

Staff Report



To	Committee of the Whole
Service Area	Corporate Services
Date	Monday, November 2, 2020
Subject	Corporate records retention by-law amendment

Recommendation

1. That the amended Corporate Records Retention By-law dated November 2, 2020, included as Attachment-2 to this report, be approved.
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Executive Summary

Purpose of Report

To provide Council with information related to the amendment of the Corporate Records Retention By-law.

Key Findings

Pursuant to [Sections 254\(1\) and 255\(1\), \(2\) and \(3\) of the Municipal Act](#), an amendment to the Corporate Records Retention By-law is necessary in order to ensure that the City is complying with current legislated retention requirements.

Financial Implications

There are no financial implications resulting from this report.

Report

The Municipal Act (the Act) requires that all municipalities establish retention periods during which the records of the municipality, and its local boards, must be retained and preserved. Section 255(2) of the Act only allows for the destruction of original municipal records in accordance with established retention periods and if a retention period has expired.

The City of Guelph last amended its Corporate Records Retention By-law in 2018 with By-law (2018)-20288. Subsequently, there have been numerous changes and updates to legislation, so the current By-law no longer reflects up-to-date legislated retention requirements. Therefore, an amendment to the current By-law is necessary. This is a routine update in order to ensure and sustain regulatory compliance.

The amended Corporate Records Retention By-law has been updated to provide:

- Updated retention periods to reflect both current legislated retention requirements and corporate business needs;
- New records categories; and

- Updated records category descriptions.

The establishment of a standardized and clear process for the destruction of City records helps to ensure accountability and transparency. In order to allow the routine destruction of business records to be carried out, the attached amended Corporate Records Retention By-law, as set out in Attachment-2, is recommended for approval and adoption in accordance with the Act, Section 255(1), (2) and (3).

Financial Implications

There are no financial implications resulting from this report.

Consultations

Staff from each department were consulted and invited to provide feedback in order to ensure that the amended Corporate Records Retention By-law would meet the business needs of all Service Areas. Departmental consultations were carried out with the help of the Record and Information Management (RIM) Liaison Group. The RIM Liaison Group is comprised of representatives from each department who coordinate recordkeeping and champion RIM initiatives in their respective departments or divisions.

The RIM Liaison for each department was provided with a tailored list of retention categories corresponding to records created, used and/or kept in their area. Liaisons were asked to review and gather feedback on retention categories and periods which impacted their area. Through this process, the Corporate Records Retention By-law amendment was communicated to staff in all Service Areas, feedback was gathered, and current business practices were integrated into the amended Corporate Records Retention By-law.

Once adopted, the amended Corporate Records Retention By-law will be made available to all City staff on the City's intranet.

Strategic Plan Alignment

The Corporate Records Retention By-law amendment aligns with the Strategic Plan priority of Working Together for Our Future. The establishment of standardized and consistent retention periods that ensure records are kept in accordance with legislative requirements is a key component of running an effective, fiscally responsible and trusted local government.

Attachments

Attachment-1 Municipal Act, 2001, Sections 254(1), 255(2) and 255(3)

Attachment-2 A by-law of the Corporation of the City of Guelph to establish a schedule of retention periods for City business records and to repeal By-law Number (2018)-20288.

Departmental Approval

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