

# CORPORATE POLICY AND PROCEDURE



POLICY	<b>Records and Information Management( RIM) Policy</b>
CATEGORY	Corporate Services
AUTHORITY	City Clerk's Office
RELATED POLICIES	Access and Privacy Policy, Acceptable Use Policy, Bring Your Own Device (BYOD), Network Backup Policy, Code of Conduct for Council and Local Boards
APPROVED BY	Executive Team
EFFECTIVE DATE	March 23, 2017

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## **POLICY STATEMENT**

The City of Guelph is committed to consistently managing, retaining and preserving the information assets of the municipality. The City recognizes that information and records are valuable corporate assets that support accountable, transparent and effective government administration, customer service, organizational efficiency, decision making, business continuity and litigation support.

## **PURPOSE**

The purpose of this policy is to ensure consistent standards and practices for the life cycle management of records in the custody and control of the City. This policy ensures that, regardless of format or medium, records and data are managed consistently across the corporation from the time they are created, used, retained and disposed of or preserved.

## **SCOPE**

This policy applies to all City employees, including full-time, part-time, casual, contract, volunteer and co-op placement employees.

This policy applies to all corporate information, in any format, including records, data and knowledge managed by the City.

This policy applies to the records and information of the Office of the Mayor and members of Council that are created and used for the purpose of carrying out City business.

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## **POLICY**

Accurate, useable and accessible information supports open, transparent and accountable local government by improving customer service and program delivery.

This means that the City:

- Integrates record keeping practices with service delivery;
- Integrates records and information management practices with performance management; and
- Invests in records and information management awareness, training and communication.

All employees share responsibility for the proper management of corporate information assets.

As a critically valuable resource, it is recognized that information must be managed reliably to improve City programs and services in the same manner and given the same consideration as other valuable corporate resources.

The following principles and practices are the framework for effectively managing information assets at the City.

### Accountability and transparency

- In recognition of public accountability, information that does not contain confidential or personal information about the City, its programs, services and governance is available to the public.
- The access to and disclosure of corporate information is administered in accordance with the Access and Privacy Policy, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) and the Personal Health Information Protection Act (PHIPA).
- Employees should have access to information they need to meet their responsibilities in a timely and efficient manner.
- In accordance with MFIPPA, it is an offence to willfully alter, conceal, destroy/delete or cause any person to do so, with the intention of denying access to a record or information contained in a record.

### Quality and integrity

- Information quality is assured at the point of collection or creation, and administrative records are created within a reasonable time of the transactions or events they document to the greatest extent possible.
- Official and/or final versions of records or data are known and accessible.

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- Transitory records and information which does not need to be retained according to the records retention by-law are destroyed on a routine basis.
  - The integrity, authenticity, reliability and usability of information assets must be preserved throughout the lifecycle of the asset.

### Storage

- Information must be stored in the appropriate department drive, system of software to ensure that it can be accessed when needed. Unless a document or data contains personal, confidential or classified information it should be shared, available and accessible to other City employees.

### Security

- As a corporate asset, information created and used in the course of City business is the property of the City.
- The City will establish and maintain procedures and other controls to ensure the security of its information, including prevention of unauthorized access to its systems, third party and remote access.
- The City will establish and maintain a security classification protocol, used to classify all of its information. This protocol guides appropriate practices related to labeling, storing, sending and sharing information, disposal, protection of integrity and appropriate use and disclosure of information.
- Security incidents are to be reported to the City Clerk's Office and/or IT, as appropriate, and investigations involving security and/or privacy breaches are conducted as needed.

### Lifecycle management

- Employees, vendors and contractors are responsible for managing information from the time it's created, used, stored, and either destroyed or preserved according to the records retention by-law.
- The retention and disposal of all City business records is governed by the most current records retention by-law. Retention of any business records must be consistent regardless of format, storage location or system.
- The City manages its records retention by-law for all business records to comply with legal requirements and meet business needs.
- The records retention by-law is reviewed annually and, if necessary, updated to reflect reasonable retention requirements.

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- The City will establish and maintain a records classification scheme, will to classify all City business records, in any format, by the functions and activities in which they are used.
  - The City Clerk or delegated employees must sign off and approve the disposition of all original business records prior to destruction in accordance with the records destruction procedure.
  - While most of the City's information is appropriately destroyed or disposed of when it becomes obsolete or legal requirements have passed, some information assets are of enduring archival value and must be preserved to maintain corporate history and memory. The City establishes and maintains procedures to identify and ensure the permanent preservation of information assets of archival value.

### Compliance

- The City complies with records and information management requirements of all laws, regulations and standards related to its operations and adheres to generally accepted information management standards and best practices.
- The City establishes and maintains internal procedures, standards, guidelines and best practices required to comply with laws, regulations and policies.
- The City promotes compliance with this policy and associated procedures, standards, guidelines and best practices by supporting all employees to meet their records and information management responsibilities through education and training.

## **RESPONSIBILITY**

The Chief Administration Officer (CAO) will:

- Provide oversight and compliance with this policy by all City employees.

Deputy Chief Administration Officers (DCAO's) will:

- Administer and communicate this policy broadly to employees in their service areas;
- Promote a culture and business practices that ensures City information is shared and accessible to the greatest extent possible, while respecting privacy requirements of personal information and other confidentiality obligations; and
- Integrate the appropriate management of information assets into the development, implementation, evaluation and reporting activities of service area programs and services.

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The City Clerk and delegated employees will:

- Ensure the appropriate retention and availability of corporate records and information assets in accordance with the Municipal Act;
- Be accountable for the administration of the Records and Information Management Program within the municipality;
- Ensure oversight of and compliance with this policy;
- Establish safeguards to protect archival records and information to preserve corporate memory;
- Develop standards, procedures, guidelines, training material and other tools as required, to assist members of Council, employees and the public on matters pertaining to the creation, use, storage, retention and disposition of city information assets;
- Ensure that legislative updates are incorporated into the City's records retention by-law; and
- Ensure that the corporate destruction procedure in place is adhered to.

The General Manager Human Resources will:

- In partnership with the City Clerk, establish a training and education plan to improve awareness of records and information management requirements; and
- Build records and information management awareness into all new employee orientation programs.

The General Manager Technology and Innovation will:

- In partnership with the City Clerk, implement and integrate with records and information management policies, standards, and procedures in enterprise architecture, systems and technologies where appropriate; and
- Ensure records and information management considerations, including retention and disposition, are built into all new technological systems or applications involving corporate information assets prior to implementation.

General managers, managers and supervisors will:

- Implement this policy and communicate requirements to the employees under their direction;
- In collaboration with the City Clerk and procurement/purchasing staff, require vendors and contractors comply with this policy, ensuring that information asset ownership, retention and disposition requirements are clear and are referenced in all procurement documents;
- Ensure information management considerations, including retention and disposition, are considered and planned for any new programs, services or technologies; and
- Promote a culture and business practices that ensures City information is shared and accessible to the greatest extent possible while respecting security and privacy requirements of personal information; and

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- Ensure the City Clerk or delegated employees are aware when there are changes in legislation, guidelines, or in your business process that affects the length of time a record in your area needs to be kept.

Employees will:

- Understand their responsibilities as information creators, organizers and managers;
- Dispose of transitory, duplicate or old versions of records or data in a timely fashion to prevent clutter, difficulty finding important information and additional storage expenses;
- Store information assets in the appropriate network drive, system, database or application, rather than personal drives, Outlook or external storage services outside the control of the City;
- Take records and information asset management training as required; and
- Adhere to information management requirements contained in this policy and other related standards and procedures, including the records retention by-law.

## **MONITORING AND REPORTING**

Failure to comply with this policy can result in inadequate information to support business decision making, can impact the quality of customer service provided to the public, can result in the inadmissibility of records in legal proceedings, regulatory sanction, and/or excessive costs for record creation, storage and handling. Employees who fail to comply with this policy may be subject to disciplinary and/or legal action, as deemed appropriate.

The City recognizes that compliance is an ongoing and evolving process and anticipates continuous improvements in its efforts to meet the expectations of this policy.

The City Clerk's Office monitors compliance, engagement and awareness of this policy with:

- information management reporting documents;
- the results of audits and/or inventories;
- training and education session evaluations; and
- employee surveys.

This policy is reviewed a minimum of once per calendar year to ensure its effectiveness and compliance with legislation and current business processes or as required based on legislative changes.

For further information regarding this policy please contact the Program Manager Information, Privacy and Elections at 519-822-1260 extension 2605 or at [privacy@guelph.ca](mailto:privacy@guelph.ca).

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## **REFERENCE MATERIAL**

City of Guelph Records Retention By-law

Municipal Act, 2001

<https://www.ontario.ca/laws/statute/01m25>

Municipal Freedom of Information and Protection of Privacy Act

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90m56\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90m56_e.htm)

Personal Health Information Protection Act

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_04p03\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_04p03_e.htm)

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## APPENDIX A: DEFINITIONS

**Archival** means information assets of enduring significance that have historical and business value for the City of Guelph and individuals engaging in historical research.

**Authenticity** means the extent to which a business record can be proven to be what it purports to be.

**Business records** means any records that are created by City employees, or by a third party directly paid by and working on behalf of the City, in order to document the decision making, administration or operational activities of the City. This includes documents in any form, including physical paper files, digital files in any machine readable format, emails, instant messages, video, etc.

**City** means the Corporation of the City of Guelph.

**Control (of a record)** means the power or authority to make a decision about the use or disclosure of a record.

**Custody (of a record)** means the keeping, care, watch, preservation or security of a record for a legitimate business purpose. While physical possession of a record may not always constitute custody, it is the best evidence of custody.

**Data** means any symbols or characters that represent raw facts or figures and form the basis of information

**Destruction** is 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 Corporation.

**Dispose** means to destroy a record or remove it from the official record keeping system. For digital records this involves deleting files and ensuring that any backups, such as in the desktop `recycle bin` have been deleted as well. For paper documents, this involves recycling, shredding or securely disposing of papers.

**Head** refers to the City Clerk.

**Information asset** means organized information that is valuable and easily accessible to those who need it. Information assets come in a variety of formats including records, data and documented corporate knowledge.

**Information management** means the administration of information, its use and transmission, and the application of theories and techniques of information science to create, modify, or improve information handling systems

**Integrity** means the extent to which a business record is demonstrably complete and unaltered.



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**Institution** means the Municipality.

**Lifecycle management** means the administration of information assets from the time they are created, actively used, inactively stored and retained, as well as, disposed of or preserved.

**Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)** means legislation that governs access to and the privacy of municipal records.

**Permanent** means that records and information shall be preserved for the life of the Corporation and never destroyed or removed from the official records keeping system.

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

**Personal Health Information** means identifying information about an individual in oral or recorded form, if the information:

- a) Relates to the physical or mental health of the individual, including information that consists of the health history of the individual's family;
- b) Relates to the providing of health care to the individual, including the identification of a person as a provider of health care to the individual;
- c) Is a plan of service within the meaning of the *Home Care and Community Services Act, 1994* for the individual;
- d) Relates to payment or eligibility for health care, or eligibility for coverage for health care, in respect to the individual;

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- e) Relates to the donation by the individual of any body part or bodily substance of the individual or is derived from the testing or examination of any such body part of bodily substance;
  - f) The individual's health number; or
  - g) Identifies the individual's substitute decision maker.

**Record** means 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, an e-mail and any other documentary material regardless of physical form or characteristics, made or received in the course of the conduct of City business.

**Records Retention By-law** means the most recent by-law passed that contains the schedule and the length of time City business records must be retained for before it may be disposed of in order to meet business needs and legislative requirements.

**Reliability** means the extent to which the contents of a record can be trusted as 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.