



*The Corporation of the Municipality of Wawa  
Staff Report*

*Clerk*

<b>Prepared For: Council</b>	<b>Report No.: CC-2021-04</b>
<b>Agenda Date: May 18, 2021</b>	<b>File No.: BL</b>

**Subject**

The last Records Retention By-Law was passed in 1982. After many years, the Clerk is now proposing a new Records Retention By-Law to incorporate the recent changes in the Municipal Act, 2021, to meet changing legislative requirements regarding records retention. The Records Retention By-Law would be current to May 2021.

**List of Stakeholders**



The list of Stakeholders includes:

The Municipality of Wawa  
All Departments within the Municipality of Wawa  
Mayor and Council

**Summary of Recommendation**

**RESOLVED THAT** Council of the Municipality of Wawa hereby:

1. Receive the Clerk's Report as information regarding the new Records Retention By-Law.
2. Adopt the new Record Retention By-Law, its Retention Schedule and Policy at the next Regular meeting of Council.
3. Delegate authority to the Clerk to establish and amend the Records Retention Schedule (see attached Schedule "A" – Appendix 1) for the records of the Corporation of the Municipality of Wawa.

<b>Respectfully Submitted By:</b> Cathy Cyr Clerk	<b>Reviewed By:</b> Maury O'Neill CAO-Treasurer
<b>Name/Signature/Title</b> 	<b>Supervisor's Name/Signature/Title</b> 

4. Direct the “Records Management Committee” (staff committee) to commence in investigation and recommendation for the selection of a vendor to manage the electronic records for The Corporation of the Municipality of Wawa.
5. That By-law Nos. 231-82 and 272-83 (police records retention) be repealed upon the adoption of the new Records Retention By-Law.

## Background

The current Records Retention by-law is in excess of 40 years old. Proper municipal record keeping is not only essential for effective day-to-day municipal operations but it is a statutory requirement as defined in the *Municipal Act, 2001*:

- Section 254 (1) states that a municipality shall retain and preserve the records of the municipality and its local boards in a secure and accessible manner;
- Section 255 (1) states that except as otherwise provided, a record of a municipality or local board may only be destroyed in accordance with this section.
- Section 255 (2) states that despite Section 254, a record of a municipality or local board may be destroyed if a retention period for the record has been established under this section and,
  - The retention period has expired; or
  - The record is a copy of the original.

It is estimated that an approximate range of 25% - 40% of office worker time is spent searching for records. A staggering statistic but not unimaginable if we take into account of what is considered a record today. Records are typically thought simply as paper copies of documents although the actual definition is significantly more extensive. The word “record” today includes only those typical paper documents but also emails, digital files such as Word documents, website content, amongst numerous other items.

The Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) requests depend heavily on a municipality’s ability to locate records in a timely manner. In order to perform the task of locating records, it is essential to have a system and processes in place.

In January, 2021, the Municipality of Wawa purchased the Ontario Municipal Records Management System (TOMRMS) and annual subscription from *The Information Professionals*.

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***What is TOMRMS?***

TOMRMS is a universal coding/file classification system which is utilized by many Ontario municipalities and supported by the AMCTO (Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO)).

The TOMRMS subscription provides the Municipality a broad set of criteria for which the various types of municipal records are to be classified under. Each classification has a defined retention schedule associated based upon provincial, federal and other legislative requirements.

The annual subscription to the yearly retention schedule updates with TOMRMS is \$350.00 per year, as is a common practice for most municipalities using TOMRMS.

***Legislative Compliance***

The Municipality of Wawa is currently non-compliant with legislation. With the adoption of *Bill 68: Modernizing Ontario's Municipal Legislation Act, 2017*, Section 254 and 255 (1)(3) of the *Municipal Act, 2001*, required that the municipality shall retain and preserve its records in a secure and accessible manner and provides that the municipality may establish retention periods, **subject to the approval of the municipal auditor.**

With the enactment of Bill 68, the wording, "subject to the approval of the municipal auditor" has been removed; which means that the municipal auditor is no longer required to approve the Records Retention By-Law.

***Delegation of Authority – Clerk***

One of the statutory duties of the Clerk is to maintain the records of the municipality in accordance with the Records Retention By-Law.

Currently, records management is based on the 1982 retention by-law and it does not reflect the various types of records; it addresses the paper records only. The management of the municipality's records have been a concern for the Clerk for many years.

The new records management system would allow the Clerk to review changes to records and retention schedule schedules based on input from the management team and TOMRMS legislative updates.

In conjunction with the new Records Retention by-law, staff is requesting Council to delegate its authority to the Clerk to approve changes to the records retention schedules (Schedule "A" to the Retention By-Law) based on input from the management team and TOMRMS legislative update, which would forego the future requirement of subsequent amendments to the records retention schedules. This is a common practice amongst Ontario municipalities.

This would streamline the administrative process of establishing and amending the records retention schedule (Schedule "A") by no longer requiring Council approval. Departments would receive an update Schedule "A" as approved by the Clerk, in real time and would have the immediate direction and flexibility to maintain/destroy records according to current legislation.

Should delegated authority to the Clerk not be approved, the Records Retention By-Law would come forward to Council annually for an amendment based on updates received by *The Information Professionals* (TOMRMS), as well as intermittently, when changes are required to Schedule "A".

### **Next Step**

A draft Records Retention By-Law and Schedule "A" (records retention schedule) be forwarded to the June 1, 2021 Regular Council meeting to adopt the new by-law; which would include a clause (see Section 3.1 of the draft Records Retention By-Law) to provide delegated authority to the Clerk to effect changes from time to time to Schedule "A" – Records Retention By-Law.

The Clerk's department will provide training to all internal departments on Records Retention Schedule, in particular, the management team and employees responsible for departmental records retention and destruction. This training would also involve the implementation of new forms for the internal tracking of records – destruction; transfer; loan, and legal hold of records, etc.

A Records Management Program will also be developed to assist Municipal Staff in understanding the records management principles applicable to the information they create and receive, and will also assist municipal staff to manage their information in a secure and efficient manner. An employee records management handbook and Council approved policies related to records management will also be developed.

A Draft Municipal Records Management Policy is attached to this report for Council consideration. This policy explains how municipal records are to be maintained, preserved, archived or destroyed; and defines roles and responsibilities of key records management staff.

Staff are also currently exploring the possible implementation of following policies, which would form part of the Records Management Program:

1. **Disaster Recovery of Vital Records Policy** – this policy would outline how we will protect our vital records and prevent the disruption of critical operations in the event of a disaster.
2. **Social Media Policy** – a policy which would provide guidance to Council and staff regarding social media communications/protocol.

3. **Communication Policy** – a corporate communications strategy to effectively communicate to the public in a consistent manner.
4. **Municipal Email/Instant Message Policy and Procedure** – a policy regarding the creation, retention, management and disposal of email/instant messages that meet legal requirements and operational needs.
5. **Access to Municipal Records Policy** – a policy which will explain to the public how to access municipal records; and
6. **Personal Information and Electronic Records Policy** – a policy on how to deal with formal requests under MFIPPA (Municipal Freedom of Information and Protection of Privacy Act).

Policies related to the above are required in order to comply with current legislation.

### **Financial Impact**

The Municipality proposed the TOMRMS Records Retention program for \$4,000 plus its annual subscription for \$350.00 plus HST. This will be an annual budgeting expense and maintained through the administrative operational budget.

With respect to the selection of a vendor to provide electronic records management, a separate staff report will be prepared to review the service options. A report will be forthcoming in the summer of 2021.

### **Policies & Plans Affecting Proposal**

Municipal Act, 2021  
GG-007: Delegation of Authority Policy

### **Attachments**

1. Draft Records Retention By-Law
2. Draft Schedule "A" to the Records Retention By-Law
3. Draft Records Management Policy

**THE CORPORATION OF THE  
MUNICIPALITY OF WAWA**

**BY-LAW NO. XXXX-21**

**BEING A BY-LAW** to establish schedules of retention periods for documents and records to be kept by The Corporation of the Municipality of Wawa.

**WHEREAS** pursuant to Section 254 (1) of the Municipal Act, 2001, S.O. C.25, as amended, a municipality shall retain and preserve the records of the municipality and its local boards in a secure and accessible manner, and

**WHEREAS** pursuant to Section 255 (2) of the Municipal Act, 2001, S.O. C.25, as amended, a record of a municipality or a local board may be destroyed if a retention period for the record has been established and the retention period has expired or the record is a copy of the original record; and

**WHEREAS** pursuant to Section 255 (3) of the Municipal Act, 2001, S.O. C.25, as amended, a municipality may, establish retention periods during which the records of the municipality and local boards of the municipality must be retained and preserved; and

**WHEREAS** the Council of The Corporation of the Municipality of Wawa deems it desirable to establish retention periods for the records of the municipality by enactment of this by-law;

**NOW THEREFORE** the Council of The Corporation of the Municipality of Wawa hereby enact as follows:

**1**     **DEFINITIONS**

- 1.1     "**Archival Selection**" means a review of a Record to determine if it shall be kept longer than the assigned Total Retention Period.
- 1.2     "**Certificate of Destruction**" is a form completed by the Departmental Director and the Clerk which identifies records that are to be destroyed.
- 1.3     "**Clerk**" means a person appointed by Council, or their delegate, to perform the duties of the Clerk.
- 1.4     "**Department Retention**" means the length of time a Record remains with the department responsible for the Record.
- 1.5     "**Destroy**" means the process of eliminating or deleting data, documents and Records so that the recorded information no longer exists. Records are to be destroyed by shredding.
- 1.6     "**Final Disposition**" means the final fate of a Record. There are only two potential dispositions available to Records: they are either destroyed or permanently retained, in accordance with the Retention Schedule.

- 1.7 **"FOI Designation"** identifies the designation of a record in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*. Schedule "A" includes a column identifying the following FOI Designations:
- **Open Access:** There are no restrictions on access to records contained within this series.
  - **Review Access:** There may be some restrictions on records contained within this series. Review is required before access is granted.
- 1.8 **"Municipality"** means The Corporation of the Municipality of Wawa.
- 1.9 **"Official Records"** means recorded information in any format or medium that documents the Municipality's business activities, rights, obligations or responsibilities or recorded information that was created, received, distributed or maintained by the Municipality in compliance with a legal obligation.
- 1.10 **"Permanent Record"** means any Record of the Municipality of Wawa for which the Retention Period on the Retention Schedule is given as permanent.
- 1.11 **"Record"** means a record which is within the Municipality's custody and control and includes any record of information however recorded, whether in printed form, on film, by electronic means or otherwise, and includes:
- a) Correspondence, memorandum, book, plan, map, drawing, diagram, pictorial or graphic work, photograph, film, microfilm, sound recording, videotape, machine-readable record, any other documentary material, regardless of physical form or characteristics, and includes Official, Permanent and Transitory Records; and
  - b) Subject to the regulations, any record that is capable of being produced from a machine-readable record, under the control of an institution by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the institution.
- 1.12 **"Retention Period"** means the period of time during which Records must be kept by the Municipality of Wawa and Includes Department Retention and Total Retention periods.
- 1.13 **"Retention Schedule"** means the timetable that authorizes and provides for the transfer, disposal or permanent retention of all corporate Records. Retention Schedules are based on TOMRMS and are adopted and approved by By-Law-
- 1.14 **"Superseded"** means a Record that is kept for an indefinite period until it is replaced by an updated Record.
- 1.15 **"TOMRMS"** - means The Ontario Municipal Records Management System, a system which is the Municipality's standard classification system.
- 1.16 **"Total Retention"** means the period of time a Record is kept and stored until it reaches the assigned Final Disposition.

- 1.17 "**Transitory Record**" includes e-mail, voice mail, text messages that have temporary or limited value and are not required to meet statutory obligations, set policy, establish guidelines or procedures, certify a transaction, become a receipt or provide evidence of an operational, legal, fiscal or historical nature or other official decisions of the municipality.

Transitory Records include, but not limited to:

- Additional duplicate copies
- Telephone messages
- Working papers
- Miscellaneous notices or memoranda
- External publications
- Records for convenience of reference
- Unrelated to municipal business
- Unsolicited advertising information
- Tapes or notes from a meeting for which the minutes or reports have been adopted or finalized

## **2 INTERPRETATION RULES**

- 2.1 The Retention Periods listed In Schedule "A", attached hereto and forming a part of this By-Law, shall be in years, unless the period of time is Indicated to be other than years, exclusive of the year in which the record is dated.
- 2.2 For the purposes of this By-Law and Schedule "A" attached hereto, "year" shall mean a full calendar year commencing January 15 and terminating December 15 and retention period commences from the date of the document plus it's total retention period.
- 2.3 The Clerk of the Municipality shall have the authority to approve destruction of all records provided they have been retained until the expiry of the total retention period of this By-Law.

## **3 RETENTION PERIODS**

- 3.1. The authority for establishing and amending Retention Periods for the Records of the Municipality shall be delegated to the Clerk.
- 3.2. The Clerk shall administer this by-law and shall ensure that the Retention Periods comply with all relevant legal requirements for record retention.
- 3.3. In determining the Retention Periods for any Records, the Clerk shall consider, in consultation with employees and TOMRMS where appropriate:
- a) The operational nature of the Records, including the period of time during which the Municipality uses the Records to perform its functions;
  - b) The legal nature of the Records, including the period of time necessary to comply with statutory or regulatory requirements or requirements imposed by



agreements, permits or similar documents, or to ensure that the Records are available in case of investigation or litigation;

- c) The fiscal nature of the Records, including the period of time necessary for audit or tax purposes; and
- d) The historical nature of the Records, including the long-term value of the Records for documenting past events or the origins and history of the Municipality.

#### **4 EMPLOYEE RESPONSIBILITIES**

4.1 All Municipal employees who create, work with or manage Records shall:

- a) Comply with the Retention Periods;
- b) Ensure that Official Records in their custody or control are protected from inadvertent destruction or damage;
- c) Ensure that Transitory Records in their custody or control are destroyed when they are no longer needed for reference; and
- d) Ensure Section 6— Disposition of Records is followed.

#### **5 CLERK RESPONSIBILITIES**

5.1 The Clerk shall:

- a) Develop and administer policies and establish and administer procedures for managing Records;
- b) Periodically review and make recommendations with respect to this By-Law;
- c) Ensure that Records are preserved and disposed of in accordance with the Retention Schedule;
- d) Ensure that a record is kept of records that are destroyed, with the exception of Transitory Records; and
- e) Ensure that all Certificates of Destruction are preserved.

#### **6 DISPOSITION OF RECORDS**

6.1 The original of a Record designated as a Permanent Record in Schedule "A", attached hereto and forming a part of this By-Law, shall be retained permanently in the care or under the control of the Clerk or any other department or official of The Corporation.

6.2 The following principles shall govern the Destruction of Records:

- a) When there are no further business or legal reasons for retaining Records, they shall be destroyed or expunged as appropriate;
- b) Records pertaining to pending or actual investigation or litigation shall not be destroyed; and

c) Records disposed of at the end of a Retention Period, as well as drafts and copies of Records disposed of on a regular basis, shall be destroyed in a way that preserves the confidentiality of any information they contain.

6.3 Records in the custody or control of the Municipality shall not be destroyed unless such records are older than the Total Retention period set out in the Retention Schedule, have been identified in a Certificate of Destruction and destruction is approved by the Clerk.

6.4 Copies of Records may be destroyed at any time if the original records are being retained in accordance with Schedule "A" attached hereto and forming a part of this By-Law.

**7 SHORT TITLE**

7.1 This By-Law may be cited as the Records Retention By-Law.

**8 IMPLEMENTATION**

8.1 This By-Law shall come into force and take effect on the date of its final passing.

**READ** a first, second and third time and finally passed this 1<sup>st</sup> day of June, 2021.

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RON RODY, MAYOR

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CATHY CYR, CLERK

**Schedule “A”  
Records Retention and Locations**

**PRIMARY HEADING: ADMINISTRATION**

Class Code	Secondary Heading	Responsible Dept.	Retention	Retention Justification/ Citations	Location	Digital Considerations (SR=Server & Retain SD=Server & Destroy)	FOI Designation	Remarks
A00	<b>Administration – General</b> Includes Admin. Records which cannot be classified elsewhere. Use only where there are no other headings available.	All Depts.	1		Office files	SD	Open Access	
A01	<b>Associations and Organizations</b> Includes correspondence, minutes, agendas, notices & reports regarding organizations, associations to which staff belong such as AMCTO, AMO, etc.	All Depts.	1	business need	Office files	SD	Review Access	Excludes membership fees (See F01)
A02	<b>Staff Committees and Meetings</b> Records, re: the activities of staff committees and meetings, incl. notices of meetings, agendas, minutes, etc.	All Depts.	4 (server) 1 (dept)	business need	Office Files	SD	Review Access	Excludes Council Minutes & Agendas (See C03 & C04) & Council Committee (See C05 & C06)
A03	<b>Computer Systems and Architecture</b> Incl. records, re: all types of information systems in use. Incl. computer hardware/ software, system design, and implementation, quality control, email management, etc.	IT	S+6	business need	IT	SD	Review Access	Excludes acquisitions (see F18). Excludes Reports (File by Subject)
A04	<b>Conferences and Seminars</b> Includes invitations, approvals, agendas, records, re: conferences, conventions, seminars, special functions attended by staff, travel arrangements, accommodations, itineraries or sponsored by the Municipality.	All Depts.	1**  archival review if sponsored by the Municipality	business need	Office Files	SD	Open Access	Excludes Speeches & Presentations (See M08), Employee & Council Expenses (See F09), Invoices (See F01), Ceremonies & Events (see M02), Rental Agreements (See L14)
A05	<b>Consultants</b> Includes correspondence, proposals, resumes, docs, re: the selection, appointment and monitoring of consultants.	All Dept.	2**	business need	Office Files	SD	Review Access	Excludes Quotations & Tenders (See F18) and Invoices (See F1)
A06	<b>Inventory Control</b> Includes inventory statement and reports, records, re: control of supplies, fuel and small equipment stock levels.	All Dept.	6	business need	Office Files	SD	Open Access	Excludes Assets (See F06)

Class Code	Secondary Heading	Responsible Dept.	Retention	Retention Justification/ Citations	Location	Digital Considerations (SR=Server & Retain SD=Server & Destroy)	FOI Designation	Remarks
A13	<b>Travel and Accommodation</b> Includes records regarding travel and accommodation arrangements. Includes itineraries, maps, authorizations, reservations, rented vehicles and catalogues and brochures concerning hotels, convention sites and restaurants	All Dept	1	business need	Office Files	SD	Open Access	Excludes employee and council expenses (see F09)
A14	<b>Uniforms and Clothing</b> Includes records regarding uniforms and special clothing used by municipal staff members, such as police uniforms, fire-fighters' clothing and safety clothing used by utilities operators.	All Dept	S**	business need	Office Files	SD	Open Access	
A15	<b>Vendors and Suppliers</b> Includes records regarding vendors and suppliers of goods and services as well as information about these goods and services, such as catalogues, price lists, correspondence, and bidders' information sheets	All Dept	2	business need	Office Files	SD	Open Access	Excludes Purchase orders and Requisitions (see F17), Office Equipment-owned and leased (see A07), Fleet Management (see V01)
A16	<b>Intergovernmental Relations</b> Includes correspondence and other records of a general nature regarding the relationship between the municipality and all other levels of government (such as telephone numbers, contact names, etc.). May include correspondence to and from Boards and Commissions. Where possible, these records should be filed by their subject, not the originator or recipient of the report and/or correspondence.	All Dept	5**	business need	Office Files	SD	Review Access	Excludes Legislation (see L10/L11)

Class Code	Secondary Heading	Responsible Dept.	Retention	Retention Justification/ Citations	Location	Digital Considerations (SR=Server & Retain SD=Server & Destroy)	FOI Designation	Remarks
A20	<b>Building and Property Maintenance</b> Includes records regarding the maintenance of the municipality's buildings and properties, such as cemeteries, bus terminals, garages, libraries, and office buildings. Includes exterior maintenance to buildings, landscaping, grounds keeping and grass cutting. Also includes interior design of buildings, including floor layouts, office cleaning and pest control as well as licenses for devices such as elevators.	All Dept	5 Setup tests and manuals = Equipment removed + 1 year	g049 g099 g123 g160	Office Files	SR	Review Access	Excludes Parks Management (see R04), Building Systems (See A26)
A21	<b>Facilities Bookings</b> Includes copies of permits and bookings issued for the rental of recreational and administrative facilities for specific activities.	All Dept	1	business need	Office Files, CST	SD	Review Access	
A22	<b>Accessibility of Services</b> Includes records relating to the accessibility of Municipal buildings, services and information to disabled persons. Includes multi-year accessibility plan, efforts to remove barriers and notices of availability of these services.	All Dept (mostly Clerk's)	5	g010	Office Files	SD	Review Access	Excludes Report on Service (See A25)
A23	<b>Information Systems Production Activity &amp; Control</b> Includes records relating to computer system operations and backup tapes. Includes activity logs, help desk tickets, change control sheets, change orders, file access control reports.	IT	2	business need	IT	SD	Review access	
A24	<b>Access Control &amp; Passwords</b> Records related to the management of and access to programs. Includes individual access, password management, etc.	IT	S	business need	IT/ CAOs Office	SD	Review Access	

**PRIMARY HEADING: COUNCIL AND BY-LAWS**

Class Code	Secondary Heading	Responsible Dept.	Retention	Retention Justification/ Citations	Location	Digital Considerations (SR=Server & Retain SD=Server & Destroy)	FOI Designation	Remarks
<b>C00</b>	<b>Council and By-Laws – General</b> Includes Council and Committee operations files which cannot be classified elsewhere. Use only where there are no other headings available.	All Dept	1	Business needs	Office Files	SD	Open Access	
<b>C01</b>	<b>By-Laws</b> Includes final versions of the municipality's by-laws and amendments and attachments that are legally part of the by-laws. Also includes any background documentation required to explain or justify the By-Law.	Clerk's	P**	g090 g131	Office Files	SR	Open Access	
<b>C02</b>	<b>By-Laws - Other Municipalities</b> Includes final versions of by-laws of other municipalities which are of interest	Clerk's	S	business need	Office Files	SD	Open Access	
<b>C03</b>	<b>Council Agenda</b> Includes notices of meetings and agenda of Council meetings as well as working notes used in agenda preparation	Clerk's	S+5	business need	Office Files	SR	Review Access	Excludes Council committees (See C05, C06), Reports to Council (See C11)
<b>C04</b>	<b>Council Minutes</b> Includes minutes of the proceedings of Council meetings. Includes attachments to the minutes and voting records.	Clerk's	P** working notes = 6 copies = 2	g131	Office Files	SR	Review Access	
<b>C05</b>	<b>Council Committee Agenda</b> Includes notices of meetings and agenda for the committees of Council as well as working notes used in agenda preparation.	Clerk's	S	business need	Office Files	SD	Open Access	
<b>C06</b>	<b>Council Committee Minutes</b> Includes minutes of the committees of Council and copies of Local Board Minutes that members of Council belong to.	Clerk's	6**	g015	Office Files	SR	Review Access	

Class Code	Secondary Heading	Responsible Dept.	Retention	Retention Justification/ Citations	Location	Digital Considerations (SR=Server & Retain SD=Server & Destroy)	FOI Designation	Remarks
C10	<b>Motions and Resolutions - Other Municipalities</b> Includes final versions of motions and resolutions of other municipalities which are of interest.	Clerk's	S	business need	Office Files	SD	Open Access	
C11	<b>Reports to Council</b> Includes all departmental reports to Council such as staff reports, the Treasurer's agreements, investments and funds disposition reports. Filed by subject.	Clerk's	P**	common practice – also included in Council Minutes	Office Files	SR	Review Access	
C12	<b>Appointments to Boards and Committees</b> Includes records regarding appointments by Council of staff and council members to roles on council committees and boards.	Clerk's	P**	g131	Office Files	SR	Review Access	
C13	<b>Accountability Transparency &amp; Governance</b> Includes records relating to Council Code of Conduct complaints and related investigations, Integrity Officer appointments and reports (including Integrity Commissioner reports, Ombudsman investigations and reports), closed meeting investigations and initiatives., registry of lobbyists, etc.	Clerk's	2	g059	Office Files	SD	Open Access	

Class Code	Secondary Heading	Responsible Dept.	Retention	Retention Justification/ Citations	Location	Digital Considerations (SR = Server & Retain SD=Server & Destroy)	FOI Designation	Remarks
D04	<b>Residential Development</b> Includes records regarding the availability of housing. Includes general assessments of the need for affordable housing, occupancy rates, housing cost statistics, etc	Planning	10**	business need	Office Files	SR	Review Access	
D05	<b>Natural Resources Planning</b> Includes records regarding planning for the management and preservation of forests, natural features, the characteristics of various minerals as well as mineral deposits, and other natural resources information.	Planning	5**	business need	Office Files	SR	Review Access	Excludes tree maintenance (See E04), Natural Resource Management and Preservation (See E18)
D06	<b>Tourism Development</b> Includes records regarding the tourism industry and efforts made to promote and encourage tourism such as the use of the municipality as a convention site or special event.	Planning	10**	business need	Office Files	SR	Review Access	
D07	<b>Condominium Plans</b> Includes records regarding the pre-consultation and the approval of plans of condominiums. Includes drawings, technical reports, and correspondence, written comments, working notes, background information and applications.	Planning	P Applications = 2 years after final decision	business need	Office Files	SR	Review Access	
D08	<b>Official Plans</b> Includes the official plan, and exemptions and amendments to the official plan. Also includes secondary plans and amendments, containing detailed objectives and policies concerning the planning, development, and redevelopment of specific planning districts.	Clerk's	P**	g090 (15 years) common practice (P)	Office Files	SR	Open Access	
D09	<b>Official Plan Amendment Applications</b> Includes the pre-consultation and applications to amend the official plan or secondary plans, staff reports, meeting minutes and written comments on the application, notices, resolutions and decisions	Planning	Final decision or reflected in revised official plan + 5	P	Office Offices	SR	Review Access	



Class Code	Secondary Heading	Responsible Dept.	Retention	Retention Justification/ Citations	Location	Digital Considerations (SR = Server & Retain SD=Server & Destroy)	FOI Designation	Remarks
D16	<b>Encroachments</b> Includes all records regarding private properties encroaching on municipal lands including encroachment permits. Also includes surveys and any other related documentation.	Planning	Termination of right + 6**	g133	Office Files	SD	Review Access	Excludes Original agreements (see L04), Original Encroachment By-laws (See C01)
D17	<b>Annexation/ Amalgamation</b> Includes all records pertaining to the annexing and amalgamating of land adjacent to municipal lands to accommodate growth. Also includes amalgamation of municipalities. May include studies on county restructuring.	Clerk's	P**	business need	Office Files	SR	Review Access	
D18	<b>Community Improvement</b> Includes records, studies, statistics and any required background information on community development programs. Examples include Ontario Neighbourhood Improvement Programs, Community Area Improvement Programs, BIA, BIC, PRID, etc. May also include records on housing rehabilitation programs, ie. RRAP, CMHC.	Planning	Completion of project + 6**	business need	Office Files	SD	Review Access	Excludes Economic Development (See D02)
D19	<b>Municipal Addressing</b> Includes records regarding requests for and assignment of new subdivision and other street names and numbers. May include correspondence, reports, drawings, and copies of related by-laws.	Planning	S+10**	business need	Office Files	SD	Review Access	
D20	<b>Reference Plans</b> Includes Registered Deposit Plans (RD Plans), site plans, property survey plans as received from Registry Office. May include correspondence.	Planning	P	business need	Office Files	SD	Review Access	
D21	<b>Industrial/ Commercial Development</b> Includes records regarding promotion and development of industry and commerce. Records include studies, statistics, projections, etc.	Planning	10**	business need	Office Files	SD	Review Access	Excludes Architectural Development (See D23)

Class Code	Secondary Heading	Responsible Dept.	Retention	Retention Justification/ Citations	Location	Digital Considerations (SR = Server & Retain SD=Server & Destroy)	FOI Designation	Remarks
	<p>application is applied for to allow the conveyance of a portion of a lot without requiring approval of a land division committee (typically used to separately convey semi-detached and townhouse units). Only applicable to parcels of land contained with a registered plan of subdivision.</p>							

	Includes records of tree removal, planting, trimming, pruning and preservation measures taken.							
<b>E05</b>	<b>Air Quality Monitoring</b> Includes records regarding the routine monitoring of air quality as well as responses to interference with quality or quantity from pollution sources such as smoke, dust, smog or gaseous impurities. Also includes claims and compliance orders.	IS	later of: date of offence or: day evidence of offence first came to attention of person appointed under s. 5 + 5**	g008 g089	Office Files	SR	Review Access	Excludes By-law enforcement (See P01), Complaints & Inquiries (M04)
<b>E06</b>	<b>Utilities</b> Includes maps and location drawings provided to the municipality from utility companies such as telephone lines, gas mains, power lines, water mains etc.	IS	5**	business need	Office Files	SD	Review Access	Excludes Site Plans (see D11)
<b>E07</b>	<b>Waste Management</b> Includes records regarding the collection and disposal of waste. Includes site operating plans, landfill site records, facility inspections and stack testing, recycling, energy from waste, source separation, collection services, recycling site vicinity maps, hazardous waste collection, hauled sewage waste collection and composting records. Also includes transportation manifests, transfer compliance records and records of site condition, daily waste reception and inspection records, dust suppression records and closure reports.	IS	10 or cease to apply + 10**  post landfill site closure documentation = closure + 25	g008 g037 g038 g039  g041 g042 g073 g089 g112 g117 g121 g138	Office Files	SD	Review Access	Excludes Sanitary Sewers (See E01), Environmental Planning (See D03), Private Sewage Disposal Systems (See E12), Annual reports on blue boxes, recycling program, etc. (See A25)
<b>Class Code</b>	<b>Secondary Heading</b>	<b>Responsible Dept.</b>	<b>Retention</b>	<b>Retention Justification/ Citations</b>	<b>Location</b>	<b>Digital Considerations (SR = Server &amp; Retain SD=Server &amp; Destroy)</b>	<b>FOI Designation</b>	<b>Remarks</b>
<b>E08</b>	<b>Water Works – Drinking Water Plant</b> Includes records regarding the design, construction and maintenance of water mains, tanks, pipelines, hydrants and related facilities and equipment as well as operational plans. Includes water meter registration numbers. Includes point of entry water treatment record, operator in charge shift monitoring and inspection records, water treatment facility/distribution and	IS	15  Specifications =Permanent as per A27	g073 g082 g089 g108 g111	Office Files	SD	Review Access	Excludes Water pumping stations (See E03), Drawings/ As Builts & specifications (See A27)

Class Code	Secondary Heading	Responsible Dept.	Retention	Retention Justification/ Citations	Location	Digital Considerations (SR = Server & Retain SD=Server & Destroy)	FOI Designation	Remarks
E10	<b>Pits and Quarries</b> Includes records regarding the design, construction, maintenance and monitoring of all pits and quarries. Includes engineer's reports, assessments, general specifications and correspondence.	IS	5** Specifications = life of the pit or quarry	g073 g082	Office Files	SD	Open Access	Excludes License/Permits (See P09)
E11	<b>Nutrient Management</b> Includes the records regarding the control of storing/spreading /using waste materials such as liquid manure and sewage bio-solids on land, near waterways, runoff etc. Includes the agricultural management strategy/plan, the Greenhouse Nutrient Feedwater Strategy, Site Characterization Plan, documentation relating to the storage and distribution of nutrient material, non-agricultural source material (NASM) plans and sampling results. Also includes broker transfer and hauled sewage disposal site records.	IS	5** or expiry of plan + 2 years	g129	Office Files	SR	Review Access	Excludes Strategy/plan review (See A25)
E12	<b>Private Sewage Disposal Systems</b> Includes records regarding the design, construction, maintenance and monitoring of private sanitary sewers and septic systems	IS	7** Specifications = life of system	g037 g082 g129	Office Files	SD	Review Access	

Class Code	Secondary Heading	Responsible Dept.	Retention	Retention Justification/ Citations	Location	Digital Considerations (SR = Server & Retain SD=Server & Destroy)	FOI Designation	Remarks
E15	<b>Chemical Sampling of Water</b> Includes chemical samples collected and tested, inorganic and organics, samples collected and tested every 60 months and lead, sodium and fluoride samples collected and tested annually, and engineer evaluation and corrective action reports and pesticide parameter test results.	IS	created, approved or plan no longer in force + 15	g008 g016 g089 g108 g111 g110	Office Files	SD	Review Access	Excludes Air Quality Monitoring (see E05), By-Law Enforcement (see P01), Complaints and Inquiries (see M04), Facilities Routine water use, monitoring & testing (see P21)
E16	<b>Backflow Prevention and Cross Connection Control</b> Includes records relating to backflow prevention and cross connection control By-law program. Records will include: cross connection surveys, test reports and test results, inspection reports, list of approved and installed backflow prevention devices/assemblies, compliance tracking and notifications; plumbing drawings/schematics; correspondence, forms, copies of work orders, job reports, copies of invoices, fees structures and any other type of media related directly to backflow prevention and cross connection control.	IS	15	g008 g082 g089 g108 g110 g111	Office Files	SD	Review Access	

Class Code	Secondary Heading	Responsible Dept.	Retention	Retention Justification/ Citations	Location	Digital Considerations (SR = Server & Retain SD=Server & Destroy)	FOI Designation	Remarks
E20	<b>Source Water Protection</b> Includes Risk Management Official and Inspector appointment certificates and the Risk Management Official's Annual Report, fee schedules for risk management applications, plans, issuing of notices or compliance orders or the acceptance of an assessment. Also includes modelling analysis, vulnerability assessments, source protection area assessment reports and comments, technical studies and Significant Drinking Water Threat (SDWT) verification surveys. Includes Source Water Protection Committee's Terms of Reference and Meeting Minutes	IS	created, approved or plan no longer in force + 15	business need g016 g060	Office Files	SD	Review Access	Excludes Risk Management Plans and/or Assessments (see D03), Prohibition Notices and Orders (P20), Contracts and Agreements - Simple (Not Under Seal) (L14), Soil Contamination (E23), Nutrient Management (E11)
E21	<b>MOE Environmental Compliance Approvals</b> Includes Environmental Compliances issued by MOE to the municipality for municipal drinking water systems, municipal & private sewage works and waste disposal sites, air quality, noise, storm-water management, storm sewers, culverts, etc.	IS	Cease to apply + 3	g038 g089 g115 g144	Office Files	SD	Review Access	
E22	<b>Private/Small Water Systems</b> Includes records and correspondence regarding the design, construction, operation and maintenance of private water systems and development agreements for private waterworks. Includes operating manuals, maintenance orders, maintenance logs, warning notice checks and system audit reports.	IS	E+15  maintenance = as long as equipment in use	g108 g115 g116	Office Files	SD	Review Access	

**PRIMARY HEADING: FINANCE AND ACCOUNTING**

Class Code	Secondary Heading	Responsible Dept.	Retention	Retention Justification/ Citations	Location	Digital Considerations (SD= Server & Destroy, SR = Server & Retain)	FOI Designation	Remarks
<b>FOO</b>	<b>Finance &amp; Accounting</b> Records, re: Finance and accounting which cannot be classified anywhere.	Finance	1	Business need	Office Files	SD	Review Access	
<b>F01</b>	<b>Accounts Payable</b> Includes records documenting funds payable by the municipality, such as paid invoices, receipts, copies of cheques issued to pay account, rebates, levies payable, reports, telephone bills and membership fees.	Finance	close of fiscal tax year end +7  For welfare & child care payments E = provincial government year end + 7	g005 g006 g007 g032 g034 g051 g053 g055 g062 g086 g096	Office Files	SD	Review Access	Excludes Cancelled Cheques (see F07), Employee and council expenses (see F09)
<b>F02</b>	<b>Accounts Receivable</b> Includes records documenting funds owing to the municipality, such as invoices, billing listings, requests from mortgage companies and recoveries reports. Includes correspondence related to tax collection and supporting documentation.	Finance	close of fiscal tax year end + 7	g006 g007 g032 g034 g053 g055 g062	Office Files	SD	Review Access	Excludes Write-offs (see F23), Tax Assessments, Rolls and Tax Arrears (see F22)
<b>F03</b>	<b>Audits</b> Includes records regarding internal and external financial audits of accounts.	Finance	6	g032 g069	Office Files	SR	Review Access	Excludes Operational audits (see relevant subject), Audited Financial Statements (see Financial Statements, F10)
<b>F04</b>	<b>Banking</b> Includes records regarding banking transactions and relationships with banks. Includes bank reconciliations and deposit records.	Finance	close of fiscal tax year end + 7	g007 g026 g053 g062	Office Files	SD	Review Access	Excludes Banking Statement (See F07)

Class Code	Secondary Heading	Responsible Dept.	Retention	Retention Justification/ Citations	Location	Digital Considerations (SD= Server & Destroy, SR = Server & Retain)	FOI Designation	Remarks
F10	<b>Financial Statements</b> Includes the Balance Sheet, Income Statement and Statement of Source and Application of Funds. Also includes audited financial statements	Finance	P**	g069	Office Files	SR	Review Access	Excludes all working notes, calculations and background documentation (See F26)
F11	<b>Grants and Loans</b> Includes records regarding revenue generated in the form of grants-in-lieu, provincial and federal grants, loans and subsidies such as the Road and Farm Tax Rebate, Waste Management Improvement Program etc. Also includes submissions, acknowledgements, and reports such as market value of assistance report.	Finance	repayment of loan + 6	g006 g007	Office Files	SD	Review Access	
F12	<b>Investments</b> Includes records regarding the municipality's investments, term deposits, and promissory notes.	Finance	Closure of account + 6	g006	Office Files	SD	Review Access	
F13	<b>Journal Vouchers</b> Includes completed journal voucher forms, input forms, and all background documentation used to substantiate journal entries.	Finance	close of fiscal tax year + 6	g006 g007 g032 g034 g055	Office Files	SR	Review Access	
F14	<b>Subsidiary Ledgers, Registers, and Journals</b> Includes all subsidiary ledgers, registers, and Journals such as Payment and Receipt Journals, Payroll Registers, and Debenture Registers.	Finance	close of fiscal tax year + 7**	g001 g005 g006 g007 g026 g032 g034 g053 g055 g086	Office Files	SD	Review Access	Excludes Documents and vouchers used to support entries - see relevant subject in this Primary.



Class Code	Secondary Heading	Responsible Dept.	Retention	Retention Justification/ Citations	Location	Digital Considerations (SD= Server & Destroy, SR = Server & Retain)	FOI Designation	Remarks
F20	<b>Reserve Funds</b> Includes records documenting obligatory and/or discretionary reserve funds such as reserves for working funds, contingencies, future capital projects, and information systems, etc.	Finance	6	g069	Office Files	SD	Review Access	
F21	<b>Revenues</b> Includes records regarding the generation of revenues other than taxes such as development charges and building code principal authorities authorized fees.	Finance	7 Records related to mortgages must be kept for 10 years.	g026 g032 g053 g062 g095	Office Files	SD	Review Access	Excludes Accounts Receivable (see F02), Tax Rolls (see F22)
F22	<b>Tax Rolls and Records</b> Includes taxation records of long term importance, such as assessment rolls, tax sale records, tax sale deeds, property tax registrations, tax arrears register cards and tax collector's rolls.	Finance	P  tax rolls = when no longer required for planning purposes	g007 g068 g095 (20-year limitation) g161 common practice (P)	Office Files	SR	Review Access	Excludes Accounts Receivable (see F02), Mortgage Companies (see F02), Correspondence related to tax issues that are not of a long term importance (see F02)
F23	<b>Write Offs</b> Includes accounts receivable that have been written off as uncollectible. Also includes records of bankruptcies.	Finance	6 Court services write-offs – 37 years	g006 g007 g027	Office Files	SD	Review Access	Excludes Accounts Receivable (See F02)
F24	<b>Trust Funds</b> Includes records regarding funds established by the municipality for money held in trust, such as bequests, cemetery trust funds, cemetery care and maintenance programs, Homes for the Aged Residents (including authorization, receipts and statements of withdrawal) and Ontario Home Renewal Program such as fund accounting records, bank statements, banking instructions and fund audit records	Finance	fiscal year or last day of residence + 7	g047 g051 g062 g097	Office Files	SD	Review Access	
F25	<b>Security Deposit</b> Includes development deposits, letters of credit, certificates of insurance when required and records of monies held as security (i.e. bonds).	Finance	Closure of account + 6	g006 g007	Office Files	SD	Review Access	

**PRIMARY HEADING: HUMAN RESOURCES**

Class Code	Secondary Heading	Responsible Dept.	Total Retention (# of years after current year)	Retention Justification/ Citations	Location	Digital Considerations (SD = Server & Destroy, SR = Server & Retain)	FOI Designation	Remarks
H00	<b>Human Resources General</b> Includes Records, re: human resources cannot be classified elsewhere.	HR	1	Business need	Office Files	SD	Review Access	
H01	<b>Attendance and Scheduling</b> Includes records regarding the planning of employee attendance. This includes dates and times of hours worked and as well as of on-call schedules and any changes made to on-call scheduling including cancellations, and driver daily logs and record of on-duty and off-duty time. Includes statements related to public holiday substitution dates.	HR	5	g035 g050 g151  driver's daily logs = 6 months  public vehicle and trip reports – 1 year	Office Files	SD	Review Access	Excludes Individual Timesheets (see F16), Vacation Time a& Pay (See F16)
H02	<b>Benefits Program</b> Includes brochures, rates, quotes, correspondence and explanatory documents regarding benefits offered to employees, such as group insurance, dental plans, Canada Savings Bonds, and general information on Employer Health Tax.	HR	5	business need	Office Files	SD	Review Access	Excludes Payroll (See F16), Individual Pension & benefit Records (See H10)

Class Code	Secondary Heading	Responsible Dept.	Total Retention (# of years after current year)	Retention Justification/ Citations	Location	Digital Considerations (SD = Server & Destroy, SR = Server & Retain)	FOI Designation	Remarks
H04	<b>Health and Safety</b> Includes records regarding the occupational health and safety of staff. Includes lists of designated substances and assessments, designated substance assessments, fire drill records, ventilation and air quality inspection, fire hydrant flushing, first aid records, non-lost time accident reports, traffic protection plans, portable fire extinguisher maintenance records, chimney test and inspection records, fire safety inspections, safety inspections, Workplace Safety & Insurance Board reports, WSIB certificates, and information on health and safety programs training for staff. Also includes Health & Safety Committee meeting minutes.	HR	3	g045 g059 g076 g078 g123 g125 Accident reports for construction projects retained with project 1 year after project completion	Office Files	SD	Review Access	Excludes Accidents of the Public (see P05), Lost-time reports and claims (see H13)
H05	<b>Human Resource Planning</b> Includes records of succession planning, executive placement, retirement programs, staff turnover rates, staffing level plans, annual hire/promotion targets, recruitment freezes, employment equity, performance management, volunteer plans, employee information reporting and related records.	HR	day last used + 1 year (Human Rights special program designation minimum of 5 years)**	g054	Office Files	SD	Review Access	Excludes Employee Records (See H03)
H06	<b>Job Descriptions</b> Includes job descriptions and specifications as well as background information used in their preparation or amendment.	HR	S**	business need	Office Files	SD	Review Access	
H07	<b>Labour Relations</b> Includes records regarding the relationship between labour and management. Includes collective bargaining, correspondence with unions and negotiations.	HR	Expiry of contract period + 10**	g013	Office Files	SD	Review Access	Excludes Collective Agreement (see L04)
H08	<b>Organization Design</b> Includes records regarding reporting relationships, reorganization, organizational analysis, etc. Includes organization charts.	HR	S**	business need	Office Files	SD	Review Access	Excludes Job Descriptions (See H06)

Class Code	Secondary Heading	Responsible Dept.	Total Retention (# of years after current year)	Retention Justification/ Citations	Location	Digital Considerations (SD = Server & Destroy, SR = Server & Retain)	FOI Designation	Remarks
H13	<b>Claims</b> Includes records regarding claims to WSIB or insurance carriers for lost-time incidents, accidents, STD or LTD. Includes accident notice, accident report	HR	Resolution of claim + 3  Hazardous exposure claims = longer of 40 years or 20 years after last record made	g078 g125	Office Files	SD	Review Access	Excludes Non lost-time incidents or accidents (See H04), Self-Insured STD (See H04)
H14	<b>Grievances</b> Includes records dealing with grievance complaints filed against the municipality such as the initial complaint, investigation, reports and final resolution including arbitration and arbitration awards.	HR	Resolution of claim + 10	g013 g054	Office Files	SD	Review Access	Excludes Harassment & Violence (See H15)
H15	<b>Harassment And Violence</b> Includes records dealing with harassment and/or violence complaints by or against employees of the municipality. It includes documents such as the initial complaint, investigation, reports and final resolution.	HR	Resolution of complaint + 3	g054 g059 business need	Office Files	SD	Review Access	Excludes Grievances (See H14), Abuse investigation records not involving staff (See P08)
H16	<b>Criminal Background Checks</b> Includes records listing any criminal code convictions that have not been pardoned for all existing and new employees, service providers and volunteers. Also includes annual Criminal Offence Declaration.	HR	date employee ceased to be employed by employer + 7	business need	Office Files	SD	Review Access	
H17	<b>Employee Medical Records – Hazardous Materials</b> Includes records of exposure to asbestos and other hazardous materials. Also includes serious incident and chemical exposure records for firefighters.	HR	E+40  or 20 years after last record of exposure	g078 g079 g103	Office Files	SD	Review Access	
H18	<b>Employee Medical Records</b> Includes doctor's notes, correspondence, and health reports related to an employee's medical situation.	HR	When STD/LTD claims are resolved + 3	g078 business need	Office Files	SD	Review Access	

**PRIMARY HEADING: JUSTICE**

<b>Class Code</b>	<b>Secondary Heading</b>	<b>Responsible Dept.</b>	<b>Retention</b>	<b>Retention Justification/ Citations</b>	<b>Location</b>	<b>Digital Considerations (SD=Server &amp; Destroy, SR = Server &amp; Retain)</b>	<b>FOI Designation</b>	<b>Remarks</b>
<b>J00</b>	<b>Justice General</b> Includes Records, re: justice cannot be classified elsewhere.	Clerk			Office Files	SD	Review Access	
<b>J10</b>	<b>Certificates of Conviction Part 2</b> Includes Court and POA records including Part 2 - Certificates of Conviction	Clerk	6	MOU	Office Files	SD	Review Access	

Class Code	Secondary Heading	Responsible Dept.	Total Retention (# of years after current year)	Retention Justification/ Citations	Location	Digital Classification (SD = Server & Destroy, SR = Server & Retain)	FOI Designation	Remarks
L05	<b>Insurance Appraisals</b> Includes appraisals of municipal property for insurance purposes.	Finance	After a new appraisal has been done + 15	g060	Office Files	SD	Review Access	
L06	<b>Insurance Policies</b> Includes municipal insurance policy documents, such as vehicle, liability, theft, and fire insurance.	Finance	Expiry of policy + 15	g060	Office Files	SD	Review Access	Excludes Employee Group Insurance (See H02), Third Party Contracts (See L04), Insurance Claims (See L03)
L07	<b>Land Acquisition and Sale</b> Includes records regarding real estate transactions and conveyance of land such as lot sales, alley closings and allowances whether through voluntary transactions or expropriation. Includes leases, deed including underground storage abandonment record, expropriation plans, purchase letters and appraisals.	Clerk	Property disposition + 10 years  renewable energy projects agreements terms may not be more than 50 years  append abandoned petroleum storage tank to deed	g041 g095 g133 g153	Office Files	SR	Review Access	Excludes Tax Sales (See F22)
L08	<b>Opinions and Briefs</b> Includes copies of opinions and briefs prepared by the municipality's legal counsel on specific issues and by-laws.	Clerk	S**	business need	Office Files	SR	Review Access	
L09	<b>Precedents</b> Includes records regarding judgments and decisions which may affect the municipality's position in actual or potential legal matters.	Clerk	S**	business need	Office Files	SD	Review Access	
L10	<b>Federal Legislation</b> Includes records regarding bills, acts and regulations enacted by the Parliament of Canada which affect or are of interest to the municipality.	Clerk	S	business need	Office Files	SD	Review Access	

**PRIMARY HEADING: MEDIA AND PUBLIC RELATIONS**

Class Code	Secondary Heading	Responsible Dept.	Retention	Retention Justification/ Citations	Location	Digital Considerations (SD=Server & Destroy, SR=Server & Retain)	FOI Designation	Remarks
<b>M00</b>	<b>Media and Public Relations – General</b> Records, re: media and public relations which cannot be classified elsewhere	Clerk	1	Business need	Office Files	SD	Open Access	
<b>M01</b>	<b>Advertising</b> Includes contracts and agreements which do not require by-law approval, such as equipment rental and service contracts and vehicle lease, purchase agreements, waste removal agreements, apprenticeship training contracts, vehicle leases, housing service managers and long-term care home licensee agreements relating to funding, service accountability and charges between licensees and authorized persons or residents. Also includes consents required under The Canadian Anti-Spam Legislation (CASL)	Originating	1**	business need	Office Files	SD	Open Access	
<b>M02</b>	<b>Ceremonies and Events</b> Includes records regarding participation in special events, openings, and anniversaries, such as Remembrance Day and Winter Carnival. Also includes records regarding the set-up and running of special events.	All depts	5**	business need	Office Files	SD	Review Access	Excludes permit to hold event (See P11)
<b>M03</b>	<b>Charitable Campaigns/Fund Raising</b> Includes records regarding the raising of funds and donations for the municipality, for municipality run programs or for other charitable organizations. This would include the United Way, Cancer Fund, community interest groups, etc.	Finance	1	business need	Office Files	SD	Open Access	Excludes Receipts (See F19)

Class Code	Secondary Heading	Responsible Dept.	Retention	Retention Justification/ Citations	Location	Digital Considerations (SD=Server & Destroy, SR=Server & Retain)	FOI Designation	Remarks
<b>M09</b>	<b>Visual Identity and Insignia</b> Includes records regarding branding and the standards which apply to graphic designs as part of a Visual Identity Program. Includes trademarks, logo and letterhead design, signage, flags, vehicle identification, etc. Also includes records regarding corporation insignia and seals of office.	Clerk's	S+5**	g134 g136	Office Files	SD	Open Access	
<b>M10</b>	<b>Website &amp; Social Media Content</b> Includes records of website content and copies of web pages created by the municipality for general public use. Also includes information on social media sites such as Facebook & Twitter.	All Dept	S + 2	g059	Office Files	SD	Open Access	Excluded published website content (See M07)
<b>M11</b>	<b>Public Relations and Public Awareness</b> Includes outgoing letters of support, congratulations, greetings, honourable achievement awards, welcome letters, etc. Also includes issues regarding internal/external communications. Includes programs designed for public awareness and engagement.	All Dept.	5**	business need	Office Files	SD	Open Access	
<b>M12</b>	<b>Intellectual Property</b> Include certificates of copyright, applications for patents and trademark registration. Also includes monitoring and enforcement of authorized use of copyright, trademarks and patents including copyright use permission requests.	Clerk's	copyright, patent or trademark expired or last use + 5 years	g134 g135 g136	Office Files	SD	Open Access	



Class Code	Secondary Heading	Responsible Dept.	Retention	Retention Justification/ Citations	Location	Digital Considerations (SD = Server & Destroy, SR = Server & Retain)	FOI Designation	Remarks
P05	<b>Incident/ Accident Reports</b> Includes vandalism and security incident reports and reports of accidents that occur at recreational facilities and other municipal properties.	All Dept.	5	g011	Office Files	SR	Review Access	Excludes Security (see A18), Accidents of Municipal Staff (see H04), Compensation claims and vehicle accidents (see L02 or L03), Long Term Care Home medication incidents (see S18), Private Child Care Centre incidents (see S14), Municipal Child Care Centre incidents (see S10)
P06	<b>Building and Structural Inspections</b> Includes building and structural tests and inspection reports relating to work platforms; plumbing and sprinkler systems; fire alarm circuits, power supply and system; fire suppression systems; electrical; and other structural inspections. Also includes inspections of marijuana grow operations after appropriate notification from a police force.	Planning	inspections = 2 initial fire system test report = life of system	g015 g045 g046 g073 g123	Office Files	SR	Review Access	Excludes By-Law Enforcement (See P01)
P07	<b>Health and Fire Safety Inspections</b> Includes Fire Marshall's, Public Health and related health and safety violation and verification inspection reports conducted or performed on private, public and commercial properties.	H&S (HR)	S, minimum 1 year	g045	Office Files	SR	Review Access	Excludes Internal Health & Safety Inspections (see H04), Routine building and structural inspections (see P06)
P08	<b>Investigations</b> Includes records of investigation pertaining to law enforcement, or the origin or cause of traffic accidents, serious occurrences and abuse allegations, ambulance and fire response scrutiny.	H&S (HR)	10**	g059 g089 common practice	Office Files	SD	Review Access	Excludes By-Law Enforcement (See P01), Harassment & Violence Staff Investigations (See H15)

Class Code	Secondary Heading	Responsible Dept.	Retention	Retention Justification/ Citations	Location	Digital Considerations (SD = Server & Destroy, SR = Server & Retain)	FOI Designation	Remarks
P14	<b>Animal Control</b> Includes records regarding the control of household pets, strays, livestock and wildlife and livestock evaluation reports. Also includes records of distraised animals and pound animal records.	Planning	date animal was last in the pound + 2	g012	Office Files	SD	Review Access	Excludes Dog licences (See P09)
P15	<b>Community Protection Programs</b> Includes records on community protection and crime prevention such as Community Policy, Victim Services Neighbourhood Watch and Block Parents. Also includes programs aimed at public education on fire, water and traffic safety and similar programs. Records include correspondence and brochures. Also includes video surveillance footage of high incident and public spaces.	Planning	S+2** Surveillance video 72 hours unless requisitioned for use If requisitioned for use (MFIPPA or other investigation) = S+2	g071 business need	Office Files	SD	Review Access	
P16	<b>Emergency Services</b> Includes records regarding police, land ambulance, fire and rescue services	Fire	S+5	g011	Office Files	SD	Review Access	
P17	<b>Fire Significant Incident &amp; Impact Reports</b> Includes reports and statements documenting significant and noteworthy incidents events that occur when responding to an EMS or Fire, the role of the attending responders in the incident, and the actual or potential impact of these incidents.	Fire	S+5	g011	Office Files	SD	Review Access	
P18	<b>Fire Accident Response Reports</b> Includes records relating to emergency services provided such as ambulance paramedical services and patient transport, and fire suppression and emergency call response. Includes ambulance call reports (ACR), emergency response reporting, fire call reports and fire cause identification.	Fire	S+5	g011	Office Files	SD	Review Access	Excludes Investigations (See P08)

**PRIMARY HEADING: RECREATION AND CULTURE**

Class Code	Secondary Heading	Responsible Dept.	Total Retention (# of years after current year)	Retention Justification/ Citations	Location	Digital Consideration (SD = Server & Destroy, SR = Server & Retain)	FOI Designation	Remarks
<b>R00</b>	<b>Recreation, Heritage &amp; Culture – General</b> Recreation, heritage and culture records which cannot be classified elsewhere	CST	1	Business need	Office Files	SD	Open Access	
<b>R01</b>	<b>Heritage Preservation</b> Includes records regarding heritage and historical development, including designations and registers of buildings, districts, and cemeteries as well as archaeological digs, archeological and heritage assessments, and heritage conservation district studies and plans. May also include heritage registries.	Clerk/ Planning	End of plan year or removal of designation + 3**	g081	Office File	SR	Open Access	Excludes Historical Designation By-Law (see C01), Natural Heritage preservation (see E18)
<b>R02</b>	<b>Library Services</b> Includes circulation lists, recommendations for additions to library collections, information searches, inter-library loan requests and more general records regarding the operation of libraries. May include subscription renewals of magazines and receipts from book sales. May also include copy logs.	Clerk's	5	g134	Office Files	SD	Review Access	
<b>R03</b>	<b>Museum and Archival Services</b> Includes registers of holdings, museum programming, activity reports, historical society holdings, archival operations, conservation information and related records. May also include copy logs.	Clerk's/CST	S + 3**	g134	Office Files	SD	Review Access	Excludes Records Centre Operation (A10)
<b>R04</b>	<b>Parks Management</b> Includes correspondence, descriptions, reports and other records dealing with the management design, set-up, landscaping and maintenance of specific municipal parks. Includes maps and plans. Also includes information dealing with maintenance of playground equipment.	CST	park maintenance = 5** Playground equipment maintenance = 15	g060 business need	Office Files	SD	Review Access	Excludes Building and Property Maintenance (See A20)

**PRIMARY HEADING: SOCIAL AND HEALTH CARE SERVICES**

Class Code	Secondary Heading	Responsible Dept.	Total Retention (# of years after current year)	Retention Justification/ Citations	Location	Digital Considerations (SD = Server & Destroy, SR = Server & Retain)	FOI Designation	Remarks
S00	<b>Social &amp; Health Services – General</b> Social & Health Service Records which cannot be classified elsewhere	CST	1	Business need	Office Files	SD	Open Access	
S02	<b>Elderly and Supportive Assistance Services</b> Includes general program information regarding programs intended to improve the quality of life for senior citizens and the disabled such as seniors centre and transit services.	Finance/Clerk	S (review after 3 years)	business need	Office Files	SD	Review Access	
S04	<b>Community and Social Assistance Services</b> Includes general program information regarding assistance programs and support available to residents and the homeless within the municipality. Includes general resource information used in counselling recipients regarding community support services, life skills, services to obtain housing and maintain housing, emergency assistance, social assistance options and information pertaining to Employment Support Programs.	CST	S (review after 3 years)	business need	Office Files	SD	Review Access	
S09	<b>Cemetery Interment</b> Includes cemetery license, burial permits, maps, plot ownership records, deemed cancellations, death certificates and warrants to bury, interment or scattering rights certificates, created remains and body disposal registers, and indexes for municipal cemeteries and abandoned cemeteries.	Clerk/Finance	P** Transfer to archives if no longer managed  Burial permits = 2	g048 g101	Office Files	SR	Review Access	Excludes Property Maintenance (See A20), Promotional materials (See M07), Price lists and Cemetery Operations (See S20)
S20	<b>Cemetery Operations</b> Includes records relating to the business operation of a municipal cemetery including price lists and removed markers records.	Clerk/Finance	Contract fulfilled or no longer applies + 6 years	g047	Office Files	SD	Review Access	Excludes burial permits, interment records, etc. (See S09)

Class Code	Secondary Heading	Responsible Dept.	Retention	Retention Justification/ Citations	Location	Digital Considerations (SD = Server & Destroy, SR = Server & Retain)	FOI Designation	Remarks
T06	<p><b>Road Maintenance and Salt Usage</b> Includes records and studies regarding the inspection and maintenance of roads. Minor repair maintenance includes the installation of culverts, minor repairs to the road surfaces, curbs and side-walks, cycleways, footpaths, walkways, etc. Routine maintenance includes grading, ploughing and sanding of roads, and snow removal and cleaning. Also includes Salt Management Plan and revisions, yearly review, reports, other records, studies, and information regarding salt usage and contamination from salt used on roads. Includes training program materials and records of training for all personnel when managing or performing winter maintenance activities involving the use of road salts.</p>	IS	project finished + 1 salt plans, usage, training and reports = 7 years Specifications = P	g073 g139	Office Files	SD	Review Access	Excludes Non-salt usage Training records (See H03)
T07	<p><b>Signs and Signals</b> Includes records and studies regarding the manufacture, installation, servicing and maintenance of signs and signals.</p>	IS	Removal of sign/signal + 1	g073	Office Files	SD	Review Access	Excludes Visual Identity Programs (See M09), Sign Permits (See P11)
T08	<p><b>Traffic</b> Includes records and studies regarding the flow of traffic on roads. Includes intersection drawings, pedestrian crossovers, crossing guards, traffic counts, accident statistics and related records. Also includes records regarding impacts of temporary road closures for special events.</p>	IS	project finished + 1**  Temporary road closures = 2 years	business need	Office Files	SD	Review Access	Excludes Permits for temporary closure (See P11)
T09	<p><b>Roads and Lanes Openings/ Closures</b> Includes records on roads and lanes closed on a permanent or regular basis. Records include reports, appraisals, correspondence and district court applications. As well as records related to requests to open road and street allowances.</p>	IS	project finished + 1**	business need	Office Files	SR	Review Access	Excludes temporary road closures (See T08), land sales (See L07), Road Closing By-Laws (See C01)

**PRIMARY HEADING: VEHICLES AND EQUIPMENT**

Class Code	Secondary Heading	Responsible Dept.	Total Retention (# of years after current year)	Retention Justification/ Citations	Location	Digital Considerations (SD = Server & Destroy, SR = Server & Retain)	FOI Designation	Remarks
V00	<b>Vehicles &amp; Equipment – General</b> Vehicles & Equipment records which cannot be classified elsewhere	IS	1	Business need	Office Files	SD	Review Access	
V01	<b>Fleet Management</b> Includes records of summary fleet information and fleet records for each vehicle (including attached devices such as Fire-Fighting Chassis Mounted Aerial Devices) leased or owned, operated and maintained by the municipality. This includes plate permits, CVOR certificates, operating manuals, routine/daily inspections, vehicle history files, ignition interlock device installation, and vehicle maintenance, registration and disposal.	IS	termination of lease) + 2  public vehicles trip record = 1 Daily Inspection Logs = 2 years or 6 months after vehicle ceases to be operated	g050 g074 g094 g130	Office Files	SD	Review Access	Excludes Insurance Policies (L06), Accident Claims (L02, L03), Lease / Contracts (L14)
V02	<b>Mobile Equipment</b> Includes records and operating manuals regarding mobile (motorized) equipment used in conjunction with vehicles. Also includes routine inspections, maintenance and history files on equipment such as generators, pumps, snow-blowers, sanders, etc.	IS	Disposal of equipment + 1	g074 common practice	Office Files	SD	Review Access	
V03	<b>Transportable Equipment</b> Includes operating manuals and records regarding transportable equipment used by the municipality. Also includes routine inspections, maintenance and history files on equipment such as lawnmowers, hoses, weed-eaters, drills, and rescue equipment.	IS	Disposal of equipment + 1	g074 common practice	Office Files	SD	Review Access	



Records Management Policy

Policy No.:  
ADM-003

May 2021  
(Full revision)

Effective Date:  
June 1, 2021

Applies to:  
All Departments and Members of Council of the  
Municipality of Wawa

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## **1. Policy Statement**

### **1.1 Statement**

- 1.1.1. The records of the Corporation are valuable corporate assets needed to support effective decision-making, meet operational requirements, protect legal, fiscal, and other interests of the Corporation, preserve historically valuable information, and adhere to the requirements of applicable legislation.
- 1.1.2. Effective records management makes program and service delivery more efficient, supports transparency and collaboration across the Corporation, and preserves historically valuable information.

## **2. Policy Definitions**

### **2.1 Definitions**

- 2.1.1. “**Archival record**” means a record that is to be retained on a permanent basis due to its historic and research value.
- 2.1.2. “**Corporation**” means the Corporation of the Municipality of Wawa.
- 2.1.3. “**Disposition**” means the elimination or deletion of data, documents, and records so that the recorded information no longer exists.
- 2.1.4. “**Electronic**” means created, recorded, transmitted, or stored in digital form or in other intangible forms by electronic, magnetic, or optical means, or by any other means that have capabilities for creation, recording, transmission, or storage similar to those means, and “electronically” has a corresponding meaning.
- 2.1.5. “**Electronic record**” means a record of information that is created, generated, sent, communicated, received, or stored electronically.
- 2.1.6. “**MFIPPA**” means the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56. (“LAIMPVP”)
- 2.1.7. “**Municipal Act**” means the Municipal Act, 2001, S.O. 2001, c. 25.
- 2.1.8. “**Official record**” means recorded information in any format or medium that documents the Corporation's business activities, rights, obligations or responsibilities, or recorded information that was created, received, distributed, or maintained by the Corporation in compliance with a legal obligation.
- 2.1.9. “**PDF/A**” means the non-proprietary ISO 19005 standard providing for the longevity of semantic electronic documents.

- 2.1.10. “**PHIPA**” means the Personal Health Information Protection Act, 2004, S.O. 2004, c. 3, Sched. A.
- 2.1.11. “**Physical record**” means a record, such as paper, that can be touched and which takes up physical space.
- 2.1.12. “**Record**” means information, however recorded or stored, irrespective of the medium or form, by electronic means or otherwise, that includes, but is not limited to, documents, financial statements, minutes, accounts, emails, correspondence, memoranda, plans, maps, drawings, photographs, databases, and films.
- 2.1.13. “**Records classification system**” means a standardized system of identifying and classifying records for ease of use, retrieval, and disposal.
- 2.1.14. “**Records management system**” means a network, database systems, and any document management systems using the Corporation’s records classification system.
- 2.1.15. “**Records retention schedule**” means a schedule indicating the length of time that each category of records shall be retained before its final disposition. It specifies those records to be preserved for their historic or legal values, and authorizes on a continuing basis the destruction of the remaining records after the expiry of a specified retention period or the occurrence of specific actions or events. The records retention schedule serves as the legal authorization for the disposal of the Corporation’s records.
- 2.1.16. “**Retention period**” means the period of time during which the Corporation must keep records before they may be disposed of.
- 2.1.17. “**TOMRMS**” means The Ontario Municipal Records Management System, a standardized classification system that was designed specifically for municipal records.
- 2.1.18. “**Transitory record**” means records for which there is no legal, regulatory, policy obligation or recordkeeping directive to preserve according to a set retention period and disposition instructions including, but not limited to:
- a. copies of miscellaneous notices or memoranda concerning routine administrative matters or other minor issues;
  - b. duplicates of documents
  - c. preliminary drafts of letters, memoranda, or reports, and other informal notes which do not represent significant steps in the preparation of a final document and which do not record decisions;

- d. voicemail messages;
- e. emails and other communications that do not relate to the Corporation's business;
- f. copies of publications, such as published reports, administration manuals, telephone directories, catalogues, pamphlets, or periodicals;
- g. duplicate stocks of obsolete publications, pamphlets, or blank forms;
- h. unsolicited advertising materials, including brochures, company profiles, and price lists.

2.1.19. "**Vital record**" means a record of any form or format, containing information essential for the continuation of the immediate operation of the Corporation and necessary to recreate its legal and financial situation and to preserve its claims and rights and those of its stakeholders.

### **3. Purpose of the Policy**

#### **3.1. Purpose**

3.1.1. The purposes of this Policy are:

- a. to ensure that the records in the custody or under the control of the Corporation, regardless of their physical format or medium, are organized, retained, managed, and disposed of in accordance with applicable legislation including, but not limited to, the *Municipal Act*, MFIPPA, PHIPA, the Corporation's Records Retention Schedule adopted as per the Corporation's Records Retention, and the principles of TOMRMS;
- b. to apply systematic controls and standards to the creation, security, use, retention, conversion, management, and disposition of records in every Department of the Corporation;
- c. to ensure that the records in the custody or under the control of the Corporation are retained and preserved in a secure and accessible manner;
- d. to protect the integrity and authenticity of records so that they may be relied upon as evidence of organizational activity and administrative decisions and thereby meet legal and evidential requirements;
- e. to foster government accountability and transparency by promoting and facilitating good record-keeping;
- f. to promote organizational efficiency and economy through sound record-keeping practices, including reducing storage costs through the use of an electronic records management system or other technologies;

- g. to enhance collaboration across the Corporation; and
- h. to establish and define responsibility and roles in terms of records management.

## **4. Policy Application**

### **4.1 Application**

- 4.1.1. This Policy applies to all Departments and Members of Council of the Corporation.
- 4.1.2. This Policy applies to all records in the custody or under the control of the Corporation, regardless of their physical format or medium, including, but not limited to, the records created, received, retained, managed, or disposed of by all employees, Departments, committees within the Corporation, or by Members of Council in the course of carrying out their duties as Elected Officials.

## **5. Policy Requirements**

### **5.1 Records Management System**

- 5.1.1. The Corporation maintains a decentralized records management system where the Corporation's Departments are responsible for managing the records retained within their respective Department in accordance with the Corporation's Records Retention By-law, this Policy, and the *Information Technology Acceptable Use Policy* (HR-001).
- 5.1.2. The Corporation's records management system includes physical records and electronic records.
  - a. Physical Records:

All Departments shall classify and store their physical records in a secure manner, as described in this Policy, and in accordance with the Corporation's Records Retention By-law.
  - b. Electronic Records:
    - i. All Departments shall retain their electronic records in the authorized software, systems or services listed in the *Information Technology Acceptable Use Policy* (HR-001).
    - ii. *Information Technology Acceptable Use Policy* (HR-001). Software, systems, or services that meet specific requirements, such as having unalterable records, unalterable audit log of actions on records, and retention or disposition functionality, may be designated as acceptable.

## **5.2 Records Retention Schedule**

- 5.2.1. The Corporation's Records Retention Schedule is based and structured in accordance with TOMRMS, although some minor variations exist.
- 5.2.2. When establishing the Records Retention Schedule, the Clerk shall consider, in consultation with Departmental Directors or designated employees, the following points:
  - a) The operational value of the records;
  - b) The legal value of the record;
  - c) The fiscal value of the record; and
  - d) The historic value of the records.
- 5.2.3. All official records shall be retained in the most cost-effective manner, and only for as long as needed, in accordance with the Corporation's Records Retention schedule.

## **5.3 Records Classification System**

- 5.3.1. The Corporation shall categorize records, regardless of medium or format, as either transitory records or official records.
- 5.3.2. All official records shall be classified with file codes based on their associated business functions and activities, in accordance with the Corporation's Records Retention Schedule, in order to indicate how long they must be retained.
- 5.3.3. There are no requirements to classify or retain transitory records unless an employee has become aware that such records may be subject to a *MFIPPA* request or an investigation or litigation.

## **5.4 Records Format**

- 5.4.1. Duplicates of the same official record shall be avoided at all times because this causes confusion as to which duplicates constitute the original copy of the record. Consequently, official records shall be retained either in physical or electronic format, but not both at the same time.
- 5.4.2. When an official record is initially produced in physical format, the original copy shall be retained in physical format unless it is converted into an electronic format in accordance with the below-mentioned principles. If this is the case, the electronic records will thereafter be considered as the original copy of the said record:
  - a) The conversion to electronic format shall be an accurate reproduction with the intention of taking the place of the physical record.

- b) The conversion to electronic format shall provide the same information as the physical record.
  - c) The significant details of the conversion to electronic format shall not be obscured because of limitations in resolution, tonality, or hue.
  - d) The final record format shall be in PDF or PDF/A depending on the remaining lifecycle to the record:
    - i. fewer than 12 years: PDF;
    - ii. 12 years and more: PDF/A.
  - e) After the electronic record is safely stored, the original physical record shall be destroyed in a secure manner in accordance with this Policy.
  - f) If the Department Director or designated employee decides to convert physical records of a certain record category to electronic records,
    - i. a decision shall be made as to how far back in time the physical records will be converted to electronic records; and
    - ii. a going-forward date must be chosen after which all records belonging to that records category shall be converted to an electronic format.
  - g) If the conversion of physical records to electronic records is outsourced to a scanning provider, the provider shall comply with the above requirements.
- 5.4.3. When an official record is initially produced in electronic format, the original copy shall be retained in an accessible and readable electronic format. The electronic record shall be in PDF or PDF/A depending on the lifecycle of the document:
- i. fewer than 12 years: PDF;
  - ii. 12 years and more: PDF/A.

## **5.5 Vital Records**

- 5.5.1. All the Corporation's records which have been deemed as vital records by the Clerk, in collaboration with Departmental Directors or designated employees, shall be identified as vital in the Corporation's Records Retention Schedule.
- 5.5.2. The records identified as vital records will be appropriately identified, protected, and preserved.

## **5.6 Emails and Voicemails**

- 5.6.1. The Corporation's electronic mail (email) system is not part of the records management system of the Corporation and shall not be used for the storage of records.
- 5.6.2. Emails deemed transitory records shall be deleted by the Corporation's employees in accordance with this Policy.
- 5.6.3. Emails deemed official records shall be classified in accordance with the Corporation's records classification system and filed within the Corporation's records management system. Once the email has been saved, classified, and filed, the copy residing within the Corporation's email system may be treated as a transitory record and destroyed accordingly.
- 5.6.4. The Corporation's voicemail system is available for day-to-day operations, is not part of the Corporation's records management system, and shall not be used for the storage of records.

## **5.7 Personal and Confidential Records**

- 5.7.1. Access restrictions and security measures shall be applied to records containing sensitive, personal, or confidential information in order to comply with access and privacy provisions outlined in the **MFIPPA**, **PHIPA**, or other applicable legislation.
- 5.7.2. Every employee entrusted with personal and confidential records shall ensure that the confidentiality of such records is maintained at all times.
- 5.7.3. The Corporation shall collect and retain only necessary personal information.
- 5.7.4. Records containing personal information shall be identified in the Corporation's Records Retention Schedule.

## **5.8 Ownership of Records**

- 5.8.1. All records created, received, or maintained by an employee or a Member of Council of the Corporation in the course of carrying out their duties are the property of the Corporation. This includes records held on personal electronic devices. Care must be taken to avoid the use of personal electronic communication devices, particularly as these may be held in the case of a legal hold or a **MFIPPA** request. No offer or employee has, by virtue of their position, any personal or property right to the records.
- 5.8.2. A record may not be sold, loaned, given away, destroyed, or otherwise alienated from the Municipality of Wawa's custody unless in accordance with policy or any of its associated policies, procedures, by-laws and retention schedules.



5.8.3. Every officer or employee, including members of Council, shall deliver to any successor all records pertaining to the position held by the officer or employee.

**5.8.4.** Records in the custody of consultants, contractors, and private-service providers performing work for the Corporation may be under the control of the Corporation and may be subject to this Policy, the Records Retention By-law, and the provisions of the **MFIPPA**.

5.8.5. Records created or received by volunteers or part-time workers performing work under the direction of an employee of the Corporation are records subject to this Policy, the Records Retention By-law, and the provisions of the **MFIPPA**.

## **5.9 Change of Custody, Control, or Ownership**

5.9.1. When physical custody of records is transferred to another institution not covered by this Policy, an agreement must be in place. The agreement must identify the records in question, define the rights retained by the Corporation, and ensure that the records will be managed in accordance with the Corporation's Records Retention By-law, this Policy, and other applicable legislation.

## **5.10 Access to Records**

5.10.1. The Corporation's employees are to ensure that official records within their custody and under their control remain accessible to other employees designated as requiring access in order to perform the functions of their job and retrievable for the entire period set out within the Corporation's Records Retention Schedule. However, access restrictions will be applied to records where specifically required by the Department and in order to comply with access and privacy provisions outlined in the **MFIPPA**, **PHIPA**, or other legislation.

5.10.2. Requests from the public for access to the Corporation's records shall be provided in accordance with the **MFIPPA** or **PHIPA**.

## **5.11 MFIPPA or PHIPA Requests, Investigations, and Litigation**

5.11.1. No transitory records or official records pertaining to an access request under the **MFIPPA** or **PHIPA**, or to an investigation or litigation shall be destroyed by any employees of the Corporation who have such records in their custody or under their control until the request, investigation, or litigation pertaining to those records has concluded.

5.11.2. The Clerk shall provide notice of any **MFIPPA** or **PHIPA** requests, investigations, or litigation to the Department Director or designated employee of the affected Department in order to ensure that any records relevant to the request, investigation, or litigation are not being destroyed.

## **5.12 Disposition Procedures**

5.12.1. Keeping everything forever is not effective, economical, or legally wise, and the Corporation's Records Retention By-law guards against this practice.

5.12.2. As such, all the Corporation's Departments shall adhere to the following disposition procedure:

a) **Transitory Records:**

Transitory records may be disposed of in a manner that is appropriate for their level of confidentiality once they have fulfilled their purpose.

b) **Official Records:**

- i. Records that have fulfilled their total retention period according to the Corporation's Records Retention Schedule shall be destroyed promptly in accordance with this Policy and the Records Retention By-law. Exceptions to this planned destruction process include records that are the subject of a request under the **MFIPPA** and **PHIPA**, as well as records required for ongoing legal purposes, as described in section 5.11 of this Policy;
- ii. The Department Director or designated employee shall provide the Clerk with a written notification prior to the scheduled destruction date of any records that should be retained for a longer period and the reason for the extension. Then, the Clerk, in consultation with the Department Director or designated employee who is requesting the extension, shall establish a new destruction date;
- iii. Records shall be destroyed using a method appropriate for their medium, format, and content, which may include, but are not limited to, deletion, garbage, shredding, and paper recycling;
- iv. Destruction operations must maintain the confidentiality of information and protect the privacy of individuals whose personal information may be contained in the records;
- v. No records are to be disposed of or otherwise destroyed by any person without the written approval of the Clerk and the Department Director or designated employee and without first ensuring that the records have been documented on a Destruction Notice;
- vi. Whenever possible, records are to be disposed of as part of an annual disposal process, as opposed to being randomly destroyed;
- vii. Should the Clerk deem the official records to have archival value, the disposal process will be stopped, and the archival records shall be removed and placed with other records having archival value;

- viii. The Destruction Notice Form that shall be used when disposing of official records is attached to this Policy; and
- ix. All original Destruction Notices shall be provided to and retained permanently by the Clerk's Office.

### **5.13 Preservation of Archival Records**

- 5.13.1. Archival records will be stored in formats that ensure the longest possible life of records or of the information contained in them. They will be handled and stored in a manner that minimizes damage and deterioration while in use.

### **5.14 Records Management Training**

- 5.14.1. Ongoing training shall be offered to all employees involved in records management.
- 5.14.2. The objective of employee training is to enable the Corporation to implement, use, and maintain a standardized records management system.
- 5.14.3. Training must be appropriate for the level of involvement with records management. This involves basic training for all employees and specialized training for designated employees responsible for records management.

### **5.15 Compliance and Audits**

- 5.15.1. Compliance with the Corporation's Records Retention By-law will be reviewed on a scheduled and random basis by the Clerk.

### **5.16 Contravention**

- 5.16.1. Subsection 48(1) of the **MFIPPA** clearly states that no person shall alter, conceal, or destroy a record, or cause any other person to do so, with the intention of denying a right under this **Act** to access the record or the information contained in the record.
- 5.16.2. Subsection 48(2) of the **MFIPPA** provides that every person who contravenes subsection 48(1) is guilty of an offence and could be subject to a fine up to \$5,000.
- 5.16.3. If an employee is guilty of an offence that results in a fine under the **MFIPPA**, the employee must pay the fee in whole and assume the consequences related to this violation, which involves a range of disciplinary measures.

## **6. Responsibilities**

### **6.1 Appointment of Designated Employees**

- 6.6.1. Each Department may designate an employee by filling out the Appointment of a Designated Employee Form who will act as a liaison between the Clerk's Office and the Department in terms of records management.
- 6.6.2. The designated employee will be responsible for ensuring compliance with the Corporation's Records Retention By-Law and this Policy, as well as for providing assistance with regard to the correct use and application of the records management system. The designated employee should have a thorough knowledge and understanding of records management and administrative operations of their respective Department.
- 6.6.3. If a Department does not designate an employee, the Department Director is by default the person responsible for records management within the Department.

## **6.2 Department Directors or Designated Employees**

- 6.3.1. Department Directors or designated employees shall:
  - a) ensure that all employees of their Department are aware of their responsibilities under this Policy;
  - b) demonstrate support and compliance with this Policy;
  - c) address any non-compliance with the Policy;
  - d) ensure that records are maintained and disposed of in accordance with this Policy and the Corporation's Records Retention By-law;
  - e) fill out Destruction Notices when disposing of official records;
  - f) provide the Clerk with Destructions Notices once they are filled out and signed; and
  - g) act as the signing authority in terms of records management for their Department.

## **6.3 Employees**

- 6.3.1. All employees shall:
  - a) familiarize themselves with this Policy;
  - b) comply with this Policy;
  - c) report any violation of this Policy to the Department Director or designated employee;
  - d) create, classify, retain, and dispose of records in accordance with this Policy and the Corporation's Records Retention By-law;

- e) ensure that records are created and maintained to effectively and accurately document and provide evidence of the Corporation's business transactions and activities in which they are involved in the performance of their duties and the services offered by their Department;
- f) identify and distinguish official records and transitory records;
- g) ensure that transitory records in their custody or control are destroyed when they are no longer needed for short-term reference;
- h) ensure that emails are classified and saved within the Corporation's records management system;
- i) ensure that official records in their custody or under their control are protected from inadvertent destruction or damage and properly preserved throughout their lifecycle;
- j) protect records from unauthorized use or access; and
- k) maintain the confidentiality of confidential records.

#### **6.4 Clerk**

##### **6.4.1. The Clerk shall:**

- a) develop and administer this Policy and the Corporation's Records Retention By-law in accordance with legislative requirements and industry best practices;
- b) review the Records Retention Schedule annually and make amendments to ensure that the Schedule remains compliant with all legislative requirements and industry best practices;
- c) develop and communicate processes which enable Departments and employees to maintain compliance with this Policy; and
- d) provide records management training to employees.

### **7. Legislative Authority**

#### **7.1 Legislative Authority**

- 7.1.1. Sections 254 and 255 of the *Municipal Act* state that a municipality shall retain and preserve the records of the municipality in a secure and accessible manner and may only destroy a record of the municipality if a retention period for the records has been established.

### **8. References**

#### **8.1 References**

- 8.1.1. Notice of Destruction Form

- 8.1.2.** Appointment of a Designated Employee Form
- 8.1.3.** Corporation's Records Retention By-law
- 8.1.4.** Electronic Records as Documentary Evidence (Government of Canada - CAN/CGSB-72.34-2017)
- 8.1.5.** Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56
- 8.1.6.** 8.1.6. Municipal Act, 2001, S.O. 2001, c. 25
- 8.1.7.** 8.1.7. Personal Health Information Protection Act, 2004, S.O. 2004, c. 3, Sched. A

Destruction Notice Form

Date of Notice: \_\_\_\_\_

Responsible Department: \_\_\_\_\_

Department Director or Designated Employee: \_\_\_\_\_

Class Code	Secondary Directory or pao	Description of Records	Total Retention	Date of Records

Department Director's or Designated Employee's Signature: \_\_\_\_\_

Clerk's Signature: \_\_\_\_\_



## Designated Employee Nomination Form

I, \_\_\_\_\_ (Name of Department Director), hereby designate \_\_\_\_\_ (Name of Designated Employee):

- to act as a liaison between the Clerk's Office and the Department, \_\_\_\_\_ (Name of Department) in terms of records management;
- to be responsible for ensuring compliance with the Corporation's Records Retention By-Law and this Policy; and
- to provide assistance with regard to the correct use and application of the records management system.

\_\_\_\_\_  
Name of Department Director  
(please print)

\_\_\_\_\_  
Name of Designated Employee (please  
print)

\_\_\_\_\_  
Department Director's Signature

\_\_\_\_\_  
Designated Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Clerk  
(please print)

\_\_\_\_\_  
Clerk's Signature

\_\_\_\_\_  
Date