

# RECORDS AND INFORMATION IN THE GOVERNMENT OF CANADA: A Grounded Theory Study

Sherry L. Xie



ZHEJIANG UNIVERSITY PRESS  
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## 加拿大联邦政府背景下的文件与信息：基于扎根理论的研究 Records and Information in the Government of Canada: A Grounded Theory Study

[加] 谢 丽 著

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## Preface

Records and information are two instrumental concepts in the operations of the Government of Canada, which has long been considered a leading player internationally in the field of records and information management. The operational functions associated with these concepts have continued in the digital world, where the demand for managerial efficiency and effectiveness is reaching a new high level. The challenges for managing digital records and digital information grow as a result, and the records and information professionals now need to answer both the questions imposed by the management and technologies. As issues become more complex and multifaceted, solutions become more difficult to conceive and to implement, in particular for large organizations. For the development history of digital technologies, which can be viewed as both short and long, an unfortunate state of disconnect between the advanced theory on digital records and the often unsatisfactory or even failing digital records management implementation endeavors emerged and has increasingly become common—despite the hard work of the project teams. The people in the field of digital records and information management in the Government of Canada, however, have never stopped trying. Through the window of this research project, it is clear that whenever challenges come up, the records and information professionals in the Government of Canada rise to the occasion. Results may vary and reasons may be multi-sourced, they have shown, to the records and information management international community, the efforts they exerted into their job, the belief they had for what they do, and the policies and techniques they developed for coping with the challenging situation. This professional spirit must be noted when readers are reading this book, which certainly goes beyond the specific findings of the research. Rigorously conducted, this research project presents its findings in a strictly regulated manner

with the methodology selected for the project, and displays results at a micro level in order for the findings to be sufficiently evidence-based. It is this author's strong desire here, in this Preface, to call your attention to the overall backdrop that frames the specific findings, to notice the more general issues outside this particular research setting, and to eventually reach the conclusion that for the records and information profession worldwide to advance in theory and to succeed in practice, all of us need to communicate with each other, to collaborate with each other, and to assist each other, regardless of where we are and what language we speak.

May the records and information profession flourish in this digitally ever changing world and all the records and information management professionals have a bright future!

Sherry L. Xie

Vancouver

January 7, 2017

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My sincere gratitude also goes to my family members who have endured this process together with me. Thank you for your support and I assure you that you can expect the same support from me in any of your future endeavors!

Last but certainly not least, I would like to express my gratitude to my employer, the Renmin University of China (RUC), who provided financial support for making the research findings a book (Grant No. 15XNL032). I would also like to thank my colleagues in the School of Information Resource Management (also called the iSchool at RUC), in particular Professors Huiling Feng (who also acts as my boss in the operation of the Center for Electronic Records Management Research), Bin Zhang (also the Dean of the iSchool at RUC), Jenny Wang, Yuenan Liu (also the Deputy Dean of the iSchool at RUC), the Deputy Dean of the School, Mr. Dan Wang, and Assistant Professor Linqing Ma, for their all-round support to my current work and research in Beijing. A heartfelt thank-you to you all!

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# Chapter 1 Introduction

Information is considered by the Government of Canada its “lifeblood” and its management is regulated by both law and government policy. Being part of information management, records and their management are required to facilitate “accountability, transparency, and collaboration”, including “access to information and records”. The right to access government records is granted by the Canadian Access to Information (ATI) Act, which, since 1985, has been the main mechanism for the public to inquire about the government’s conduct and decision-making. The Office of the Information Commissioner of Canada (OIC) was established to monitor the administration of the Act, including assessing government institutions’ performances under the Act. In 2009, the Office reported that almost 60% of the institutions it assessed were rated with a below-average performance, based primarily on their delay in releasing requested records. The Office thus concluded that “the poor performance shown by institutions is symptomatic of what has become a major information management crisis”.

This information management crisis motivated the present study, which aimed at finding explanations for it. Within the framework of the grounded theory methodology, data were collected from 30 government departments, including publications, emails, site observations, notes of conversations/teleconferences, and internal records released by Access to Information requests. These field data, along with relevant literature, were coded, memoed, and constantly compared for formulating the explanations, or discovering the substantive theory. At the center of the theory lies the core variable record nature, which underlies 96 concepts and the hypotheses based on the concepts. According to the theory, when the understanding of record nature is incomplete, the management of records is ineffective and unable to deliver any concrete results, causing the marginalization of the records management function in departments, the disappearance of records, and ultimately, the inability to perform basic yet critical tasks in supporting government operation and accountability, that is, the information management crisis.

The study contributes to archival science in general, and to records management in particular, both theoretically and methodologically. It specifies the concept of record nature, clarifies popular misconceptions, elaborates on records management principles, and offers a records management work model conforming to the generated theory.

This introductory chapter first presents information on the research setting (that is, the environment where the research took place), the incentive that motivated the research, and the research methodology determined for investigating the general research question. It then

briefly describes the subsequent chapters that detail the conduct of the research, the outcomes it generated, and discussions on the relevant topics emerging in the research process.

## 1.1 The Research Setting

The research setting requires two areas of knowledge for it to be understood: one concerning the professional field called records management and the other concerning the Canadian public administration, in particular the Canadian Federal Government or the Government of Canada.

### 1.1.1 Records Management & Information Management

Records management (RM) is a field that focuses on the management of records. For the purpose of general introduction, the term “record” refers to “[a] document made or received in the course of a practical activity as an instrument or a by-product of such [an] activity, and set aside for action or reference”, and RM refers to “[t]he whole of the activities of a creator aimed at the creation, use and maintenance of records to meet its administrative, programmatic, legal, financial and historical needs and responsibilities” (InterPARES, 2012b). It is necessary to point out that in the RM field, records and records management definitions vary widely, due to the variety of sources, including archival legislation, national and local archival authorities (when legal definitions are not available), and international bodies. For example, the Library and Archives of Canada Act defines record as “any documentary material other than a publication, regardless of medium or form”, and government record as “a record that is under the control of a government institution” (GC, 2004). The ISO 15489-1:2001 (ISO, 2001) defines records as “information created, received, and maintained as evidence and information by an organization or person, in pursuance of legal obligations or in the transaction of business”, and RM as “[the] field of management responsible for the efficient and systematic control of the creation, receipt, maintenance, use and disposition of records, including the processes for capturing and maintaining evidence of and information about business activities and transactions in the form of records”. *The understanding of records and RM, therefore, is context specific.* (The terms of “record” and “records” are used depending on context.)

The meanings of information and information management (IM), like records and RM, also vary according to context. Unlike records or RM, though, information and IM do not appear to have definitions that are provided by authoritative sources comparable to the law or to an international standards body that is widely recognized. Their meanings are specific to the local environment where the terms are utilized, *such as the Government of Canada.*

### 1.1.2 The Government of Canada

The Government of Canada (GC) is Canada’s national government, also frequently termed as the Federal Government, due to the Canadian federalism. In the federalism context, the

Government of Canada operates at the national level as the first order of government, collaborating with the second order of government, that is, the ten provinces and the three territories (Privy Council Office, 2012a). The powers of the Government of Canada are derived from the Canadian Constitution Acts, which define the areas over which the Federal Government and the provincial/territorial governments have either exclusive or concurrent authorities. Constitutionally, the Federal Government has the power “to make laws for the peace, order and good government of Canada”, except for “subjects assigned exclusively to the legislatures of the provinces” (GC, 1982). Within this framework, the Federal Government is responsible for such areas as foreign affairs and international trade, defence, the monetary system, criminal law, patents, bankruptcy/insolvency, financial services, and telecommunications. The provincial legislatures have powers over, for example, direct taxation, natural resources, health care, municipal affairs, securities regulation, and education. In some areas, such as agriculture, immigration, and pensions, power is shared between the Federal and the provincial governments. *The area of records management or information management is governed by the two orders of government separately.*

In a country based on a constitutional monarchy, the Government of Canada is a parliamentary government, with a Governor General representing the Queen, an appointed Upper House (the Senate), and an elected Lower House (the House of Commons). The Governor General governs through the Cabinet, headed by a Prime Minister and functioning as the government’s Executive Branch. The Prime Minister chooses the other Ministers of Cabinet and recommends them to the Governor General for formal appointment. The Cabinet Ministers are responsible for particular departments and agencies, typically described as Ministers’ “portfolios” (Forsey, 2012). These portfolios have different focuses, some in the area of public policy, for instance, the Treasury Board of Canada, while others in service delivery, for instance, the Department of Public Works and Government Services Canada. Individual Ministers are accountable to the House of Commons or the legislature for their portfolio departments, and, as a whole, they are answerable collectively to the House of Commons or the legislature for the policies and conducts of the entire Cabinet. The Privy Council Office is the hub of public service, supporting the Prime Minister, the Cabinet, and its decision-making structures (Privy Council Office, 2012b). A complete list of departments and agencies can be found on the GC’s website (GC, 2017a), *thirty of which emerged in the research process of the present study as relevant to the study.*

There are two other branches within the Federal Government, namely, its Legislative Branch and its Judicial Branch. The Legislative Branch is responsible for constructing and debating parliament legislation and the Judicial Branch is responsible for interpreting such legislation in courts at both government levels. Parliament legislation establishes departments/agencies and enacts public laws. The term “public law” is used here to refer to “[l]aws designed to safeguard the public interest, and those governing and regulating the interaction of government and the people” (Justice Canada, 2012). For example, the Financial Administration Act (FAA) establishes the Treasury Board of Canada and assigns it responsibilities for the GC’s general administration,

which includes *records management in GC departments and agencies* (GC, 1985c). The Access to Information Act provides the Canadian public with the right to information *under the control of GC departments and agencies* (GC, 1985a). The Canadian judiciary enjoys complete independence from the other two branches, and all government actions are subject to the scrutiny of the courts (Justice Canada, 2012; GC, 2017b). Figure 1-1 depicts the GC structure described above.

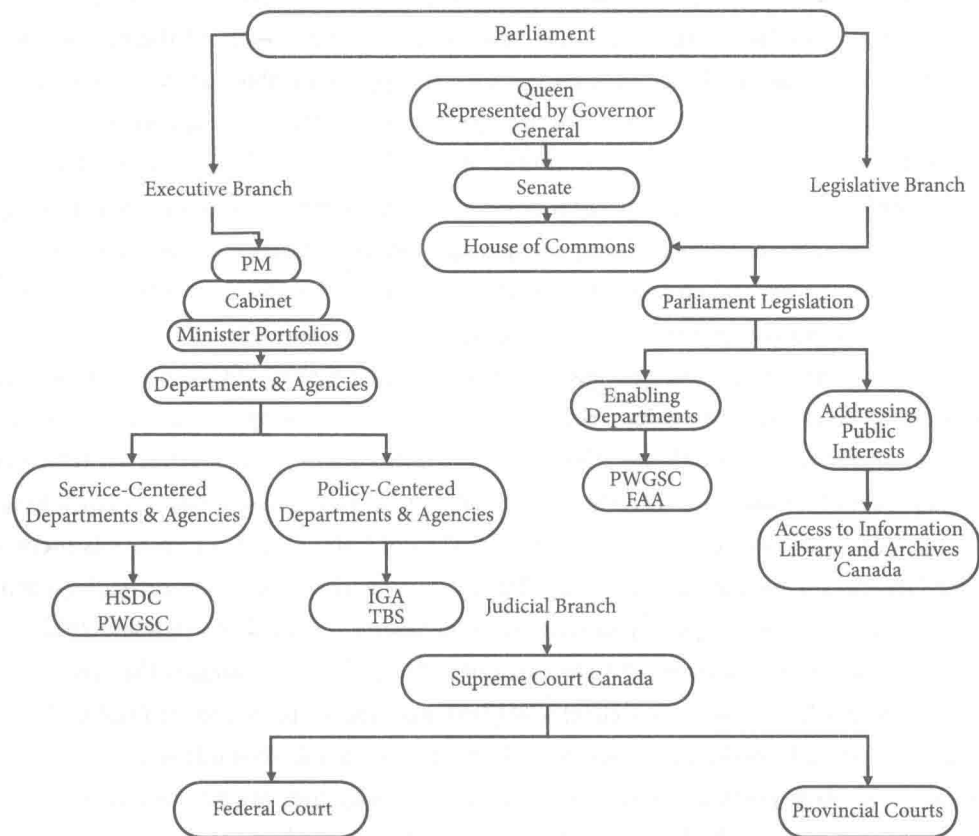


Figure 1-1 Structure of the Government of Canada

1.1.3 RM & IM in the Government of Canada

Records management in the Government of Canada is currently part of information management, as records as well as “documents, data, library services, information architecture, etc.” are all “encompass[ed]” by information management (TBS, 2012h). Information management in the GC is defined as “a discipline that directs and supports effective and efficient management of information in an organization, from planning and systems development to disposal or long-term preservation” (TBS, 2012h).

In this RM-as-part-of-IM context, “records are information created, received, and maintained by an organization or person for business purposes, legal obligations, or both, regardless of medium or form” (TBS, 2012h). Records management, termed recordkeeping, refers

to “a framework of accountability and stewardship in which records are created, captured, and managed as a vital business asset and knowledge resource to support effective decision-making and achieve results for Canadians” (TBS, 2012h).

The expression IM(RM) is therefore used to refer to the IM-including-RM-as-a-part situation in the GC, *when IM is discussed as a whole yet it is necessary to make RM visible*. The expression RM(IM) is used to refer to the RM-as-part-of-IM situation in the GC, *when RM is indeed the real/sole focus yet it is necessary to point out its GC context*. The expression IM/RM is used to refer to the indiscriminating manner by which some GC sources discuss IM and RM.

## 1.2 Area of Interest

The research started with an interest on the relationship between electronic/digital records management, currently a major component of records management, and the development of electronic government (e-government), which refers to the governmental utilization of digital technologies—in particular the Internet—for providing information and services online. It is worth noting that, with regard to both electronic records management and electronic government, the term “digital” is more accurate than the term “electronic” as “digital” refers to digital technologies represented by both computers and the Internet. Electronic records and electronic government are used in this book due to their predominant usages in their early development histories. Digital records and digital records management are also used when there is the need to make the distinction. This interest was inspired by one of the research focuses of the second phase of the InterPARES (International Research on Permanent Authentic Records in Electronic Systems) project, namely, its Focus 3, Electronic Government (InterPARES 2, 2008). The InterPARES project had centered on electronic/digital records and their management, including long-term preservation, since the middle 1990s, and this corresponded to the research interest of the leading researcher of this study, who has been conducting research projects within the realm of the InterPARES project for more than a decade. Digital/electronic records management was thus identified as the major area for this research project. The e-government movement contributed eight case studies to the InterPARES research in various governmental settings. In carrying out the case studies, the researchers observed the apparent impact of the processes and technologies employed by the e-government projects on the creation, usage, and maintenance of digital records, which presented the e-government movement as an interesting field for studying digital records management. Therefore, the e-government movement, including its origin, developmental history, achievements, as well as the research efforts that treat it as an independent field, was determined to be the minor area of study for this research project. The study revealed that the Government of Canada was a worldwide leader in developing electronic/digital government, and this prompted the further choice of the Federal Government as the research setting, which, in turn, led to the comprehensive study of e-government development in the Government of Canada. *The*



*information management crisis in the Government of Canada surfaced during this process.*

### 1.2.1 Information Management Crisis Defined by the Information Commissioner of Canada

The expression “information management crisis” appeared in 2009 in the speech entitled “A Dire Diagnosis for Access to Information in Canada” by the then Information Commissioner of Canada, Robert Marleau, with reference to the Canadian federal government institutions. The term “institution” here is used in the context of the Canadian Access to Information Act, which refers to the departments and crown corporations that are subject to the ATI Act. Considering it one of the systemic issues, the then Information Commissioner stated that “the poor performance shown by institutions is symptomatic of what has become a *major information management crisis*” (Marleau, 2009).

In specific terms, the information management crisis means that “there is currently no universal and horizontal approach to managing or accessing information within government. Some institutions don’t even know exactly what information they are holding” (Marleau, 2009). “But in today’s digital environment”, the then Information Commissioner continued, “outmoded ‘paper’ practices, inconsistencies, overlapping or duplication of information have serious ramifications. Such unsound practices slow down the retrieval process, lead to unsuccessful or repeated searches, and generate huge amounts of pages to review. This in turn translates into unacceptable delays in responding to information requests” (Marleau, 2009). This crisis, according to him, “is only exacerbated with the pace of technological developments” and “*access to information has become hostage to this crisis and is about to become its victim*” (Marleau, 2009).

### 1.2.2 Information Management Crisis in Statistics

The information management crisis pointed out in the then Information Commissioner’s speech was revealed by the assessments of the performances of GC departments and agencies under the ATI, conducted by the Office of the Information Commissioner (OIC, 2006). The ATI is the equivalent of the freedom of information legislation in other jurisdictions, including the Canadian provinces. This Act was enacted to extend the rights in existing federal laws of Canada that provide access to information under the control of the Government and, for the purpose of administration, established the OIC. The Information Commissioner ranks as a deputy head of a department, has all the powers of a deputy head, and engages exclusively in the duties of the Office of the Information Commissioner (GC, 1985a). The Information Commissioner

may, at any time, make a special report to Parliament referring to and commenting on any matter within the scope of the powers, duties and functions of the Commissioner where, in the opinion of the Commissioner, the matter is of such urgency or importance that a report thereon should not be deferred until the time provided for transmission of