FIRST NATION LAND MANAGEMENT RESOURCE CENTRE
Training, Mentorship and Professional Development
FOCUS GROUP – Records Management over First Nation Lands
Summary – Session 1

Date: July 24-25, 2018
Place: Ramada Hotel and Conference Centre – 2170 Harvey Ave. Kelowna, BC V1Y 6G8

FOCUS GROUP Objectives

The FNLMRC to seek and invite expert advice from First Nation governments over several areas of Records Management, including:
- The use of outside systems such as the federal lands registry
- The scope of documentation that should be maintained by individual First Nations
- Retention and disposal of original signed records
- Record maintenance and security

Through these sessions we will be developing best practices to be shared with other First Nations through Land Governance Manual, courselet development and other training materials.

Round Table

Range of Records	• Contracts • Legal Instruments: Leases • Land Use: plans, protections, traditional holdings, archeology • Individual land holdings: housing, allotments, estates, membership • Environment & natural resources: Phase I, protection, unique areas • Policies and Law • Public works • Legacy issues – timeline ID where records could most likely be found, including changes in systems
What do land managers need to develop/use?	• Other governments • Registry, registerable & unregisterable instruments • Tax Commission, other • Your lawyers • Other systems unreliable • Hard to get corporate information • Invest in ourselves, stability • Records Management Champions within First Nation government structures
How much do you want to be involved?	• Tracking subdivisions • E-Files, scans, correspondence, email, paper files • Filing rules and procedures, how long to keep files
Systems Development & Procedures	• Database, GIS inventory, access internal files, privacy rules, stability, • Modules, IT & support needs, updates/costs/storage, Hard Storage – Iron Mountain, digital storage costs • Succession planning • RC Hosted

Scope	- Lot, Plan, IR, PIN - Folio - Finance account - Development – process, as-built, approvals, building permits - Environment – phase 1, emergency measures, site assessment, etc. - Land Use - Civic Addressing - Housing, Allotment - Legal Interests - External Storage – recall tracking system - Monitoring & compliance - Water, Sewer, Other services (Hydro, Telephone, Gas) Garbage - Archeology – Cultural sites, artifacts
Timeline	- Department retention (CAN) - First Nation retention - Other retention
Storage Needs	Fire proof, climate control, no internal sprinklers

Land Registry

- Laws registered
- Privacy upgrades
- CSGB – canada land registry standards – add surveys
- FNLM/SG regulations – add surveys
- Instruments through Land Governance Director (LGD)
- Unregistered TLH/FN subset

Land Surveys

- Remainder Surveys create issues
- Similar to provincial structures
- ILA amendments required for remainder lots – FA specific Letter of Agreement
- FN process, policy and law (BCR authorize) add update of title –
  RC can update land code model, Land Governance Manual (LGM), comparative charts
- Clear direction for FN approval, include Land Status Report, currently not requirement NRCan survey instructions
- Group work (access and approval)
- (Housing, CP, Dev.Corp) LGD needs approval
- Excluded parcels (ILRS) LDR Registry, need IA
- Compare WFN ILA, work on FA ILA
- Surveys should not be registered in FNLRS, Official Plans are held with NRCan, changes may occur
- NRCan surveys have officially been moved digital, e-approval
- CLSS Cadastral data – update regularly
- NRCan – Land Status Reports need to be held at FN; not kept with NRCan Records
- NRCan – Presentation on Archival Process Digital Legal Recognition

Request to Transfer Records	• FN template letter, include • Legacy issues, work plans • Records and correspondence • Transactions, stages • Full LDR's
GIS	• Cadastral Data • Regional agreement • GIS Management (data recognition and maintenance) • Google Earth • Drones, GPS • Internal data and parcel needs assessment • Infrastructure metadata – mFiles, share point, asset management
Ease of Access	• Visual • Comparatives • Work planning • Budget needs • Legacy issues

Freedom of Information & Protection of Privacy Law(s)

- Good governance practices
- FA – accountability
- Interests – FNLRS redactions, status #, power attorney, …
- MRP, FHMIRA Forms – protection privacy, protected submission, internal records, protection independents, process considerations
- Estates – membership, wills, power of attorney, guardianships
- FNLRS – privacy act – RC/INAC Training Session
- Access to information, Model LC language or Law, "Privacy Officer" appeal, adjudication

Electronic Records Management

- ID record needs and retention, recall
- Digitized files, then when to trust e-record, current storage of hard copies
- Phased approach – Development projects, destroy duplications or non-relevant, outdated drafts
- Legal uncertainty of digitized records needs to be validated (audited) to destroy paper, research on inherent risks
- Request for digital information as part of policy and process
- Identify working file processes in connection
- Records management vs. Document, organizational shift and education management
- Taxation – TAS system (Deanna sent information)

Security

- Access groups, tags / specific access within group
- Closed system, encryption, reporting
- Digital security audits to be supported by courts
- Cloud storage – locations should be in Canada or could be subject to US Patriots Act
- Off-site storage, research services to ensure meets your requirements

- Budget to get proper systems and support future upgrades required
- ID needs range of FN – cloud server, metadata
- <u>RC - sample RFP language needs to be researched and identified</u>

Next Dates

- Oct 23-24   Membertou, NS
- Nov 28-29   Saskatoon, SK