

Record Retention By-law

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Report Summary

This report provides information regarding the proposed updates to the City's record retention by-law.

Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

The proposed changes to the retention by-law support Council's commitments to Climate Change as well as Asset Management and Services Excellence as identified in its Strategic Plan. Leveraging technology to move the City towards electronic records management will free up space, which would otherwise be used for records storage, for staff and public use. Additionally, it will create efficiencies by reducing the time needed for staff to locate records. The move towards electronic records management will also reducing paper consumption and waste.

Financial Implications

There are no financial implications associated with this report.

Background

The *Municipal Act, 2001* permits municipalities to establish retention guidelines for their record holdings. The City of Greater Sudbury last revised its record retention by-law in 2015. Since that time many services have evolved in accordance with a corporate information technology strategy and new electronic systems have been adopted. The Cultural Hub Project includes the move of many municipal services from Tom Davies Square to 199 Larch Steet and will result in less space for hard copy records.

To support modernization of the City's record management practices, a new record retention by-law is proposed which incorporates the following key changes:

1. Provisions for records to be digitized and stored in an electronic format only;
2. Delegation of authority to the Clerk to make changes to the retention schedule; and
3. Additional definitions to provide more clarity.

Digitization of Original Hard Copy Records

Seeking to balance the needs of staff to access records in their day-to-day work while being mindful of the City's obligations to maintain records under the *Municipal Act, 2001*, the proposed by-law contains provisions that permits the digitization of hard copy records. Once converted to a digital format following the recommended processes, original hard copy records will be eligible for destruction.

The expertise of Information Technology staff is being leveraged to develop standards for digitization. Standard operating procedures will be developed and communicated to City staff in the coming months.

Retention Schedule

Existing by-law 2015-226 contains a retention schedule that outlines how long different records need to be kept. Changes to the retention schedule require an amending by-law.

The proposed updated by-law does not include a retention schedule as part of the by-law and the Clerk is delegated authority to establish and amend the retention schedule from time-to-time as required. The retention schedule is primarily an administrative table and there is a need to modify it regularly to adapt to changes in municipal services and records.

Operating departments were given an opportunity to provide input regarding the types of records and retention periods for records they create and use. As a result, a new schedule is being developed that more accurately reflects the current record retention practices of departments and applicable legislation.

Additional Clarity

Definitions in the by-law were expanded, revised, and incorporated to improve clarity. For example, additional record types were added to the definition of transitory records to include system generated emails like those populated by the City's Meeting Management System.

Conclusion

The proposed record retention by-law modernizes the City's record management practices and appears on the agenda under By-laws for passage by City Council.

Resources Cited

By-law 2015-226 – A By-law of the City of Greater Sudbury to Establish Retention Periods for City Records - [https://www.greatersudbury.ca/city-hall/by-laws/pdf-documents/records-retention-by-law/#:~:text=Retention%20and%20Destruction%20of%20Records&text=\(2\)%20A%20Transitory%20Record%20may,the%20Personal%20Information%20is%20completed](https://www.greatersudbury.ca/city-hall/by-laws/pdf-documents/records-retention-by-law/#:~:text=Retention%20and%20Destruction%20of%20Records&text=(2)%20A%20Transitory%20Record%20may,the%20Personal%20Information%20is%20completed)

Municipal Act, 2001, S.O. 2001, c. 25 - <https://www.ontario.ca/laws/statute/01m25>

Municipal Freedom of Information and Protection of Privacy Act, R.S.O 1990, c. M.56 - <https://www.ontario.ca/laws/statute/90m56>