

CITY OF GRANDE PRAIRIE

BYLAW C-1348

A Bylaw to establish A Records Management, Retention and Destruction Bylaw

WHEREAS Section 213 of the *Municipal Government Act*, RSA 2000, c. M-26, as amended from time to time, authorizes Council to approve the use of a printed, lithographed or otherwise reproduced signature on municipal documents;

WHEREAS Section 214 of the *Municipal Government Act* authorizes Council to pass a bylaw respecting the destruction of municipal records and documents;

WHEREAS Section 38 of the *Freedom of Information and Protection of Privacy Act*, RSA 2000, c. F-25, as amended from time to time requires that public bodies protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or destruction;

WHEREAS Council acknowledges that records management plays a central role in effective public administration by supporting policy formation and managerial decision making; protecting the interests of the organization and the rights of third parties, the public and employees; enabling the City to meet legislative and regulatory requirements; and preserving the City's corporate history;

AND WHEREAS Council acknowledges the benefit for the City to implement a records management strategy; where all record retention and disclosure supports the commitment to privacy, transparency and public information access; and where recorded information is managed as a resource and asset of the organization as a whole and not the property of individuals, groups or departments within the City.

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF GRANDE PRAIRIE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. **NAME**

This Bylaw shall be called the "Records Management Bylaw".

2. **DEFINITIONS**

The following words and phrases mean:

- 2.1 "Act" means the *Municipal Government Act*, as amended from time to time.
- 2.2 "Administration" means Managers, Officers, Supervisors, or any other employee of the City.
- 2.3 "Certificate of Completion" means an Official Record generated by the Digital Signature Software which provides an audit trail and can be used to authenticate the Digital Signature.
- 2.4 "City Manager" means the chief administrative officer of the City as appointed by Council or their designate.
- 2.5 "City" means the City of Grande Prairie.
- 2.6 "Council" means the duly elected Council of the City.

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- 2.8 **“Destruction”** means all copies of a Record shall be destroyed.
- 2.9 **“Digital Signature”** means electronic information that a person creates or adopts in order to sign a Document, that is in, attached to or associated with the Document.
- 2.10 **“Digital Signature Software”** means the software for the application of Digital Signatures to Documents.
- 2.11 **“Documents”** means contracts, agreements, forms, bylaws, minutes, legal documents, and any other document that requires signing authorization in the fulfilment of business processes.
- 2.12 **“FOIP Act”** means the *Freedom of Information and Protection of Privacy Act of Alberta*, as amended from time to time.
- 2.13 **“Official Record”** means any Record or Document required to maintain business operations and provide evidence of business transactions, protect the rights of third parties and government, provide evidence of compliance with accountability or other business requirements, or will have some future business, legal, research, or archival value to the City.
- 2.14 **“Permanent”** means that an original Record shall be kept in either physical (i.e. paper) form or electronic format that will enable copies of the originals to be made.
- 2.15 **“Personal Information”** means recorded information about an identifiable individual, including:
- 2.15.1 the individual’s name, home or business address and telephone number;
 - 2.15.2 the individual’s race, national or ethnic origin, colour or religious or political beliefs or associations;
 - 2.15.3 the individual’s age, sex, marital status or family status;
 - 2.15.4 an identifying number, symbol or other particular assigned to the individual;
 - 2.15.5 the individual’s fingerprints, other biometric information, blood type, genetic information or inheritable characteristics;
 - 2.15.6 information about the individual’s health and health care history, including information about a physical or mental disability;
 - 2.15.7 information about the individual’s educational, financial, employment or criminal history, including criminal records where a pardon has been given;
 - 2.15.8 anyone else’s opinions about the individual, and
 - 2.15.9 the individual’s personal views or opinions, except if they are about someone else.
- 2.16 **“Record(s)”** means a recording of information in any form and includes notes, images, audiovisual recordings, books, documents, maps, drawings, photographs, letters, vouchers, and papers; any other information that is written, photographed, recorded or stored in any manner including all electronic records such as word processed documents, email, web pages, graphics, digital photographs, and scanned images, and electronic data such as information stored in data bases, but does not include software or any mechanism that produces Records.
- 2.17 **“Retention”** means the act of permanently keeping or transferring, for archival preservation of a City Record once it has reached the end of its life cycle.

- 2.18 “**Transitory Record(s)**” means any recording of information required for routine or short-term transactions, and contains little or no information of ongoing value including:
- 2.18.1 **Temporary Information:** Records required for specific activities but having no further value once the activity has been completed (phone messages, post-it notes, invitations, cover sheets, meeting announcements, absence announcements or schedules, changes in telephone numbers of office locations, meeting arrangements);
 - 2.18.2 **Duplicates:** Exact reproductions of a Record. **Note:** If duplicate Records have been annotated or altered in any way, a new Record has been created that may have continuing value;
 - 2.18.3 **Publications:** Records produced by external organizations, and generally routinely or publicly available;
 - 2.18.4 **Direct mail:** Solicited or unsolicited information received from organizations advertising their products or services;
 - 2.18.5 **Blank Information Media:** Anything created for the purpose of collecting or storing information, but which has not been used and which is obsolete; and
 - 2.18.6 **Draft Documents and Working Materials:** Including source materials used in preparation of Documents and earlier versions of final Documents except legal agreements, policies, standards, guidelines, and scientific studies.

3. **AUTHORITY AND RESPONSIBILITY**

- 3.1 Council delegates the authority and responsibility to the City Manager to:
- 3.1.1 manage the Records, Retention, access and security of information in accordance with this Bylaw, any policies adopted by Council, the *FOIP Act* and any other applicable provincial or federal laws; and
 - 3.1.2 take any other steps as required to implement, administer, apply or enforce the provisions of this Bylaw.
- 3.2 The City Manager is hereby authorized to make decisions, establish and enforce such procedures as deemed necessary for the management of all Records including access and privacy of recorded information. The City Manager may delegate any of the duties or responsibilities, as required.
- 3.3 [Bylaw C-1388](#) being the City Administration Bylaw establishes the authority of designated officers for the purpose of signing Official Records and Documents on behalf of the City.

4. **DIGITAL SIGNATURE SOFTWARE**

- 4.1 Administration must participate in the appropriate training for the use of Digital Signature Software to review and execute Documents.
- 4.2 Administration must continue to follow all established internal processes, including obtaining the appropriate stakeholder and legal review of all contracts and agreements, as warranted, prior to circulating a Document for Digital Signature.
- 4.3 Administration shall abide by all relevant business processes, and legislation when collecting Digital Signatures.

4.4 Documents generated by a third party may be uploaded for execution by Digital Signature Software with permission of the third party.

4.5 Administration shall provide a Certificate of Completion upon request.

5. RECORD MANAGEMENT

5.1 This Bylaw shall apply to all Records and shall be guided by the following principles from the *FOIP Act*:

5.1.1 the City shall protect the Personal Information and privacy rights of its citizens through compliance with privacy laws;

5.1.2 the City shall support the principle of transparency through commitment to providing public access to City held information where in compliance with privacy and access laws; and

5.1.3 privacy rights shall be balanced with the public's right of access to information.

6. RETENTION AND DESTRUCTION

6.1 All Records shall be regularly and routinely identified as Transitory Records or Official Records, and managed as follows:

6.1.1 all Transitory Records shall be routinely discarded after the actions to which they relate, or immediate purposes are completed. Identification of a Transitory Record shall be determined by using the definitions in this Bylaw. Members of Administration are responsible to seek clarification if unsure whether the record is a Transitory Record; and

6.1.2 all Official Records of the City shall be retained or destroyed in accordance with Schedule "A" of this Bylaw.

6.2 All Personal Information collected or used for decision making shall be retained for a period of at least one year after the information is used to make a decision. This Retention period shall override any other conflicting Records Retention period in accordance with the *FOIP Act*.

6.3 The City Manager may at their discretion determine that Transitory Records, Official Records or Records containing Personal Information be retained longer than the period provided for in this Bylaw when deemed appropriate to provide future business, historical or legal value of the City.

6.4 The City Manager may authorize the Destruction of the original bylaws and minutes of Council meetings only if the originals have been recorded on microfiche or on another system that will enable copies of the originals to be made.

6.5 The Destruction of Records shall comply with the following:

6.5.1 the Destruction of Transitory Records does not need to be documented or signed off on the Destruction; and

6.5.2 the Destruction of Official Records requires that a list of the destroyed Records is retained as a Permanent Record, including the certificate of Destruction from the third party service provider.

7. ENFORCEMENT

- 7.1 All members of Administration are responsible to report suspected violations of this Bylaw to the City Manager.
- 7.2 Failure to act in accordance with this Bylaw may constitute an offence warranting penalty under the *FOIP Act*.
- 7.3 No individual shall be penalized for making a complaint or giving evidence in an investigation in relation to this Bylaw unless the complaint or evidence is made with malicious intent.

8. EFFECTIVE DATE

8.1 This Bylaw shall take effect on the date it is passed.

READ a first time this 15 day of June , 2020.

READ a second time this 15 day of June , 2020.

READ a third time and finally passed this 15 day of June , 2020.

“B. Given” (signed)
Mayor

“A. Karbasheski” (signed)
City Clerk

CITY OF GRANDE PRAIRIE

BYLAW C-1348

SCHEDULE "A"

RECORDS RETENTION/DESTRUCTION SCHEDULE

GLOSSARY
P = Permanent
E = Term of Employment, or Event
S/O = File closed after information is superseded or repealed (replaces or taken the place of) or obsolete (no longer in use)

Transitory Records: Destroy after the actions to which they relate or immediate purposes are completed.

SUBJECT	DESCRIPTION	RETENTION PERIOD
		(#'s = Years)
Accountants	Working Papers	7
Accounts	Paid (summary sheet)	7
	Payable Vouchers	7
	Receivable Duplicate Invoices	7
Administration	Reports (not part of minutes)	7
	As Per Legislation	7
Advertising	General	2
	As per Legislation	7
	Press Releases, Announcements	P
Agendas	Part of Minutes	P
Agreements (Contracts)	General, Development, Land, Legal	12 S/O
	Forms	12
Annexations	Correspondence	7
	Final Order	P
Annual Reports	General	5 - 7
	Local Boards	5 - 7
Applications	Site Plan Approval	2
	Subdivision (after final approval)	3
	Part-Time Employees	E + 1
Appointments	Other than those in Minutes	3
Assessment	Rolls	P
	Assessment Review Board Minutes	P
	ARB Work File	5
	Appeals	12
	ARB records	7
	Auto Payment Records	S/O
	Duplicate Roll	7
	Review Court Records	7
	Tax Searches	E + 1
Assessment Appeal	Board File	5
Assets		20 S/O
	Records of Surplus	5
	Temporary Files	2
Bank	Deposit Books	7
	Deposit Slips	7
	Memos (Credit/Debit)	7
	Reconciliations	2
	Statements	7

Boards	Minutes	P
	Authority & Structure	5 S/O
	Correspondence	5
Briefings/Reports	To Council	7
Budgets	Operating (in minutes)	P
	Capital (in minutes)	P
	Working Papers	3
Bylaws	All - Approved by Council	P
Cash	Receipts Journal	7
	Disbursements Journal	7
	Duplicate Receipts	7
Certificates	Of Title	P
Cemetery	Records, Design Plans, Permits	P
Census	Reports, Affidavits, Oaths	P
	Information, Forms, General	S/O
City Council	Minutes, Agenda packages	P
Cheques	Cancelled (Paid)	7
	Register	7
	Stubs	7
Claims	Notice of	12 S/O
	Statements of	12 S/O
Committee	Minutes	P
Compensation	Records	10
Computer Cards		1
Contracts (Agreements)	General, Development, Land, Legal	12 S/O
	Forms	12
Corporate Records	Reviews, Historical Facts, Reports & Studies	P
	Incorporation, Annexation, Amalgamation	P
Council	Minutes	P
Court Cases		12 S/O
Debentures		P
Destroyed Records List		P
Documents	Not part of Bylaws	12 S/O
	Agreements Major Legal, Minor Legal	12 S/O
	Contracts Legal	12 S/O
	Easements	12 S/O
	Leases (after expiration)	12 S/O
	Notices of Change of Land Titles	12 S/O
Donations		P
Elections	Nomination Papers - Local Authorities Election Act	Term of Office
	Ballot Box Contents - Local Authorities Election Act	E + 6 weeks
	Final Results, Affidavits	P
	Working File	E + 12
	Correspondence, Invites, Stats	E + 1
Engineering	Drawings	P
Employee Benefits	Alberta Health Care, Blue Cross, Dental, etc.	5
	WCB Claims	P
Employees	Personal File (Application, Job Description, Interview, Offer letter, References)	E + 7
	Confidential Information (Background Checks, Birth Certificate, Work Visa, Driver's License, ID, Oaths of confidentiality)	E + 7

Employees (cont'd)	Discipline/Termination Letters, Supporting Information	E + 7
	Job applications (not hired)	1
	Job Descriptions (after position abolished)	3
	Oaths of Office (after position vacated)	1
	Personnel File (after cessation of employment)	6
	Personnel File (after dismissal)	7
Events	Corporate Records	3
Facility	Maintenance Records	E + 5
FOIP	Requests, Applications, Responses	E + 1
	Privacy Impact Assessments - final approved PIA	P
Financial Statements	Interim	10
	Working Papers	3
	Final	12
Franchises		P
Grants		12
Grievances		P
Income Tax	Deductions	5 - 7
	TD1	1
	T4	5 - 7
	T4 Summaries	5 - 7
Information Request Forms	From the Public	3
Information Technology	Architectural Technical Drawings	7
	Website Backup	6 months S/O
	Archive Backup	3 months S/O
	Exchange Server Backup	3 months S/O
	Operational Backup - servers	1 month S/O
	Help Desk Tickets	3
Insurance	Claims (after settled)	12
	Records (after expiration)	12
Internal Communications	Speeches, Notes, Lectures	E + 4
Investments		P
Land	Appraisals (after sold)	1
Leases	After Expiration	7 S/O
Legal	Opinions	12 S/O
	Proceedings	12 S/O
Ledgers	Purchase Orders, Cash Balancing Forms	7
Legislation	Acts (after superseded)	1
Licenses	Applications	3
	Business (after expired)	5
	Literature	2
Local Improvements	Records	P
Maps	Base (original)	P
	Contour	P
Maintenance Reports		12
Media Release	Forms/Declarations	E + 3
Minutes	Council, Boards, Committees	P
	Internal City Department meetings	P
Monthly Reports	Road	5 - 7
Municipal Affairs	Annual Reports	5
Occupational Health and Safety	Inspection Forms	P
	Permits - Confined Space - No incident	1
	Permits - Confined Space - With Incident	E + 2
	Hazard Assessments	3
	Incident Investigations	3
	Hearing Tests	P

Orientation Forms		7
Organization	Structure & Records	2 - 5 S/O
Password Lists		S/O
Payroll	Garnishees (after garnish is removed)	3
	Individual Earning Records	6
	Journal	6
	Registry	P
	Time Cards	7
	Time Sheets - Daily, Overtime, Weekly	7
	Employment Insurance Records (after cessation of employment)	5
Pension	LAPP, APEX, CPP, WCB	P
Permits	Development	12 S/O
Petitions	Official, Amendments, Subdivision	P
Photographs	Stock Images	S/O
	Event & Corporate Photos	P
Policy	After Superseded	5
	Approved by Council	P
Progress Reports	Project	5 - 7
	Under Contract (Final Payment)	7 - 10 S/O
Property Files	Until sold	+ 10
Prosecution	All	12 S/O
Publications	Local Reports	E + 3
	Promotional Materials	E + 3
Purchase	Land (until sold)	+ 12
Receipts	Books	7
	Duplicate Cash	7
	Registration	7
Receptions & Special Events	Non-historic	3
Record Retention	Destruction Documentation	P
Reports	Accident	12 S/O
	Accident Statistics	12 S/O
	Field	12 S/O
Requisitions	Copies	2
	Duplicate	7
	Paid	7
Resolutions	Minutes	P
Seniority Lists		7
Service Awards		1
Subdivision	After Final Approval	12
Strategic Initiatives	Research Projects	3
Street	Sign Inventory register	P
Surveillance Logs		2
Swipe Logs/Alarm Logs		3 Months S/O
Tax Recovery	Records	P
Taxes	Arrears	7
	Final Billing	12
	Municipal credits	7
	Receipts	7
	Rolls	P
	Sale Deeds	P

Termination	Employees	P
Tenders	Files	12
	Successful	12
	Purchase Quotes	12
	Unsuccessful	10
Traffic	Streets	7
Training & Development files		7
Trail Balances	Monthly	3
	Year End	7
Vendors	Acknowledgments	2
	Contracts	12
	Suppliers Files	12
Video Surveillance Footage	No incident captured	30 days
Video Surveillance Footage	Incident Captured	E + 1
Vouchers	Duplicate	7
Waivers		E + 20
Writs		12
Weed Control Reports	Until updated	1
Zoning	Bylaws	P
	Bylaw Enforcement	5