



CITY POLICY

SECTION: Municipal Government

NO: MU-IN-09

REFERENCE: Information Management

Date: April 22, 2024

**Next Review Date:
April 2026**

TITLE: RECORDS DISPOSITION PROCEDURE

1.0 PURPOSE

This procedure is established to achieve the following:

- 1.1 It is the policy of The Corporation of The City of Dryden to have a corporate-wide records and information management program that includes the disposal of records in accordance with operational needs, governmental regulations, fiscal and legal requirements, historical and reference purposes.
- 1.2 The purpose of the records disposition policy is to ensure that records that have reached the end of their retention period, and are not deemed to be permanent records, are destroyed in accordance with this procedure, the records retention schedule and any applicable policies, legislation or regulations.
- 1.3 Records that are deemed to be permanent or those that hold historical significance will be maintained and kept indefinitely in accordance with the Records Management Policy.
- 1.4 This procedure advises City employees, Council and Management Staff of their roles and responsibilities regarding disposal of records.
- 1.5 To support the safeguarding of the Corporation's legal position by ensuring that records needed for litigation, tax audits or other investigative action are not destroyed and are placed on legal hold.

2.0 SCOPE

2.1 The following are subject to this policy:

- (a) All records created, received and maintained by any department/unit as evidence of transactions of business and legal obligations. This includes records in any medium;
- (b) City of Dryden employees (regular, part-time, casual or contract);
- (c) City of Dryden members of Council;
- (d) City of Dryden Boards and Agencies (Library Board, OPP Services Board, Museum Advisory Board); and,
- (e) Consultants, contractors or agents working on behalf of the City.

3.0 DEFINITIONS

See Appendix A: Records and Information Management Glossary of Terms and Definitions

4.0 LEGAL HOLD/LITIGATION

- 4.1 Records may be subject to disclosure under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) or as a result of litigation, and as such must be properly retained (legal hold). However, prior to such disclosure, The City of Dryden evaluates all requests for information submitted by the public for compliance with the provisions of the Act or other applicable laws.
- 4.2 All records that may be subject to legal hold must be reviewed by the City Clerk. If the records must be retained, a legal hold form must be completed, approved by the City Clerk and forwarded to the Records and Legislative Coordinator to ensure that the

retention schedule is suspended (placed on hold) for that document until it is no longer required for legal purposes. See section 5.1 (i) for more information.

5. 0 RECORD DISPOSITION GUIDING PRINCIPLES

5.1 The Records Disposition Procedure shall:

- (a) Ensure that any record created on behalf of The City of Dryden is disposed of in accordance with the Records Retention Schedule, and any applicable legislation and regulations;
- (b) Ensure that any record that is deemed permanent is kept indefinitely;
- (c) Provide efficient and prompt disposal of records when their administrative, legal, and fiscal value has ceased and all requirements of The City of Dryden By-laws have been met, while preserving those records of enduring value to the City;
- (d) Ensure that reasonable measures are in place to protect the City's records from inadvertent destruction or damage;
- (e) Ensure that disposition notification is forwarded to Department Managers and the City Clerk from the Records and Legislative Coordinator for the destruction of records where the retention period has expired and the records have fulfilled their legal, fiscal or historical obligations;
- (f) Ensure that no records are destroyed, deleted or erased, including e-mail, without proper authority and only in accordance with the approved retention schedule and that the destruction is documented on the approved disposal form;
- (g) Ensure that records in an employee's custody or control (office of record) are reviewed prior to disposal to ensure there is no investigative action pending (i.e. lawsuit) and that the disposal authorization form carries the signatures of individuals who have approved the destruction;
- (h) Ensure that the Manager for the office of record separates any records that are to be retained for any reason from other records, to ensure that they are not destroyed;

- (i) Ensure that the disposition of records identified in 5.1 (g) will be re-scheduled for one (1) year past the original disposition date and if retention is required beyond one (1) year, the Manager or Clerk must send the request by written notice to the Records and Legislative Coordinator; if no notice is received prior to the scheduled disposition date, the record shall be deemed to be authorized for disposition;
- (j) Ensure that the disposal authorization form is filed with the City Clerk's office for final approval and as a record of evidence once the records in question have been destroyed;
- (k) Ensure that when the City Clerk deems records to be of archival significance, the Clerk has the authority to stop a disposition or remove selected records from a disposition;
- (l) Ensure that no additional copies of the records to be destroyed exist in any format within any City departments;
- (m) Ensure that paper records are destroyed by shredding in a confidential manner;
- (n) Ensure that electronic records are deleted and considered destroyed when a definitive obliteration beyond any possible reconstitution is performed;
- (o) Ensure that when there are no further legal or business reasons for retaining them, records shall be destroyed as a class rather than selectively;
- (p) Ensure that ongoing training of staff involved in the disposal of records is provided; and,
- (q) Ensure that vital and archival records are identified and protected against disposal.

6.0 ACCESS AND SECURITY

- 6.1 Records shall at all times be protected against unauthorized deletion or destruction.

- 6.2 No employee shall delete or destroy records without proper authorization.
- 6.3 Access to server rooms for electronic records media and storage areas for paper records shall be protected against unauthorized access.

7.0 ROLES & RESPONSIBILITIES

- 7.1 The City Clerk will have overall responsibility for the disposition of records for The City of Dryden. The City Clerk will inform the Records and Legislative Coordinator of any records included in the disposition notice/disposal form that need to be retained further, and the reason why further retention is required. The City Clerk will give the Records and Legislative Coordinator final approval and authority to destroy the eligible records.
- 7.2 The Records and Legislative Coordinator is responsible for administering the disposal program within the records and information management program, including the review and update of the records retention schedule, the annual review of the disposal procedure, the coordination of the annual file purge, and the placing of electronic documents on legal hold in the EDRMS. The Records and Legislative Coordinator will identify records up for disposal and forward the disposal notification to the appropriate Manager and City Clerk for review thus starting the destruction approval process. The Records and Legislative Coordinator will also provide updates to the City Clerk on developments in the legal and statutory environment that may impact on the disposal of records.
- 7.3 The Manager of Information Technology will ensure that all approved electronic records for disposal are deleted from all servers and electronic media, including backup systems and are obliterated beyond any possible reconstitution.
- 7.4 The Senior Management Team and Department Managers will be responsible for reviewing documents prior to disposal and coordinating disposal activities in their respective departments. Managers will enhance accountability and transparency by ensuring sound record disposal practices are followed and the disposal form is completed, signed by the signing authority and forwarded to the City Clerk prior to destruction. The manager will also notify the City Clerk in writing, before the scheduled disposition date, whether any records included in the disposition notice need to be retained further, and the reason why further retention is required. This includes any records that may be subject to pending investigations

so that those records can be placed on legal hold and not destroyed. Managers must ensure that all their staff is aware of their responsibilities and obligations as it relates to disposal of records and ensure compliance with this procedure, addressing any non-compliance issues.

- 7.5 Departmental Champions (liaisons) will be responsible for assisting staff in any disposal activities.
- 7.6 Employees will familiarize themselves and comply with this procedure and related policies and procedures. Designated employees will be responsible for assisting with the disposal of records in their department.

8.0 COMPLIANCE AND VIOLATIONS

- 8.1 Compliance with this procedure will ensure the efficient and proper disposal of records, and compliance with the Municipal Act, 2001, the Municipal Freedom of Information and Protection of Privacy Act, all other applicable legislation and the City's Records Management By-laws, Policies and Procedures.
- 8.2 Users found to be acting in contravention to this procedure shall be dealt with according to the City's Code of Conduct Policy (HR - CO - 01) and (HR - DI - 01) Discipline Policy.

9.0 RELATED DOCUMENTS AND FORMS:

- 9.1 Documents related to the Records Disposition Procedure:
 - (a) Corporate Records and Information Management Policy
 - (b) Retention By-law & Schedule
 - (c) Paper Records Management Procedure
 - (d) Vital Records Policy
 - (e) Appendix "A" Glossary of Records Management Terms and Definitions
 - (f) Paper Records Disposal Form, Electronic Records Disposal Form, Record Disposition Notification Form, Legal Hold Form

History			
Draft Date:	May 2011	Final Draft Date:	February 2012
Approval Date:	July 16, 2012	Approved by:	By-law 3979-2012
Amendment Date:	April 2024	Approved by:	CAO
Amendment Date:		Approved by:	
Amendment Date:		Approved by:	
Amendment Date:		Approved by:	

See Attached Forms:

Paper Records Disposal Form
Electronic Records Disposal Form
Record Disposition Notification Form



City of Dryden Records Management Paper Records Disposal Form

Disposal of paper (physical) records refers to the destruction of records without any copy being retained, generally through confidential shredding. This form is used to authorize the destruction of records and to provide documented evidence of the destruction. ***This signed form must be forwarded to the Records & Legislative Coordinator prior to destruction of paper records & if destruction approved, a COPY of this signed form is to be attached to box of records.***

Date:

Department:

Department Contact:

Department Phone:

Records Type: (description of records)	Date of Records		File Code	Ret. in Years
	From:	To:		

Manager Approval Name:	Signature:	Date:
City Clerk Approval Name:	Signature:	Date:
Records & Legislative Coord.	Signature:	Date of Destruction:

Disposal Not Approved:

Explanation & Description of Records (ie: Legal Hold):	File Plan #	New Disposal Date:
City Clerk Signature - Approval to Retain Records:	Date:	
Records & Legislative Coordinator Signature:	Date:	

 City of Dryden Records Management ELECTRONIC Records Disposal Form				
<p>Disposal of electronic/digital records refers to the destruction of electronic records. These records are considered destroyed when a definitive obliteration beyond any possible reconstitution is performed. This form is used to authorize the destruction of these records and to provide documented evidence of the destruction.</p> <p><i>This signed form must be forwarded to the Records & Legislative Coordinator <u>prior</u> to destruction of paper records.</i></p>				Date:
				Department:
				Department Contact:
				Department Phone:
Records Type: (description of records)	Date of Records		File Plan Class Code	Ret. in Years
	From:	To:		
Manager Approval Name:	Signature:	Date:		
City Clerk Approval Name:	Signature:	Date:		
Records & Legislative Coordinator:	Signature:	Date:		
IT Manager Name:	Signature:	Date & method/process of Destruction:		
Disposal Not Approved:				
Explanation (ie: Legal Hold)& Description of Records	File Plan	New Disposal Date:		
City Clerk Signature - Approval to Retain Records:		Date:		
Records Coordinator Signature:		Date:		



City of Dryden Records Management Disposal of ELECTRONIC/DIGITAL Records REQUEST

Disposal of electronic/digital records refers to the deletion of electronic records. These records are considered destroyed when a definitive obliteration beyond any possible reconstitution is performed.

This form is used to provide notice to departments that the following electronic records have reached the end of their retention period and can be scheduled for disposal. If the record is to be disposed of, please complete and submit an Electronic Records Disposal Form to the Records & Legislative Coordinator. If the record is to be retained for legal purposes, please complete and submit a Legal Hold Form to the Clerk.

Date:		Department:	
Department Manager:		Phone Number:	
Records Type: (description of records)	File Plan Class Code:	Date of Records From:	To:
Records and Legislative Coordinator:	Signature:		Date:
City Clerk:	Signature:		Date: