



City of Richmond

Report to Committee

To: General Purposes Committee
From: J. Richard McKenna
City Clerk
Re: **Records Management Program Bylaw**

To General Purposes - July 15, 2002
Date: July 5, 2002
File: 8060-20-7400
(xr = 0365-01)

Staff Recommendation

1. That Corporate Records Management Program Bylaw No. 7400, be introduced and given first second and third readings.
2. That the Archives Collection Policy 1308 (adopted in 1988) be rescinded.

J. Richard McKenna
City Clerk

Att.

FOR ORIGINATING DIVISION USE ONLY		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Information Technology	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
GM, Community Safety.....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
GM, Urban Development.....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
GM, Engineering and Public Works	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Law.....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

Staff Report

Origin

The accompanying bylaw, which addresses the City's corporate records management program, is being presented at this time for several reasons. Chief among these reasons is the remarkable rate of change in technology which requires the City to follow the lead of national governments and adopt standards to ensure we can respond to the potential of technology in records and information systems without endangering the long term usability and legal value of the records themselves.

The program described in this bylaw:

- builds on our investment in effectively managing the City's information assets,
- provides a framework for record keeping to assist staff in meeting our corporate business needs
- further advances Richmond's leadership role among local governments in records management and particularly in the development of an electronic record keeping system, and
- adopts a city-wide classification and retention system which, among other things establishes the length of time for which the wide range of records created by City staff must be retained, before they can be destroyed or sent to the City Archives.

The Richmond Enterprise Document Management System, known by the acronym "REDMS", is the central system that can evolve to become a true electronic records keeping system and lead Richmond toward the less-paper office of the future.

Analysis

Before dealing with REDMS and the remarkable potential it represents for the City, some background on the Corporate Records Management Program as addressed in the bylaw, would be in order. More specifically, the bylaw:

- fully complies with the obligations of the City under both the *Local Government Act* and the *Freedom of Information and Protection of Privacy Act*, and with bylaw requirements of the proposed Community Charter;
- ensures that the City's Records Management Program is in accordance with international standards;
- addresses the maintenance of all City records through their full life cycle of being active, semi active and finally archival;

- addresses the management of archival records, from both City and community sources, which have long term value to the City and its residents;
- specifically identifies those organizations over which the City has no jurisdiction for records management;
- establishes a Uniform Classification Retention System as the official system for identification, classification and retention or destruction of all city records, or their transfer to the City Archives;
- addresses the management of those records identified as essential for the on-going business of the City in the event of an emergency or disaster.

With the launch of REDMS in the mid-1990's, the City committed to move toward the "paperless," or more accurately the "less paper" office. REDMS is now well established as a very successful centralized system for the retrieval of electronic records created by City staff in word processing, spreadsheet, and presentation applications, as well as certain records created outside the City, scanned, and stored in REDMS for electronic access and management. Approximately 700 staff have now been trained to use REDMS and they have become increasingly more comfortable with the system and confident in its many different and efficient business uses. We are therefore in a position to propose that REDMS progress beyond an electronic document retrieval system and that it advance to the point where electronic records can be legally recognized as the official records of the City. (For this to occur), recent amendments to the Canada Evidence Act requires the City to be able to prove the authenticity of electronic records and the recognized method to accomplish this is the formal adoption of international or federal imaging standards. This bylaw adopts the relevant standards and accompanying operational procedures to be followed, to ensure that city records managed in electronic form are reliable, authentic and of the same legal status as their paper counterparts. To this end the bylaw:

- establishes the responsibility of the Director of Information Technology for maintaining the electronic systems on which electronic records can be stored, accessed and managed and commits the City to meeting the provisions of the Canadian General Standards Board's standard on *Microfilm and Electronic Images as Documentary Evidence*, for those records which are microfilmed or scanned, and
- establishes the responsibility of the City Clerk for maintaining and managing City records, regardless of their medium, including, but not limited to, microfilm and both paper and electronic records.

Provided the practices specified in the standards are fulfilled, the bylaw will ensure that certain records can safely exist only in electronic form without parallel filing of paper originals.

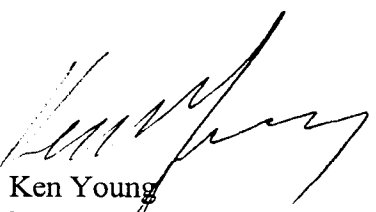
Financial Impact

There is no direct negative financial impact to the City, in fact quite the opposite is the case as the potential benefits from implementing a corporate records management system are limitless in terms of:

- aiding organizational efficiency;
- aiding in management decision-making;
- reducing paperwork volume and therefore costs;
- meeting legislative and regulatory requirements;
- providing litigation support; and
- preserving organizational history and providing support for the continuity of corporate knowledge.

Conclusion

The Records Management Program Bylaw is a comprehensive instrument which consolidates existing policies and practices (including the Archives Collection policy of 1988), and establishes the required authority for the program and its components. Aside from the very clear legal requirements to do so, maintaining accurate and complete records of City business is necessary to protect the interests of the City and its taxpayers by ensuring that the City's "less paper" office of the future is *appealing, liveable* and especially *well managed*.



Ken Young
Manager, Records and Information

David Weber
Manager, Legislative Services



CITY OF RICHMOND

***CORPORATE RECORDS
MANAGEMENT PROGRAM BYLAW***

BYLAW NO. 7400

EFFECTIVE DATE –

CITY OF RICHMOND

CORPORATE RECORDS MANAGEMENT PROGRAM BYLAW NO. 7400

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CITY OF RICHMOND

**CORPORATE RECORDS MANAGEMENT PROGRAM
BYLAW NO. 7400**

The Council of The City of Richmond enacts as follows:

PART ONE: BYLAW AUTHORITY

1.1 The Local Government Act

- 1.1.1 In accordance with the provisions of the *Local Government Act*, the **City Clerk** is responsible for ensuring:
- (a) that accurate minutes of the meetings of **Council** and its committees are prepared and that the minutes, bylaws and all other records of the business of **Council** and its committees are maintained and kept safe; and
 - (b) that access is provided to all **records** of **Council** and its committees, as required by law or authorized by **Council**.

1.2 The Freedom of Information and Protection of Privacy Act

- 1.2.1 The **City Clerk** is designated as the head of the **City** for the purposes of meeting the requirements of the *Freedom of Information and Protection of Privacy Act*.
- 1.2.2 In accordance with the provisions of the *Freedom of Information and Protection of Privacy Act*, the **City Clerk** must:
- (a) make every reasonable effort to assist applicants and to respond without delay to each applicant openly, accurately and completely; and
 - (b) protect personal information, as defined in the *Freedom of Information and Protection of Privacy Act*, by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.

PART TWO: BYLAW SCOPE AND ESTABLISHMENT OF PROGRAM

2.1 Establishment of Records Management Program

- 2.1.1 A **corporate records management** program, as specified in Parts Two through Four inclusive, is established under the direction of the **City Clerk** as provided for in the *Local Government Act*, for the purpose of managing:

- (a) **City records** in accordance with **international standards** throughout their lifecycle, from creation or receipt, through to final **disposition**; and
- (b) **records** of the community and other public bodies where such **records**:
 - (i) are **inactive**; and
 - (ii) are, in the opinion of the **City Clerk**, of long term value to the **City** or the community, as specified in subsections 3.2.2 and 3.2.3.

2.2 Establishment of Micrographics and Electronic Image Management Program

- 2.2.1 A Micrographics and Electronic Image Management Program as specified in this section, is established in accordance with the requirements of the *Microfilm and Electronic Images as Documentary Evidence* standard established by the Canadian General Standards Board.
- 2.2.2 The **City Clerk** is designated as being responsible for ensuring that the Micrographics and Electronic Image Management Program conforms to the standard established in subsection 2.2.1, to ensure the **reliability** and **authenticity** of all **records** on **microfilm** or those **scanned** or otherwise captured as electronic images.
- 2.2.3 All **microfilm** and electronic images created in accordance with the Micrographics and Electronic Image Management Program established under subsection 2.2.1 are declared to form a part of the usual and ordinary course of business of the **City**.
- 2.2.4 The **Director of Information Technology** is designated as being responsible ensuring that the computer systems of the **City** meet the requirements of the Canadian General Standards Board standard specified in subsection 2.2.1.

2.3 Exclusions

- 2.3.1 This bylaw does not apply to **records**:
 - (a) of the Richmond Detachment of the RCMP;
 - (b) created or received by a member of **Council**, other than those **records** created or received in their capacity as a member of **Council**;
 - (c) of the Richmond Public Library Board; or
 - (d) of incorporated societies, including community associations, which have an operating agreement with the **City**,

where such **records** are not in the **custody** and **control** of the **City**.

- 2.3.2 This bylaw does not apply to **records** created or received by employees of the **City** in connection with membership in a professional association or collective bargaining unit, and not as part of their job duties.

PART THREE: PROGRAM COMPONENTS

3.1 Custody and Control of Records

- 3.1.1 All **records** in the **custody** and **control** of employees of the **City**, which are created or received in the context of their functional responsibilities, are the property of the **City**.
- 3.1.2 Any contract between an outside agency or contractor and the **City**, for the provision of goods or services, must specify the conditions for the **custody** and **control** of the **records** resulting from such contract.

3.2 Creation or Receipt of Records

- 3.2.1 All **records** either:
- (a) created by employees of the **City**; or
 - (b) received by employees of the **City** in the context of their functional responsibilities, by standard mail, courier, hand-delivery, electronic mail, facsimile, **scanning**, or by any other means,
- are **City records**; and subject to the maintenance and **disposition** provisions of this bylaw.
- 3.2.2 **Records** will only be **accessioned** by the **City Archives** from a source other than the **City** where, in the opinion of the **City Clerk**, such **records** either:
- (a) reflect the social, political and economic life of the **City**; or
 - (b) provide informational, research, or historical value to the community;
- or both, and provided such **records** are not required by their originating body for such body's current administrative purposes.
- 3.2.3 All **records** which have been **accessioned** by the **City Archives** in accordance with subsection 3.2.2, are:
- (a) the property of the **City**; and
 - (b) held in trust for the public and for the benefit of future generations.
- 3.2.4 **Records** **accessioned** by the **City Archives** may be **de-accessioned** where, in the opinion of the **City Clerk**, such **records**:
- (a) do not meet the criteria specified in clauses (a) or (b) of subsection 3.2.2; or
 - (b) have physically deteriorated beyond the point of reasonable conservation efforts; or
 - (c) would be more appropriately preserved by another institution.

3.3 Maintenance of Records

3.3.1 All City records:

- (a) are to be classified in accordance with the **Uniform Classification and Retention System (UCRS)**; and
- (b) must be handled and stored in a manner which ensures their **reliability and authenticity**.

3.4 Scanning and Microfilming of Records

3.4.1 Where a **source record** is converted to **microfilm** or an electronic form:

- (a) the conversion process must meet the *Microfilm and Electronic Images as Documentary Evidence* standard, established by the Canadian General Standards Board; and
- (b) the **disposition** of the **source record** must be carried out in accordance with:
 - (i) the **Uniform Classification and Retention System**; or
 - (ii) the provisions of subsection 3.2.4.

3.4.2 The **Director of Information Technology** is responsible for ensuring that the standards for converting **source records** into electronic images established in clause (a) of subsection 3.4.1, are met.

3.5 Access to Records

3.5.1 General Access and Security Requirements

3.5.1.1 All City records must:

- (a) be accessible in accordance with the *Freedom of Information and Protection of Privacy Act*; and
- (b) be handled and stored in a manner that ensures the security and integrity of such **records**.

3.5.2 Active and Semi-Active City Records

3.5.2.1 All **active City records** and **semi-active City records** must be maintained either:

- (a) on computer systems approved by the **Director of Information Technology**; or
- (b) if existing in hard copy form, in filing systems approved by the **City Clerk**.

3.5.2.2 Where it is not possible to accommodate **semi-active City records** in accordance with subsection 3.5.2.1, such records may be stored in either:

(a) a commercial records storage facility; or

(b) a City-owned or leased space,

approved by the **City Clerk**.

3.5.2.3 Access to both **active City records** and **semi-active City records** stored in accordance with subsection 3.5.2.2 is managed by the **City Clerk**.

3.5.3 Archival Records

3.5.3.1 **Archival records** under the **custody** and **control** of the **City** are to be made accessible by the **City Clerk** at the **City Archives**, and to ensure the provision of access to, and protection against loss or damage, such **archival records** must not be loaned for access beyond the **control** of the **City Clerk**.

3.5.3.2 Notwithstanding the provisions of subsection 3.5.3.1, the **City Clerk** may impose restrictions on access and use of **archival records**:

(a) where such restrictions have been negotiated with the donor of such **archival records**, or

(b) to protect the privacy of individuals named in such **archival records**.

3.5.3.3 Where, in the opinion of the **City Clerk**, preservation concerns exist for particular **archival records**, access to such records may be limited or provided by means of copies.

3.6 Disposition of Records

3.6.1 Uniform Classification and Retention System

3.6.1.1 All **City records**, including those in electronic form, are to be appraised for retention under the direction of the **City Clerk** and retained in accordance with the **Uniform Classification and Retention System**.

3.6.2 Destruction

3.6.2.1 **City records** must only be destroyed with the written approval of the **City Clerk**, and in accordance with the **Uniform Classification and Retention System**.

3.6.2.2 **City records** identified for destruction under the **Uniform Classification and Retention System** are to be destroyed under the direction of the **City Clerk**, to ensure protection of confidentiality and completeness of destruction.

3.6.2.3 In the case of **City records** in electronic form, the **Director of Information Technology** must ensure that destruction includes all copies, versions, and backups of such records.

3.6.3 Transfer to City Archives

3.6.3.1 **City records** identified for retention as **archival records** in the **Uniform Classification and Retention System** are to be transferred to the **City Archives**.

3.7 Preservation of Records

3.7.1 Migration and Conversion

3.7.1.1 **City records** in electronic form which are identified by the **City Clerk** through the **Uniform Classification and Retention System** for long-term preservation must, under the direction of the **Director of Information Technology**, be **migrated** or **converted** from their original electronic system to each successive generation of system, or, where appropriate, output to a stable non-electronic form such as **microfilm**.

3.7.1.2 Each **migration** or **conversion** of a **City record** which is in electronic form must capture all **metadata** necessary to replicate the form and content of the original **record**.

3.7.2 Vital Records

3.7.2.1 **City records** identified by the **City Clerk** as **vital records** through the **Uniform Classification and Retention System** must be identified for priority recovery and access in the event of an **emergency** or **disaster** and:

(a) if in paper form:

- (i) be created using appropriate stable output materials;
- (ii) be copied to preservation **microfilm**, with at least one duplicate maintained at a secure off-site facility approved by the **City Clerk**; and
- (iii) be maintained in their original form at a facility approved by the **City Clerk**; and

(b) if in electronic form, be copied to a backup medium approved by the **Director of Information Technology** for storage at a remote location approved by the **Director of Information Technology**, in accordance with **City** policy.

PART FOUR: INTERPRETATION

4.1 In this bylaw, unless the context otherwise requires:

- ACCESSION/ACCESSIONED** means the transfer of ownership and/or the establishment of administrative control over **records** accepted into the **custody** and **control** of the **City Archives**.
- ACTIVE CITY RECORDS** means current **City records** which are frequently referred to, and which must be readily accessible to employees of the **City**, as specified in the **Uniform Classification and Retention System**.
- ARCHIVAL RECORDS** means:
- (a) **City records** of long term value to the **City**; or
 - (b) **records** of the community and other public bodies which meet the requirements of subsection 3.2.2
- AUTHENTIC/AUTHENTICITY** in relation to a **record** means that such **record**:
- (a) is what it purports to be;
 - (b) is unalterable, or is made unalterable; and
 - (c) has not been manipulated, substituted, falsified, or tampered with, either intentionally or unintentionally, in any way.
- CITY** means the City of Richmond.
- CITY ARCHIVES** means the City of Richmond Archives.
- CITY CLERK** means the Municipal Officer assigned responsibility for corporate administration under Section 198 of the *Local Government Act*.
- CONTROL** in relation to a **record** means the authority to manage the access to, and the maintenance, preservation, disposition and security of, such **record**.
- CONVERT/CONVERSION** means the process of changing **records** from one medium to another or from one format to another in accordance with **international standards**.

**CORPORATE RECORDS
MANAGEMENT**

means the systematic control over **records** throughout their life cycle, including but not limited to forms management, manuals management, records inventoring, filing systems development and implementation, file maintenance procedures development, filing equipment selection, correspondence and reports maintenance, and records scheduling and **disposition**.

COUNCIL

means the Council of the **City**.

CUSTODY

in relation to a **record** means having physical possession of such **record**, which includes responsibility for physical aspects of accessing, maintaining, preserving, disposing of, and securing such **record**.

**DE-ACCESSION/
DE-ACCESSIONED**

means:

- (a) the transfer of a **record** to another agency;
or
- (b) the destruction of a **record** previously **accessioned** by the **City Archives**.

**DIRECTOR OF
INFORMATION
TECHNOLOGY**

means the person appointed to the position of Director of Information Technology in the Finance & Corporate Services Division of the **City**, or an alternate.

DISASTER

means a present or imminent calamity which extends beyond the boundaries of the **City** which:

- (a) is caused by accident, fire, explosion or technical failure, or by the forces of nature; and
- (b) has resulted in serious harm to health, safety or welfare of people, or in widespread damage to property.

DISPOSITION

means:

- (a) the destruction of a **City record**; or
- (b) the transfer of a **City record** of enduring value to the **City Archives**.

EMERGENCY

means a present or imminent event located within the boundaries of the **City** which:

- (a) is caused by accident, fire, explosion or technical failure, or by the forces of nature; and

(b) requires prompt co-ordination of action or special regulation of persons or property, to protect the health, safety or welfare of people, or to limit damage to property.

INTERNATIONAL STANDARDS

means the International Organization for Standardization standard "ISO 15489-1 and ISO 15489-2 Information and documentation – Records management".

METADATA

means information or data that is about, or interprets, other information or data.

MICROFILM

means all microforms, including but not limited to microfiche, aperture cards, and computer output microfilm (COM).

MIGRATE/MIGRATION

means the act of moving records from one system to another, while maintaining the records' **authenticity**, integrity, **reliability** and usability, in accordance with **international standards**.

RECORD/RECORDS

means recorded information in any form or medium, created or received in the transaction or conduct of business, and kept as evidence of such activity.

RELIABLE/RELIABILITY

means, with respect to a **City record**, that such **record** has been created or received in the usual and ordinary course of business by an employee who has the authority to create such **record**.

SCANNED/SCANNING

means the process of converting hard-copy documents to an electronic format.

SEMI-ACTIVE CITY RECORDS

means **City records** which are not accessed regularly or often, but which must be retained for administrative, legal or financial reasons, as specified in the **Uniform Classification and Retention System**.

SOURCE RECORD

means a **record** or any facsimile of such record used in a **microfilming** or **scanning** process.

UNIFORM CLASSIFICATION AND RETENTION SYSTEM

means the current classification and retention system implemented by the **City Clerk**, used throughout the **City** for the identification, grouping, retrieval, management and **disposition** of **City records** in both paper and electronic forms.

VITAL RECORD

means those **City records** that are essential for the ongoing business of the **City**, without which, in the opinion of the **City Clerk**, the **City** could not continue to function effectively, and which must be recoverable and accessible after an **emergency** or **disaster**.

PART FIVE: SEVERABILITY AND CITATION

- 5.1 If any part, section, sub-section, clause, or sub-clause of this bylaw is, for any reason, held to be invalid by the decision of a Court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.
- 5.2 This bylaw is cited as "**Corporate Records Management Program Bylaw No. 7400**".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

MAYOR

CITY CLERK