

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017

Item 8, Report No. 5, of the Finance, Administration and Audit Committee, which was adopted, as amended, by the Council of the City of Vaughan on May 16, 2017, as follows:

By receiving Communication C4 from Ms. Carrie Liddy, dated May 16, 2017.

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REVISED RECORDS RETENTION BY-LAW

The Finance, Administration and Audit Committee recommends approval of the recommendation contained in the following report of the City Clerk, dated May 1, 2017:

Recommendation

The City Clerk recommends:

1. That Council approve the amended Records Retention By-law and associated Records Retention Schedule, substantially in the form of Attachment 1.

Contribution to Sustainability

At the City of Vaughan, records retention and disposition (the process of determining how long records must be retained and which records should be destroyed) is part of a rigorous, transparent, professionally-administered information management process designed to maximize business efficiency and facilitate public accountability. City records are retained only as long as they are needed to support business and legal requirements. Disposing of records in a timely manner reduces information storage, retrieval, and management costs, while ensuring the accessibility of significant information to support business processes and provide evidence of activities by keeping information volumes to a manageable level. Efficiently managing the retention and disposition of physical records also contributes to reducing the City's environmental footprint.

Economic Impact

There is no financial impact associated with this report.

Communications Plan

Once adopted, the new records retention requirements and processes will be phased in and disseminated via live and on-line training and education initiatives. This report will also be available as part of the Council record.

Purpose

The purpose of this report is to recommend revisions to the City's Records Retention By-law and to delegate records retention and disposition authority to the City Clerk. The recommendations enhance organizational efficiency and effectiveness by providing an up-to-date procedural framework for managing Corporate records retention and disposition, and are consistent with advancing a culture of excellence.

Background - Analysis and Options

The City's current Records Retention By-law was last updated in 1997 and requires revision.

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The City's current Records Retention By-law is outdated and does not adequately address the volume and complexity of records currently generated by the Corporation. By contrast, the revised by-law offers a more flexible approach to records retention and disposition that reflects modern record-keeping practices, and gives consideration to both physical and electronic records. The revised by-law is the result of an extensive analysis conducted by City Clerk's Office staff (see attachment 2 for detail), which includes consultation with City Departments, review by City Legal Services, and approval by the City's external auditor, KPMG.

Updates to the Records Retention By-law must satisfy the City's legislative obligations and business requirements.

The *Municipal Act* requires that municipal records in all media and formats be retained, preserved, accessible, and secure. Additionally, the *Municipal Freedom of Information & Protection of Privacy Act* stipulates obligations for municipalities to ensure that records are maintained according to statute, by-laws, and policies. The intent of these requirements is to facilitate accountability, transparency, and business efficiency. However, the noted legislation also recognizes that business efficiency and cost savings necessitate the timely destruction of records whose administrative, financial, legal, and other value has elapsed. The process of systematically assessing the value of records in light of legislative/regulatory requirements and business needs is known as records appraisal and in the Canadian municipal sector is controlled via records retention ordinances (by-laws). Records retention by-laws assign specific periods to retain each class of record produced by a given municipality and authorize destruction upon elapse of such periods. The retention periods assigned to the City's records in the revised by-law are based on rigorous, detailed research and analysis, and reflect legal requirements and business needs.

Employing a function-based records retention schedule offers improvements to the City's records management systems and sets the stage for EDRMS.

As part of a number of initiatives undertaken by Archives & Records Management Services (ARMS) to provide the Corporation with the most effective and up-to-date records management systems, processes and services, the City's Records Retention Schedule has been modified to incorporate function-based records classes. Under this system Corporate records have been categorized, or grouped into classes, based on the functions and activities carried out by City business units, as opposed to the current practice of categorizing records by subject under each Department. The new function-based records classes not only help to break down departmental information silos, they enhance the ability of the City's records to provide evidence that activities have been performed efficiently, openly, and accountably. This is achieved by clearly linking records to business processes.

Due to their versatility and adaptability to digital records, functioned-based records systems are also ideal for use in the design and deployment of Electronic Document and Records Management Systems (EDRMS), and therefore help to lay the groundwork for effective electronic records management in the future.

A revised Records Retention By-law will reduce records volumes with immediate business impact and improve compliance.

Approval of the revised Records Retention By-law will permit the destruction of many obsolete records that are not encompassed by the existing Records Retention By-law, which dates back to 1997. The timely and systematic disposal of records no longer needed to support business and legal requirements optimizes storage capacity, reduces retrieval and storage costs, and enhances the accessibility of significant information by ensuring that records volumes are kept at manageable levels. These factors contribute significantly to both organizational and compliance capacity.

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The new by-law improves business efficiency by featuring a provision delegating records retention and disposition authority to the City Clerk.

To effectively manage the vast quantity and diversity of record types generated by large public organizations, periodic and timely records management staff intervention in the records retention and disposition process is required. Decisions regarding which records require short-term retention, long-term preservation, or destruction must be frequently made and/or adjusted to reflect immediate business and legal requirements. In municipalities, delegation of retention and disposition authority to the municipal clerk imparts a high level of administrative flexibility and responsiveness to records and information management processes, while reducing the burden on elected officials who would otherwise be required to approve routine records retention amendments.

As per the City's current practice, all proposed records retention changes would continue to be reviewed by affected City departments and the City's Records Retention Committee (composed of City Clerk, City Treasurer, City Solicitor, City Auditor, Manager, Archives and Records Management Services & City Archivist, and other staff as deemed appropriate), in addition to the City's external auditor; thus delegation would balance operational efficiency with both internal and external input and oversight. A number of Ontario municipalities, such as the City of Barrie, City of Burlington, Town of Caledon, Town of Halton Hills, Town of Newmarket, County of Lanark, and County of Lambton, have adopted delegation as an effective means of business process improvement.

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This report supports the following priorities/initiatives set forth in the Term of Council Service Excellence Strategy:

Priorities

- Invest, renew, and manage infrastructure and assets
- Meet Council tax targets (no more than 3%)

Initiatives

- Continuous Improvement – Implement continuous improvement initiatives to improve our service and business processes

Regional Implications

The recommendations contained in this report have no regional implications.

Conclusion

Enactment of the revised Records Retention By-law is consistent with the record-keeping provisions of the *Municipal Act* and *Municipal Freedom of Information and Protection of Privacy Act*, and contributes to Corporate business efficiency, accountability, and transparency. Additionally, the revised by-law's function-based records classes enhance the ability of the City's records to provide evidence that activities have been performed effectively, openly, and accountably. Delegating authority to the City Clerk to assign and amend records retention periods streamlines and improves the efficiency of the City's records and information management processes in meeting business and legal requirements.

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Attachments

1. City of Vaughan Records Retention By-law (including Records Retention Schedule)
2. City of Vaughan Revised Records Retention By-law and Records Retention Schedule, 2017
3. Revised Records Retention By-law and Records Retention Schedule Explanatory Note

Report prepared by:

Dan Zelenyj, M.A.
Manager, Archives and Records Management Services & City Archivist

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)