



ACTION REQUIRED

Records Retention By-law Amendment – The Board of Governors of Exhibition Place

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| Date: | May 26, 2014 |
| To: | Executive Committee |
| From: | Dianne Young, Chief Executive Officer, Exhibition Place |
| Wards: | NA |
| Reference Number: | |

SUMMARY

This report recommends that City Council approve a by-law and records retention schedule for Exhibition Place.

Under Section 201, *City of Toronto Act, 2006*, a record of the City or of its Local Boards, other than a copy of the original record, may only be destroyed if the retention period for the record has expired, except as otherwise provided. In 2006 and 2008, the City of Toronto approved by-laws which established a retention schedule for Exhibition Place. When these by-laws were approved there was an understanding that the schedule did not address all existing records series and that subsequent by-law amendments would capture new record series. This report requests approval for a third, routine amendment to the Board's records retention by-law, Municipal Code c. 219, Records, Corporate (Local Boards).

These amendments revise the existing records retention schedule by adding new classes of records. The appendices containing the draft by-law amendment and the new records retention schedule were prepared by Records & Archives staff and have been reviewed by the Chief Executive Officer, Corporate Secretary and Chief Financial Officer of Exhibition Place. They have also been reviewed by City Legal, and the City's internal and external auditors. All concur that the retention schedules affected by this report are appropriate and in compliance with applicable standards and legislation.

RECOMMENDATIONS

It is recommended that:

City Council approve of a By-law substantially as set out in Appendix “A” and the records retention schedule set out in Appendix “B”, for the Board of Governors of Exhibition Place attached to this report.

Financial Impact

There are no financial implications resulting from the adoption of the recommendation in this report.

DECISION HISTORY

At its meeting of May 23, 2014, the Board of Governors of Exhibition Place considered subject report, and unanimously recommend it for approval by City Council.

Pursuant to Section 201, *City of Toronto Act, 2006*, a record of the City or of its Local Boards, other than a copy of the original record, may only be destroyed if the retention period for the record has expired, except as otherwise provided.

In 2006, the City of Toronto approved By-Law No. 688-2006 which established a retention schedule for Exhibition Place.

In 2008, the City of Toronto approved a second By-Law No. 1303-2008, which added new series of records to the retention schedule.

ISSUE BACKGROUND

Retention scheduling is the process of identifying and describing record series (for example, employee files and accounts payable would be separate record series) and then using a timetable to specify the length of time that each record series must be kept prior to destruction or permanent archival storage. The length of time that record series are kept is determined on the basis of their value in supporting administrative, legal, financial or archival functions. Analysis is also undertaken of all legislation governing the records to determine how long they need to be kept legally (for example, financial audit requirements). Unmanaged information is a liability for the creator and custodian. Establishing retention schedules is a fundamental tool to reduce risk and support effective and efficient asset management of the Board’s information.

COMMENTS

When the Exhibition Place retention schedules were approved by City Council in 2006 and 2008, there was an understanding that the schedule did not address all existing records series and that subsequent by-law amendments would capture new record series. This report requests approval for a third, routine amendment to the Board’s records retention by-law, Municipal Code c. 219, Records, Corporate (Local Boards). These amendments revise the existing records retention schedule by adding new classes of records to the schedule. The appendices containing the draft by-law amendment and the new records

retention schedule were prepared by staff of the Records & Archives Unit and have been reviewed by the Chief Executive Officer, Corporate Secretary and Chief Financial Officer and also reviewed by the City Legal, and the City's internal and external auditor. All concur that the retention schedules affected by this report are appropriate and in compliance with applicable standards and legislation.

CONTACT

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Dianne Young

Chief Executive Officer

ATTACHMENTS

Appendix A: Draft By-law

Appendix B: New record retention schedule

**CITY OF TORONTO
DRAFT BY-LAW No.**

To amend Article IV, The Board of Governors of Exhibition Place, of the City of Toronto Municipal Code Chapter 219, Corporate Records, Corporate (Local Boards), to adopt new records retention schedules for The Board of Governors of Exhibition Place.

WHEREAS under section 201 of the *City of Toronto Act, 2006*, the City may, subject to the approval of the City auditor, establish retention periods during which the records of the City and local boards of the City must be retained and preserved; and

WHEREAS as City's external auditor is currently the "City auditor" for the purposes of subsection 201(3) of the *City of Toronto Act, 2006*; and

WHEREAS under section 169-29 of the Municipal Code the City Solicitor, in consultation with the City Clerk, may submit bills directly to Council to make technical amendments to the Municipal Code and other by-laws to correct technical errors, to update the by-laws to refer to the current statue, City official title, administrative unit and Municipal Code provision; and

WHEREAS the City's external auditor has approved the new retention periods set out in Schedule A;

The Council of the City of Toronto HEREBY ENACTS as follows:

Schedule A to Article IV of Chapter 219, Records Retention Schedule, Exhibition Place, of The City of Toronto Municipal Code is amended by adding the new records series as set out in Schedule A at the end of this by-law in alphanumerical order by code number, under the functional category as set out in Schedule A for reference purposes.

ENACTED AND PASSED this day of, A.D. 2014.

Mayor

City Clerk

(Corporate Seal)