

CITY OF TORONTO

Bill 181

BY-LAW -2025

To amend City of Toronto Municipal Code Chapter 217, Records, Corporate (City), to establish a new retention period with respect to records relating to Long-Term Care Committee of Management Application, a new retention period with respect to the Audio/Video Recordings of meetings of City Council and Committees; and a new retention period with respect to the Declarations of Office by members of council.

Whereas under Section 200 of the City of Toronto Act, 2006 (the "Act") the City shall retain and preserve the records of the City and its local boards in a secure and accessible manner; and

Whereas under Section 201 of the Act the City may destroy a record of the City or a local board if an established retention period has expired or where the record is a copy of the original record; and

Whereas Council is required to exercise the authority to establish or amend a retention schedule in accordance with Section 217-5C(1)(a) of Municipal Code Chapter 217, Records, Corporate (City), where the decision with respect to the establishment or amendment of a retention schedule is with respect to decisions or deliberations of City Council or committees thereof; and

Whereas City Council wishes to establish three new retention schedules affecting the records respect to decisions or deliberations of City Council or committees thereof, specifically to: establish a new retention schedule for records relating to the Audio/Video Recordings of City Council and Committee Meetings; establish a new retention schedule for the Declarations of Office by members of Council, each originating from the City Division known as City Clerk's Office; and establish a new retention schedule for records relating to Long-Term Care Committee of Management Application Records originating from the City Division known as Seniors Services and Long-Term Care; and

Whereas City Council wishes to amend City of Toronto Municipal Code Chapter 217, Records, Corporate (City), to add retention periods for records relating to each of the following City Council and Committee Meetings – Audio/Video Recordings; Declarations of Office; and, Long-Term Care Committee of Management Application Records to Schedule A, Record Retention Schedule;

The Council of the City of Toronto enacts:

1. Schedule A, Record Retention Schedule, of Chapter 217, Records, Corporate (City), of The City of Toronto Municipal Code is amended by adding the new records series bearing specific code numbers: G0010; G0058 and G0200 listed in Schedule 1 to this by-law in alphanumerical order to Schedule A by code number, under the functional categories as set out in Schedule 1 to this by-law for reference purposes.

Enacted and passed on March , 2025.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

SCHEDULE 1
NEW ENTRIES TO BE ADDED TO SCHEDULE A, RECORDS RETENTION
SCHEDULE OF MUNICIPAL CODE CHAPTER 217, RECORDS, CORPORATE
(CITY), BEARING CODE NUMBERS G0010, G0058 and G0200

G	Functional Category: Governance Description: Records relating to the ways in which the City is governed and regulated to ensure efficiency, effectiveness, and compliance with statutory requirements. Includes records of the City’s legislative process, such as the agendas and minutes of Council, its standing committees and community councils; City bylaws and the Municipal Code; formal policies and procedures; and annual reports of departments and special purpose bodies. Also includes all legislation and other municipal by-laws that might affect the City; records relating to non-municipal government bodies; election records; and records relating to provincially-mandated services that the City provides, such as birth and death registrations.						
G0010	Long-Term Care Committee of Management Application Records		T+1	6	T+7	D	Comments: The retention period of T+7 years applies to successful candidate records, where T= Close file when successful candidate ceases to have responsibilities as a Member of the Committee of Management. The retention period of 6 years applies to unsuccessful candidate records. Legislation/Regulation: Fixing Long-Term Care Act, 2021, s. 95; and O. Reg. 246/22, ss. 280, 281, & 282
	Records relating to the application process for Councillors seeking membership on the City of Toronto Long-Term Care (LTC) Committee of Management. Records include the prescribed copies of successful candidate records and unsuccessful candidate records. Successful candidate records pertain to Councillors who completed the eligibility screening for membership on the Committee of Management and who were appointed to the same. The records include the Police Record Check; the signed declaration disclosing any charges, orders, convictions, commencements of proceedings, or findings of guilt and, the letters sent by the General Manager to the City Clerk confirming suitability of a candidate for membership on the Committee of Management. Unsuccessful candidate records pertain to Councillors who completed the eligibility screening for membership on the Committee of Management		4	2	6	D	

	<p>and who were not appointed to the same. Records include the Police Record Check, the signed declaration disclosing any charges, orders, convictions, commencements of proceedings, or findings of guilt, and the letter sent by the General Manager to the City Clerk advising that the candidate to whom the record pertains is not a member of the Committee of Management.</p> <p>Note 1: Records are subject to specific storage and access practices as outlined under a business procedure.</p> <p>Note 2: The schedule is divided into two specific retention periods, to ensure (1) successful candidate records are retained in accordance with legislative requirements and (2) a minimum timeframe is set up for which to keep unsuccessful candidate records, ensuring personal information is not kept for longer than required.</p> <p>Note 3: Records created by the Committee will be filed in their respective decision body meeting files, governed by schedule G0001- Council and Committee Proceedings and, or schedule G0006- Local Board Proceedings, as applicable.</p>						
G0058	<p>City Council and Committee Meetings – Audio/Video Recordings</p> <p>Records relating to audio/video recordings (i.e., recorded livestreams and video conferences) produced from live meetings of City Council and Committees supported by the City Clerk’s Office. City Council and Committee meetings supported by the City Clerk’s Office are recorded via video conferencing technology. These video recordings are</p>	City Clerk’s Office	C+19	0	C+19	AR	

	<p>stored in a local drive and are to be retained as per the retention schedule outlined in this records classification. Video recordings are shared on request. The copies of these records licensed to third parties for rebroadcast (livestream or otherwise) are inherently not records included in this classification.</p> <p>NOTE: This records classification is applied only on audio/video recordings of the above outlined meetings. The City Clerk is assigned the responsibilities of the position of the “Board Secretary” for meetings of some local boards (including those commonly referred to as “City Tribunals”). Although the City Clerk has been assigned the responsibilities to provide services to some local boards, recordings of these meetings remain records of the local boards and should be managed and retained by the local boards, in accordance with Toronto Municipal Code Chapter 219, Records, Corporate (Local Boards).</p> <p>Official records that support final decisions made by City Council and Committees supported by the City Clerk’s Office should be classified as G0001 - Council and Committee Proceedings.</p>						
G0200	<p>Declarations of Office</p> <p>Declarations of office executed by members of council before taking office to which they were elected or appointed. Declarations of office are administered by the City Clerk. Members cannot take their council seat or conduct business until after the declarations of office have been taken as cited under s.186 of City of Toronto Act, 2006.</p>	City Clerk’s Office	8	P	P	P	