the Archives, not just because of archival rules but also due to obligations under other pieces of legislation “where there is very clear direction on what should and shouldn’t be kept and what shouldn’t be destroyed as it relates to the decision-making of government.”⁷⁹

ISR Records

There are over one million containers in temporary storage and, as noted earlier, just over 300,000 containers in the Archives. The Archivist said “we bring in a very little bit more to temporary storage than we actually destroy each year.”⁸⁰ Each year ISR destroys some 30,000 to 50,000 feet worth of records.⁸¹ The growth in the amount of records stored in ISR is an issue that the Archives wants to address.⁸²

Supplementary Information

The Ministry provided Table 1⁸³ and Chart 1⁸⁴ below and included the following explanatory note:

Since the semi-active period for a record varies, the record boxes that are received by IS&R in a given year will not be disposed until several years later. Similarly, the record boxes that are either destroyed or added to the Archives collection in a given year are not related to annual input to ISR.⁸⁵

Table 1: Follow-up Information Archives of Ontario Appearance at Public Accounts Committee April 10, 2008

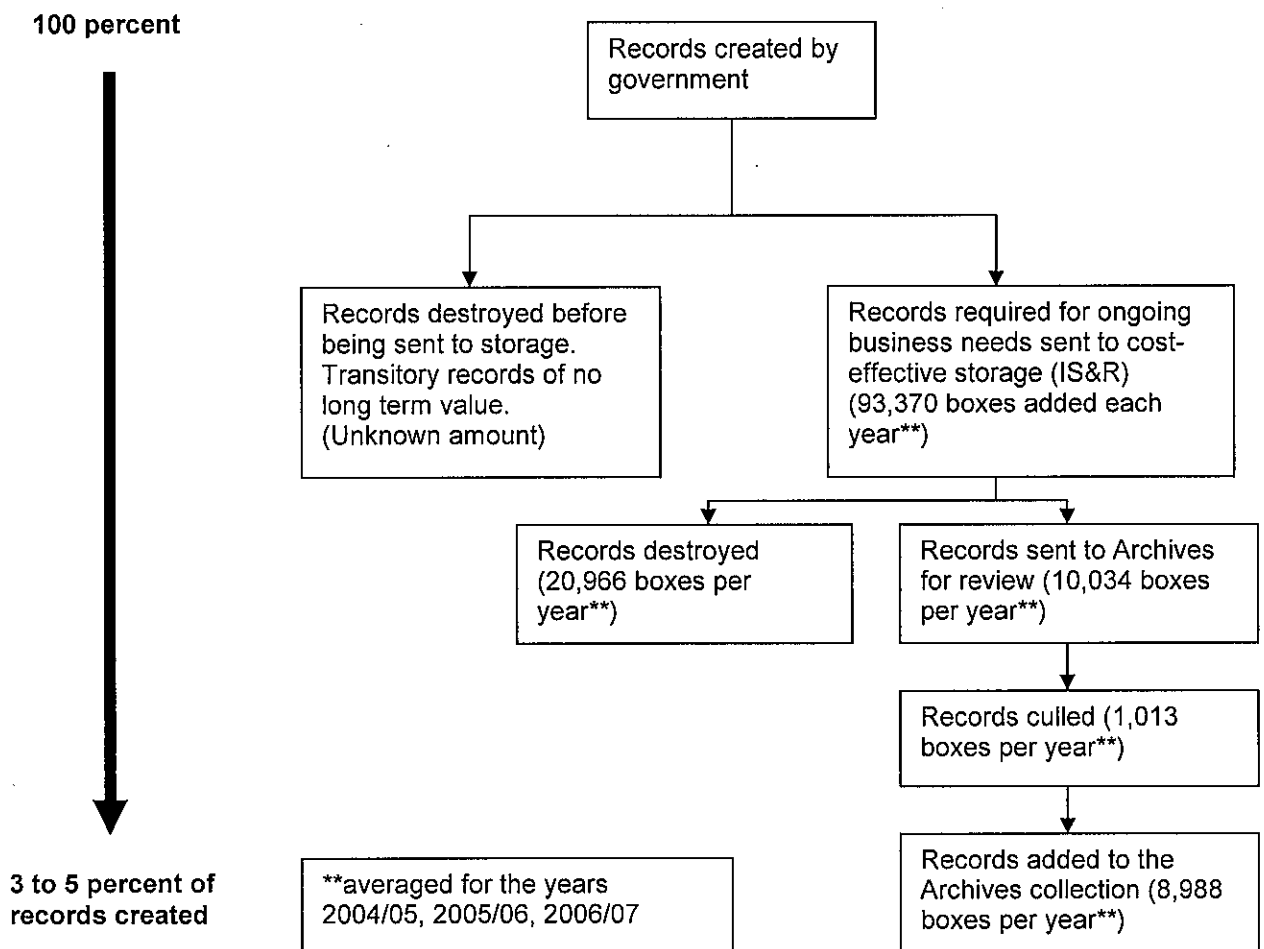
The Ministry provided the following explanatory note:

Number of boxes of records received from ministries and agencies. Number of boxes destroyed or sent to the Archives of Ontario as per records retention schedules for the fiscal years 2006/07, 2005/06, 2004/05. Note: Boxes received in any given year are entering their semi-active period as determined by the retention schedule. Boxes destroyed or sent to the Archives are ending their semi-active period.

| Years* | Number of Boxes Received as Per Retention Schedules | Number of Boxes Destroyed at End of Retention Period | Number of Boxes Sent to the Archives for Review | Number of Boxes Added to the Archives Collection |
|------------------------------------|---|--|---|--|
| 2006-2007 | 92,550 | 19,277 | 11,093 | 9,540 |
| 2005-2006 | 87,915 | 17,982 | 9,669 | 8,944 |
| 2004-2005 | 99,645 | 25,639 | 9,339 | 8,479 |
| Average for the three years | 93,370 | 20,966 | 10,034 | 8,988 |

*The boxes destroyed or sent to the Archives were received in past years not in these three years.

Chart 1: Progress of Records Through Their Life



Committee Recommendation

The Standing Committee on Public Accounts recommends that:

6. **Recognizing that the 60% of records in the Information Storage and Retrieval Unit (ISR) that are currently designated to be transferred to the Archives of Ontario is too high a percentage when compared to best archival practices, and recognizing that the percentage of records sent by each ministry and Crown agency that may require archiving will be different, the Ministry shall provide the Standing Committee on Public Accounts with the following data for each of the past four years for each ministry and large agency:**
 - **the number of containers sent to ISR; and**
 - **the percentage of total containers sent to ISR that were designated for transfer to the Archives.**

The Ministry should also provide the Committee and the Auditor General with an update of this data for the fiscal years 2007-2008, 2008-2009 and 2009-2010 when it is available.

4.6 Inventory Controls for the Archives

Proper inventory processes are essential to safeguard against loss or theft. In 2005 the Archives adopted a new computerized container-tracking system. The Auditor noted two significant weaknesses in inventory-control practices that increase the risk of loss: records and other material in containers such as photographs are not catalogued and the number of items is simply estimated; and containers are not sealed when in storage or in transit.

The Auditor noted significant losses, including missing letters, documents, artefacts and photographs from the 17th and 18th centuries and 69 containers of ISR records that cannot be found. The estimated number of documentary art items and photos has been reduced by just over half in recent years. The Auditor was told the reductions resulted from better estimates of the number of items in storage although actual counts had still not been made.

The Auditor also noted that appraisals for some 300 pieces of artwork are unavailable or are outdated. The Archives' records indicate that more than 100 artworks in the custody of ministries could not be found or had been stolen.

The Auditor recommended that the Archives should conduct, possibly with the assistance of ministry internal auditors or other experts, a thorough assessment of its inventory and security controls and other loss-prevention measures and correct any deficiencies identified.

In its initial response the Archives said that Ministry internal audit services will review security controls for the move and security protocols and controls

implemented at the new facility. Internal audit will review the procedures and practices for storage and transportation of records, assess the risks, and make recommendations for improvement.

The Archives has developed more rigorous collections processing procedures. These will be applied when backlog collections are processed. The Archives will continue to explore best practices to improve controls. At its current facility, access to storage areas has been limited to retrieval staff; the Archives is working with its service provider to ensure the security of collections during transit.⁸⁶

Committee Hearings

The Archives welcomed the Auditor's suggestion to invite ministry internal auditors to assess Archives' inventory and security controls. It noted the Auditor's acknowledgment of progress made in improving collections' inventory controls in recent years. The Archives' new facility will contain a vault for the storage of artworks, ensuring that temperature and humidity requirements are met.⁸⁷ Artwork that is not on display in government buildings will be stored in the vault.⁸⁸ The Archives is fastening art that is on display to the walls with new attachment devices that can only be removed with the consent of the curator.⁸⁹

Over the past three years the Archives has been surveying its collections, including surveys of archival photographs, maps, architectural plans, and artwork. Documents or pieces of art in need of repair are immediately repaired.⁹⁰

During the annual artwork survey, Ministry staff (Chief Administrative Officers) verify the location of pieces in the ministries -- in the offices of deputy ministers and ministers.⁹¹ In towns and cities outside Toronto, building managers assist with the process.⁹² The Archives has annual tracking and a database listing all pieces of art, with accompanying images, so the Archives knows what art it has and where that art is.⁹³

The Archives said that all art that it was aware had been stolen recently has been recovered. Items were stolen in 1999; the most recent theft was in 2001 when three items were taken.⁹⁴ The Archives contacted the police. All the items stolen in 1999 and 2001 were recovered in 2001.⁹⁵

The Committee asked about more than 60 groups of private and government materials that disappeared, including documents primarily from the 17th and 18th centuries pertaining to prominent families and individuals. The Archives said that in 1980 material such as letters, letter covers and envelopes, was stolen from the Archives. The police investigated and discovered that the thief was an Archives employee. The person was charged and some material was recovered at that time.

In 1990 material from the Archives began appearing on the market for sale. The police were called and the Archives believes that the person involved was charged with possession of stolen property and was sent to jail. About 1,000 items were recovered from his home but some items are still outstanding. The Archives maintains a list of these items and tracks various venues including auction sites

and catalogues. When material appears which the Archives believes it owns, it follows up. The Archives said that it was probably two years ago that the most recent item appeared and that it will continue with its monitoring.⁹⁶

The Committee enquired about a significant aboriginal art collection donated to the province in the 1980s.⁹⁷ The Ministry believed that the reference was to a donation through the Ontario Heritage Foundation of three Norval Morisseau pieces of work from John B. Carrel. This was probably the most significant donation in that time period related to aboriginal art.⁹⁸

When artwork is offered to the Archives, the curator works closely with the donor. The Archives is interested in pieces that document Ontario and also wants the items to be available for display. The Archives said that it has an excellent partnership with the Ontario Society of Artists, which in the past two years has donated more than 70 pieces of art.⁹⁹

4.7 Access to Archival Collections

In 2000 the Archives established an on-line catalogue called the Archives Descriptive Database. The database includes finding aids, which are more comprehensive descriptions of the contents of containers. The Auditor noted that this is an improvement but says that shortcomings in the system (e.g., collections not being processed or described, or unavailable finding aids) mean that many archival collections are still not completely accessible to the public. The Archives has paid its private storage contractor more than \$1.2 million to create lists of the contents of 81,000 containers of records. However these lists are not available through the database because of restrictions under the *Freedom of Information and Protection of Privacy Act*.¹⁰⁰

The Auditor recommended that the Archives should identify records that have not been listed or described fully in its Archives Descriptive Database system and should establish a plan and timetable for their inclusion.

In its initial response the Archives said that it is reviewing records not listed or fully described in the database and has developed selection criteria for prioritizing projects. Work had begun on high-priority projects and a multi-year plan was in development for remaining collections. Resources are an issue.¹⁰¹

Committee Hearings

The Archives' long term goal is for all collections to be publicly available through the Archives Descriptive Database.¹⁰² This database is a "finding aid."¹⁰³ The database, although not yet complete, has been live since 2001. Prior to this, systems were paper-based.¹⁰⁴ The Archives is also implementing a new computerized inventory control system for tracking records.¹⁰⁵

The Archives has begun a thorough review of records not listed or fully described in the Descriptive Database.¹⁰⁶ Currently 76% of government records and 73% of private collections are fully described.¹⁰⁷ Over the past year 60,000 new pieces

were entered into the database (about 200-220 items per day), bringing the total number of entries to 800,000.¹⁰⁸

Indexed, searchable lists are making the Freedom of Information (FOI) process more effective. Staff members no longer need to look through hundreds of boxes. Instead, they are able to access the lists and search them.¹⁰⁹

The Archives said that the Descriptive Database entry work is still being “scoped” and was unable to provide a specific timeline for entry completion. When asked whether the work would be completed within five years or within three years, the Archivist said “five years might be a more reasonable thought at this stage, but I don’t know. I haven’t seen the scope.”¹¹⁰

In addition to the Descriptive Database, archival material can be accessed through a listing of all containers in the Archives’ container tracking system. The listing contains a “high-level content list of each container.” A subset of those containers in the tracking system is also available in legacy paper-based inventories and lists, which provide a more detailed description of containers.¹¹¹

The Auditor said the description on the front of containers is often quite general and “one of the issues that we had was what was needed was a more detailed description of exactly what was in the box.”¹¹² The Archivist said that in the archives business, items tend not to be catalogued at the individual level because this process is too time consuming. Items are generally catalogued at the group-of-records level. If there are files in boxes, the Archives will have file lists but not lists of individual items. The descriptions are to help researchers find material that they need but researchers will be required to spend some time digging.¹¹³

The current focus is on preparing the collection for the April 2009 move to the new facility.¹¹⁴ Since 2002 the Archives has had a project under way to improve inventory control, which will also facilitate the move. Staff members examine each box in the Archives’ holdings, making sure the contents of the box are as indicated on the Archives’ available listing. The box is then bar-coded for control. This process has been completed for 80-85% of the collection and by December 2008 all containers will be bar-coded. This is a firm deadline because everything must be inventoried and bar-coded in time for the move.¹¹⁵

The new facility will have just one reading room, instead of the current three. Customers will not need to move between rooms, depending on the type of material they need. The Archives believes this arrangement will improve customer access to archival holdings.¹¹⁶ The Archives is focusing on customer service, to facilitate dealings not just with those at the facility but also with those accessing archival material online or contacting the Archives by e-mail or fax.¹¹⁷

When archival records are offered for donation, the Archives will assess the significance of the records province-wide. The Archives believes that local history is best kept locally and rarely accepts such records. It accepts provincially

significant records but is wary of long-term restrictions as these are difficult to administer. The goal is to make materials available.¹¹⁸

Committee Recommendation

The Standing Committee on Public Accounts recommends that:

- 7. The Ministry shall provide the Standing Committee on Public Accounts with a timeline for completing the backlog of records not listed or fully described in the Archives of Ontario Descriptive Database.**

4.8 Storage Facilities

Government records that are deemed by the Archivist to be archival need to be preserved indefinitely. Most of the Archives' collections are made of organic materials such as paper, leather (in book bindings), and parchment or consist of other fragile media such as photographic and magnetic media. While the Archives' storage locations prior to 2006 did not meet preservation standards, a new storage facility now in use was designed to state-of-the-art standards.

The head office is still used by the Archives to store many of its more fragile and valuable collections. It does not have adequate temperature, humidity and fire controls. The Archives' new building is built to specification. The Auditor identified possibilities for artwork storage improvements prior to the move. The Auditor believes records stored in ISR facilities risk deterioration because of inadequate conditions and long storage periods.

Records Stored at ISR That Are Destined for the Archives

Records at ISR facilities are usually stored for five to 25 years, but can remain there for up to 100 years. The City of Toronto Archives gives preferential treatment to records destined for its archival collections once they are transferred into semi-active storage (i.e., into an ISR-type facility). These documents are stored immediately in environmentally sound archival storage areas.

The Archives' new storage facility can hold twice as many records as at present. It costs seven times more to store items there than at ISR facilities, but the benefit of better storage of archival records during their semi-active retention periods may well justify the higher cost.

Quality of Storage Facilities in Use

While the Archives' new private storage facility has high standards, the ISR's facilities and the Archives' other storage facilities pose significant risk to archival records. These risks relate to issues such as groundwater flood detection, cold storage for special media and other criteria. While the Archives will have a state-of-the-art building in 2009, there are no plans for major improvements to ISR facilities. The Auditor noted particular concern with regard to basement storage and the threat of water damage from flooding.

Inspections

Recent Archives inspections of ISR storage facilities, both government-owned and contracted, noted significant breaches regarding acceptable temperature and humidity range readings. ISR and Archives' representatives said that building systems in the ISR facilities were not capable of maintaining specific temperature and humidity levels. ISR had no procedures or policies for storing records destined for the Archives any differently from records scheduled to be destroyed at the end of retention periods.

Artwork Stored at Archives' Head Office

As noted earlier, the Auditor is concerned that more than \$1 million worth of artwork is not stored properly at the Archives' head office; the artwork is in a basement, in a poor environment, with security and light issues. Some artwork is at risk because of mould.

The Auditor recommended that the Archives should conduct a cost-benefit and feasibility analysis to determine if it should make greater and earlier use of its environmentally sound storage facility; examine ISR's storage policies, procedures, and facilities to identify changes that would improve the environment and building conditions for records in their facilities that are scheduled to be transferred to the Archives; and evaluate and make improvements to its inspection program and reporting requirements for ISR's storage facilities and establish policies and procedures for requiring corrective action when inspection results are unsatisfactory. The Archives should also ensure that government of Ontario artworks are protected and preserved by storing them in environmentally sound and secure facilities.

In its initial response, the Archives said that it has now installed temperature and humidity data-capture devices throughout both the provincially-owned and private-sector facilities and is developing protocols for monitoring and acting on results. The Archives took corrective action and increased monitoring in the artworks storage area. The Archives will be assessing options for storage of records prior to their acquisition. The new facility will contain a vault specifically for artwork storage to ensure temperature and humidity requirements are met.¹¹⁹

Committee Hearings

Quality of Storage Facilities in Use

The Ministry and the Archives agreed with the Auditor that protecting and preserving records is of prime importance. The Archives recently moved 300,000 feet of archival records to its new state-of-the-art storage facility, which has cool storage capability that is better for photos and film records.¹²⁰ It acted immediately on the Auditor's observations about environmental controls and monitoring in the records centres.¹²¹ Temperature and humidity capture devices have been installed throughout both provincially owned and private sector facilities. Corrective action has been taken in the artworks storage area and monitoring there has been increased.¹²²

Artwork Stored at Archives' Head Office

The Archives said that artwork is currently stored in an art storage area in the basement of the Macdonald Block. The area is not ideal for art storage. Pieces stored in the Macdonald Block basement are too large to be accommodated in the Archives' Grenville location. Humidity control is now in place to protect the art until it is moved to the vault at the new site. Humidity levels are tracked regularly and staff members monitor the area a few times a week. Once placed in the vault, the art can still be taken out to the reading room for people to view and can also be put on a wall.¹²³

4.9 Privacy Controls over Records

To ensure the confidentiality of government records in storage, comprehensive security and privacy controls are necessary. In the 2006/07 fiscal year, the Information and Privacy Commissioner of Ontario and the Chief Information and Privacy Officer issued new guidelines recommending that when ministries contract with private firms, they should conduct a thorough risk assessment and specify any privacy requirements in service contracts.

There was no security or privacy risk assessment for the ISR facility that uses a private company to store records. Bonding of employees and confidentiality agreements were included in agreements with the contractor, but there is no monitoring. The Auditor noted concerns that records containing confidential information, such as social insurance numbers and personal medical information, are in containers that do not need to be sealed when in storage or transit.

The private facility is allowed to store government records alongside those of other clients by, for example, keeping both types of records on the same shelf. The Auditor believes the risk of loss and security breaches could be minimized if government records were stored and controlled separately.

Neither the City of Toronto nor the federal government uses contract suppliers to store its records. The Archives recently established a file-classification plan that will classify information according to sensitivity. The Auditor says this file plan could be used in the future to designate records that should remain in facilities with adequate security arrangements.

The Auditor recommended that the Archives should conduct a thorough privacy risk assessment of its storage facilities operated by private-sector contractors; restrict activities and impose security controls at storage facilities that will minimize the exposure of confidential records; revise its inspection program of storage facilities to include formal assessments of its security and privacy controls; and develop classification criteria for confidentiality and security levels and establish special storage arrangements for the most sensitive records.

In its initial response the Archives said that a privacy risk assessment is underway that will examine both the government-run and private-sector storage facilities. New contracts are under development for private-sector storage, and those contracts will incorporate the recommendations, including periodic monitoring.

Modifications are being made to guidelines provided to ministries. The recent introduction of the Government-wide File Classification Plan will also increase security and confidentiality.¹²⁴

Committee Hearings

The Archives agreed that the confidentiality of records and storage should be protected, and that service providers should be in compliance with the security and confidentiality requirements of their contracts.¹²⁵ An internal audit reviewed security procedures. Archival collection security will be enhanced in the new building. There will be storage on the second and third floors which will not be accessible to the public. Archives' staff will only have restricted access. Records will therefore be protected in a much better way.¹²⁶

The Archives acted immediately when it became aware of privacy issues related to personal information listed on the outside of boxes in the records centre. All of the boxes involved have been replaced.¹²⁷

The Archives will implement stricter controls for records' confidentiality as it drafts new contracts for private-sector storage. The Archives will require that staff be bonded and will stipulate that the Archives must be aware of who is handling its records. It will also be careful with transfer lists specifying information in boxes and will use bonded couriers when transporting personal information.¹²⁸

4.10 Contract Management

The Auditor noted the following regarding ISR contract and procurement management policies:

- The Ministry could not provide the Auditor with documents showing that formal assessments had taken place for the two most recent renewals of ISR contracts with its private storage provider.
- Key request for proposal documents for a three-year contract awarded for transporting containers could not be found.
- The Auditor noted discrepancies in billing that were as high as \$7,000 a month. These discrepancies related to differences in volumes reported by ISR's container-tracking system in comparison with those listed in a contractor's monthly billings for storage services.

The Auditor recommended that ISR and the Archives should evaluate how they manage procurement documents, and ISR should ensure that payments are made only for amounts and services that are in accordance with contractual requirements.¹²⁹

Committee Hearings

The Archives is developing new contracts for private sector storage of records and is revising and enhancing internal protocols for procurement. Contractual

requirements to ensure privacy and security will be strengthened, including hiring criteria for the private sector staff. Protocols for ensuring adherence to contractual requirements will be developed and monitored on a prescribed schedule.¹³⁰

The Archives has two provincially-owned records temporary storage facilities. A contractor provides transportation for these facilities. The Archives also has a private-sector storage facility. The private sector contractor takes care of transportation for this facility. One Archives RFP went missing for a transport company named 4Mode.¹³¹

The Archives said it has received a refund for the billing discrepancies noted in the Auditor's report. The Archives now holds regular meetings to discuss billing issues to ensure that there are no more incidents related to billing.

The Archives' supplier contracts expire this year. The Archives will be selecting a new supplier and says it has benefited from scrutiny in learning how to improve systems for the next contracts. The contracts that are expiring will be subject to a new RFP process. It has not yet been determined who the next supplier will be.¹³²

The Ministry said that in recent years the procurement process has been housed in the Ministry, the expert in procurement for all of the government. The Deputy Minister will ensure that the Archives receives Ministerial expertise support through its next procurement process.¹³³

The audit report has informed and assisted the Ministry in taking steps to ensure that it receives the right kinds of supports, controls, security and protection of information etc. for the Archival supplier selection process.¹³⁴ The Committee discussion raised several key issues for consideration during the process, including the following: selection of the "right mode"; consideration of whether it is good to have two different providers in the supply chain or whether it is better to have one only; and consideration of the kind of backups that are desirable.¹³⁵

The Deputy Minister said that an independent fairness commissioner will oversee the process. If there were issues raised by the commissioner, the Deputy Minister would need to determine, with the Minister, whether to go forward with a particular RFP. Once the RFP has been awarded, it would be incumbent on the Archives to manage the contract. Some controls have now been put in place. There is a new compliance unit that is working with the ministries.¹³⁶

As the RFPs are written, the Ministry tries to determine the contract lifespan by taking into consideration what will provide the maximum sustainability, stability and value for the taxpayer. In some cases a longer time span will result in better value. In others, issues under consideration may be of such high security that contracts require shorter time spans to provide more flexibility. The Ministry also takes out-clauses into consideration.¹³⁷ Some contracts have been in place for more than 10 years, hence current changes. Often the Ministry writes contracts with an expiry date that may include one or two options to renew. The Ministry said that contracts expiring now were renewable contracts.¹³⁸

Committee Recommendation

The Standing Committee on Public Accounts recommends that:

- 8. The Ministry shall report to the Standing Committee on Public Accounts on any new or enhanced security and confidentiality requirements that are included in or planned for new contracts for the private sector storage of records, including provisions for monitoring contractual requirements.**

NOTES

- ¹ Ontario, Office of the Auditor General, *2007 Annual Report* (Toronto: The Office, 2007), p. 38.
- ² *Ibid.*, pp. 38-40.
- ³ Ontario, Legislative Assembly, Standing Committee on Public Accounts, *Hansard: Official Report of Debates*, 39th Parliament, 1st Session (April 10, 2008): P-111
- ⁴ Office of the Auditor General, *2007 Annual Report*, p. 37.
- ⁵ Standing Committee on Public Accounts, *Official Report of Debates*, p. P-109.
- ⁶ *Ibid.*
- ⁷ Office of the Auditor General, *2007 Annual Report*, pp. 37-38.
- ⁸ Standing Committee on Public Accounts, *Official Report of Debates*, p. P-119.
- ⁹ Office of the Auditor General, *2007 Annual Report*, pp. 40-41.
- ¹⁰ Standing Committee on Public Accounts, *Official Report of Debates*, p. P-109.
- ¹¹ *Ibid.*, p. P-110.
- ¹² *Ibid.*, p. P-109.
- ¹³ *Ibid.*, pp. P-109-110.
- ¹⁴ *Ibid.*, p. P-110.
- ¹⁵ *Ibid.*, p. P-115.
- ¹⁶ *Ibid.*, p. P-118.
- ¹⁷ Office of the Auditor General, *2007 Annual Report*, pp. 41-43.
- ¹⁸ *Ibid.*, p. 43.
- ¹⁹ *Ibid.*
- ²⁰ Standing Committee on Public Accounts, *Official Report of Debates*, p. P-110.
- ²¹ *Ibid.*, p. P-109.
- ²² *Ibid.*, p. P-121.
- ²³ *Ibid.*, p. P-112.
- ²⁴ *Ibid.*
- ²⁵ *Ibid.*
- ²⁶ *Ibid.*, pp. P-112-113.
- ²⁷ *Ibid.*, p. P-109.
- ²⁸ Office of the Auditor General, *2007 Annual Report*, pp. 43-44.
- ²⁹ *Ibid.*, p. 44.
- ³⁰ Standing Committee on Public Accounts, *Official Report of Debates*, p. P-113.
- ³¹ *Ibid.*, p. P-115.
- ³² *Ibid.*, p. P-113.
- ³³ *Ibid.*, p. P-117.
- ³⁴ *Ibid.*
- ³⁵ *Ibid.*
- ³⁶ *Ibid.*, p. P-112.
- ³⁷ *Ibid.*, p. P-118.
- ³⁸ *Ibid.*
- ³⁹ *Ibid.*
- ⁴⁰ *Ibid.*, p. P-112.
- ⁴¹ Office of the Auditor General, *2007 Annual Report*, pp. 44-46.
- ⁴² Standing Committee on Public Accounts, *Official Report of Debates*, p. P-110.
- ⁴³ *Ibid.*, p. P-114.
- ⁴⁴ *Ibid.*
- ⁴⁵ *Ibid.*, p. P-109.
- ⁴⁶ *Ibid.*, p. P-110.
- ⁴⁷ *Ibid.*, p. P-111.
- ⁴⁸ *Ibid.*, p. P-110.
- ⁴⁹ *Ibid.*, p. P-111.
- ⁵⁰ *Ibid.*
- ⁵¹ *Ibid.*, p. P-110.
- ⁵² *Ibid.*, p. P-114.
- ⁵³ *Ibid.*

- ⁵⁴ Ibid., p. P-115.
- ⁵⁵ Ibid., p. P-121.
- ⁵⁶ Ibid., p. P-114.
- ⁵⁷ Ibid.
- ⁵⁸ Office of the Auditor General, *2007 Annual Report*, pp. 46-48.
- ⁵⁹ See, for example, discussion between the Committee, the Archivist and the deputy minister, Standing Committee on Public Accounts, *Official Report of Debates*, pp. P-116-117.
- ⁶⁰ Ibid., p. P-117
- ⁶¹ Ibid., p. P-116.
- ⁶² Ibid., p. P-120.
- ⁶³ Ibid., p. P-115.
- ⁶⁴ Ibid., p. P-109.
- ⁶⁵ Ibid., p. P-116.
- ⁶⁶ Ibid., p. P-112.
- ⁶⁷ Ibid., p. P-116.
- ⁶⁸ Ibid., p. P-110.
- ⁶⁹ Ibid.
- ⁷⁰ Ibid., p. P-111.
- ⁷¹ Ibid., p. P-113.
- ⁷² Ibid., p. P-111.
- ⁷³ Ibid., p. P-113.
- ⁷⁴ Ibid., p. P-118.
- ⁷⁵ Ibid., p. P-113.
- ⁷⁶ Ibid., pp. P-113 and P-117.
- ⁷⁷ Ibid., p. P-121.
- ⁷⁸ Ibid., pp. P-113-114.
- ⁷⁹ Ibid., p. P-117.
- ⁸⁰ Ibid., p. P-120.
- ⁸¹ Ibid., p. P-116.
- ⁸² Ibid.
- ⁸³ Letter from Deputy Minister, Ontario Ministry of Government Services, to Chair, Standing Committee on Public Accounts, May 16, 2008, p. 3.
- ⁸⁴ Ibid., p. 4.
- ⁸⁵ Ibid., p. 1.
- ⁸⁶ Office of the Auditor General, *2007 Annual Report*, pp. 48-50.
- ⁸⁷ Standing Committee on Public Accounts, *Official Report of Debates*, p. P-111.
- ⁸⁸ Ibid., p. P-121.
- ⁸⁹ Ibid., p. P-120.
- ⁹⁰ Ibid., p. P-122.
- ⁹¹ Ibid., pp. P-120 and P-122.
- ⁹² Ibid., p. P-122.
- ⁹³ Ibid., pp. P-120 and P-122.
- ⁹⁴ Ibid., pp. P-120 and P-124.
- ⁹⁵ Ibid., p. P-124.
- ⁹⁶ Ibid., p. P-125.
- ⁹⁷ Ibid., p. P-118.
- ⁹⁸ Ibid., p. P-121.
- ⁹⁹ Ibid., p. P-120.
- ¹⁰⁰ Office of the Auditor General, *2007 Annual Report*, p. 50.
- ¹⁰¹ Ibid., pp. 50-51.
- ¹⁰² Standing Committee on Public Accounts, *Official Report of Debates*, p. P-111.
- ¹⁰³ Ibid., p. P-126.
- ¹⁰⁴ Ibid.
- ¹⁰⁵ Ibid., p. P-110.
- ¹⁰⁶ Ibid., p. P-111.
- ¹⁰⁷ Ibid., p. P-126.
- ¹⁰⁸ Ibid., pp. P-125-126.

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- ¹⁰⁹ Ibid., p. P-126.
¹¹⁰ Ibid.
¹¹¹ Ibid., p. P-111.
¹¹² Ibid., p. P-126.
¹¹³ Ibid.
¹¹⁴ Ibid., p. P-111.
¹¹⁵ Ibid., p. P-119.
¹¹⁶ Ibid.
¹¹⁷ Ibid.
¹¹⁸ Ibid., pp. P-119-120.
¹¹⁹ Office of the Auditor General, *2007 Annual Report*, pp. 51-54.
¹²⁰ Standing Committee on Public Accounts, *Official Report of Debates*, p. P-110.
¹²¹ Ibid., p. P-111.
¹²² Ibid.
¹²³ Ibid., p. P-124.
¹²⁴ Office of the Auditor General, *2007 Annual Report*, pp. 54-56.
¹²⁵ Standing Committee on Public Accounts, *Official Report of Debates*, p. P-111.
¹²⁶ Ibid., p. P-120.
¹²⁷ Ibid., p. P-124.
¹²⁸ Ibid.
¹²⁹ Office of the Auditor General, *2007 Annual Report*, pp. 56-57.
¹³⁰ Standing Committee on Public Accounts, *Official Report of Debates*, p. P-111.
¹³¹ Ibid., p. P-123.
¹³² Ibid.
¹³³ Ibid.
¹³⁴ Ibid.
¹³⁵ Ibid.
¹³⁶ Ibid.
¹³⁷ Ibid., p. P-124.
¹³⁸ Ibid.