



Legal and Legislative Services

Prepared for: Council-in-Committee

Report: LLS-01-2024

Meeting Date: February 12, 2024

File: 120303

Title

Corporate Records and Information Management Program and Policy Update

1. Recommendations

That: Report LLS-01-2024 be received for information; and further

That: Council direct staff to prepare the necessary by-law to adopt a revised Records Retention By-law.

2. Relation to Council's Corporate Strategic Plan

Not applicable.

3. List of Stakeholders

Town Staff
Information Professionals (Consultant)
Public

4. Purpose of Report

The purpose of this report is to provide updates regarding the Town's Corporate Records and Information Management Program and related policies. This report will highlight the findings from external reviews conducted to the existing Corporate Records and Information Management Program as well as next steps for staff to implement recommendations from these reviews.

5. Analysis

Legislative Requirements

Section 254 of the *Municipal Act, 2001* requires the municipality to "retain and preserve the records of the municipality and its local boards in a secure and accessible manner". Prior to Bill 68, *Modernizing Ontario's Municipal Legislation Act, 2017*, sections 254 and 255(1)(3) of the

Municipal Act, 2001 stated that the municipality may establish retention periods subject to the approval of a municipal auditor. With the current enactment of Bill 68, this requirement was removed and no longer requires a municipal auditor to approve the new Records Retention By-law.

Section 4.1 of the *Municipal Freedom of Information and Protection of Privacy Act, 1990* (MFIPPA) requires that the municipality "ensure that reasonable measures respecting the records in the custody or under the control of the institution are developed, documented and put into place to preserve the records in accordance with any recordkeeping or records retention requirements, rules or policies, whether established under an Act or otherwise, that apply to the institution."

The Town of Fort Erie (Town) is legislatively responsible for establishing a framework for the creation, implementation, and maintenance of a Records Management and Information Program and to ensure that full and accurate records are created, captured, maintained and disposed of in accordance with industry best practices and legislative and operational requirements. The Corporate Records and Information Management Program outlines the recordkeeping roles and responsibilities for officers and employees of the Town.

Background

In 1991, the Town's first Records Retention By-law and associated policies were adopted by by-law. A new classification system was applied across all departments and a records retention schedule was developed. Records management practices moved from individual departmental filing to a corporate-wide maintenance program based on The Ontario Municipal Records Management System (TOMRMS), developed in conjunction with the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO).

In 1999, the Town entered into an agreement with Condar Consulting Inc. to develop an improved records management program. By-law No. 107-2000 and 108-2000 adopted the new CRIM Program including a new records retention schedule policy.

In 2008, Council passed By-law No. 164-08 (Being a By-law to Adopt an Electronic Records Management Policy for the Town of Fort Erie) to establish the effective management of electronic records throughout their life cycle according to the CRIM Program and its by-laws. The Policy supported effective decision-making and operational requirements, protects/enforces legal rights of access and obligations, and highlights individual employee accountability.

In 2009, structural and record changes that occurred over a nine-year time period between 2000 and 2009 were incorporated under the newly revised CRIM adopted by By-law No. 43-09. By-law Nos. 107-2000 and 108-2000 were repealed.

In 2012, updates were made to replace Schedule 'C' and 'D' of By-law 43-09 to accommodate

administrative, legislative and organizational changes that occurred since the last approved update of the CRIM Program in 2009.

Corporate Software Review

In 2020, Council approved Report [COS-05-2020](#) to award the Perry Group the contract through an RFP process to conduct a review of corporate software and the business processing environment.

In 2021, Council received Report [COS-01-2021](#), which provided the findings of the Corporate Software Review conducted by The Perry Group. The Perry Group identified that enhancing existing solutions including evaluating a Records Management solution is a top 3 high-level recommendation. The report recognized that the Town is currently at a low level of digitization and integration with existing systems.

The Perry Group recommended enhancing the Town's Corporate Records and Information Management Program to better support a digital environment and encouraged the use of an Electronic Data and Records Management System (EDRMS). It is also worth noting that the consultant recommended the Town consider Microsoft Office 365/ SharePoint as a potential solution for an EDRMS, as part of its IT Modernization projects. Report COS-01-2021 recognized that Legislative Services would require increased funding to update and implement an Electronic Data and Records Management System, which will be addressed as part of the annual budget process.

Records Management State of Assessment Review

In 2023, through the annual budget, Council approved the hiring of a consultant to review the existing corporate Records and Information Management Program and make recommendations on effectively introducing and executing digital data management processes.

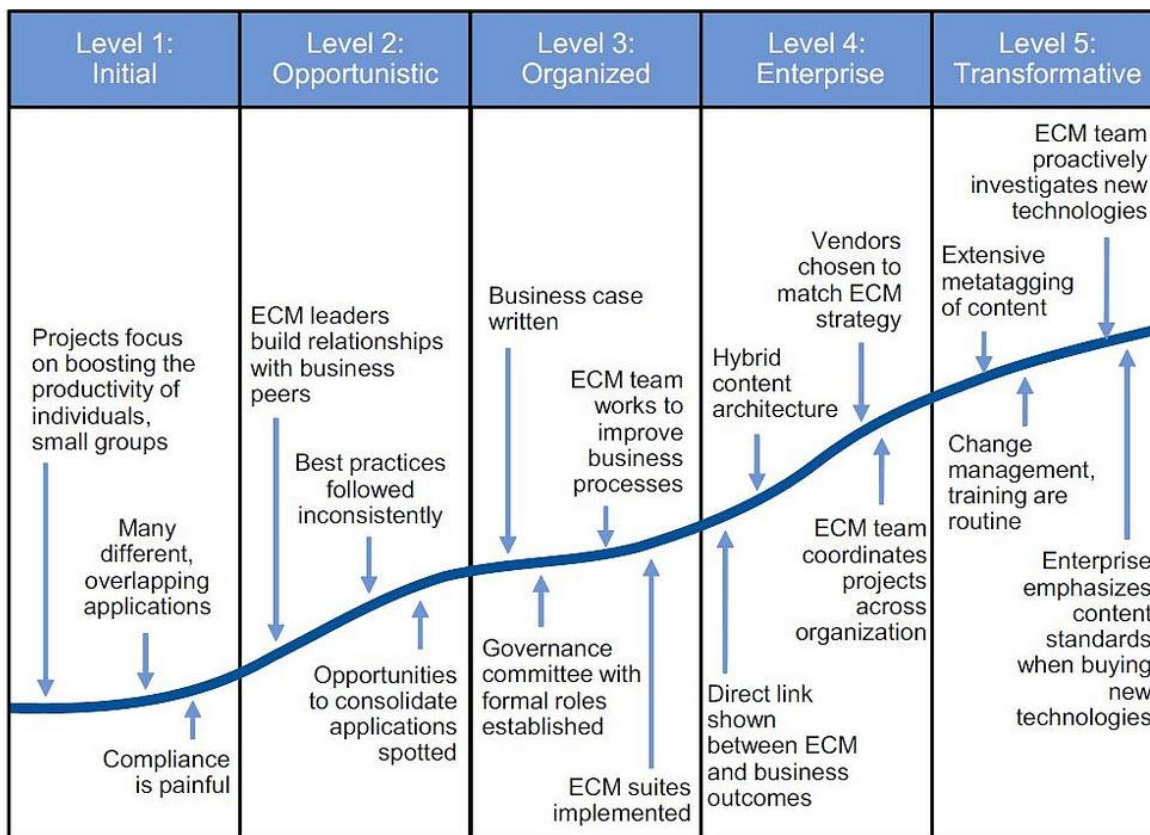
As a result, staff retained the services of the Information Professionals, a consultant with more than 30 years experience on addressing the content management needs of the Municipal Government sector. A summary of the observations of the assessment are provided below:

- Significant disparities between the Town's current information management practices and the fundamental elements required for effective management of information from its creation to its disposition.
- Existing classification scheme and retention schedule lacks intuitive and logical design, resulting in confusion and misclassification of information assets.
- Existing retention schedules are outdated and may not be compliant with existing legislation and/or best practices.
- Survey of staff showed more than 20% of those surveyed were not aware of specific records management policies or procedures.

- Most of the Town’s digital information assets are saved in inboxes, applications, unmanaged network drives, and on user desktop/ personal drives. This results in poor search and retrieval capabilities and with no ability to add document attributes (i.e. metadata) to documents or apply the required retention periods to them.

The assessment provides a rating using Gartner’s Enterprise Content Management model, the Information Professionals assessed the Town’s information management maturity level to be Level 1, as shown below in Figure 1.

Figure 1 - Gartner's Model of Maturity



Source: Gartner (January 2013)

Level 1 organizations should strive to evolve information management policies, processes, and procedures and establish required technology framework to provide for the consolidation of information assets, improving both information governance and compliance capabilities. In order to evolve the Town was provided recommendations from the Information Professionals which are summarized below:

- Adoption of a new function/activity-based classification scheme and retention schedule for its information management program. More specifically it was recommended to

implement The Ontario Municipal Records Management System (TOMRMS), across all departments, for the management of both electronic and physical content.

- Organize training sessions for Town staff to enhance information management awareness and impart effective information management practices;
- Develop a naming convention standard to further clarify options and assist users in naming documents and folders.
- Develop additional policies to further define corporate objectives relating to the key aspects of the Records Management policy.
- Implementation of Microsoft 365, specifically, SharePoint as the corporate EDRMS to enhance the organization, sharing, security, and management of information within the Town.

Records Retention By-law and TOMRMS Classification Scheme

As per the Section 255 of the Municipal Act, 2001 municipalities are required to preserve its records and establish retention and destruction periods. The Records Retention Schedule is a system for classifying and retaining all corporate records based upon Town business activities and legislative responsibilities. It is applied to records in all formats including paper and electronic records. Retention schedules are essential elements of an effective Records and Information Management Program as they stipulate how long information assets are managed throughout their lifecycle.

The effectiveness of a municipality's Retention Schedule can impact the availability of quality and accurate records and information, making them critical to help support the delivery of programs and services. An effective Retention Schedule can help enable departments to be more efficient, responsive, and accountable. Organized, accessible, and accurate information is also a vital component of corporate risk management, transparency, and collaboration.

The Information Professionals found that the Town had challenges with the current classification scheme and retention schedule, as it has not been universally implemented across all departments. They indicated that the main issue with the existing classification scheme and retention schedule is its lack of intuitive and logical design, resulting in confusion and misclassification of information assets. Additionally, the absence of legislation citations has rendered the retention schedule outdated for more than a decade. It is critical that staff address these issues to ensure consistent and effective management of information across all departments.

The revised Retention By-law to be presented for Council's approval is based on the TOMRMS records program. TOMRMS is a centralized classification system, used by over 250 municipalities across Ontario to assist with the ongoing legislative obligation to preserve municipal records. This centralized classification scheme is actively maintained on a yearly basis to ensure participating municipalities remain compliant with legislative changes. This

service includes a comprehensive review and audit of all applicable legislation, annotations of the changes that were made, the provision of a thoroughly updated Retention Schedule, and a detailed explanation of the net effect of all legislative changes.

Staff is recommending that the proposed Records Retention by-law authorize delegated authority to the Clerk for establishing and amending Retention Periods for the records of the Corporation in accordance with TOMRMS, where it may be required from time to time. The current by-law amendment process used to update Retention Schedules renders the by-law inflexible in its ability to capture shifting retention requirements from legislation or operational needs. This prevents the by-law from accurately reflecting retention and disposition requirements for corporate records. The delegated authority will help streamline the process by removing unnecessary administrative processes and permit flexibility to address organizational changes or operational requirements in a timely manner. If any significant changes are required, staff would provide Council with a report and seek direction and approval.

Records Management and Information Management Policies

Another recommendation from the Information Management Assessment was for the Town to develop additional records management policies to further define corporate objectives relating to the key aspects of the Records and Information Management Program. As a component of the Records Management Program, various associated policies will be drafted and formulated that will follow the intent and various provisions of the Records Management Program Policy to assist Staff in their handling of Municipal Records. With the assistance of the Information Professionals group, staff have developed the following administrative policies in order to modernize the Town's Records and Information Management Program:

- Records and Information Management Policy GL-012 (Appendix 1)
- Email and Electronic Message Management Policy GL-013 (Appendix 2)
- Routine Disclosure Policy GL-014 (Appendix 3)
- Document Digitization Policy GL-015 (Appendix 4)
- Electronic Signature Policy GL-016 (Appendix 5)
- Naming Conventions Policy GL-017 (Appendix 6)

These policies are established to provide guidelines to ensure that records are created, classified, organized, managed, retrieved, maintained and destroyed efficiently throughout their life cycle in accordance with the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) and the principles of TOMRMS for the management of records within the municipality. A brief summary of each policy is provided below to outline the purpose and objectives of each.

➤ **Records and Information Management Policy GL-012 (Appendix 1)**

Purpose: Ensure consistent standards and practices for the life cycle management of records in the custody and control of the Town. 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.

Objectives:

- manage the information life cycle to meet all legislated requirements
- protect the integrity and authenticity of records
- ensure that records are protected
- promote organizational efficiency through sound record keeping practices, including reducing storage costs through the use of appropriate technology
- support open, transparent and accountable local government by improving customer service and program delivery
- Unless a document or data contains personal, confidential or classified information it should be shared, available and accessible to all Town employees.

➤ **Email and Electronic Message Management Policy GL-013 (Appendix 2)**

Purpose: Ensure that, regardless of format or medium, emails and electronic messaging are managed consistently across the corporation from the time they are created, used, retained and disposed of or preserved.

Objectives:

- Apply automated destruction processes to electronic environments
- Ensure that emails which are considered a corporate Record are stored in the approved repository and categorized according to the content within the email
- Increase recognition that a repository accessible solely by an individual employee (i.e. email inbox) is not considered an appropriate or approved repository for corporate records

➤ **Routine Disclosure Policy GL-014 (Appendix 3)**

Purpose: To facilitate and improve public access to records that can be regularly and actively disclosed while protecting the integrity and privacy of personal information in the custody or in the control of the Town of Fort Erie.

Objectives:

- Increase transparency a continued culture of open government

- Encourage proactive release and/or publication of municipal records and information in the absence of a specific request
- Help alleviate the need for public to navigate Freedom of Information (FOI) requests

➤ **Document Digitization Policy GL-015 (Appendix 4)**

Purpose: Serves as a set of guidelines and rules for the systematic conversion of physical documents into digital formats. This policy outlines the procedures, standards, and responsibilities associated with the digitization process within the organization.

- Objectives:*
- Reduce the space required for physical storage of records
 - Preserve records in its original state to qualify as a legal document
 - Increase security and better control access to confidential records
 - Reduce costs for physical storage and staff time

➤ **Electronic Signature Policy GL-016 (Appendix 5)**

Purpose: Streamline Town operations by expediting workflow processes, modernize records, reduce the need for physical recordkeeping and improve customer service

- Objectives:*
- Reduce the creation of physical documents requiring signature
 - Streamline workflows
 - Reduce costs associated with print material and storage of physical documents
 - Provide better and timely service to customers

➤ **Naming Conventions Policy GL-017 (Appendix 6)**

Purpose: Establish guidelines for a common set of rules to apply to the naming of Town records.

- Objectives:*
- Ensures consistency in document organization.
 - Save staff time by facilitating quick retrieval during searches
 - Significantly diminish the likelihood of duplicative records.
 - Foster collaboration by providing a common language for team members.

An EDRMS is commonly used to describe a suite of integrated information management technologies or content service platforms which use automation to manage, capture, store, secure, process, dispose, and audit corporate information assets. The core capabilities of these

systems commonly include:

- Centralized Content repository
- Advanced Search Capabilities
- Metadata Management
- Auditing and Reporting
- Security, Access, and Privacy controls

As identified in the Corporate Software Review and Information Management Assessment, the Town does not currently have a dedicated EDRMS. Currently, the Town uses a combination of network drives, HCL Notes applications and databases, and e-mail, for the storage of electronic documents. Therefore, retention and records management policies are not applied to electronic documents while physical documents are tracked.

The two independent reviews found that an EDRMS would help enforce Retention and Records Management policies to all records of the Town in a consistent manner. Each review also indicated that the Town would best be served by implementing Microsoft 365 (M365) and implement an EDRM solution that uses native M365 functionality (such as SharePoint) to address the Town's Document and Records Management requirements before considering the purchase of additional stand-alone software.

Through the 2024 budget process, Council endorsed and approved the budget required to acquire Microsoft 365 licences as part of the broader IT Modernization efforts and technology investments within Digital Services. In accordance with the recommendations of the two reviews, Staff intend on leveraging this investment in Microsoft 365 to implement SharePoint Online, which is included as part of the licensing subscription, as the Electronic Document and Records Management System for the Town.

6. Financial, Staffing and Accessibility (AODA) Implications

At this time there are no additional financial implications as a result of these policy changes. Staff anticipate additional funding requirements associated with the implementation of M365 and more specifically SharePoint. SharePoint is a complex tool which requires detailed design and configuration. Currently, the Town does not have the in-house expertise, or staff time, to be able to fully design and implement SharePoint across the corporation. The research from staff indicates that hiring a contractor to develop, test, and implement a fully-functioning M365 based EDRMS could range from \$150,000 to \$200,000. This cost would be a one-time cost to the municipality and it is not anticipated to include any additional annual subscription/ maintenance costs outside of the existing M365 licensing.

Unless opportunities for funding or modernization grants become available this year, Staff anticipate bringing forward a supplemental budget request in the 2025 budget process to

allocate funding toward the project with the expectation that a Request for Proposal will be issued early 2025 and completed within 2025.

7. Policies Affecting Proposal

- Administrative Policy Directive Records and Information Management Policy GL-012 (NEW)
- Administrative Policy Directive Email and Electronic Message Management Policy GL-013 (NEW)
- Administrative Policy Directive Routine Disclosure Policy GL-014 (NEW)
- Administrative Policy Directive Document Digitization Policy GL-015 (NEW)
- Administrative Policy Directive Electronic Signature Policy GL-016 (NEW)
- Administrative Policy Directive Naming Conventions Policy GL-017 (NEW)
- Administrative Policy Directive Scanning Records IT-02
- By-law 43-09, being a by-law to adopt a Corporate Recorded Information Management Program (CRIM) and Retention Schedule
- By-law 164-08, being a by-law to adopt an Electronic Records Management Policy for the Town of Fort Erie
- By-law 212-05, being a by-law to adopt a World Wide Web Policy for the Town of Fort Erie
- By-law 34-12, being a by-law to amend By-law 43-09

8. Comments from Departments, Community and Corporate Partners

The draft policies have been reviewed by Senior Management. Digital services staff have played a critical role in advising the Clerks division throughout the creation of these policies. All staff play a critical role in determining the success of the implementation of these policies. Clerks staff will be working diligently to ensure all staff are adequately trained on the revised policies and will provide training to all new staff during the onboarding process.

9. Alternatives

Council could choose not to update the Records Management System. Staff do not recommend this alternative as the current By-law is outdated and does not comply with legislation.

10. Communicating Results

These policies will be communicated to municipal staff, contracted service providers and volunteers, Members of Council and other interested stakeholders through the Town's website, intranet, onboarding and orientation packages and regular Records and Information management training sessions.

11. Conclusion

Staff recommend the implementation of a comprehensive Records and Information Management Program to address the efficient handling of records but also ensure compliance with regulatory requirements, mitigate risks associated with information security, and promote a more sustainable and cost-effective approach.

Enhancement of the Town's Records and Information Management Program will pave the way for streamlined workflows, improved decision-making processes, and a resilient foundation for adapting to future challenges. By embracing the principles outlined in this policy, staff are not only safeguarding our valuable information assets but also fostering a culture of accountability and transparency within our organization.

12. Report Approval

Prepared by:

Peter Todd

Manager, Legislative Services/ Town Clerk

Approved by:

Chris McQueen, MBA

Chief Administrative Officer

13. Attachments

- Appendix 1 – Records and Information Management Policy GL-012
- Appendix 2 - Email and Electronic Message Management Policy GL-013
- Appendix 3 - Routine Disclosure Policy GL-014
- Appendix 4 - Document Digitization Policy GL-015
- Appendix 5 - Electronic Signature Policy GL-016
- Appendix 6 - Naming Conventions Policy GL-017