

# Information Management Accountability Policy

Policy No. CIMS 003

City Clerk's Office

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## Information Management Accountability Policy

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## 1.0 Introduction

Information is a corporate resource of the City of Toronto. Information that is accurate, useable and accessible supports open, transparent and accountable local government, and improves customer service and program delivery.

The public expects access to the City's information and the protection of their privacy. City managers expect information to be timely, correct and managed responsibly throughout the information lifecycle.

The City of Toronto is committed to having policies, and practices that ensure transparency in the management of public information and the commitment to making information available to the public.

The City's [Information Management Framework \(IMF\)](#) provides the foundation upon which Information Management (IM) policies, standards, procedures, and guidelines are built.

The Information Management Accountability Policy is an output of the IMF and supports the development of Information Management policies, practices, standards and directives for accountability and openness.

With the implementation of this policy, the City will:

- Integrate Information Management practices with service delivery;
- Integrate Information Management practices into business planning;
- Invest in greater Information Management awareness, training and communication to improve a culture of collaboration and information sharing.

This policy directs the City to be compliant with recent updates to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). The key amendments:

- Require institutions subject to MFIPPA to develop, document, and implement measures to manage their records and information; and
- Make it an offence for an individual to alter, conceal, or destroy a record with the intention of denying access for that record (with a penalty on conviction of a fine up to \$5000).

This policy also informs all City staff:

City business records are subject to MFIPPA regardless of their format e.g. email, pin to pin and other instant message services, or .net or on personal or City issued devices.

## 2.0 Policy Statement

The City of Toronto commits to:

- A culture of collaboration and information-sharing;
- The lifecycle management of information as a corporate resource;
- Ensuring access to information is open by default;
- Building in access to information and protection of privacy by design into technology;
- The duty to document decisions and the decision-making process;
- Protection of personal and confidential information;
- Enabling technology to improve the management of information;
- Employee training on records and information management commensurate with their job duties; and
- Compliance with this Policy and other statutory and policy obligations.

## 3.0 Principles

- The Information Management Accountability Policy is the foundational policy within the City's Information Management policy structure;
- Information is a valuable corporate resource that must be managed to improve openness and transparency in the delivery of City programs and services;
- Duty to Document requires all employees to create full, accurate, and complete records of all business activities, regardless of the communications methods and tools used;
- Information and information systems shall be open and accessible by default and by design to the fullest extent permitted by law and subject to valid privacy and confidentiality restrictions;
- The continuous and effective management of information, which underpins the fabric of Open Government, is included in established governance structures, mechanisms and resources;
- All employees share responsibility for the proper management of records and information and must provide timely access to records and information with authenticity, reliability, usability, and integrity;
- All employees share responsibility for the protection of personal information privacy (see the [Protection of Privacy Policy](#)); and,
- The City will provide employees with the tools and resources required to comply with the roles and responsibilities identified in this Policy.

## 4.0 Application

This Policy applies to all City of Toronto Divisions, City employees, volunteers and contract employees hired by the City of Toronto.

This policy does not apply to Elected Officials, Accountability Officers or City Agencies and corporations. The City of Toronto encourages City Agencies and Corporations to review, adopt or update this policy appropriate to their business circumstances.

## 5.0 Roles & Responsibilities

### 5.1 City Manager will:

- Promote openness and collaboration throughout the organization; and
- Exercise all the responsibilities and duties of the "Head" for the purposes of the [Municipal Freedom of Information and Protection of Privacy Act, 1990 \(MFIPPA\)](#), as an alternate for the City Clerk, when the City Clerk is unable to do so as delegated under [Toronto Municipal Code Chapter 169, Officials, City](#).

### 5.2 Deputy City Manager(s) will:

- Ensure Information Management requirements are integrated into the development, implementation, evaluation, and reporting of programs and services within their cluster;
- Ensure that an annual Divisional Information Management Plan for each Division in their cluster is developed, integrated with their Divisional business plans, and implemented;
- Ensure performance of the Divisional Information Management plans are monitored and annually reported;
- Ensure information is shared and accessible to the greatest extent possible, while complying with legislative privacy requirements; and

### 5.3 City Clerk will:

- Lead the corporate development and implementation of strategies, policies, standards, procedures, best practices, programs, and systems as a framework to promote City transparency, accountability, and the management of City information;
- Exercise all the responsibilities and duties of the "Head" for the purposes of [MFIPPA](#), as delegated to the City Clerk in the [Toronto Municipal Code Chapter 169, Officials, City](#);
- Provide corporate services to provide advice and guidance to enhance the effective and efficient lifecycle management of records and information within Divisions to meet legislative requirements;
- Exercise the authority to establish or amend the [City's Records Retention Schedule](#) in accordance with the requirements of the [Toronto Municipal Code Chapter 217, Records, Corporate \(City\)](#);
- Preserve and provide access to the City's archival records;

- Lead corporate records and Information Management training and awareness;
- Provide records and Information Management oversight and guidance in business processes.

**5.4** Chief Information Officer will:

- Integrate information and records management requirements into technology architectures, policies, standards and implementation activities, in accordance with the requirements of Municipal Code Chapter 217, Corporate Records; and
- Implement and enable technology solutions that meet the requirements of the Ontario Information & Privacy Commissioner's [Privacy by Design](#) requirements, and [Access by Design](#) requirements in collaboration with the City Clerk.

**5.5** Medical Officer of Health will:

- Be accountable for the Information Management practices affecting personal health information in Toronto Public Health, as a Health Information Custodian identified in the [Personal Health Information Protection Act, 2004 \(PHIPA\)](#).

**5.6** Executive Director, Human Resources will:

- Collaborate with the City Clerk to develop a culture of collaboration and information sharing through the delivery of Information Management training and awareness programs; and
- Build Information Management awareness and training into all new employee orientation programs to facilitate a culture change.

**5.7** Division Heads will:

- Promote openness and transparency through collaboration and information-sharing across the Division;
- Develop, implement, and monitor an annual Divisional Information Management Plan;
- Annually report their Divisional Information Management Plan to their Deputy City Manager and to the City Clerk;
- Maintain updated Routine Disclosure Plans, communicate them to staff, and make them accessible to the public;
- Manage records and information in their Division in accordance with [MFIPPA](#), [PHIPA](#), the [Protection of Privacy Policy](#), and other relevant City policies and legislation;
- Make information available in response to Freedom of Information requests;
- Restrict access to personal information to those individuals who require access to personal information in order to perform their duties

and where access is necessary for the administration of their business;

- Manage records in compliance with the City's [Records Retention By-laws](#), and other relevant City policies and legislation;
- Communicate, implement, and support compliance with all records and Information Management policies and standards established by the City Clerk in their Divisions;
- Designate a management-level employee member to represent the Division as an Information Management Liaison;
- Identify and make available data sets that are not subject to valid privacy and confidentiality restrictions, in compliance with the City's [Open Data Policy](#);
- Document decisions and decision-making processes, regardless of the communication method used to communicate the decision or its process (e.g. meetings, instant messaging, email, voice messaging, etc.);
- Ensure staff are aware of their responsibilities to document decisions and apply proper record keeping rules;
- Ensure the communication methods used to conduct City business or deliver City programs and services, such as instant messaging, are in accordance with the [City of Toronto Act](#), City's [Acceptable Use Policy](#), [Protection of Privacy Policy](#), and other relevant legislation, policies, and standards;
- Manage information in the Division, while respecting user agreements and licensing conditions, in accordance with the City's [Acceptable Use Policy](#); and
- Maintain the authenticity, reliability, usability, and integrity of records and information in order to meet operational needs and accountabilities.

**5.8** All Employees will:

- Comply with records and Information Management and information security, confidentiality, and privacy protection policies, standards, and practices;
- Manage information in such a way that it provides concise, accurate, and complete evidence of their decisions, transactions, and activities, regardless of the communication methods (e.g. meetings, instant messaging, email, voice messaging, etc.);
- Manage personal information that is part of a business record in accordance with the City's [Protection of Privacy Policy](#);
- Collect, use, manage, disclose, and dispose of personal information in their Division in accordance with [MFIPPA](#), [PHIPA](#), the City's [Protection of Privacy Policy](#), and other relevant legislation and associated regulations, standards, and City policies;



- Foster a culture of openness and transparency through collaboration and information-sharing across Divisions;
- Be aware of and fulfill the requirements of good recordkeeping practices and the Duty to Document; and
- Continually inform themselves through records and Information Management education and awareness, training, and skills development courses.

## 6.0 Definitions

**Confidential Information** – Includes, but is not limited to, privileged information, draft by-laws or staff reports, third party information, personal information, technical, financial or scientific information and any other information collected, obtained or derived for or from City records that must or may be kept confidential under the [Municipal Freedom of Information and Protection of Privacy Act](#), the [Personal Health Information Protection Act](#), or the [City of Toronto Act](#).

**Information Management** – The means, by which the City of Toronto responsibly plans, creates, captures, organizes, protects, uses, controls, shares, disposes, and evaluates its information (including records and data), and through which it ensures that the value of that information is identified and used to the fullest extent.

**Information Management Liaison** – Management-level Divisional representatives between Divisions and Corporate Information Management Services (City Clerk's Office). Primary responsibility is to coordinate corporate Information Management activities and issues in their Divisions by liaising with Divisional subject matter experts.

**Information Management Plan** – A set of recommendations and an agreed action plan, which will serve the Division's current and future Information Management needs while taking into account resource and technical constraints.

**Open Government** – The promotion of transparency, accountability, and accessibility of good governance in order to develop a culture of collaboration and improved customer service to the public. [Open Government](#) is about improving the delivery of services, making government information more accessible and supporting initiatives that build trust and confidence in government. It is guided by a set of principles that set out to improve government transparency and accountability, public participation and information accessibility.

**Personal Information** – Recorded information about an identifiable individual. Refer to section 2 (1) of [MFIPPA](#) for additional information.

**Record** – Information, however recorded or stored, whether in printed form, on film, by electronic means or otherwise, and includes documents, financial statements, minutes,

accounts, correspondence, memoranda, plans, maps, drawings, photographs and films  
– [City of Toronto Act, 2006](#), s.3 (1).

**Routine Disclosure** – A process to enhance transparency by providing access to information without going through a formal Freedom of Information request.

## 7.0 Compliance

Failure to comply with this Policy may result in disciplinary action up to and including dismissal.

Individuals who wilfully disclose personal information or maintain a personal information bank in contravention of MFIPPA, or individuals who alter, conceal, or destroy a record, or cause any other person to do so, with the intention of denying a right under MFIPPA to access the record or information contained in the record, is guilty of an offence and liable to a fine not exceeding \$5,000.

## 8.0 References

- [Acceptable Use Policy](#)
- [City of Toronto Act](#)
- [Information Management Framework](#)
- [Information Management Liaison Terms of Reference](#)
- [Open Data Policy](#)
- [Protection of Privacy Policy](#)
- [Records Metadata Standard](#)
- [Toronto Municipal Code, Chapter 169, Officials, City](#)
- [Toronto Municipal Code, Chapter 217, Records, Corporate \(City\)](#)

## 9.0 Policy Approval

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Ulli Watkiss  
City Clerk  
June 5, 2018

## 10.0 Policy Review

The City Clerk's Office will review this Policy and its effectiveness at the three-year mark from the effective date of this Policy, or earlier if warranted.

## 11.0 Authority

1. City of Toronto Act, 2006;
2. Municipal Code, Chapter 217, Records, Corporate (City);
3. Municipal Code, Chapter 169, Officials, City;
4. Municipal Freedom of Information and Protection of Privacy Act, 1990; and
5. Personal Health Information Protection Act, 2004.