

**STAFF REPORT: ADMINISTRATION**



**REPORT TO:** Council  
**MEETING DATE:** January 24, 2011  
**REPORT NO.:** A.11.05  
**SUBJECT:** Records Management and Retention  
**PREPARED BY:** Corrina Giles, Town Clerk

**A. Recommendations**

THAT Council receive Staff Report A.11.05, "Records Management and Retention" for information purposes; and

THAT Council enact a new corporate wide Records Management and Retention By-Law and rescind the Town of Thornbury Records Retention By-Law No. 17-1982 and the Township of Collingwood Records Retention By-Law No. 93-53.

**B. Background**

In 2008 it was identified by the Chief Administrative Officer that a file management and tracking system should be implemented in The Blue Mountains. It was noted that when long standing employees retired or left The Blue Mountains it was difficult for the remaining employees and any new employees to locate the specific records of the municipality.

In 2009 the Deputy Clerk/Administrative Assistant position was changed to Deputy Clerk/Records Manager and this position became the lead in developing a corporate wide records management system.

When the new Town Clerk was appointed in March, 2010, the duties of corporate records management was included in the Town Clerk job description.

The Clerk became involved with a Records Management Support Group based out of the City of Barrie that includes municipal staff from all over Ontario. This group meets quarterly. Members of this group have formed a valuable email contact system to ask questions of other's on their records management program experiences.

One member of the Records Management Support Group is a representative from The Ontario Municipal Records Management System ("TOMRMS"). Town Staff have received TOMRMS training and are satisfied this method of classifying the Town's records for retention purposes is beneficial and believe, from the experiences of other municipalities, that this system will work in The Blue Mountains.

Staff have confirmed that the TOMRMS representatives annually research legislation to determine legislated retention periods for documents and an annual fee of approximately \$339 is charged for this update. The records retention by-law will be updated annually when the update is made available.

### ***Municipal Freedom of Information and Protection of Privacy Act***

On March 8, 2010 the Town Clerk was appointed as the Freedom of Information and Privacy Coordinator for the purposes of responding to requests under the Municipal Freedom of Information and Protection of Privacy Act (“MFIPPA”) in accordance with Section 3(1) of the Municipal Freedom of Information and Protection of Privacy Act.

The Town Clerk is responsible in coordinating the compilation of records in response to MFIPPA requests in accordance with the time allotted under the Act and ensures that annual reporting to the Commissioner under Section 26 (1) of MFIPPA is made by the Town.

It is imperative that the Town Clerk in the role of Records Manager knows the types of records held by the municipality, how they are organized and where they can be located so that responses to MFIPPA requests can be made in the 30-day statutory response time.

### **Records Management**

Section 254(1) of the Municipal Act states a municipality shall retain and preserve the records of the municipality and its local boards in a secure and accessible manner.

Section 255(1) of the Municipal Act states a record of a municipality or local board may only be destroyed in accordance with this section.

Section 255(2) of the Municipal Act states that a record of a municipality or a local board may be destroyed if a retention period for the record has been established under this section and that the retention period has expired; or the record is a copy of the original record.

Early in the process, it was identified that there was no budget monies available to purchase electronic software for the tracking of the municipality’s records and files. As part of the corporate records management duties, an Excel spreadsheet was created for tracking of the files on a Department by Department basis, after software representatives and the Town’s own Information Services Coordinator confirmed that transferring data from an Excel spreadsheet to a records tracking software in the future would be relatively easy. The spreadsheet created is a simple, user-friendly system that, since implementation in 2010, has become widely used by Staff and other municipalities.

Corporate records management has proven to be a significant task when combined with the duties of the Town Clerk. Many municipalities, including neighbouring municipalities of similar size, have a dedicated part time to full time Records Manager. To date, Departments have seen the merits of the system and are working towards full implementation.

### **C. The Blue Mountains' Strategic Plan**

Goal Providing a strong, well managed municipal government.

### **D. Environmental Impacts**

None

### **E. Budget Impact**

Annual updates to the Records Retention Schedule from The Ontario Municipal Records Management System, the cost in 2010 was \$339.00

### **F. Attached**

1. Retention Schedule, August 2010
2. Draft Records Retention By-Law

Respectfully submitted,

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Corrina Giles, Town Clerk

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