



REPORT FOR ACTION

Amendments to the Records Retention By-law arising from City of Toronto Act, 2006, and other changes

Date: 9 August 2017
To: Government Management Committee
From: City Clerk
Wards: All

SUMMARY

This report recommends amendments to "Records Corporate (City)" Chapter 217 of the Municipal Code resulting from recent changes to the City of Toronto Act, 2006. It also recommends revising the retention periods of nine categories of records in the City's Records Retention Schedule.

These changes will keep the Municipal Code current and improve the management of City records.

RECOMMENDATIONS

The City Clerk recommends that City Council:

1. Amend Toronto Municipal Code Chapter 217, "Records, Corporate (City)," by deleting § 217-5B.
2. Amend the Records Retention Schedule, Schedule A of Chapter 217, by amending the retention schedules as set out in Appendix 1.

FINANCIAL IMPACT

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

DECISION HISTORY

There is no decision history for this report.

COMMENTS

Background

Under section 201 of the City of Toronto Act, 2006, a record of the City that is not simply a copy may only be destroyed if the retention period for the record has expired. Chapter 217, Records, Corporate (City), provides the legislative basis on which the retention periods for City records are authorized and Schedule A indicates the retention period for each records class.

Until 30 May 2017, City of Toronto Act, 2006 required retention periods to be approved by the City's external auditor.

Basis for Amendments

An amendment to s. 201(3), City of Toronto Act, 2006, that came into force on May 30, 2017 removed the requirement for approval of retention periods by the City's external auditor. As there is no longer any statutory basis to seek the approval of the City auditor this report recommends that chapter 217 be modified accordingly. Internal Audit continues to review all changes to the Records Retention Schedule.

The recommended amendments to the Records Retention Schedule in this report, change the authorized retention from permanent to a defined period of time for the records detailed in Appendix 1. This will clarify roles and responsibilities lies for administering records over time.

Review of the recommended amendments

In accordance with the requirements of Chapter 217, the Corporate Records Retention Committee, with representation from Legal Services, Internal Audit, Information & Technology Division, and City Clerk's Office met on 8 May 2017, to review and approve the records series and amendments in Appendix 1. The City's external auditor reviewed and approved the new and amended schedules, as was required by s. 201(3) of the City of Toronto Act, 2006 up until 29 May 2017.

CONTACT

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SIGNATURE

Ulli S. Watkiss
City Clerk

ATTACHMENTS

Appendix 1: Revisions to existing record retention schedules