



MUNICIPALITY OF TEMAGAMI POLICY MANUAL  
SECTION: ADMINISTRATION & FINANCE  
SUB-SECTION: ADMINISTRATION  
POLICY TITLE: **RECORDS RETENTION**  
SCHEDULE A TO BY-LAW: XX-XXX  
POLICY NO: 1.1.2

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## **PURPOSE**

The Records Retention Program is one of the cornerstones of a records management system. The Retention Schedule defines the processing of all records, regardless of the format and medium, from their creation to their destruction or their transfer to the archives.

It is expected that all employees of The Corporation of the Municipality of Temagami will follow the Records Retention Program to provide a standard for maintaining necessary records as required by applicable legislation and to the extent necessary for operational purposes.

## **SCOPE**

This policy applies to all offices and employees within the Municipality of Temagami, unless otherwise specified.

## **POLICY**

### **Rationale and Legislative Authority**

Section 225 of the *Municipal Act*, S.O. 2001, C.25, as amended, 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; or the record is a copy of the original record. The municipality may, subject to the approval of the Municipal Auditor, establish retention periods during which the records of the municipality and local boards of the municipality must be retained and preserved.

It is necessary to establish a standardized policy and practice regarding the application of the Records Retention Program to ensure that The Corporation of the Municipality of Temagami is meeting its legislated requirements.

### **Application**

The retention rules described in this policy apply to all records created, received or maintained by employees of the Municipality of Temagami in the course of carrying out their corporate duties regardless of the medium or format. It is important to note that retention also governs the records generated from databases and with the aid of software. Retention rules are based upon the informational content of the record rather than on its medium.

### **Principles**

The following principles shall govern the destruction of records:

1. No record shall be destroyed unless first classified according to the current records classification system;
2. No record shall be destroyed unless the retention period has expired or the record is a copy of the original record;
3. All records shall be destroyed in a manner that preserves the confidentiality of any information contained in such records;
4. No record shall be destroyed without the appropriate authorization; and any records pertaining to pending/actual litigation, an investigation or a request under privacy legislation shall not be destroyed until such records are no longer required for this purpose.

## **Responsibility**

As the “Official Records Keeper” under the *Municipal Act*, the Municipality Clerk or designate is responsible for keeping a copy of all disposal reports on a permanent basis and for authorizing the establishment of retention schedule updates, changes, etc.

The Municipality Clerk’s Office has the responsibility for administering the Records Retention Program at the Municipality of Temagami.

All staff is expected to manage the records created, received and controlled within their department or unit regardless of format in good operational order in accordance with the approved file classification system and to follow the Records Retention Program Policy.

## **Definitions**

**Active Record** means the records that are referred to and used on a regular basis and are generally stored in a department/user’s office area.

**Active Retention** means the period of time that records are considered active with a higher frequency of use, stored nearby and are readily accessible to the users.

**Active Storage** means storage in or close by the office area for records which are accessed on a regular basis.

**Administrative Value** means the value reflects the routine administration or housekeeping requirements of all departments in the organization, e.g. general correspondence.

**Archival Review** means the period of time during which a record is determined as having potential archival value.

**Archival Record** means a record of enduring significance that has historical value for the Municipality and individuals engaging in historical research. A record that has been appraised for permanent retention and archival accession because of its long life, historical, fiscal, legal (including evidential) operational or administrative value.

**Archival Value** means the evidential and informational value of records, which is determined during appraisal and justifies the records preservation.

**Archives** mean a repository for records that have been appraised for permanent retention.

**Archivist** means one who is professionally trained for or whose primary duties consist of appraising and caring for archival records.

**Classification Scheme** means a logical, systematic ordering of records for ease of access and retrieval.

**Colour-coded End-Tab Files** means file folders with coloured stickers used for identification, which are affixed to the vertical end-tab of each folder. For use on lateral fixed-shelf filing equipment.

**Clerk** means the Municipality Clerk of The Corporation of the Municipality of Temagami.

**Code** means the reference number for each records series, based on the corporate records classification system (TOMRMS).

**Computer System** means a device or a group of interconnected or related devices, one or more of which:

- a) contains computer programs or other data; and
- b) pursuant to computer programs, performs logic and control, and may perform any other function.

**Copy** means a record that is a duplicate of an original.

**Current** means the year in which the record was prepared.

**Data** means the representations of information or of concepts, in any form, that are recorded or stored on any medium in or by a computer system or other similar device and that can be read or perceived by a person or a computer system or other similar device, including a display of that data.

**Disaster Recovery Plan** means a written and approved plan of action containing procedures for recovering records in the event of damage from fire, flood, vandalism, etc.

**Dispersal** means the sending of copies of vital records to other locations generally off site or outside the physical building where the original record resides.

**Disposal** means the final disposition of files, such as shredding, recycling or garbage.

**Dispose** means to destroy a record or remove it from the official records keeping system.

**File** means a collection of related records.

**Fiscal Value** means the value attributed to a records series, which documents financial transactions.

**Form** means a designated document used to gather and transmit information (variable data) necessary for operational functions and documentation of transactions. This includes forms pre-

printed on paper as well as electronic form templates stored on computers.

**Historical Value** means value attributed to a record, which provides insight into an organization's accomplishments and will aid future researchers with an interest in the organization. Also, means the potential of the record to provide evidence of organization structure, procedures and transactions.

**Inactive Records** mean records that are referred to infrequently and are kept in an off-site storage centre removed from the office area.

**Inactive Retention** means a period of time that records retain their inactive status, are referred to infrequently and are kept in a lower cost storage location.

**Inactive Storage** means storage for inactive records usually away from the office area in lower cost space.

**Legal Value** means value inherent in records that provide legal proof of business transactions.

**Life Cycle of a Record** means the stages in the life of a record: creation; active use; inactive use; disposition.

**Non-records** means extra copies of documents kept solely for convenience reference or records not usually included within the scope of the official records of the Municipality of Temagami. See Transitory Records for further information.

**Official Holder** means the functional unit of the Corporation that creates the record(s) and/or is responsible for retaining/maintaining the official/original record(s). May also be referred to as "Responsible Department".

**Official Record** means a record that has administrative, operational, legal, fiscal, vital or historical value and that is legally recognized as evidence of a business transaction or establishes facts.

**Original** means a record that was first produced or is a source document or is received by a department.

**Orphan Data** means data that:

- a) is not machine readable by any of the Municipality's computer systems in place during the disposal year, because the data exists with no identifiable computer application that can retrieve the data; or
- b) is machine readable but does not have sufficient content, context or structure to render it understandable by an experienced Municipality employee who is knowledgeable about the business function or functions to which the data relates.

**Outcard** means a card or paper used in a file system to indicate the location, holder and date pulled of a file absent from the system.

**Permanent** means a record that is preserved and/or never destroyed or removed from the official records keeping system. Records considered to be so valuable or unique in documenting the history of an organization that they are preserved indefinitely.

**Personal Information** means recorded information about an identifiable individual.

**Personal Information Bank** means a collection of personal information that is organized and is capable of being retrieved using an individual's name or an identifying number or particular assigned to the individual.

**Primary Heading** means the highest level of classification in the classification scheme.

**Purge** means the process of examining files to determine what files or parts of files are no longer required to be retained and then disposing of them.

**Record** indicates any unit of information however recorded, whether in printed form, on film, by electronic means or otherwise, and includes correspondence, memoranda, plans, maps, drawings, graphic works, photographs, film, microfilm, sound recordings, videotapes, machine readable records, and any other documentary material, regardless of physical form or characteristics, made or received in the course of the conduct of the affairs of the Municipality, and retained by the Municipality for the purposes of future reference.

**Records Centre** means storage facility to house inactive records until their final disposition.

**Records Disposition** means the final action or actions taken with regard to inactive records as determined by their appraisal pursuant to the legislation, regulation, or administrative procedure.

**Records and Information Management System/Program** means the planned control of the life cycle of a record from creation to final disposition.

**Records Manager/Coordinator** means the individual responsible for developing policies and setting objectives for an organization's Records and Information Management Program.

**Records Series** is a group of records that relate to a particular function or operation, that are filed together, and need to be retained for the same period of time.

**Retention Period** is the period of time during which a specific records series must be kept before records in that records series may be disposed of. The retention period of an official record is calculated from the close date of the record as entered in the records management system. It includes a period of time the record is retained in the department after closure (active) plus a period of time in the Records Centre (inactive).

**Retention Schedule** means a schedule/timetable that identifies the length of time a specific record series must be retained for before it may be disposed of.

**Retention Scheduling** means the process of identifying and describing records; using a list or timetable to describe the active, inactive, and maximum lengths of time any record is required to be kept prior to destruction or permanent/archival storage.

**Scope Notes** means descriptions in a classification scheme indicating the type of material that should be filed within each record series.

**Secondary Heading** means the second level of classification in the classification scheme.

**Superseded** means the record shall be retained until such time as they have been replaced with more current information.

**Tertiary Heading** means the third level of classification in the classification scheme that is usually the file title.

**TOMRMS** means The Ontario Municipal Records Management System which is the Corporation's standardized file classification system.

**Municipality** means The Corporation of the Municipality of Temagami. Also referred to as Municipality.

**Transitory Record** means a record that is:

- a) retained solely for convenience of reference;
- b) required solely for the completion of a routine action, or the preparation of another record;
- c) of insignificant or of no value in documenting Municipality of Temagami business transactions;
- d) not an integral part of a Municipality record;
- e) not filed regularly with the Municipality of Temagami's records or records keeping system;
- f) not required to meet statutory obligations or to sustain administrative or operational functions;
- g) about social events that are not special Municipality events;
- h) not related to Municipality business;
- i) a publication, telephone directory, catalogue, pamphlet or periodical that does not form part of any record

**Vital Record** means a record that is essential to the continuation or resumption of Municipality business in the event of a disaster; a record essential to the operation of the Municipality and necessary to recreate its legal and financial position and/or preserve the rights of the organization. A vital record allows the Municipality to continue to fulfill its obligation to taxpayers, employees, other levels of government and outside interested parties. Examples of vital records include: accounts receivable, accounts payable, payroll records, tax rolls, contracts, infrastructure drawings, etc.

**Working Papers** means rough notes, work preparation materials and instructions, calculations, preliminary drafts, rough research notes and similar materials used in the preparation of correspondence, statistical tables, reports or other records. Preliminary drafts of letters, memoranda, reports, etc. which do not form significant stages in the preparation of a final document and do not record official decisions.

## **Records Ownership**

All records created, received, used or maintained by officers and employees in the course of their duties on behalf of the Corporation are the property of the Municipality of Temagami.

Employees leaving their positions with the Municipality shall leave all records for their successors. This applies to both temporary and permanent departures, including transfers within the organization.

## Organization

The Corporation will organize records according to the approved corporate classification system which is based on the Municipality of Temagami's business activities.

## Implementation

Review of the Record Retention Schedule shall take place regularly to ensure legal compliance. After a review by the Municipality Auditor, the Municipality Clerk will approve the new retention schedule.

As part of the regular process for the disposal of records and subsequent to any destruction of records, such destruction shall be authorized in writing by the appropriate Department Head. Such authorization shall note the code, subject of the records, the title of the record, period of time the records relate to and shall identify the Retention Schedule under which the disposal was authorized.

Upon the Municipality Clerk or of his/her designate satisfying him/herself that the retention period as set out in the appropriate Schedule has expired, and disposal has been properly authorized by the department, he/she or their designate shall then:

- a) order the record(s) to be destroyed, in a manner which complies with *the Municipal Freedom of Information and Protection of Privacy Act, 1989*; or
- b) set aside the record(s) for long-term or permanent retention.

Copy/duplicate records do not require formal approval for destruction; however, the location of the original shall be checked to ensure that the original has not been destroyed.

## Orphan Data – Electronic Systems

Prior to the destruction of any orphan data, the following documentation is required:

- a) A written description of the orphan data containing, to the extent that such information is obtainable, the following:
  - a) the title of the orphan data;
  - b) the identification of the department/section that is responsible for the creation or use of the orphan data;
  - c) a brief description of the orphan data's purpose;
  - d) the format/software the orphan data is stored in;
  - e) a brief description of any sub data, their purpose and relationship to the main data or other sub data.
- f) The written approval, authorizing the orphan data's disposal from the department head or designate who is responsible for the business function to which the orphan data relates.

## **Alternate Format Records**

A micrographic/electronic record is a copy of a record that shall be deemed to be the original for the purposes of this policy if so indicated in the retention schedule.

Original records that have been microfilmed or are available electronically may be destroyed at any time, providing the microfilm/electronic “originals” are retained subject to the schedule.

At the end of the archival review period, an original record that has been microfilmed or is available electronically:

- a) shall be transferred to the custody and control of the Archives program operated by the Municipality Clerk's Office if the original record possesses archival value; or
- b) shall be destroyed if the original record does not possess archival value, and if there is no further business or legal requirement to retain the record in an original format.

## **Limitations**

Subject to the *Municipal Freedom of Information and Protection of Privacy Act*, the following applies to the retention and disposal of all transitory, duplicate or copy records created or received by Municipality employees:

- a) A copy of a record may be destroyed at any time if the original is subject to a retention period established by the Records Retention Schedule.
- b) A transitory record may be deleted or otherwise destroyed unless otherwise specified in the schedule or unless required for legal or legislated purposes when their value ceases as determined by the individual work unit.
- c) If information is added to a copy record, it is considered an original document and should be retained for the same time period as the original record.

Blank Forms are not records and therefore are not maintained as records.

## **Records Protection**

Records (hardcopy, online or other media) will be stored in a protected environment for the duration of its scheduled retention.

## **Records Storage**

Records will be stored in a manner that prevents loss through misplacement, deterioration, accidental destruction, theft, and unauthorized or inappropriate access. They shall be stored in a manner that ensures their continued readability.

In some cases, the safe long-term storage of important records may require the duplication of the records and separate or off-site storage of the duplicates.

Active records and records that need to be easily accessible may be stored in office space or equipment. Inactive records can be sent to the Municipality of Temagami's Inactive Records



Centre.

## **Disposal of Records**

All records must be destroyed in accordance with the approved retention schedule.

Hardcopy of records will be destroyed by secure confidential shredding or by recycling depending on the nature of the information contained in the record. Online or electronic records will be destroyed by overwriting or other proven means.

## **Suspension of Policy**

In the event of a notice of a potential litigation, claim, audit or investigation for which the Municipality may have relevant records, the suspension of this policy shall come into effect for all records applicable to the issue.

Suspension shall be initiated before the expiration of a retention period and will be in effect until the completion of the action or until the expiration of the retention period, whichever is later.

## **Compliance Audit**

Compliance with the records retention program will be reviewed on a scheduled and random basis.

## **POLICY REVIEW AND PROCEDURE**

This Policy will be reviewed as required, but in any case no later than three years from the date of the most recent review.

The Municipality Clerk will be responsible for initiating the review of this Policy.

Approval Date:		Resolution #:	
Amendment Date:		Resolution #:	
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