

THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

BYLAW NO. 26-2021

BEING a by-law to provide for a records management policy and record retention schedule for the Township of North Glengarry.

WHEREAS the Municipal Act, 2001, c.25, Section 255, provides that a municipality may, subject to 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 in accordance with Section 254 thereof;

AND WHEREAS the Council of the Corporation of the Township of North Glengarry deems it desirable to establish a Records Management Policy and Retention periods for the records of the municipality by enactment of this by-law;

NOW THEREFORE BE IT ENACTED BY THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY AS FOLLOWS:

- 1. **THAT:** Council adopts a Records Management Policy, attached to this by-law as Schedule A;
- 2. **THAT:** Council adopts a Records Retention Schedule, attached to this by-law as Schedule B;
- 3. **THAT:** By-law 21-2009 is hereby repealed;
- 4. **THAT:** This by-law shall come into force and effect on the date of its final passage.

READ a first, second, third time and enacted in Open council this 28th day of June, 2021.

Clerk/Deputy Clerk

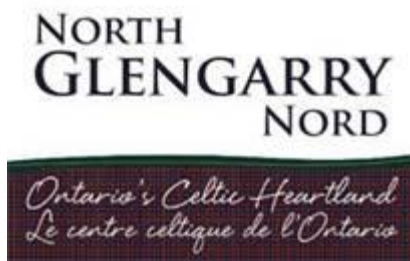
Mayor

I, hereby certify that the forgoing is a true copy of By-Law No. 26-2021, duly adopted by the Council of the Township of North Glengarry on the 28th day of June, 2021.

Date Certified

CAO/Clerk / Deputy Clerk

SCHEDULE A



RECORDS MANAGEMENT POLICY

1. PURPOSE

The Township of North Glengarry is committed to providing a framework and guidelines for a program to manage the creation, security, use, receipt, access, maintenance, retention and disposition of records regardless of their physical medium, and to establish and define accountability, responsibility and roles for the program.

2. DEFINITIONS

“Auditor” means the person or firm appointed by Council from time to time to perform the annual audit of the records of the Township.

“CAO” means the individual appointed by by-law to the position of Chief Administrative Officer (CAO) to generally manage the corporate affairs of the Township of North Glengarry.

“Classification” means the systematic identification and arrangement of records into categories according to logically structured conventions, methods, and procedural rules, represented in a classification scheme.

“Clerk” means the Clerk and Deputy Clerk of the Township and/or designate.

“Council” means the Council of the Corporation of the Township of North Glengarry acting as per the Municipal Act as the governing body of the Township, comprised of seven members; Mayor, Deputy Mayor and five Councillors.

“Department Head” means Township management staff reporting to the CAO and solely responsible to manage the affairs of the: Public Works; Treasury; Planning, Building, and By-Law; Fire; and, Community Services departments.

“Destroy” means the process of eliminating or deleting data, documents and records so that the recorded information no longer exists.

“MFIPPA” means the Municipal Freedom of Information and Protection of Privacy Act, RSO 1990, cM. 56

“Permanent” means the record shall be kept forever.

“Records means any recorded information, however recorded, whether in print form, on film, by electronic means or otherwise, and includes,

- a) correspondence, a memorandum, a book, a plan, 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
- b) subject to the MFIPPA regulations, any record that is capable of being produced from a machine-readable record under the control of any institution by means of computer hardware or software or any other information storage equipment and technical expertise normally used by the institution.

“Retention period” means the period of time during which records must be kept by the Township before they may be destroyed.

“Retention schedule” means a control document that describes the Township’s records at a series level, and indicates the length of time that each series shall be retained before its final destination. It specifies those records to be preserved for their archival or legal values, and authorizes on a continuing basis the destruction of the remaining records after the lapse of a specified retention period or the occurrence of specified actions or events. Records retention schedules serve as the legal authorization for the disposal of the Township’s records.

“Signing authority” means the signatory on the record, or the originator of the document.

“Township” means the Township of North Glengarry.

3. EMPLOYEE RESPONSIBILITY

All Township employees who create, work with or manage records shall:

- a) Comply with the retention periods as specified in Schedule “B” attached hereto;
- b) Ensure that official records in their custody or control are protected from inadvertent destruction or damage; and
- c) Ensure that records in their custody or control are destroyed when they are no longer needed for short-term reference.

4. RECORDS MANAGEMENT COORDINATOR

- a) That the Deputy Clerk is hereby designated as the Records Management Coordinator;
- b) The Records Management Coordinator shall:
 - i. Develop and administer policies and establish and administer procedures for the Township’s records management program;
 - ii. Upon receipt, review and incorporate annual updates to Schedule “B” attached hereto;
 - iii. Ensure the official records are preserved and disposed of in accordance with Schedule “B” attached hereto; and
 - iv. Ensure that all destruction of records are completed in compliance with this policy.

5. RETENTION SCHEDULE

- a) The records retention schedule attached hereto as Schedule “B” forms part of this Policy.
- b) The Records Management Coordinator shall administer this policy and shall ensure that the retention periods set out in Schedule “B” attached hereto comply with all relevant legal requirements for records retention.
- c) In determining the retention periods for any records, the Records Management Coordinator shall consider (in consultation with other Township employees where appropriate):
 - i. The operational nature of the records, including the period of time during which the Township uses the records to perform its functions;
 - ii. The legal nature of the records, including the period of time necessary to comply with statutory requirements or legislation;
 - iii. Requirements imposed by agreements, permits or similar documents, or to ensure that the records are available in case of investigation or litigation;
 - iv. The fiscal nature of the records, including the period of time necessary for audit or tax purposes; and
 - v. The historical nature of the records, including the long-term value of the records for documenting past events or the origins and history of the Township.

6. DESTRUCTION OF RECORDS

- a) The Records Management Coordinator shall notify the appropriate Township Department Head of the scheduled disposition of records, including a list of the records eligible for disposition and the scheduled disposition date.
- b) The Township Department Head shall notify the Records Management Coordinator in writing, before the scheduled disposition date, whether any of the records including in the disposition notice need to be retained past the scheduled disposition date, and the reason why such further retention is necessary.

- c) If no notice is received under subsection (b) of Section 6 of this policy before the scheduled disposition date, the records shall be deemed to be authorized for disposition by the Township Department Head.
- d) When official records have been disposed of pursuant to this policy, the Records Management Coordinator shall obtain written confirmation of such disposition.
- e) When official records are disposed of at the end of the retention period, in compliance with this section, they shall be destroyed in a way that preserves the confidentiality of any information they contain.
- f) Official records in the custody or control of the Township shall not be destroyed unless such records are older than the retention period set out in Schedule "B" attached hereto, and have been identified in a disposition notice prepared pursuant to subsection (a) of Section 6 of this policy.
- g) Copies of official records may be destroyed at any time in the original records are retained in accordance with Schedule "B" attached hereto.