

City of St. John's Corporate and Operational Policy Manual

Procedure Title: Records and Information Management Procedures	
Authorizing Policy: Records and Information Management Policy	
Last Revision Date: N/A	Procedure #: 01-04-01-01
Procedure Sponsor: City Clerk	

1. Procedure Statement

- a) These procedures support the standardized, accountable, and transparent governance for Records and Information Management for the City.
- b) The policy, its associated procedures, and related documents provide direction on the appropriate management of all City Records throughout their lifecycle, consistent with legislated requirements.

2. Definitions

“Archival Record” a Record that has been appraised for permanent retention because of its enduring legislative, historical, informational, evidential, research, or other value.

“Disposition” means the final destination of Records after they have reached the end of their retention period and includes destruction or transfer to the City Archives.

“Employee” means any person employed by the City of St. John's as a permanent, term, part-time, casual, contract, seasonal, temporary, or student worker.

“Metadata” means data that provides information about a Record to make it easier to retrieve, use, or manage; it includes, but is not limited

to: means of creation of the data, purpose of the data, time and date of creation, and creator or author of data.

“Official Record” means any Record created, received, and/or maintained by the City that is needed for legal, operational, fiscal, or archival purposes or to provide evidence of decision-making.

“Record” shall have the same meaning as the Access to Information and Protection of Privacy Act, 2015, that is, “a record of information in any form, including a dataset, information that is machine readable, written, photographed, recorded, or stored in any manner, but does not include a computer program or a mechanism that produced records on any storage medium.” A Record includes a Transitory Record, a Vital Record, an Official Record, and an Archival Record.

“Records Retention and Disposition Schedule” (RRDS) means a document that guides the management of City Records, including detailing the content of the record series or types; linking Records to the organizational unit and business process; prescribing timeframes for retention of active and semi-active storage to meet operational and legislative requirements; and authorizes the Disposition of the Records.

“Transitory Record” means a Record of temporary usefulness, and one that is not needed for legal, operational, fiscal, or archival purposes or to provide evidence of decision-making.

“Vital Record” means any Record that is essential to maintain and continue the operations of the City, to establish or recreate the City’s legal or financial position, and/or to preserve the rights of the City, its employees, and the members of the public.

3. Procedure Requirements

3.1 Archives and Records Management Division

- a) The Archives and Records Management (ARM) Division shall provide services to departments related to records management, including but not limited to:
 - i. Consultation and advisory services;
 - ii. Assistance with implementation and maintenance of Records schedules and filing systems;
 - iii. Records management training;
 - iv. Storage and retrieval services for Official Records stored in the ARM Division.
- b) The ARM Division shall manage Records, including, but not limited to, Records requisition, retention, and disposal in accordance with the policy, procedures, and the City of St. John's Act.

3.2 Records Creation and Acquisition

- a) During the routine course of business, the City receives documentation from residential and commercial property owners and occupiers and other external sources. Once received by the City, all documentation shall become the absolute property of the City, with the exception of the following:
 - i. Architectural drawings: Copyright rests with the creator (e.g., architect or consulting firm) as stated in the Canadian Copyright Act. See notes in Section 4.0, Restricted or Limited Access, Property Information.
 - ii. Photographs: Copyright rests with the photographer as stated in the Canadian Copyright Act.
 - iii. Reports or publications that are not commissioned by the City. Access to this information shall be governed by applicable legislation or policy.
- b) Reports, studies and artwork commissioned by the City of St. John's by an external consultant shall become the absolute property of the City.

Copyright and all associated rights are transferred to the City once the work is completed.

- c) Employees shall not remove Records in their custody or control from City premises unless such removal is required to conduct City business.

3.3 Records Retention and Disposition

- a) The ARM Division shall be the central repository for inactive Records, and may be the central repository for semi-active Records and that are required to be retained for legal, legislative, financial, audit, or operational reasons.
- b) The ARM Division shall develop and implement Records Retention and Disposition Schedules for Official Records from all departments.
- c) The retention and Disposition of Official Records shall be determined by their retention schedules and Official Records shall not be destroyed without consultation with the ARM Division
- d) Departments may transfer semi-active Records or inactive Records to the ARM Division or retain them until the remainder of their retention period.
- e) When required, ARM Division Employees shall send notification to Departments advising them that certain groups of Records are eligible for Disposition.
- f) ARM Division shall notify the Department Head and Division Manager of the scheduled destruction of such Records and provide them with 30 days to respond if other action is required.
- g) ARM Division or their delegates shall arrange for Records authorized for destruction to be disposed of via appropriate methods, as determined solely by the ARM Division, for physical and electronic Records.
- h) The ARM Division shall maintain a Record of all Records and their final Disposition.

3.3.1 Email Records

- a) Employees shall be responsible for managing Official Records created or received via email until final Disposition.
- b) Emails that are required as evidence for City business activities shall be saved to relevant project or function files via the process detailed in **Records and Information Management Best Practice – Email Management**.
- c) The owner of an email shall be:
 - i. for internal emails, the originator of the first email thread of an emails, or
 - ii. for emails that originated outside of the City but requires a response from the City, the recipient of an email.
- d) It shall be an email owner’s responsibility to ensure that the email is managed appropriately.

3.3.2 Records Security

Records Access

- a) Departments shall not be able to access another department’s Records in the ARM Division without approval from the Divisional Manager responsible for the Records; unless such access is part of normal business process.
- b) Records in all formats shall be managed and protected throughout their lifecycle by any employee or contractor who creates or collects the Record as part of their responsibility in performing work for the City.
- c) Records and information shall be protected from unauthorized access. Physical and technical means shall be applied, as appropriate to the level of sensitivity of the information, taking into consideration requirements to preserve confidentiality, support availability, and protect the integrity of the information.

3.3.3 Metadata

- a) Departments shall comply with the requirements as detailed in the **RIM Best Practice - Metadata** document.

3.4 Archival Records

- b) The ARM Division may acquire Records through a formal process of Disposition from City departments or by donation from private entities.
- c) When non-City Records, photographs, and/or other items are donated to the City, the ARM Division shall make every effort to have copyright and all associated rights transferred to the City whenever possible. A Deed of Gift form shall be completed for all donations.
- d) Archival Records acquired by the ARM Division shall be permanently under its custody and control.

3.5 Transitory Records

- a) Employees shall identify Transitory Records according to established criteria and timelines detailed in the **RIM Best Practices – Transitory Records** document and securely dispose of them.
- b) Employees may destroy Transitory Records without authorization from the Archives and Records Management (ARM) Division, unless they are subject to a legal hold or they are relevant to any current Access to Information requests.

3.6 Records Transfer

- a) To transfer Records to the ARM Division, Departments shall follow the processes detailed in the **Records Management User Guides** related to initiating a transfer, preparing Records for transfer, and preparing Records transfer lists.
- b) To obtain Records located at the ARM Division, Departments shall follow processes detailed in the **Records Management User Guides** related to obtaining reference service.

- c) When physical custody of Official or Transitory Records is transferred to another institution not covered by this policy, a protocol agreement shall be in place. The agreement shall identify the Records in question, define the rights retained by the City, and ensure that the Records will be managed in accordance with government legislation, by-laws, regulations, policies, standards and schedules.

3.7 Recognition of Electronic Records as Official Records

- a) A Record that is created, sent or received by the City and that needs to be retained may be retained in an electronic format if when the document or information is created, sent or received:
 - i. in the case of a document or information in a non-electronic format, it is retained in a format that does not alter its contents: or
 - ii. in the case of a document or information in an electronic format, it is retained in the format in which it was created, sent, or received; or
 - iii. in a format that accurately represents the electronic document or the electronic information that was originally created, sent, or received.
 - iv. the contents of the electronic document or the electronic information and its related Metadata are readable or perceivable so as to be usable for subsequent reference; and
 - v. the format and the medium in which the electronic document or the electronic information is retained provide a reliable means of maintaining, from the time the source document or information is created, sent or received, the integrity of the electronic document or the electronic information, including the integrity of the Record of retention actions and administrative activities, apart from any changes or additions made in the normal course of communication, storage or display.

3.8 Vital Records

- a) Departments shall include the identification of Vital Records in their Records Retention and Disposition Schedules and their Business Continuity Plans.

4. Application

- a) This procedure applies to (i) all Employees, all Members of Council, and all City locations and operations; and (ii) all Records created or received by an Employee in the course of official business, including, but not limited to reports, studies, and/or artwork commissioned by the City by an external consultant, which shall become the absolute property of the City upon delivery.

5. Responsibilities

5.1 Archives and Records Management Division

The Archives and Records Management Division shall be responsible for:

- a) providing Departments and Employees with direction related to Records and Information Management, including appropriate communications regarding RIM policies, procedures, and associated documents.
- b) Managing, maintaining and monitoring the policy, procedures, and associated documents for effectiveness and compliance.

5.2 Department Heads

Department Heads shall be responsible for:

- a) complying with the policy, procedures, and related documents and making their Employees aware of them and advise them to comply with them, including those Employees who are Direct Supervisors.

5.3 Direct Supervisors

Direct Supervisors shall be responsible for:

- a) being aware of, complying with, and advising their Employees of the requirements of the policy, procedures, and related documents and the requirement they comply with them.

5.4 Employees

Employees shall be responsible for:

- a) complying with the policy, procedures, and related documents.

6. References

- a) Records and Information Management Governance Team Terms of Reference
- b) Other City Policies:
 - vi. Emergency and Continuity Management Policy
 - vii. Information Technology Policy
 - viii. Privacy Management Policy
- c) Refer to the **Legal and Regulatory Framework** for Records and Information Management document for other related information and regulatory requirements.

7. Approval

- Procedure Sponsor: Manager, Archives and Records Management
- Procedure Writer: Policy Analyst; Manager, Archives and Records Management
- Date of Approval from:
 - Corporate Policy Committee: December 18, 2023
 - Senior Executive Committee: January 5, 2024

8. Monitoring and Contravention

- a) The Office of the City Clerk shall monitor the application of the policy and procedures.
- b) Any contravention of the policy or procedures may be brought to the attention of the Office of the City Clerk, Department of Finance and Corporate Services (Human Resources Division), Office of the City Solicitor, and/or the City Manager for further investigation and potential follow up disciplinary or legal action, up to and including dismissal.

9. Review Date

Concurrent with policy.