



# Records Management & Data Governance Considerations under Land Code

Thursday, February 10, 2022



11:00 AM PST / 2:00 PM EST

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#499 976



# Welcome



## Today we will cover:



The use of comprehensive record systems for lands management



The scope of documentation that should be maintained by individual First Nations



Retention and disposal of original signed records



Record maintenance and security



Mute Devices



Recorded Session



Closed Caption



Presentation &  
Materials



Questions &  
Comments



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#499 976

# TODAY'S WEBINAR PRESENTERS



**Kevin Broughton**  
Enforcement Advisor



**Jennifer Predie**  
Manager, Land Code Governance



**Nikita Rathwell**  
Partner, McKercher LLP



**Leeanna Rhodes**  
GIS Specialist



## Records Management

- Identify, Classify
- Store, Secure
- Retrieve, Track
- Destroy, Preserve

Organizational Function  
Management of Information  
Creation, Receipt, Disposition  
Connection

## Data Governance

- Quality, Accuracy
- Reliability
- Compliance
- Security

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## Records Management Poll

ⓘ Start presenting to display the poll results on this slide.

## Know What You Want

System Evaluation

Assess and improve interdepartmental procedures

Communications, monitoring and reporting

Implement records management compliance auditing


Determine a procedure for records disposal

Review or establish a records management policy and procedure



# RECORDS MANAGEMENT SYSTEM – PRINCIPLES



 Tzeachten First Nation Unit #29 - 6014 Vedder Road Chilliwack, B.C. V2R 5M4		<b>TZET#0001</b>
<b>ENFORCEMENT NOTICE (TICKET)</b> <i>Issued Pursuant to the Tzeachten First Nation Notice Enforcement Law 2012-01</i>		
<b>MUSQUEAM INDIAN BAND</b> <b>PROPERTY LEASE/TRANSFER RECORD</b> and notification of change of name or address		Date of Birth (if Known) YYMMDD
Date of Registration: D M Y	REGISTRATION NUMBER	STATUS OF PROPERTY <input type="checkbox"/> VACANT <input type="checkbox"/> IMPROVED
Legal Description: LOT PLAN OF SURVEY RESERVE	Lessor's Name	Middle Name Prov Make/Model/Color
Folio/Roll Number	PIN Number	Sales/Lease Price
Lessee/Sublessee's Name and Address	Member No.	Postal Code
Member No.	Member No.	that he has reasonable and probable grounds to believe, and here, that the above named, on or about:
Member No.	Member No.	at 24 hr. clock ; , British Columbia
<b>CHANGE OF NAME OR MAILING ADDRESS ONLY</b>		Section:
Previous Name(s)	New Name(s)	Section:
Previous Address	New Address	Section:
ORIGINATOR'S SIGNATURE	DEPARTMENT	DATE
Comments		Date Issued: YY/MM/DD
DISTRIBUTION: Accounting / Taxation / Lands / Assessment Authority		





## Sample 1

### Parcels

- LOT # PLAN # IR # (Color Code)
- Correspondence
- Rents, Fees
- Lease, Sublease, Assignment
- Mortgage, Discharge
- Easement, Right of Way
- Ongoing Issues (encroachment, estates, etc.)

### Surveys & Roads

- CLSR #
- RS\_\_ #
- Access Roads

### Project & Planning

- Commercial / Residential Development
- Resource Management
- Environmental Management
- Land Use & Other Plans ...

## Sample 2

Description	Classification #
<b>Management of Lands</b>	FN 5600 – IR #, Band #
<b>Policy</b>	FN 5600-0
<b>General</b>	FN 5600-1
<b>Laws</b>	FN 5600-2
<b>Land Exchanges</b>	FN 5600-19 – Band #
<b>FNLMA (Bill C-49)</b>	FN 5600-26 – Band #
<b>Individual Land Holdings</b>	FN 5630 – IR #
<b>Leases &amp; Permits</b>	FN 5643 – IR #, Lot #, Parcel,
<b>Sewer Gas</b>	FN 5661 – IR #
<b>Gas Pipeline</b>	FN 5661-3 – IR #
<b>Water Pipelines</b>	FN 5661-4 – IR #
<b>Foreshore Riparian</b>	FN 5661-5 – IR #
<b>Power Lines</b>	FN 5664 – IR #
<b>Railway</b>	FN 5667 – IR #
<b>Roads</b>	FN 5670 – IR #
<b>Telephone</b>	FN 5672 – IR #
<b>Addition to Reserve</b>	FN 5673 IR # – Name
<b>Specific Claims</b>	FN 4026 – Band #
<b>BCRs</b>	FN 4215-4 – Band #
<b>Wills &amp; Estates</b>	FN 5090 – IR #, Band #

## Sample 3

FN Shared - Template 2021 > Operational >

### Name

- Authority & Workplan
- Budget
- Communications
- Electronic Lands Inventory
- Environment
- Human Resources
- Individual Land Interests & Allotments
- Land Code & IA
- Land Registry
- Lands Committee
- Law Development
- RC Operational Support
- Reference Materials
- Surveys
- Wills & Estates



### FIRST NATIONS SUMMIT

Information Management Toolkit - for First Nations Government In BC

[IM Toolkit | Appendix 1 – Records Classification & Retention Schedule](#)

[IM Toolkit | Volume 2 – Procedures Manual](#)

# ENVIRONMENTAL RECORD MANAGEMENT

## Published Information:

- Studies conducted on (or near) your Reserve Lands
- Existing plans
- Environmental laws, permits, policies, guidelines
- Indian Act by-laws, BCRs

## Unpublished Information:

- Field inspections and site visits
- Environmental monitoring
- Community Knowledge
- Information often related to personal experience
- Informal notes and correspondence
- Briefing notes, memos

## **Considerations:**

- File by:
  - Lot Number
  - Environmental Topic
  - Environmental Feature
  - GPS Location (GIS)
- Land Law Repository
- Lands Committee Meeting Minutes & Supporting Documents
- Enforcement
- Cross-Referencing & Tagging Files



# RETENTION



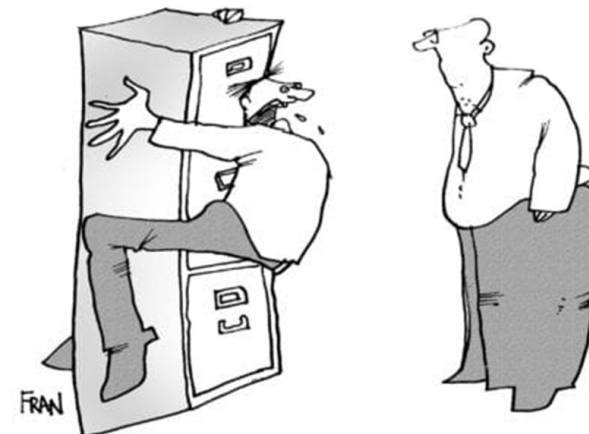
Seek Legal Advice



Review or Develop  
Internal Policy



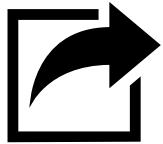
Sharing of  
Information



## Caselaw & Legislation



- As First Nations move toward the ticketing and prosecution of offences under their own laws and the storage of documents that may be used in civil litigation, it is both possible under the law and advisable for practical reasons for First Nations to move to an electronic recordkeeping system



- Electronic documents can be used as evidence in court, without the need for a “blue-ink” original



- In order to prove the integrity of an electronic document, the party must prove the integrity of the computer system / electronic document management system the document is stored on



- First Nations should take guidance from the law that has been developed in this area when setting up and operationalizing a reliable electronic documents system

Canadian Standards Association (CSA) guidelines

- [Standard for Electronic Documents and Records Management Solutions \(EDRMS\)](#)
- This is a guideline, not a law. However, the principles found in the guidelines can assist a Court in determining whether an electronic document should be admissible

Canada Evidence Act

- <https://laws-lois.justice.gc.ca/eng/acts/c-5/>

Examples of Provincial Legislation

- Saskatchewan: [The Electronic Documents and Information Act, 2000](#)
- Alberta: [Electronic Transactions Act](#)
- Ontario: [Electronic Commerce Act, 2000](#)
- British Columbia: [Electronic Transactions Act](#)

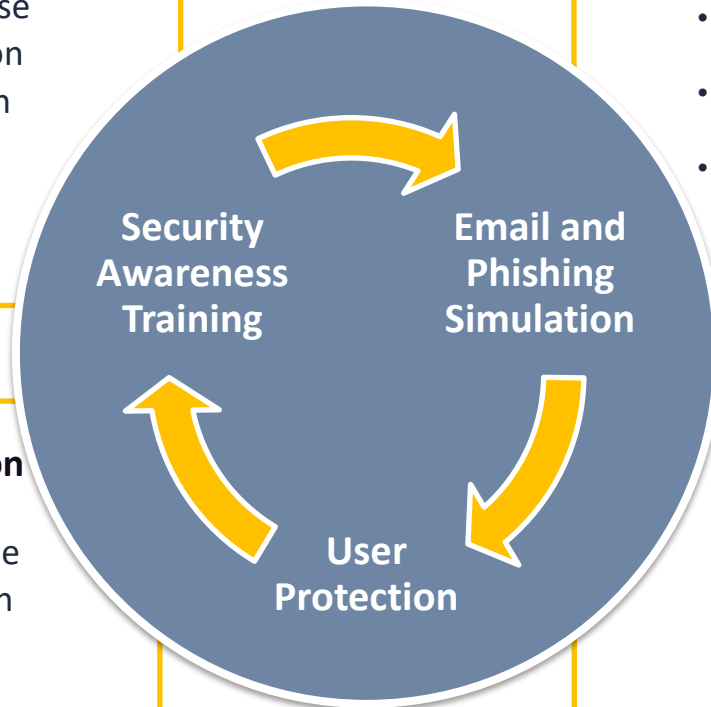


## Threat Protection

- Email Security
- Cloud Account Defense
- Email Fraud Protection
- Digital Risk Protection (Storage)
- Ransomware

## Compliance

- Archiving (Historical Records, Storage Media etc)
- Supervision and Access to records
- Following CSA Guidelines to demonstrate authenticity
- Adhering to the sections of the Canada Evidence Act



## Information Protection

- Email Security
- Cloud Account Defense
- Email Fraud Protection
- Digital Risk Protection (Storage)
- Ransomware –Program and data lock up

## Access Protection

- Program security
- Browser security
- Transmission and stage (Keep all transmissions within Canada)



# WHAT IF SOMETHING GOES WRONG?

## Risk Assessment



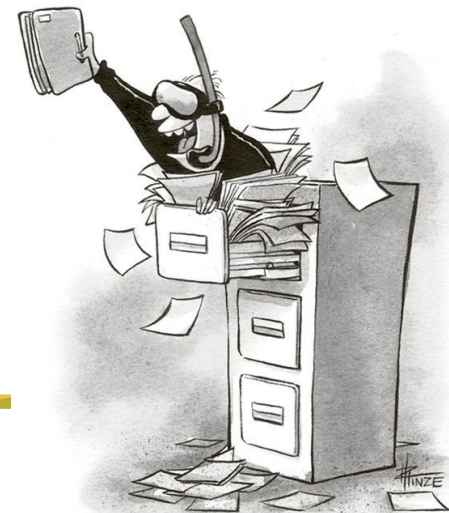
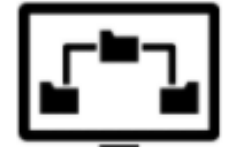
### Assess your Risks

Internal – Data Protection and Intrusion

Natural – Fires, Floods, Building conditions (Heat and Cold)

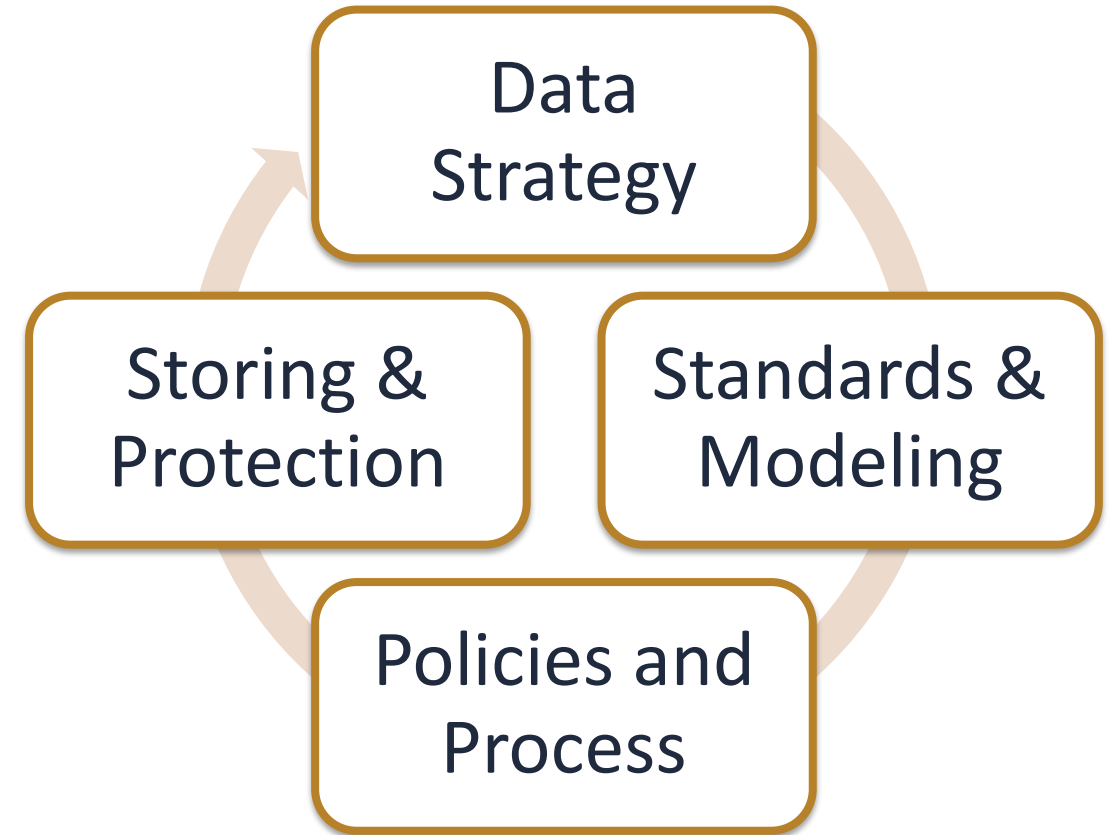


## Data File Backup



## Considerations:

- Electronic System Structure (Electronic Land Inventory)
- Format to receive plans, drawings, from developers
- Metadata Structure
- Protection of Data



# Example Data File Structure

- ❑ GIS/MAPS are considered mapping projects.
- ❑ Points to the location where the data is found (hyperlink).
- ❑ Organized and efficient digital filing system
- ❑ Named directories with titles that reflect type of info, you can locate your files quickly.
- ❑ Avoid several copies of same file. Changes may get lost and cause confusion. Try using File Version History.
- ❑ Having metadata within each file, lets you know all you need to know about your file



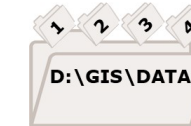
D:\GIS

## GIS DATA FILE MANAGEMENT

Below are some suggestions to provide assistance in creating an organized and efficient mapping file system within your computer. In the following examples D:\GIS is used as the location on your hard-drive, but it could be C or any letter, especially if your organization is on a network.

This will be the main directory to hold any information related to GIS.

Using File Explorer or Arc Catalog, you will create sub-directories which would include, but not limited to, "DATA", "DOCUMENTS", "EXPORT", "IMAGES" and "MAPS" within the root directory D:\GIS. The following examples are in alphabetical order, to represent what you would see on your system.



D:\GIS\DATA

The **DATA** directory stores all the spatial and non spatial information your GIS displays, like GPS results, spreadsheets, layer files and land-based data that you produced or downloaded. Land-based layers that cover a larger extent could be stored under the name of the scale it reflects. NRC stores their reserve data per IRname & #. By organizing your data in titles that reflect type of info, you can locate your files quickly. Having one data file per layer saves space on your computer and you will always know it is the most current. Having Meta Data within each file lets you know if you have the most recent copy, who its from, extent and more. **NOTE: Refrain from duplicating data per project.**

1. D:\GIS\DATA\LANDBASE\ Roads, Rivers, Waterbodies, Water\_lines.shp
2. D:\GIS\DATA\LUP\ Zones, Trad\_Uses, Development, Commercial.gdb
3. D:\GIS\DATA\250K\ Roads, Rivers, Waterbodies, Land features.igds
4. D:\GIS\DATA\MYREZ\_12\Administrative\_Area, Easement, Land\_Parcel, Land\_Parcel\_Boundary.shp



D:\GIS\DOCS

All documents E.G. data sharing agreements, manuals and work schedules, can be stored in the **DOCUMENTS** directory

1. D:\GIS\DOCUMENTS\Agreements.doc
2. D:\GIS\DOCUMENTS\Training.pdf
3. D:\GIS\DOCUMENTS\Schedules.xls

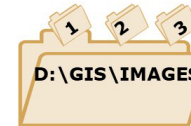


D:\GIS\EXPORT

All digital maps can be exported to share with others in a jpg or a pdf; for example, you could keep these in a directory called **EXPORT**.

Create subdirectories to reflect what image files are in each directory. Also, when sharing large maps, remember to let them know that this is a Large Format Document and to select "Fit to Page" before hitting print, this will save paper.

1. D:\GIS\EXPORT\LUP\Zones.pdf, Commercial.png, housing.tiff
2. D:\GIS\EXPORT\MYREZ\_12\911.bmp, addresses.jpg,
3. D:\GIS\EXPORT\CULTURAL\hunting.jpg, fishing.gif, arch\_sites.pdf



D:\GIS\IMAGES

By creating an **IMAGES** directory, your GIS technician can keep logos, map surrounds, pictures and other images stored for convenience. Another suggestion is to name a directory after the source where you received the image from.

1. D:\GIS\IMAGES\LOGOS\Band.jpg, Nation.tiff, Sponsor.bmp
2. D:\GIS\IMAGES\PHOTOS\Animals.gif, Plants.jpg or Heritage.bmp
3. D:\GIS\IMAGES\DESIGNS\Map\_Surround.png, branding.jpg



D:\GIS\MAPS

**GIS MAPS** are considered mapping projects so each project will hold different sets of layers, tools, output scales, sizes and reports. This means each project holds its own title, legend, north arrow, scale bar, sources of data and date of production. Each project points to the location where the data is found (hyperlink), for example to your GIS\DATA directory, this keeps the file size of each project at a minimum so you can use several data layers in one project. Putting the maps in appropriate directories, with appropriate names, will save time in the future. **NOTE: Put the directory and map name within the map for you to refer to later.**

1. D:\GIS\MAPS\COMMUNITY\houses, roads, addresses.
2. D:\GIS\MAPS\TERRITORIAL\referrals, SARA, guide outfitters, agricultural.
3. D:\GIS\MAPS\CULTURAL\Hunting, Fishing, Gathering, Archaeological and all other cultural maps made.
4. D:\GIS\MAPS\RESERVES\Myres\_12, myres\_32, All reserves.

*Disclaimer:* This document is designed to assist you in organizing the data files you've created or downloaded, to work with your GIS Maps to assist your Land management department. Please contact the GIS Specialist if you have any questions or need assistance with your digital database management.  
Leeanna.Rhodes@labrc.com

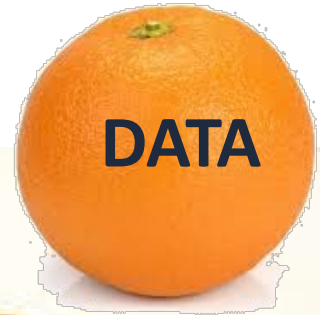


## Metadata is data about the data

### Six Types of metadata

1. Descriptive – name, type, what, when, who, company.
2. Structural – length, # of words, scores.
3. Preservation – Type of software, format.
4. Provenance - # of copies, changes, software used, who
5. Use – How the file is being used.
6. Administrative- Treatment of this file.

- Helps you understand your files
- What software to open it with
- Where to store on your system
- What to do to protect it



**METADATA**

- ❖ Controlling what we want our data used for
- ❖ Indigenous collection methods, ways of recording, analyzing, using or archiving, categorizing and storing this knowledge.
- ❖ Ensuring its safety, interpretation and its appropriate use.
- ❖ Instructions on the management of this information
- ❖ Creating/using data request forms
- ❖ Ensure proper authorized use of the data and the confidence of not losing it

# EXAMPLE DATA GOVERNANCE FORMS



## ARCHIVES RESEARCH AGREEMENT

### Conditions of Access and Use:

- 1) Access to records held at the Ktunaxa Nation Archives is provided at the discretion of the Archivist, on staff availability and research topic.
- 2) All research conducted in the Archives is to be carried out under the direct control and supervision of Archivist and are subject to fees outlined on the reverse of this form.
- 3) Records that are made available to researchers will not be marked or interfered with in any way and be returned upon completion of use in their original order and condition to the Archivist.
- 4) Reproductions of records will not be made without the specific permission of the Archivist. Any copy or scanning will be subject to the physical condition of the records and to copyright legislation.
- 5) That no publication of material from the Archives will be undertaken without the written permission Archivist. If publication of material from the Archives is approved, then its source must be acknowledged.
- 6) The Archivist has the right to review a draft of the product of your research before publication or rel to ensure compliance with the terms of this agreement;
- 7) The Archivist may request a copy of the product of your research to be deposited permanently at the Ktunaxa Nation Archives.

Name of Researcher	_____	
	Surname	Given Name
Organization	_____	
Address	_____	
	Apt. No/Street No.	Street Name
	_____	_____
	City	Province Postal Code
Telephone Number	(____) _____	Email _____
Research Topic	_____	
	_____	

I agree to comply in all respects with the above conditions, including compliance with the BC Personal Information Protection Act, the policies and procedures of the Ktunaxa Nation Archives relating to the confidentiality and use of the records, and the conditions imposed above by the Archivist.

Signature \_\_\_\_\_ Date \_\_\_\_\_

### User Policy



Union of BC Indian Chiefs Resource Centre  
**User Policy**  
 Effective 17 March 2010

### Cientele

The Resource Centre serves UBCIC staff, researchers from UBCIC member communities and affiliated organizations, and outside researchers with a legitimate reason to access our collections. Due to the presence of personal and confidential information, a Band Council Resolution may be required to access to some materials. All researchers must be registered and comply with other UBCIC Resource Centre policies where appropriate, including the *Ethical Research Policy*, *Archival Handling Policy*, and the *Permissions Policy*.

### Hours & Booking Equipment

The Resource Centre is open by appointment only Monday to Friday from 10am – 4:30pm. The library is closed on all regular statutory holidays and additional closure days will be posted on our webpage. Hours are subject to change at different times of the year. If you know that you need to use a microfilm/fiche machine please call at least 2 days in advance to ensure a machine will be available and to book a time. If you do not call ahead we cannot guarantee that a machine will be available for you to use.

### Items Not Allowed in the Resource Centre

Food and beverages are not allowed in the Resource Centre. Also, please do not bring backpacks, briefcases, large bags or purses into the Resource Centre. Lockers are provided and require a refundable deposit of 25 cents for a key. LEAVE ITEMS AT YOUR OWN RISK.

### Loan Periods

**(applies only to those with borrowing privileges)**

#### Books: 4 Weeks

Two 2-week renewals are allowed providing there are no holds on a book. Books may be renewed in person or by phone or email.

#### AV, Maps, Photographs, Journals, and Newspapers, Special Collections, Archival & Reference Materials: IN LIBRARY USE ONLY.

A UBCIC library card along with proof of status (ie. employee ID, current business card) must be presented each time you wish to borrow, no exceptions will be made. Please limit the number of items you have signed out of the Resource Centre at any one time to 10 items per library card. If you have any overdue items or fines on any one library card, you will not be allowed to borrow further materials until all overdue titles are returned and fines are paid.

### Recalls

**(applies only to those with borrowing privileges)**

Any item out on loan is subject to a recall if it is urgently required by UBCIC staff or a community researcher from a UBCIC member community. Once notification has been given for a recall you will have 2 business days to return the item, overdue fines of \$1 per day per item will be charged if the items are not returned within those 2 days.

### Overdue Fines

**(applies only to those with borrowing privileges)**

2 Week Loan Material: \$1.00/per day/per book



## simpchw Archives Research Application Form

Send to: Archives Coordinator  
[Celia.Nord@simpchw.com](mailto:Celia.Nord@simpchw.com)  
 1-250-672-9995 ext 266  
 Toll Free: 1-800-678-1129 ext 266  
 Fax: 1-250-672-9928

\_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Cell \_\_\_\_\_ Fax \_\_\_\_\_

\_\_\_\_\_ Affiliation (Simpchw or other?) \_\_\_\_\_

\_\_\_\_\_ n? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ interested in (ie. photographs, genealogy, oral history, textual records, maps, \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ information collected for this form is protected in accordance with Canadian \_\_\_\_\_ legislation. A copy of your birth certificate or other ID may be necessary for \_\_\_\_\_ guests. Appointments are preferable to make the most of your visit.

\_\_\_\_\_ in the Natural Resource Department building Monday to Friday 8am to 4pm.

\_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_



## Database to store all examples of high-quality data types, uses and permissions:

- ❖ Data that matters to the community.
- ❖ Community driven standards for access and data management.
- ❖ Wholistically align to your data collection (Library, Archives etc.)
- ❖ Hyperlinks to the paths that hold the properly structured information agreements

LINK_ID	FILE NAME	BOOK NAME	ARCHIVE NUMBER	MAP_NAME	HYPLNK_AGREEM	HYPLNK_BOOK	HYPLNK_DOC	HYPLNK_STANDARDS	HYPLNK_REQ_FORM
This column will be used in conjunction with linking to a GIS Layer, housing database, landuse plan, env_man_plan. Etc	This is to be used in conjunction with your library or archives department.	This is to be used in conjunction with your library or archives department.	This is to be used in conjunction with your library or archives department.	NTS, PROV-GS or topograhpic map name. For name look to bottom, or bottom right of each map. To order or download maps for project go to geogratis.ca search National Topographic System (NTS)	This refers to the directory where each signed agreement resides by researchers name	This refers to the directory where the book resides, could be by name or your library number	This refers to the directory of the documents you have stored Human related, Lands and Resource, Cultural, and Environmental data	This refers to the directory where you've stored the standards for this document/artifact	This refers to the directory signed request forms for tl document
16 numeric digits only for GIS Linkage	8-18 digits. Depends on if you will be linking this database to an existing archival or library database.	8-18 digits. Depends on if you will be linking this database to an existing archival or library database.	8-18 digits. Depends on if you will be linking this database to an existing archival or library database.	8 Characters TEXT with numbers, E.G. 92G03	50 characters Max, Te	50 characters Max, Tex	50 characters Max, Tex	50 characters Max, Text	50 characters Max, Text
Use Unique numbers	This field is a unique ID and relates to items found in Archives or if it is a digital file and relates to digital items								



## Record Management Principles & Considerations in respect to First Nation Lands

The use of comprehensive record systems for lands management

The scope of documentation that should be maintained by individual First Nations

Retention and disposal of original signed records

Record maintenance and security

# Questions & Discussion





# 2022 TMPD EVENT SCHEDULE

• LAB National Land Registry – Special Interest Workshop Series - Workshop 3

Feb 23



• Considerations for Commercial & Residential Leasing (A to A Leasing) under Land Code

Mar 9-10



• Approaches to Managing Legacy Issues under the Framework Agreement

Apr 7



• Land Governance Office – Considerations for Operational Start Up & Implementation of Land Code

May 12



• Developing a Climate Change Strategy for Resilient Communities under the Framework Agreement

Jun 8-9



• Enforcement & Dispute Resolution under Land Code

Jul 14



• Land Governance Authorities under Framework Agreement & Land Code

Aug 11



• Natural Resource Management under the Framework Agreement

Sep 7-8



• Update on the new model Land Codes

Oct 13



• Land Development Approaches under Land Code

Nov 10



• Environmental Management under Land Code

Dec 7-8



[labrc.com/events](https://labrc.com/events)



**Webinars**

1 Hour Sessions

11:00 – 12:00 PT / 2:00 – 3:00 ET

**Workshops**

2 Day Sessions

9:00 – 12:00 PT / 12:00 – 3:00 ET



**T M** Training, Mentorship &  
**P D** Professional Development

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Workshops & Webinars

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Online Courses

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Knowledge Paths Tool

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Land Governance Manual

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Knowledge Repository

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Direct Community Support (1:1)



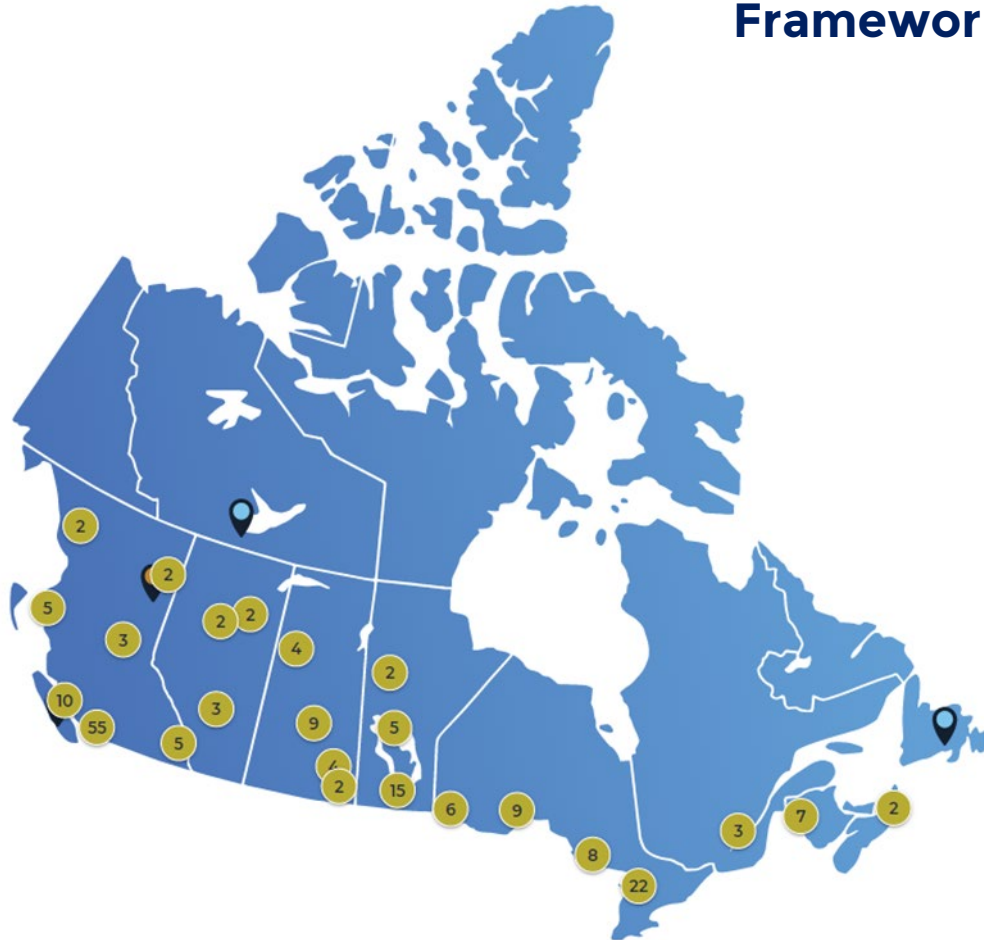




## Framework Agreement Signatory First Nations across Canada





As of February 3, 2022

<b>Total Signatories</b>	<b>194</b>
Operational	100
Developmental - Active	61
Developmental – Inactive	30
Self Governing	3



[Lands Advisory Board](#) >[Resource Centre \(RC\)](#) >[Our History](#)[RC Board](#)[RC Staff](#)[Employment Opportunities](#)[RC Reports](#)

## Employment Opportunities

 <a href="#">Technician, First Nations Support Services</a> FNLN Resource Centre Inc.	Within Canada	Full Time
 <a href="#">Project Management First Nation Land Registry</a> FNLN Resource Centre Inc.	Within Canada	Full Time
 <a href="#">GIS Technician</a> Doig River First Nation (DRFN) (Tsáá? çhé ne dane)	Doig River First Nation, BC	Full Time
 <a href="#">Finance Manager</a> Kát'odeeche First Nation	Hay River Dene Reserve, NT	Full Time

# THANK YOU



**Angie Derrickson**

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TMPD Specialist

[lfarlam@labrc.com](mailto:lfarlam@labrc.com)