

1. Purpose

- 1.1. The records and information holdings of The Corporation of the Town of Fort Erie (the “Town”) are valuable corporate assets needed to support effective decision making, meet operational requirements, protect legal, fiscal and other interests of the Town, and to adhere to the requirements of the Municipal Act, 2001 as amended and the Municipal Freedom of Information and Protection of Privacy Act, 1990 as amended.
- 1.2. Section 254 of the *Municipal Act, 2001* (“Municipal Act”) states that the municipality is required to retain and preserve the records of a municipality and its local boards in a secure and accessible manner.
- 1.3. Section 4.1 of the *Municipal Freedom of Information and Protection of Privacy Act, 1990* (“MFIPPA”) states that the municipality must 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.
- 1.4. 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 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.

2. Definitions

- 2.1. For the purposes of this policy:
 - 2.1.1. **“Authenticity”** means a record is one that can be proven:
 - i. To be what it alleges to be;
 - ii. To have been created or sent by the person alleged to have created or sent it;
 - iii. To have been created or sent at the time alleged.
 - 2.1.2. **“Information”** means all information on any format including but not limited to hard-copy textual and electronic documents, structured data, graphic images, sound and video recordings, books, maps, drawings, photographs,

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and any other information that is written, photographed, recorded or stored in any manner.

- 2.1.3. **“Information assets”** means information that is generated or managed by the Town and has value to the Town.
- 2.1.4. **“Information management”** means the ability to capture, manage, keep, store and deliver the right information to the right people at the right time.
- 2.1.5. **“Integrity”** means the reliability of information content, processes and systems as to its completeness, accuracy, consistency and authenticity
- 2.1.6. **“Record”** means a record as defined in the *Municipal Act, 2001* as amended from time to time.
- 2.1.7. **“Reliability”** means the degree to which the quality of information content, processes and systems can be depended upon to be trustworthy, complete, accurate and authentic.
- 2.1.8. **“Repository”** - means a shared filing system where records are captured, organized, accessed, protected, retained, and destroyed in accordance with Town’s Record Retention By-law.
- 2.1.9. **“Transitory record”** means a record of temporary usefulness in any format or medium having no ongoing value beyond an immediate and minor transaction or the preparation of a subsequent record. Transitory records can be securely destroyed when no longer needed in accordance with the Town’s Records Retention By-law.

3. Policy Statement

3.1. The Town views records and information as a vital strategic resource. Through diligent information management practices, the goal is to ensure that records and information are reliable, authentic, credible, timely, and easily accessible. This dedication aims to strengthen both the strategic and operational objectives of the Town.

3.2. This policy must be read in conjunction with:

- i. XX-### Naming Conventions Policy
- ii. XX-### Email and Instant Message Management Policy

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- iii. XX-### Document Digitization Procedure
- iv. XX-### Routine Disclosure and Active Dissemination of Information Policy

4. Application

- 4.1. This policy applies to all Town employees, including full-time, part-time, casual, contract, volunteer and co-op placement employees.
- 4.2. This policy applies to all corporate records and information, in any format, managed by and under the custody and control of the Town.
- 4.3. For greater clarity, this policy applies to records and information of the Office of the Mayor and members of Council that are created and used for the purpose of carrying out Town business.

5. Background

- 5.1. In 1991, the Town’s first Corporate Records Management Program was 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.
- 5.2. 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.
- 5.3. 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.
- 5.4. 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.
- 5.5. In 2012, updates were made to the 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 Corporate Recorded Information Management (CRIM) Program in 2009.

6. Policy

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6.1. Objectives

- 6.1.1. This policy applies systematic controls and standards to the creation, security, use, retention, conversion, disposition and preservation of recorded information. A standardized records and information management program allocates sufficient resources to:
- i. manage the information life cycle to meet all legislated requirements for record keeping, including those of the Municipal Act, 2001, S.O. 2001, c. 25 and the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56;
 - ii. manage information holdings, making them readily available for decision making and to meet information access requests, including those made under the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56;
 - iii. protect the integrity and authenticity of records so that they may be relied upon as evidence of organizational activity and administrative decisions and thereby meet legal, evidential and accountability requirements;
 - iv. ensure that records are protected and are not destroyed or removed from the custody and control of the Town unless authorized by the Town's Records Retention Schedule, or through contractual agreement;
 - v. ensure the identification and preservation of permanently valuable records and the destruction of records that have surpassed their retention, in a timely, secure, and environmentally sound manner;
 - vi. promote organizational efficiency and economy through sound record keeping practices, including reducing storage costs through the use of records storage centres and appropriate technology; and,
 - vii. establish and define accountability, responsibility and roles, as appropriate to level of involvement with records management.
- 6.1.2. Accurate, useable and accessible information supports open, transparent and accountable local government by improving customer service and program delivery.
- 6.1.3. All employees share responsibility for the proper management of corporate information assets.
- 6.1.4. As a critically valuable resource, it is recognized that records and information must be managed reliably to improve Town programs and

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services in the same manner and given the same consideration as other valuable corporate resources.

6.2. Accountability and Transparency

- 6.2.1. In recognition of public accountability, records and information that do not contain confidential or personal information about the Town, its programs, services and governance is available to the public.
- 6.2.2. The access to and disclosure of corporate information is administered in accordance with the Town’s Routine Disclosure and Active Dissemination Policy and the Municipal Freedom of Information and Protection of Privacy Act, 1990.
- 6.2.3. Employees should have access to information they need to meet their responsibilities in a timely and efficient manner.
- 6.2.4. In accordance with the Municipal Freedom of Information and Protection of Privacy Act, 1990, 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.

6.3. Quality and Integrity

- 6.3.1. 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.
- 6.3.2. Official and/or final versions of records or data are known and accessible.
- 6.3.3. Transitory records and information which does not need to be retained according to the records retention by-law are destroyed on a routine basis.
- 6.3.4. The integrity, authenticity, reliability and usability of information assets must be preserved throughout the lifecycle of the asset.

6.4. Storage

- 6.4.1. Information must be stored in the approved corporate repository and categorized according to the content of the record according to the Town’s Records Retention By-law to ensure that it can be accessed when needed.

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6.4.2. Unless a document or data contains personal, confidential or classified information it should be shared, available and accessible to other Town employees.

6.5. Security

6.5.1. As a corporate asset, information created and used in the course of Town business is the property of the Town.

6.5.2. The Town 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, and data sharing.

6.5.3. The Town will establish and maintain protocols 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.

6.5.4. Security incidents are to be reported to the Clerk's Office, as appropriate, and investigations involving security and/or privacy breaches are conducted as needed.

6.6. Lifecycle Management

6.6.1. Employees are responsible for managing information from the time it's created, used, stored, and either destroyed or preserved according to the Town's Records Retention By-law.

6.6.2. The retention and disposal of all Town business records is governed by the most current version of the Town's Records Retention By-law.

6.6.3. Retention of any business records must be consistent regardless of format, storage location, system, or repository.

6.6.4. The Town manages its Records Retention By-law for all business records to comply with legal requirements and meet business needs.

6.6.5. The Records Retention By-law is reviewed annually and, if necessary, updated to reflect reasonable retention requirements.

6.6.6. The Town will establish and maintain a records classification scheme according to 'The Ontario Municipal Records Management System'

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(TOMRMS) to classify all Town records, in any format, by the functions and activities in which they are used.

6.6.7. The Town Clerk or delegated employees must sign off and approve the disposition of all original business records prior to destruction in accordance with the Records Retention By-law’s destruction procedure.

6.6.8. While most of the Town’s information is appropriately destroyed or disposed of when it becomes obsolete or retention requirements have passed, some information assets are of enduring archival value and must be preserved to maintain business continuity, corporate history and memory. The Town establishes and maintains procedures to identify and ensure the permanent preservation of information assets of archival value.

6.7. Implementation

6.7.1. All records created, received, used or maintained by employees in the course of their duties, and are under the custody and control of the Town, are the property of the Town. The Town’s records shall be managed throughout the five stages in the lifecycle of a record which are:

i. **Creation**

The Town creates or receives records that document its business activities, functions, policies and decisions. Information shall be documented immediately or as close to the time when the event pertaining to it occurred, to make sure all details are captured accurately and appropriately.

Records must be created in all instances when there is a need to be accountable for and/or provide evidence of decisions made and/or actions proposed or taken. Records must be accurate, authentic, reliable and complete.

ii. **Identification**

The Corporation shall organize records according to the approved corporate classification system. The system the Town has adopted as the Town’s official record classification system is the ‘The Ontario Municipal Records Management System’ (TOMRMS). Any variations to the system must be approved by the Town Clerk.

Official records that document Town business activities must be identified and captured in the approved corporate repository and categorized according to

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the content within the document according to the Town’s Records Retention By-law.

iii. **Use and Maintenance**

All records must be maintained in such a way as to make them accessible to others who require use of the information in the record.

All official records shall be protected against unauthorized access, disclosure or destruction. Official records in all forms are accessible based on roles, responsibilities, confidentiality and authorities.

All official information shall be securely stored in an environment which provides for the preservation of the record over its entire life cycle. The type of storage and services required shall be dictated by the purpose, physical form, use and value of the official record.

iv. **Retention**

Records of the Town shall be retained according to the Town’s Records Retention Bylaw and in keeping with any MFIPPA and Municipal Act requirements and/or Record Holds.

The Town shall suspend Destruction of official records pertaining to pending litigation, Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), and/or formal investigations, until it has been confirmed that such action is resolved.

The Destruction, deletion, alteration or any attempt to discard or interfere with the accessibility of any official record or other information which may be relevant and required for ongoing, imminent or pending audit, investigation, litigation or an access request under MFIPPA or PHIPA is strictly prohibited.

v. **Disposition**

The final stage in the lifecycle of a record occurs when records are no longer of any business value and have reached the end of their prescribed Retention Period.

Upon fulfillment of the retention requirements pursuant to the Town’s Records Retention By-law, official records are eligible for archiving, or deletion and destruction.

Where practicable, records are to be routinely disposed in a timely manner to prevent the risk of unauthorized access and use. Records of archival value may be transferred to the Town’s Museum and Archives.

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Destruction/disposal of all official records will be administered by the Town Clerk's Office.

6.8. Compliance

- 6.8.1. The Town 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.
- 6.8.2. The Town establishes and maintains internal procedures, standards, guidelines and best practices required to comply with laws, regulations and policies.
- 6.8.3. The Town 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.

7. Principles

- 7.1. The following principles govern the practice of information management and constitute the framework for effective information management at the Town as well as drive decision-making for its information assets:
 - 7.1.1. **Accountability:** Governance structures must be established as well as clear and documented roles and responsibilities.
 - 7.1.2. **Transparency:** The processes and activities related to information assets must be documented and shared in an understandable manner and be available to all employees.
 - 7.1.3. **Quality:** Information assets must have a guarantee of integrity, authenticity and reliability.
 - 7.1.4. **Protection:** The Town must ensure an appropriate level of protection to its information assets.
 - 7.1.5. **Compliance:** Compliance with applicable legislation, standards and regulations, as well as Town policies and procedures.
 - 7.1.6. **Availability:** Information assets must be maintained in a manner that ensures their timely, efficient, and accurate retrieval.

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- 7.1.7. **Compliant retention:** Information assets must be retained for a specific period of time as detailed in TOMRMS or for long-term preservation in accordance with legal, regulatory, fiscal, and administrative requirements.
- 7.1.8. **Compliant disposition:** Information assets that are no longer required must be disposed of in a secure manner and in accordance with TOMRMS.

8. Responsibilities:

8.1. The **Chief Administration Officer (CAO)** will:

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

8.2. The **Town Clerk** will:

- 8.2.1. Ensure the overall management of the Records and Information Management program;
- 8.2.2. Promote compliance with this policy;
- 8.2.3. Delegate responsibility for the operational management to the appropriate staff as required;
- 8.2.4. Provide recommendations on the allocation of appropriate resources to ensure the success of all information management activities;
- 8.2.5. Modify, revoke, or introduce specific procedures within the framework of this policy, ensuring its effective enactment;
- 8.2.6. Develop and implement strategies to enable sound information management practices, monitor compliance with relevant Town policies and procedures and advise senior management of any risks associated with non-compliance;
- 8.2.7. Communicate any deviations from this policy or its procedures to the appropriate staff.

8.3. The **Records Management Assistant** will:

- 8.3.1. In collaboration with the Town Clerk, oversee the management of records information consistent with the requirements described in this policy;
- 8.3.2. Establish and maintain an information management governance structure;

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- 8.3.3. Document and communicate records and information management roles and responsibilities;
 - 8.3.4. Establish and maintain a Town-wide information management program to manage information assets throughout its life cycle;
 - 8.3.5. Provide employees with best-practices and tools required for successful information management practices;
 - 8.3.6. Develop and maintain procedures and tools such as an information architecture, to ensure the organisation and description of information assets to facilitate storage, search, retrieval, retention and disposition;
 - 8.3.7. Provide information management training and advice to employees to ensure they are equipped to successfully carry out their responsibilities described in this policy or in related procedures;
 - 8.3.8. Establishing and incorporating information systems as the favored method for generating, gathering, utilizing, overseeing, distributing, preserving, and accessing information.
- 8.4. **The Manager, Digital Services** will:
- 8.4.1. Develop and execute strategies, guidelines, and methodologies to uphold the academic, research, and administrative goals of the Town, while considering the most effective information management principles;
 - 8.4.2. Provide recommendations to the Clerk on the implementation of this policy taking into consideration security and infrastructure requirements;
 - 8.4.3. Ensure that information technology and information management staff have an important joint role in ensuring that systems support accountable and effective information management across the institution.
- 8.5. **Employees** will:
- 8.5.1. Manage information they collect, create and use in support of the Town’s operational needs, accountabilities, and program and service outcomes;
 - 8.5.2. Apply information management protocols, processes, and optimal approaches to oversee the information assets created or received throughout the course of both business and social endeavors;

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- 8.5.3. Properly document their activities, processes and decisions;
- 8.5.4. Organize and save their information according to the TOMRMS classification plan and Naming Conventions Policy.
- 8.5.5. Dispose of transitory records when their operational use has ended in accordance with the Town's Records Retention By-law.
- 8.5.6. Provide and bring to their manager's attention, any information requirements and/or issues.
- 8.5.7. Treat information assets in a manner that enables access while still meeting privacy and security requirements.
- 8.5.8. Promptly notify their supervisor of any concerns regarding potential involvement in, or instruction to participate in, the tampering, modification, fabrication, or hiding of information or records.
- 8.5.9. Immediately report to their manager, the loss of any hard copies of information or equipment that may contain information (laptop, mobile device, USB key, etc.).

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