1.0 Policy Statement

The City of Oshawa ("City") recognizes that Records and Information are valuable corporate assets that are required to meet operational requirements, support effective decision-making and protect the legal, fiscal, historical and other interests of the City and the broader community. Promoting and facilitating the effective management of Records and Information is a foundational element supporting accountable, transparent and effective governance and excellence in the delivery of programs and services to Oshawa residents.

2.0 Scope/ Application

This Policy establishes a framework that will govern the overall Records and Information Management Program and practices employed by the City in accordance with Records Retention By-law 32-2021. A Records and Information Management Program creates standards for the Creation, Security, Use, Retention, Disposition and Preservation of all Records regardless of format. This Policy is intended to support the effective management of Records and Information maintained by the City and may be supplemented by supporting policies and procedures approved by Council and/or the Director, Legislative Services/City Clerk.

All Records and Information regardless of format which have been received or created by any City Employee (including Employees of the Oshawa Senior Community Centres), Contracted Service Providers and Volunteers, unless otherwise noted within this Policy, and are in the Custody and Control of the City of Oshawa, are deemed Records and are the property of the Corporation of the City of Oshawa.

3.0 Communication

This Policy will be communicated to Employees, Contracted Service Providers and Volunteers, Members of Council and other interested stakeholders through the City's website, intranet, onboarding information packages and regular Records and Information management training sessions.

4.0 Definitions

Annual File means a collection of City Records that are currently being used and are arranged in a folder created at the beginning of each calendar year. These Records are typically administrative and are kept Active for one calendar year before they are transferred to Inactive Storage.

Active means a collection of City Records that is currently being used or is available for Use.

Active Retention means a collection of City Records that is currently being used or is available for Use and is being stored in the responsible Branch's filing cabinets.

Archival Record means a permanent, public Record determined to be of sufficient historical, continuing or enduring value as to warrant the added cost of Storage, conservation and Preservation. Not all Permanent Records are archival records. All Records deemed to be archival are Records that the Director, Legislative Services/City Clerk is responsible for maintaining.

Branch means any grouping of City of Oshawa Employees who are part of an outlet of the organization that does not constitute a separate entity but is responsible for a type of work.

City means the Corporation of the City of Oshawa.

City Business means a core, central or basic Function of the City, as related to the City's mandate and Functions.

Contracted Service Provider means an individual or business that undertakes a contract or agreement with the City in order to perform a service on a continuing basis (e.g. Security Guard Services, Marriage Officiants, etc.).

Control means contents of the Record as it relates to City Business and the City's power or authority to make a decision about the Use or Disclosure of its Records.

Corporate Archives means a collection of Records providing information of historical significance to the City of Oshawa.

Council means Oshawa City Council as a whole.

Council Member means an individual member of Council, including the Mayor.

Creation means the first phase in a Record's Life Cycle. It involves the Receipt of a Record and classification of it as a Record in accordance with the Records Retention By-law.

Custody means the Storage, Preservation, or Security of a Record for a legitimate business purpose, wherein the City could obtain a copy of the Record upon request. While physical possession of a Record may not always constitute custody, it is the best evidence of custody.

Data means information that is stored in or used by an electronic device or computer. Data includes but is not limited to information collected for research or information included in an email.

Destruction means the physical or electronic disposal of Records or Data by means of shredding, recycling, deletion or overwriting. This also includes the

Destruction of Records or Data residing on computers and electronic devices supplied or paid for by the City.

Director, Legislative Services/City Clerk means the individual authorized to act on behalf of the City for the overall governance of the Records and Information Management (R.I.M.) Program and to delegate authority to implement specific R.I.M. Program procedures.

Disclosure means the release of Personal Information by any method (e.g. sharing information by any means such as verbally, sending an email, posting online) to any entity or person.

Disposition means the Destruction of Records, the transfer of historically significant Records to an Archive, or the transfer of Records to another authority.

Disposition Instructions means special instructions when disposing of Records following their Retention Period.

Duplicate means exact copies of Records, with nothing added, deleted or changed.

Electronic Records means Information recorded by a computer and any electronic device that is produced or received and provides evidence of a business transaction (e.g. email messages, word- processed documents, electronic spreadsheets, digital images and databases).

Electronic Records Management System ("E.R.M.S.") means a framework of tools for managing the Creation, Use, and Storage of documents in multiple formats that are created throughout an organization.

Employee means all full-time, part-time, temporary, seasonal and staff hired on a contract basis for a defined period of time, of the City of Oshawa, as well as students.

F.O.I. means a formal "freedom of information" request as received under the M.F.I.P.P.A.. An F.O.I. refers to a request for access to, or copies of, a Record which is submitted in writing detailing the requested Records, is dated and signed by the requester. This type of request should be received only after an Informal Records Request has been denied. The mandatory $5.00 application fee must accompany the request.

Function means the kind or type of work that the City is mandated to deliver.

Function-based Classification System and Retention Schedule ("F.C.S./R.S.") means an instrument used to provide a logical arrangement of Records into categories based upon an analysis of the City Function from which they arose, providing a standardized basis for Life Cycle management rules, including those that specify the Retention Period applicable to those Records.

Inactive means Records which are no longer referenced on a regular basis and are stored in a less accessible place since they are not used frequently.

Informal Records Request means a verbal or written request for access to a Record or Information, other than a formal request under the Act. May also be referred to as an over-the-counter request.

Information means knowledge communicated or received concerning a particular fact or circumstance; knowledge gained through study, communication, research, instruction, etc.; or the act or fact of informing.

I.P.C. means the Information and Privacy Commissioner of Ontario. The Commissioner is appointed by the Lieutenant Governor in Council, and is independent of the government. The I.P.C. is responsible for adjudicating and issuing binding orders related to appeals, conducting privacy investigations, and has powers relating to the protection of personal privacy.

Legal Hold means the process that an organization uses to preserve all forms of potentially relevant information when Litigation is pending or reasonably anticipated.

Life Cycle means "life span" of a Record, from its Creation to its Preservation (in an archives) or disposal.

Litigation means the actions between two opposing parties working in the interest of enforcing or defending a legal right.

Maintenance means the process of maintaining or preserving a Record.

Manager means a person responsible for controlling or administering a Branch within an organization.

M.F.I.P.P.A. means the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56 (also, the “Act”).

Metadata means the Data providing Information about one or more aspects of the Data; it is used to summarize basic Information about Data which can make tracking and working with specific Data easier.

Official Record means a Record that provides evidence of a business transaction, ongoing business value, required to support business operations or are required by legislation. These Records must be retained and managed in accordance with government policies and standards.

Orphaned Data means electronic files that are not machine readable because the City lacks the necessary hardware or software required to decode the Information, or that is machine readable, but does not contain sufficient content, context or structure to render it understandable or useful to the City.

Permanent Record means a Record that possesses enduring legal, fiscal or administrative value and must be preserved permanently. The responsibility of preserving Permanent Records lies with the Responsible Department as set out in the F.C.S./R.S..

Personal Information means "recorded information about an identifiable individual," as defined in Section 2(1) of the *Municipal Freedom of Information Protection of Privacy Act* including,

(a) Information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual;

(b) Information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;

(c) Any identifying number, symbol or other particular assigned to the individual;

(d) The address, telephone number, fingerprints or blood type of the individual;

(e) The personal opinions or views of the individual except if they relate to another individual;

(f) Correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence;

(g) The views or opinions of another individual about the individual; and,

(h) The individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal Information about the individual.

Preservation means the action taken to prevent damage or Destruction of Records from occurring.

Project File means a file that contains all of the Data related to a single body of work.

Receipt means the receiving of the transfer of a Record from another entity.

Record means any Record of information however recorded, whether in printed form, on film, by electronic means or otherwise as defined in section 2(1) of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990 and includes,

i. correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine readable record, any other documentary material, regardless of physical form or characteristics, and any copy thereof; and,

ii. 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.

Records and Information Management Program means the program responsible for establishing and implementing policies, systems, and procedures to capture, Create, access, distribute, Use, store, secure, retrieve, and ensure Disposition of an organization's Records and Information.

Records Management means an organizational Function devoted to the management of Information in an organization throughout its Life Cycle, from the time of Creation or Receipt to its eventual Disposition.

Records Management Representative means the Employee who is assigned the responsibility of creating and managing the Branch Records in the corporate Records Management Software.

Records Management Staff means a professional responsible for implementing and monitoring Records Management practices within the organization.

Records Protection means appropriate protections for both paper and electronic information. These protections include ensuring protection from physical damage, external Data breaches, and internal theft or fraud.

Records Retention By-law means By-law 32-2021 and associated Schedules A and B passed by City Council to standardize the classification of Records of the Corporation of the City of Oshawa, and to authorize their Disposition following specified Retention Periods.

Records Security means the Use of a locked in Storage area to secure all Records subject to a Preservation order or potential or actual Litigation.

Record Series means a group of related Records categorized as a Branch for the purposes of establishing classification efficiencies and applying Retention Controls.

Records Management Software means the software used to manage Records for an organization throughout the Records' Life Cycle.

Repository means an electronic or physical filing location where Records are maintained in accordance with the Records Retention By-law and protected from unauthorized access or Destruction.

Responsible Department means the department or Branch with primary responsibility for retaining a Record.

Retention means the keeping and maintaining of Information in the Custody or Control of the City.

Retention Centre means a location where City Records that are not being used on a regular basis are stored for the remainder of their Life Cycle.

Retention Period means the period of time that a Record will be kept or "retained" either/both electronically and in paper format (Also see "Trigger Event" hereinafter defined).

Security means the protection from physical damage, external Data breaches, and internal theft or fraud of Records.

Storage means the Storage of Records in such a way that they are both sufficiently accessible and safeguarded against environmental damage.

Storage Device means a videotape, computer disk or drive, C.D., D.V.D., U.S.B. Drive, computer chip or other Storage media used to store the recorded Data or visual, audio or other images captured by Video Surveillance Equipment.

Student means an individual at least 15 years of age and registered in an educational program at a high school, college or university level.

Supervisor, Records and Information Management means the individual to whom authority is delegated by the Director, Legislative Services/City Clerk to act on behalf of the City to oversee the R.I.M. Program.

Transitory Record means a Record and/or document with temporary usefulness and no long-term value, received or stored in any format and may be used to facilitate the completion of insignificant transactions, or created while preparing an official corporate Record.

Trigger Event means event or circumstance beyond which a Record has no Active operational value and to which a known Retention Period is applicable.

Use means to take, hold, or deploy as a means of accomplishing a purpose or achieving a result.

Video Surveillance Equipment means any video, physical or other mechanical, electronic, digital or wireless surveillance system or device that enables continuous or periodic video recording, observing or monitoring of Personal Information about individuals in interior and exterior public areas. Video Surveillance Equipment also includes devices capable of capturing audio and thermal or infrared images, or any other component capable of capturing the image of an individual.

Vital Record means a Record that is essential to the continuation or resumption of City Business, to fulfill obligations to ratepayers, Employees, Federal and Provincial governments, or to recreate the financial or legal status of the City in case of an emergency. The protection of Vital Records is the responsibility of the Director, Legislative Services/City Clerk.

Volunteer means an individual who volunteer their services, from time to time, to assist in areas of the City.

5.0 General Guidelines

1. The Records Retention By-law and associated Schedules and the Records Retention Policy will be applied to all Records in the Custody and Control of the City. This includes Electronic Records (i.e. emails, files saved on staff computers and networks, files saved external drives, text messages, voice mail, etc.). Records are subject to management throughout their Life Cycle.

2. Transitory Records shall be destroyed as soon as they have served the purpose for which they were collected, received or created and in accordance with Schedule B of the Records Retention By-law.

3. Unless identified as a Permanent Record, Archival Record or subject to a Records Preservation order or Legal Hold, all Records shall be subject to Destruction in accordance with the Records Retention By-law.

4. Orphaned Data shall be destroyed when reasonable efforts have been expended to access the Data, or to determine the context in which the Data was originally created.

5. It is the responsibility of all Employees to ensure that all Records are saved to the appropriate Branch shared drive, using the appropriate naming conventions, or to the paper file in accordance with the Records Retention By-law.

6. Upon leaving the employment with the City of Oshawa, all Employees are responsible to ensure all Records in their possession have been filed in the appropriate Branch shared drive or in the proper paper file in accordance with the Records Retention By-law and the staff departure procedure.

6.0 Goals

The goals of the Records and Information Management Program are as follows:

- Establish effective management Control and administration over the Receipt, Creation, Use, Maintenance, Storage and ultimate Disposition of all Information, regardless of format;

- Ensure that Records are protected and are not destroyed or removed from the Custody and Control of the City without authorization;

- Create an understanding that all Records created in the course of business activities are the property of the City;

- Align objectives of the corporate Records and Information Management Program with those of the City to ensure that the City’s goals are supported and achieved through the work of the corporate Records and Information Management Program;

- Develop, preserve and protect corporate knowledge through sound recordkeeping practices and the accurate capture of Information to meet legal, financial, evidential and accountability requirements;

- Ensure the widest possible Use of Information sources within the City that supports and documents policy formation, effective decision-making and meets operational requirements;

- Provide protection and support in Litigation including the management of risks associated with the existence of, or lack of, evidence of organizational activity;

- Retain, and protect Records needed by the City in a secure, accessible, efficient, and cost-effective manner that renders consistent and equitable service to both internal and external customers;

- Ensure that Retention of Personal Information is in accordance with the M.F.I.P.P.A.;

- Eliminate the unnecessary collection of Information by maintaining only Records that are pertinent to the operational requirements of the City;

- Coordinate Information collection to avoid duplication;

- Provide continuity in the event of a disaster;

- Ensure that Records Management Functions are incorporated into existing and future technology applications;

- Encourage continual improvements in the management of Official Records that enhance performance and add value to the services delivered by Employees;

- Ensure that the Records and Information Management Program is communicated and implemented at all levels in the City; and,

- Establish standards for Use of electronic Storage systems in cooperation with Information Technology Services.

7.0 Implementation

This Policy shall be implemented through the Records and Information Management Program. Implementation shall include but not be limited to the following activities:

- Implementation of a coordinated set of procedures, activities and systems required to Control the Creation, Receipt, transmission, Maintenance and Disposition of Records;

- Ensuring that all Records are protected against unauthorized addition, deletion, alteration, Use and concealment;

- Identification and training of Records Management Representatives at the Branch level to assist with Records Management activities;
- Coordination and standardization of equipment and supplies used in the Maintenance of Records within Branches and departments;
- Coordination of the efficient and economical Storage and retrieval of Inactive Records;
- Planning and developing of systems designed to enhance Information Management; and,
- Provide that all contracts with Contracted Service Providers contain clauses that ensure Records created with respect to work performed on behalf of the City remain the property of the City.

8.0 Roles and Responsibilities

8.1 Director, Legislative Services/City Clerk

The Director, Legislative Services/City Clerk has responsibility for the Records and Information Management Program in accordance with the *Municipal Act*, *2001*, S.O. 2001 c.25. Many of the duties in relation to this Policy have been assigned to the Supervisor, Records and Information Management, and Records and Information Management Staff.

The Director, Legislative Services/City Clerk is responsible for the following:

- Approving administrative amendments as may be required, such as changes in accordance to legislation, the corporate organizational structure of the City or to the Retention Period which are minor in nature, to the Records Retention By-law and Schedule and other policies, procedures and standards required to support this Policy;
- Determining Retention Periods for Records in consultation with others where appropriate, taking into consideration:
    - The operational value of the Records;
    - The legal value of the Records, including any statutory or regulatory requirements, requirements imposed by agreements, permits or licenses, or the requirement to maintain such Records to support investigations or potential Litigation;
    - The fiscal value of the Records, including the period required to support audit or tax activities; and/or,

- The historical value of the Records to the City, including the value of the Records in documenting the people, places and events that have contributed to the City's corporate development.

8.2 Records and Information Management

The Supervisor, Records and Information Management shall be responsible for coordinating the Records and Information Management Program. This individual along with Records Management Staff shall provide advice, assistance and training to Employees, Contracted Service Providers, Volunteers and Members of Council to enable them to comply with this Policy.

Records Management Staff are responsible for the following:

- Conducting regular reviews of the Records classification system for all Records received, created or used by the City;
- Facilitating efficient and prompt disposal of Records when their administrative, legal, and fiscal values have ceased and all requirements of legislation and by-laws have been met;
- Preventing the Creation and Retention of unnecessary Records; and,
- Managing the Corporate Archives Program, including the following:
  - Developing, coordinating, and operating the Archives program;
  - Ensuring the transfer of Records from their Active to Inactive stage;
  - Conducting the appraisal, arrangement, description, care and conservation of Archival Records;
  - Educating Employees on what constitutes an Archival Record;
  - Monitoring and evaluating the performance of the Archives component of the Records Management Program;
  - Assist with the Maintenance and Preservation of the City's Archival Records, including the following responsibilities:
    - Ensure that Archival Records are properly classified and not destroyed except as outlined in the Records Retention By-law and associated Schedules; and/or,
    - Notify the Supervisor, Records and Information Management regarding potential Archival Records.

- Overseeing the Records Preservation, Security, and Disposition of Records in the Custody of the Archives in accordance with the Records Retention By-law;
- Ensuring that measures are defined, documented and implemented to manage and protect the City's Archival Records from inadvertent Destruction or damage, taking into account the nature of the Records to be protected and the resources available to protect those Records; and,
- May approve acquisitions and deaccessions in consultation with the Director, Legislative Services/City Clerk.

8.3 Branch Employees

- Branches shall manage Records in accordance with this Policy, the Records Retention By-law and associated Schedules and any applicable policies, procedures or standards. Audits will be conducted on a regular basis to ensure compliance.
- Branches shall work with Records and Information Management staff to identify and prepare plans to ensure the protection and availability of Vital Records.
- Branches shall create a Record of each Active Record in the Branch in the Records Management Software to ensure that they can be retrieved efficiently, accurately and in a timely manner.
- Branches shall work collaboratively with Records and Information Management staff to identify Records of high sensitivity and establish procedures to ensure their Security and protection.
- Branch Records Management Representatives will liaise with the Records and Information Management staff with respect to Records Management issues advising of any changes to Branch methods/Functions and/or structure.
- Branches shall maintain Records in a manner that ensures the authenticity and reliability of the Records throughout the Information Life Cycle.
- Branches shall manage Records in a manner that provides concise, accurate and complete evidence of decisions, transactions and activities.
- Employees, Contracted Service Providers, Volunteers and Council Members shall manage Records in accordance with this Policy, the Records Retention By-law and associated Schedules and any other applicable policies, procedures or standards.

- Branches shall review yearly Destruction lists and provide feedback to Records and Information Management staff related to Records that may require longer Retention for legislative or legal reasons.

- Branches shall notify Records and Information Management staff with respect to any required headings or classes not currently captured in the Records Retention By-law.

- Branches shall ensure that all Records received, created and managed within their Branch are done so in compliance with applicable Records Management policies and practices.

- It is the responsibility of each Branch to ensure Records are correctly identified and classified before being transferred to an offsite Storage Repository. Branch Records Management Representatives are the subject matter experts on their files and will know the best classification to assign each file. Records and Information Management staff are available to provide guidance when required to assist in classifying, sorting and storing Records.

9.0 Records Management Practice

In accordance with "ISO 15489-1:2016 Information and Documentation – Records Management – Part 1: Concepts and Principles", a Record should correctly reflect what was communicated or decided or what action was taken. It should be able to support the needs of the business to which it relates and be used for accountability purposes.

As well as its content, the Record should contain, be persistently linked to, or associated with, the Metadata necessary to document a transaction, as follows:

a) The structure of a Record, or its format and the relationships between the elements comprising the Record, should remain intact.

b) The business context in which the Record was created, received and used should be apparent in the Record (including the business process of which the transaction is part, the date and time of the transaction and the participants in the transaction).

c) The links between documents, held separately but combining to make up a Record, should be present.

A Record must be authentic. An authentic Record is a Record that can be proven to be what it purports to be. This Record will include evidence that it has been created or sent by the person who created it.

A Record must be reliable. This means that its contents can be trusted to be a full and accurate representation of the transactions, activities or facts to which they attest and can be depended upon in the course of subsequent transactions or activities.

Records are to be created at the time of the transaction or incident to which they relate, or soon afterwards, by Employees who have direct knowledge of the facts.

A Record must be useable. It must be able to be located or retrieved when required. It should be possible to identify a Record within the context of broader business activities and Functions. The links between Records that document a sequence of activities should be maintained.

10.0 Records Life Cycle

Records Life Cycle refers to the "life span" of a Record, from its Creation to its Preservation (in an Archives) or disposal. All Records have a Life Cycle. Records are to be retained and tracked from their Creation to Disposition. Records are to be retained only as long as needed to meet the City's legal, legislative and business requirements. The processes of how Records are managed will affect the Record's future accuracy, reliability and trustworthiness. It will also dictate how well the City is able to meet its future compliance and legal responsibilities.

11.0 Records Classification

Records classification guides Employees in making filing decisions. Classification systems are based on the concept of organizing and retrieving Records indexed in a hierarchical structure of major and subordinate categories, from the most general to most specific.

The City provides many services and deals with thousands of different matters; however, Information with respect to any of these matters can be located quickly and easily using the basic concept of classification. Records at the City are classified using a Function-based Retention Schedule. By classifying Records using a Function-based structure the City is able to reduce the arbitrary judgments made when classifying Records in a traditional subject based structure.

Documents made or received in the course of business become Records when they are captured in the Records Management Software, on a department shared drive or in an E.R.M.S.. Captured Records should be dealt with in one of two ways:

1. When an electronic Record is classified, it is to be classified using standard naming conventions (Appendix 1). It is to be saved to the Branch shared drive in the assigned folder that corresponds with the F.C.S./R.S. The Record remains in this Repository until its Retention has expired. Once Retention has expired, it should be destroyed in accordance with the Records Retention By-law.

2. When a paper Record is classified, it is captured in Records Management Software that applies a Record number ID and assigns a Record Series based on the Function-based Retention Schedule. Records are described using key words that facilitate easy searching in the Records Management Software. A label is printed and affixed to the corresponding file folder which is to be stored in Active Storage in the Branch file cabinets. When a paper Record is no longer Active, it is transferred to Records and Information Management Staff who assign

a box number and transfer the Record to a Retention Centre. The Record remains in the Retention Centre until its Retention has expired. Once Retention has expired, it should be destroyed in accordance with the Records Retention By-law.

12.0 Records Handling and Retention of Paper Records

Records in Active Retention are to be kept in accordance with the Records Retention By-law. This is normally in the Branch in which the Record is most actively accessed. Records are to remain filed in the cabinet or on the Branch shared drive. Under no circumstance is a file to remain in the personal possession of an Employee unless it is being actively used. This ensures that all Employees have equal and immediate access to the Information needed.

Annual Files are files that are opened January 1 of each calendar year and closed December 31 of the same year. Typically, these files are administrative files. The Creation and Use of Annual Files enables the Corporation to easily manage, Use, and retrieve Records within the Records inventory. At the beginning of each calendar year, it is the responsibility of the Branch Records Management Representative to create the Annual Files for the Branch in the Records Management Software. Once these files are created, labels are printed and affixed to file folders, which are kept in the Branch file cabinets. These files should be destroyed in accordance with the Records Retention By-law.

In addition to Annual Files, the Branch may also have Project Files. These files are opened at the start of the transaction and will remain open until the project has been completed. Sometimes these files can be Active for several years at a time. During the Active period, the files should remain within the Branch. Project Files should be given one file number dated for the start of the project. These files may be kept in paper or electronic format. Once the project is completed, the Project Files can be identified with a termination date and moved to the Retention Centre. These files should be destroyed in accordance with the Records Retention By-law regardless of format.

Once Records are no longer required on a daily basis they may be moved to Inactive Retention. Inactive Retention is only used for paper Records, Electronic Records remain in Branch shared drives until they are eligible for Destruction.

12.1 Records Handling and Retention of Electronic Records

When storing Electronic Records it is important to investigate file formats to make sure that the Preservation of digital documents is sustainable and not reliant on a specific technology in order to be retrieved. Use of Branch shared drives is required in order to meet retrieval and Retention requirements set out in the Policy and the Records Retention By-law.

Inactive paper Records are Records no longer required by a Branch in the daily conduct of business. These Records are to be transferred to the Retention Centre for protection and eventual Destruction in accordance with the Records Retention By-law. All Inactive Records must be placed in proper file Storage boxes in accordance with corporate

standards (Appendix 2). Generally, paper Records are transferred from Active File Storage to the Retention Centre when the frequency of access to the file is “seldom”. These periods are outlined in the Records Retention By-law. Annually, all Active Records are to be reviewed to determine if they are still required in Active Storage. If they are no longer required in Active Storage, they are to be transferred to Inactive Retention in accordance with the Records Retention By-law. Ad-hoc transfers can occur throughout the year for files that have several volumes.

Paper Records being transferred to Inactive Retention must be boxed according to Destruction date. For large volume Records (i.e. contract documents) one Record Series is stored in one box and each box should not exceed a weight of 40 Ibs. For administrative Records within a Branch there are usually only one or two files per Record Series. In this case, the files with the same Destruction date are stored in the same box. In doing this, it eliminates the need to sort through boxes when Records are ready for Destruction. **For Security reasons, the contents of the box should never be written on the outside of the box**. When the box label is generated it will include the name of the responsible Branch and the Function to which the Records have been assigned.

13.0 Records Retention and Disposition

Records must be retained in accordance with the F.C.S./R.S.. This allows the City to comply with its legislative, legal and operational business needs. The value of every Record is determined in large part by the various stages it passes through during its “Records Life Cycle”. Records may be created or used in one or more City Branches. During this time it is an Active Record and the Record is kept within the originating Branch where it is filed in accordance with the Records Management practices outlined in this Policy. Once the Record loses its immediate value and is required less frequently it becomes an Inactive Record and should be transferred from the Branch to the City’s Retention Centre where it is stored until its Retention expires in accordance with the Records Retention By-law. At this time, the Record may be destroyed or if it is an Archival Record, it is transferred to the City’s Archives collection.

Records that are not deemed Vital or Archival and are not required to meet legal, legislative, archival or business requirements are retained as Inactive Records for a specified Retention Period then destroyed. The Life Cycle of all corporate Records is managed through the Records Retention By-law.

The Records Retention By-law and F.C.S./R.S. are key components of the Records and Information Management Program. These instruments are used to define how Records are to be managed from Creation to their Destruction. A Retention schedule is a valuable tool to manage the Life Cycle of all corporate Records and provides an easy-to-read template of Record Retention values for all Records. The Records Retention By-law establishes a definitive source of Information on legal Retention requirements based on end-user requirements, statutory and regulatory requirements, and legal and legislative requirements.

It is imperative that the Retention Periods outlined in the F.C.S./R.S. be applied diligently and consistently for all types of Records. Failure to include a Records type such as Electronic or other Record type in an organization's Records Management Program greatly increases the organization's risks in the following ways:

1. Records that no longer have any legal, legislative or operational value to the business will continue to be stored incurring additional storage costs. Unnecessarily retained Records that could have been destroyed, but were not, are subject to potential legal discovery.

2. Records that are not disposed of in compliance with the Records Retention By-law compromise the integrity of City's Records and the Information Management Program and is contrary to Council's direction.

The Records Retention By-law outlines the City's approach and commitment to apply consistent rules regarding the management of its Records. To be effective, the Records Retention By-law must be useful and regularly updated to reflect internal and external changes in recordkeeping requirements. The By-law must be complete and applicable to all types of Information and Records that may be retained.

The Records Retention By-law must be reviewed regularly to ensure routine maintenance and refreshment. This review should be completed on an annual basis to avoid the risk of creating gaps between recordkeeping obligations and business operations. Ad hoc reviews may also be required to address specific regulatory changes or significant business events such as corporate reorganization or changes in the way services are delivered.

14.0 Records Management Training

All Employees will receive training in Records Management best practices and may upon request, be provided with access to the Records Management Software. All new Employees will receive training in Records Management as part of their orientation. Refresher training will be provided on an as needed basis.

15.0 Records Preservation Order

The City has a legal obligation to preserve Records that may be relevant to potential, anticipated and/or actual Litigation or Preservation order.

In these circumstances, the routine Destruction of Records is suspended, and the Records must be preserved and secured. A Records Preservation order may be issued for one of the following reasons:

1. The filing of a lawsuit by or against the City.

2. Notices of threats or intent to sue by an individual or business.

3. The occurrence of a series of events that may result in legal action.

4. A Preservation of Records order from the Information and Privacy Commissioner (I.P.C.) related to an F.O.I. appeal.

5. A matter before Council that requires a review of Records.

6. A matter before a legislative body that requires Preservation of Records to facilitate resolution.

16.0 Vital Records

In cases where Records contain valuable Information about the City's legal or financial positions, preserve the rights of Employees and residents, or are critical to the continued operation or survival of the Corporation during or immediately following a crisis, these Records are determined to be Vital Records.

Vital Records are to be transferred to offsite permanent secure Retention areas where they are protected in the event of a disaster.

17.0 Transitory Records

A Transitory Record is a Record that is required for a limited time to complete a routine action or a Record that is being used in the preparation of the final Record.

This includes all Information that has been created and retained for reference purposes only and convenience copies saved by offices or individuals who do not have primary responsibility for them.

This type of Information should only be kept for a short time while in Use, and then destroyed using secure shredding bins or deleted from the department share drive once it is no longer meaningful or useful to business activities.

Regular disposal of Transitory Records will improve efficiency of daily operations, reduce the need for Storage space and facilitate in more accurate and efficient searching of Records for business purposes and Freedom of Information requests.

Transitory Records **do not** include any Records that are required to Control, support, or document the delivery of programs, to carry out operations, to make decisions, or to provide evidence to account for the activities of government at any time.

Transitory Records can be found in both electronic and paper format and may include the following:

1.	A Record that has no further value beyond an immediate or minor transaction.
2.	A Record that is produced or received in the preparation of other Records that supersede them (i.e. a draft).
3.	Copies of miscellaneous notices or memorandums related to a routine administrative matter.
4.	“For Your Information” copies of material that has been distributed widely across the organization.
5.	Preliminary drafts of letters, memoranda or reports that do not record significant steps in preparing the final document or have been used for decision-making.
6.	Duplicate copies of documents and publications saved for convenience.
7.	Voicemail messages that do not record official business decisions, or have future business, financial, operational, administrative or legal value.
8.	Email messages that do not relate to City Business.
9.	Rough notes, used in the preparation of a Record.

While this is not a complete list, Employees are encouraged to contact Records and Information Management Staff when clarification is required.

18.0 Records Protection

Records must be protected from risks due to natural disaster and unauthorized access. In order to protect the City’s Information assets, appropriate protections are determined by the sensitivity of the Records. Records are protected in the following ways:

1. Vital Records including By-laws, agreements and IT assets are stored in fire resistant locked cabinets in secure areas with limited access.

2. Inactive Records are stored offsite in water resistant boxes.

19.0 Corporate Archives and Inactive Records

19.1 Legislative Authority

Section 254(1) of the *Municipal Act, 2001* provides that "a municipality shall retain and preserve the Records of the municipality and its local boards in a secure and accessible manner." As Employees create and maintain Records as part of the normal course of their work, where some of them would have significant long-term historical value, in accordance with section 254(1), the Archives program serves the City's mechanism for retaining and preserving Archival Records.

19.2 Corporate Archives Mandate

The City's Archives operates as the official Repository for Official Records of permanent administrative, legal, fiscal, historical, evidential and/or Informational value to the City.

The City will provide for the Preservation of Records that document its activities and corporate history. Accordingly, Records that document the City's operational and corporate history are generally classified as Permanent in the Records Retention By-law.

The Archives program aims to take a holistic, proactive approach and integrate Records Management and archival activities. Involving archival appraisal at the beginning of, or prior to, Records Creation will better ensure the authenticity and long-term accessibility of these significant Records, particularly with respect to Electronic Records.

The City does not receive Archival Records from the general public. Individuals or organizations wishing to donate Archival Records related to the City will be directed to an appropriate community partner.

19.3 Corporate Archives Program

The goals of the Corporate Archives Program are as follows:

- Seamlessly integrate the Archives Program into the existing Records Management Program;
- Identify and appraise Records of current and potential archival value based on the Records Retention By-law;
- Arrange, describe, and preserve Archival Records according to archival best practices;
- Ensure that the collection of and access to any Personal Information contained within Archival Records is in accordance with M.F.I.P.P.A.;
- Provide continuity and protection in the event of a disaster;

- Ensure that archival Functions are incorporated into existing and future technology applications and that policies address issues surrounding technological obsolescence; and,

- Create an understanding among Employees of what constitutes an Archival Record.

The City's Archival Records may consist of the following:

- Any and all Records which reflect the history of the Corporation, its growth and change, its Employees and programs, its policies, procedures and relationships, its Functions, policies and decisions made within the City;

- Audio-visual and similar types of materials including photographs, microfilm, film, tape recordings, drawings, diagrams, and any other Records associated with the development of the City, as appropriate.

Inactive Records may be transferred to the appropriate Repository, which may include off-site Storage, if the Responsible Department does not have adequate space to store the Records for the entire Retention Period. All Archival Records shall be transferred to the Corporate Archives according to the Records Retention By-law, within a timeframe established by the Responsible Department concerned in consultation with the Director, Legislative Services/City Clerk or designate.

The Corporate Archives will be maintained according to standards and best practices for the arrangement, description, care and conservation of Archival Records. Records of enduring historic value to the corporation must be preserved using durable Storage media, accordingly Archival Records will be preserved in formats appropriate to Retention Periods and final Disposition. The Archives will be secured in the Archives' room within Legislative Services, and access will be monitored and limited, as appropriate.

All external requests for access to Archival Records should be made through the formal F.O.I. Request process. For further Information regarding requests for access to Information, refer to the Access and Privacy Policy.

20.0 Monitoring and Evaluation

Legislative Services monitors compliance, engagement and awareness of this Policy through the following:

- Reviewing results of audits;

- Conducting training and education session evaluations; and

- Conducting Employee surveys.

This Policy is reviewed by the Director, Legislative Services/City Clerk or designate at least every three years to ensure its effectiveness and compliance with legislation and current business processes or as required based on legislative changes.

The Director, Legislative Services/City Clerk is authorized to make minor or housekeeping amendments to this Policy, as required.

For further Information regarding this Policy, please contact Legislative Services at 905-436-3311 or clerks@oshawa.ca.

21.0 References

City of Oshawa, Information and Records Management (IR&M) Strategic Plan, 2019.

Municipal Act, 2001, S.O. 2001, c. 25.

Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56.

Records Retention By-law 32-2021.

ISO 15489-1:2016 Information and Documentation – Records Management – Part 1: Concepts and Principles.

22.0 Approved

Authority	**Date**	**Signature**
City Council	June 21, 2021	

Appendix 1 – Standard Naming Conventions

Please note:

- All files must be saved to the appropriate folder in the Function-based structure set up in the Branch shared drive.

- All files must be saved using the standard naming format as shown in the following examples:

    - YYYY-MM-DD_type_of_document-subject
      (i.e. 2021-01-01_Corr_Ltr_Corporate_Naming_Convention; 2021-01-01_Chq_Req_AMCTO; 2021-01-01_Overtime_Employee_Name, etc.)

    - YYYY_type_of_document_subject
      (i.e. 2020_Statistics_Website_2020; 2020_Financial_Statements_Audited; 2019_Brochure_Our_Oshawa, etc.)

    The use of a ‘dash’ and ‘underscore’ is to be used in all naming conventions as shown. No blank spaces are to be left in the name.

- No file/Record should be saved to the F: Drive, C: Drive, Desktop or to an external Storage media device (e.g. USB Key).

- Questions concerning where to the save a Record or to create a new folder structure required should be directed to the Supervisor, Records and Information Management.

Appendix 2 – Branch Record Processing

Sorting/Packing Files Into Boxes:

- Files must be placed in a box with the same Destruction date. Do not mix files with different Destruction dates in the same box as this will result in files being kept past the Retention dates outlined in the Records Retention By-law. Boxes delivered with mixed years will not be accepted and will be returned to the originating Branch for correction.

- Empty folders which are no longer needed should not to be placed in boxes but sent to Records and Information Management staff for processing and deletion. If the folder is only temporarily empty, it must be included in the box to be sent to Storage.

- When a series of files does not fill a box, a search in Versatile must be completed to find an existing box with the same Retention Period and space available. The files are then to be forwarded to Records and Information Management with the box number noted for processing and Storage.

Preparing Boxes for Transfer to Records and Information Management

- When a box contains files with Versatile labels a description of the box contents should be written on a piece of paper taped to the outside or inside of the box (i.e. your Branch, year of files in the box, subject matter of files in box). **Do not write anything on the box.**

- When the box contains files without Versatile labels, a Word or Excel document must to be created describing each of the folders in the box. This document should be emailed to Records and Information Management. For each file include the Record Series, the date of the material, and the Destruction date. This list will be copied into Versatile in the description section for that particular box and will be relied on for searching.

Requirements

- The contents of the box must be classified according to the Records Retention By-law. Boxes that are delivered without the necessary classification Information will not be processed and returned to the originating Branch.

- Boxes being sent to retention must be in good condition (for example, no broken handles) and have lids that are attached. Please order boxes from Hamster (item number 424309).

- Do not overstuff boxes as it could cause the box to break when being handled.

- Ensure the lid closes properly as the box will not fit on the shelf otherwise.

- Remove files from binders, plastic covers, and avoid using binder clips as these items cannot be shredded.