

Amendments to Municipal Code Chapter 217, Records (Corporate)

Date: June 22, 2023

To: General Government and Licensing Committee

From: City Clerk

Wards: All

SUMMARY

The purpose of this report is to amend the City's records retention by-law to establish the process to deem digitized copies as original records and enable the disposition of source physical records.

RECOMMENDATIONS

The City Clerk recommends that:

1. City Council amend Municipal Code Chapter 217, Records, Corporate by
 - a. establishing amendments to the body of the Chapter as set out in Attachment 1

FINANCIAL IMPACT

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

DECISION HISTORY

Not applicable.

COMMENTS

We are modernizing and transitioning to digital recordkeeping.

The City continues to modernize and digitize service delivery. These two pillars support the City's highly mobile workforce and enable an effective and efficient hybrid working environment. There are a number of initiatives underway to transform date-forward processes and many lines of business still rely heavily on physical records. This

reliance presents challenges because physical records are not easily accessible, retrievable or shareable.

Divisions are making significant investments in large-scale digitization (scanning) of physical records initiatives. This work enables digital processes, creates one consistent medium to conduct their business and delivers efficient, high-quality, modernized services to the public.

Digitization, also known as scanning or imaging, refers to the use of a scanner or camera to convert physical records such as microfilm, microfiche, paper documents, photographs, drawings, plans, etc., into digitized records (also known as electronic records). The digitization process includes significant planning, prioritization, preparation, metadata creation and collection, imaging, quality management, storage, and assessment or evaluation of the digitization process itself.

We need to shift to digital recordkeeping to reduce unnecessary record storage costs and to define digital records as authoritative. The shift to digital recordkeeping enables modernized workspaces by reducing the need for physical storage space for records and improving collaboration and efficiency.

The City manages City records and information.

City records and information must be appropriately safeguarded, managed, maintained, disclosed (with minimal exceptions), and kept for as long as required. The City of Toronto Act, the Municipal Freedom of Information and Protection of Privacy Act, the Municipal Code, as well as City standards and policies, establish these requirements and guiding principles.

The Municipal Code Chapter 217 provides the legislative basis for the appropriate management of City Information. Under Section 201 of the City of Toronto Act, 2006, a record of the City only may be destroyed if a retention period has been established and the retention period has expired, or the record is a copy of the original record.

The Municipal Code needs to be revised to reflect the changes to the City's recordkeeping approach.

The recommendations will codify existing policy direction into legislation to enable the disposition of paper records after a digitization initiative or process.

The City Clerk's Office has developed a number of policy tools to support the shift to digital recordkeeping:

- Information Management Standard - Creating and Managing Digitized Records, (Attachment 2) published in 2015 provided the process and direction needed to create sufficiently authentic, trustworthy, and reliable digitized records to serve as City Records.
- Destruction of Source Records following Digitization Disposition Authority (Attachment 3), published in 2019 as an interim process to enable projects to

destroy source physical records after a formal digitization project and demonstrating compliance with the appropriate standards and guidelines.

The recommendations strengthen the disposition process for deeming digitized records as the original record, destroying the source paper records and include the process in the Municipal Code.

The proposed changes balance the operational and business drivers for digitization with records management requirements under the Municipal Code and City Policies, Procedures, and Guidelines.

The proposed changes will improve transparency, access and will ensure compliance with the appropriate standards. City Divisions must attest that the digital versions of the source records are:

- Complete, accurate, and of sufficiently high-quality;
- compliant with any legal requirements associated with the records;
- capable of providing evidence of the activities documented in the source records; and
- discoverable and available to those with the right to access them for the duration of the applicable retention period(s) outlined in the Municipal Code Chapter 217, Schedule A.

The provisions in Attachment 1 initiate the following process:

- Divisions submit requests to deem digitized records as original and destroy source physical records to the City Clerk's Office.
- The Corporate Records Retention Committee reviews and submits recommendations to Council for approval.

The Corporate Records Retention Committee reviewed and approved the proposed amendments, in accordance with Municipal Code, Chapter 217, at its meeting on June 21, 2023. Based on statutory requirements under Chapter 217, City Council must approve the amendments.

CONTACT

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SIGNATURE

John D. Elvidge
City Clerk

Attachment 1 – Amendment to Chapter 217, Records, Corporate (City)

Attachment 2 – Creating and Managing Digitized Records Standard

Attachment 3 – Disposition Authority Source Records 2019