



Policy & Procedures

Section: 5.0 General

Policy: Records Management Policy

By-Law: 2019-119

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Revision: [Click here to enter text.](#)

Coverage:

This policy will cover all records and information of the Township of Huron-Kinloss.

Policy Statement:

The records and information holdings of The Corporation of the Township of Huron-Kinloss are valuable corporate assets needed to support effective decision making, meet operational requirements, protect legal, fiscal and other interests of the Township, and to adhere to the requirements of the *Municipal Act, 2001* as amended and the *Municipal Freedom of Information and Protection of Privacy Act, 1990* as amended.

Legislative Authority:

Pursuant to Section 4.1 of the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, every head of an institution shall ensure that reasonable measures respecting the Records in the custody or under the control of the institution are developed, documented and put into place to preserve the Records in accordance with any Recordkeeping or Records retention requirements, rules or policies, whether established under the Act or otherwise, that apply to the institution.

The *Municipal Act* Section 254 provides that a Record of a municipality shall be retained and preserved in secure and accessible manner.

The *Municipal Act* Section 255 provides that a Record of a municipality may be destroyed if a retention period for the Record has been established and the retention period has expired.

Contents:

1. DEFINITIONS

- a) Active Record means a record that is referred to and used on a regular basis.
- b) Archival Record means a record or item that has been appraised for permanent retention because of its historical, fiscal, legal (including evidential), operational, or administrative value. The long term value of the record justifies its preservation.

- c) Archives means a repository for archival records.
- d) Classification means the systematic identification and arrangement of records into categories according to logically structured conventions, methods, and procedural rules, represented in a classification scheme.
- e) Clerk means the Clerk of the Corporation of the Township of Huron-Kinloss
- f) Corporate Records means any record created, received, deposited or held by any employee in the course of business and used to support a Township function or to conduct municipal business.
- g) Destroy means the process of eliminating or deleting data, documents and records so that the recorded information no longer exists.
- h) Disposition means a range of processes; associated actions; implementation; retention; destruction; loss; or transfer of custody or ownership that are documented in disposition authorities or other instruments.
- i) Inactive Record means a record that is referred to infrequently.
- j) Life Cycle is the life span of a record from its creation or receipt throughout its active and inactive stage to final disposition.
- k) Metadata Data provides information about a record's content, making it easier to retrieve, use, or manage. Metadata includes, but is not limited to: means of creation of the data, purpose of the data, time and date of creation, creator or author of data.
- l) *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)* is Ontario legislation which, with some limitations, provides the public with a right of access to records held by the Township and protects the privacy of personal and third party information held by an institution.
- m) Official Records means recorded information in any format or medium that documents the company's business activities, rights, obligations or responsibilities or recorded information that was created, received distributed or maintained by the company in compliance with a legal obligation.
- n) Records means any recorded information, however recorded, whether in printed form, on film, by electronic means or otherwise, including correspondence, memoranda, plans, maps, drawings, graphic works, photographs, film, microfilm,

microfiche, sound records, videotapes, e-mail, machine readable records, and any other documentary material regardless of physical form or characteristics, and including “official business records” and “temporary records”.

- o) Records Classification System means a system to promote the effective use of Township information by providing a consistent standard for the description and management of corporate records and improving control and accessibility.
- p) Records Management means the process of planning, organizing, directing, and controlling all the steps involved in the life cycle of records.
- q) Retention Schedule means the approved timetable that prescribes a life span to recorded information from its creation to final disposition.
- r) Transitory/Temporary records means records kept solely for convenience of reference and of limited value in documenting the planning or implementation of Township policy or programs, such as:
 - i) copies of miscellaneous notices or memoranda concerning routine administrative matters or other minor issues;
 - ii) information copies of widely distributed materials, such as minutes, agendas and newsletters, unless the information copy has been annotated to reflect significant input or for other program purposes;
 - iii) 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;
 - iv) duplicate copies of documents in the same medium which are retained only for convenience or future distribution;
 - v) voice-mail messages;
 - vi) e-mail messages and other communications that do not relate to Township business;
 - vii) copies of publications, such as, published reports, administration manuals, telephone directories, catalogues, pamphlets or periodicals;
 - viii) duplicate stocks of obsolete publications, pamphlets or blank forms;
 - ix) unsolicited advertising materials, including brochures, company profiles and price lists.
- s) Township means the Corporation of the Township of Huron-Kinloss
- t) Vital Records are records that are essential to resume or continue the operations of an organization after an emergency; those necessary to recreate the corporation’s legal and financial position; and/or those necessary to preserve the rights of the corporation, its employees, customers, and ratepayers.

2. OBJECTIVES

A records management plan applies systematic controls and standards to the creation, security, use, retention, conversion, disposition and preservation of recorded information. The plan:

- a) manages the information life cycle to meet all legislated requirements for record keeping, including those of the *Municipal Act, 2001* and the *Municipal Freedom of Information and Protection of Privacy Act, 1990*;
- b) protects 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, evidential and accountability requirements;
- c) ensures that records are protected and are not destroyed or removed from the custody and control of Township unless authorized by the Records Retention Schedule;
- d) ensures the identification and preservation of permanently valuable records and the destruction of records that have surpassed their retention, in a timely, secure, and environmentally sound manner.

3. GENERAL DIRECTIVES

- a) All records created or received by an employee of the Township in the course of official business are subject to Townships records management policy.
- b) It is the responsibility of every employee holding or maintaining Township records to deliver all such records to his or her successors or to the Clerk upon leaving office or employment.
- c) Transfer of original or official Township records into the possession of private organizations or individuals is prohibited except for the purposes of microfilming, imaging, duplication, format conversion, binding, conservation, or other records management and preservation procedures or where authorized by bylaw, legislation or agreement.

4. OWNERSHIP OF RECORDS AND INFORMATION

- a) Records created or accumulated by Township Councillors acting in their political or constituency capacity are not corporate records where these records are stored and managed separately from Township records.
- b) Records in the custody of consultants, contractors, and private service providers performing work for the Township may be under the control of the Township and subject to the *Municipal Freedom of Information and Protection of Privacy Act, 1990*.
- c) Records created by volunteers or Committee members performing work under the direction of the Township are corporate records subject to this policy and to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act, 1990*.

5. INFORMATION SECURITY

- a) Security measures must be implemented to ensure that records are created, acquired, updated, handled, used, transmitted, transported, filed, stored and destroyed in a manner appropriate to their sensitivity. These security measures must ensure the integrity of the records, protect sensitive information and personal information from unauthorized access or disclosure and protect vital records from damage or loss.

6. RECORDS CLASSIFICATION SYSTEM

- a) The Ontario Municipal Records Management System (TOMRMS), as amended, is used as the Townships records classification system and retention schedule.

7. RETENTION AND DISPOSITION OF CORPORATE RECORDS

- a) All corporate records will be retained and disposed of according to the Records Retention schedule.
- b) In accordance with the approved retention schedule, final disposition action will take place in a timely manner at the end of the retention period for each record series.

8. PRESERVATION OF ARCHIVAL RECORDS

- a) Archival Records will be managed for preservation throughout the information life cycle.
- b) 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.
- c) Archival Records will be preserved in formats appropriate to their retention periods and final disposition. Information of enduring value must be preserved using durable storage media.

9. TRANSITORY OR TEMPORARY RECORDS

- a) After a final record has been produced and incorporated into the regular filing system, the working materials involved may become superseded or obsolete transitory records and may be destroyed unless otherwise legislated or specified in the records retention schedule.
- b) Working materials which are required for ongoing legal, fiscal, audit, administrative or operational purposes are not transitory records.
- c) Transitory records that are the subject of ongoing legal proceedings or a request under the *Municipal Freedom of Information and Protection of Privacy Act* must not be destroyed until after the legal proceeding or request has been completed and all possible appeals have been resolved.

10. RECORDS MANAGEMENT TRAINING

- a) The objective of staff training is to enable Township staff to implement, use and maintain standardized systems for managing their record holdings.
- b) Training must be appropriate to the level of involvement with recordkeeping systems.

11. DESTRUCTION OF RECORDS

- a) Destruction of records may occur at the end of a record's life cycle

as described in the approved records retention schedule.

- b) Records shall be destroyed using a method appropriate to their medium and to their content. Records containing confidential and/or personal information shall be destroyed through a process that achieves definitive obliteration of information.
- c) Destruction operations must maintain the confidentiality of information and protect the privacy of individuals whose personal information may be contained in the records.
- d) Records must be destroyed promptly following the expiration of approved retention periods. Exceptions to this planned destruction process include records still required for the ongoing functions of a municipal program and records that are the subject of a request under the *Municipal Freedom of Information and Protection of Privacy Act* and records required for ongoing legal purposes.

12. AUTHORITY AND RESPONSIBILITY

- a) The Clerk will:
 - i) provide leadership for records management with respect to vision, mission, policy, standards, strategic planning, training, quality assurance, and facilitate the development, maintenance and improvement of records keeping solutions, tools and systems; and,
 - ii) ensure the currency of the records retention schedule.
- b) All Employees will:
 - i) ensure that all the records they create or receive that are used to support a Township function or to conduct municipal business will be maintained and preserved as required by this policy and the Records Management By-law.