

## **Amendment to Chapter 3, Accountability Officers - Records Retention - Supplementary Report**

**Date:** June 20, 2019  
**To:** Executive Committee  
**From:** City Manager  
**Wards:** All

### **SUMMARY**

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This is a supplemental report to the Integrity Commissioner's report ("Approval of Recommended Retention Schedule for Accountability Records in the Office of the Integrity Commissioner"), also before City Council at its meeting on July 16, 2019. This report recommends changes to ss.3-7.6 in Chapter 3, Toronto Municipal Code, Accountability Officers to remove the requirement that the City's external auditor approve the retention period for the records in the Accountability Offices.

In May 2017, changes to the *City of Toronto Act, 2006* came into effect which removed the requirement for approval of retention periods by the City's external auditor. Subsequently, City Council approved amendments to Chapter 217, Toronto Municipal Code, Records Corporate (City) in October 2017 to reflect these legislative changes.

As Accountability Officers manage their records independently from the City, a similar amendment is required to Chapter 3.

### **RECOMMENDATIONS**

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The City Manager recommends that City Council:

1. Amend Chapter 3, Toronto Municipal Code, Accountability Officers by:
  - a. Removing "Subject to Subsection C" from ss.3-7.6B so that it reads "An accountability officer may recommend directly to Council the establishment of a retention schedule for an accountability record".
  - b. Deleting ss.3-7.6C.

## FINANCIAL IMPACT

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There are no financial implications resulting from the recommendations in this report. The Chief Financial Officer & Treasurer has reviewed and agrees with this financial impact statement.

## DECISION HISTORY

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At its meeting on October 2, 2017, City Council approved [GM22.3](#) "Amendments to the Records Retention By-law Arising from City of Toronto Act, 2006, and Other Changes", which amended Chapter 217 of the Toronto Municipal Code, "Records, Corporate (City)" removing the requirement for approval of retention periods by the City's external auditor. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.GM22.3>

## COMMENTS

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In May 2017, an amendment to s. 201(3), *City of Toronto Act, 2006*, came into force which removed the requirement for approval of retention periods by the City's external auditor.

As a result, in October 2017 City Council approved amendments to Chapter 217 of the Toronto Municipal Code ("Records Corporate (City)) to remove the requirement for the City's external auditor to approve the retention periods of the City's records ([GM22.3](#)).

The City's Accountability Officers manage the records of their respective offices independently from the City. The provisions regarding the management, retention and disposition of their records are set out in Chapter 3 of the Municipal Code. Amendments to this Chapter are therefore necessary to reflect the 2017 changes to Chapter 217.

## CONTACT

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## SIGNATURE

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Chris Murray  
City Manager