Records Management

Bylaw No: 2024-14

(Amended and Restated as at April 1, 2024)

A Bylaw to govern the retention and destruction of Northumberland OPP Detachment Board records

A. Preamble

WHEREAS prior to April 1, 2024, the Board was a "local board" under Section 1(1) of the *Municipal Act, 2001,* S.O. 2001, c.25 (the "Act");

AND WHEREAS Section 254(2) of the Act requires "llocal boards" to retain and preserve their records in a secure and accessible manner;

AND WHEREAS Section 255(6) of the Act exempts law enforcement records from the jurisdiction of the municipality and thus requires that local policing boards establish retention periods for their law enforcement records;

AND WHEREAS effective April 1, 2024 under the *Community Safety and Policing Act, 2019* (CSPA) the Board is not a "police service board" and therefore ceased to be a "local board" under the Act;

AND WHEREAS having regard to the above, it continues to be the policy of the Board to provide for the retention, preservation and destruction of its records based on the requirements of the Act and to provide public access to such records in accordance with the Municipal Freedom of Information and Protection of Privacy Act, 1989 (the "MFIPPA") through:

1. Board Policy 002-2024 with respect to the retention, preservation and destruction of Board records;
    a. its powers and duties under MFIPPA with respect to Board records;

2. Board Policy on - Freedom of Information and Protection of Privacy (the "Policy");

AND WHEREAS effective April 1, 2024 the Board became an "OPP detachment board" under Part V of the CSPA;

AND WHEREAS the Board now wishes to confirm its records retention and destruction of records Policy which applies to records as defined herein (other than records in the possession of the OPP) to:

1) Set standard record retention periods;

2) This Policy does not pertain to records stored on the Ontario Police Technology Information Co-Operative (OPTIC);

3) Achieve efficiency and economy in controlling the space and equipment neededto store

and secure these records through orderly destruction of records no longer of value and the systematic transfer of records to dormant storage;

4) Ensure the preservation of records of historical or noteworthy value;

5) Establish an authority for the destruction of records;

6) Promote efficient storage of records to allow for retrieval of personal informationwithin a reasonable period of time (30 days); and

7) Ensure that reasonable steps are taken in protecting the confidentiality of records containing personal information during their storage, transportation, handling and destruction.

NOW THEREFORE the Board hereby enacts as follows:

B. Definitions

1) For the purposes of this Policy, the following definitions will apply:

a) **"current"** means in general circulation or use;
b) **"current year"** means the calendar year in which the record was created;
c) **"dormant records"** means records that are no longer active yet havenot reached their destruction date. These records may be stored in a more remote storage area and thus, not readily accessible;
d) **"historical records"** means records of historical or noteworthy value after their administrative value expires. A record is of historical value if it concerns:
   - the policies of the Board and the various reasons for their adoption;
   - the organization and administrative history of the Board or Northumberland OPP Detachment Board Police Service;
   - a specific individual transaction which established a legal status of any kind;
   - documents relating to the Northumberland OPP Detachment Board that may be presumed to have a general or continuing interest;
e) **"permanent"** means the record will be kept as long as possible in the format used;
f) **"record"** means any record of information however recorded, whether in printed form, on film, by electronic means or otherwise, other than a record in the possession of the OPP, and includes:
   - correspondence, meeting minutes, policies, Policys, memorandum/document, book, plan, map, drawing, diagram, pictorial or graphic work, photograph, film, microfilm, sound recording, videotape, machine readable record, any other documentary material, regardless of physical form or characteristics and any copy thereof; and
   - subject to any regulations made under the MFIPPA, any record that is capable of being produced from a machine readable record under the

control of the Board by means of computer hardware and software, or any other information storage equipment and technical expertise normally used by the Board;

g) **"records retention schedule"** means Schedule A attached hereto and shall form part of this Policy and be the authority for the Board to regulate the retention and destruction of records;

h) **"records grouping"** means that when one record is attached to anotheror grouped together to form an information bank, file or dossier, the retention period for the group is ascertained by the longest periodscheduled with respect to a record in such a grouping;

i) **"retention period"** means the period, expressed in calendar years, during which a record shall be retained. Records may be retained for a longer period than shown in the schedules but only where a clear requirement for such action can be justified; and

l) **"working papers"** means rough notes and preliminary drafts, calculations, etc. used in the preparation of other records. These become of little value once the finished product/record has been produced and shall be destroyed as soon as practicable.

C. Responsibility for Compliance

It is the responsibility of anyone assigned custody of a recordor series of records to keep such records confidential to the extent they relate to in-camera or other confidential matters, other than as required by law, and to apply the retention schedule in accordance with the provisions of this Policy.

D. Control Log

Every person responsible for the custody of records will maintain a "control log" of records or boxes transferred to the records storage area and a written notice of records transferred will be forwarded to the person in charge of the records storage area
along with the records. All boxes must be properly labeled, showing contents, year and retention period prior to transferring to inactive storage. See the Town's Ontario Police Services Board Records Retrieval Procedure and Record Request Form attached as Schedules B and C respectively.

E. Disposal of Records

Disposal of records after the retention period expires is the responsibility of the Executive Assistant, or designate, in consultation with the Board and the Town under the Agreement. The Executive Assistant, or designate, shall maintain a "disposal authorization record" in the form of Schedule D which will detail what records have been destroyed, when, by whom and the manner in which the records were destroyed. Disposal authorization records shall be permanent.

F. Security

1) Records containing personal information and waiting for transfer to inactive storage and/or destruction shall not be left unattended in hallways or unprotectedareas;

2) Rooms used for storage of manual and electronic records should where practicalbe secure; and

3) Access to storage rooms should be monitored, and retrieval of records documented.

G. Personal/Private Information

It is important that proper steps be taken to ensure that personal/private information located within records cannot later be retrieved or reconstructed. Personal/private information shall be destroyed pursuant to the MFIPPA and the regulations thereunder and directions and guidelines made therefrom.

H. Outside Services

Outside suppliers of disposal services should, where possible, be bonded, and security provisions included in their service contract.

I. Enactment

1) Policys, sections of Policys and procedural policies of the Board inconsistent with this Policy 002-2024 are hereby revised to remove any such inconsistency; and

2) This Policy 002-2024 shall come into force on the date of its enactment.

ENACTED AND RATIFIED effective the 1st day of April, 2024.

John Davison
_____
Chairperson

Lou Rinaldi
_____
Vice Chairperson

Schedule A

Northumberland OPP Detachment Board Police Services
Board Records

Subject	Description	Retention
Acts and Regulations	Community Safety and Policing Act, 2019 S.O. 2019 c.1, and Regulations thereunder, etc.	While in effect
Agreements	Contracts, protocols, Memorandums of Understanding	Permanent
Policys	**Board Policys** (current and past)	Permanent
Budgets	Operating and capital budgets as approved by the Board with supporting records	7 years
Collective Bargaining	Collective agreements	Permanent
	Grievances	Current plus 5 years
	Correspondence	Permanent
Correspondence	General correspondence	Permanent
Employment Contracts and Personnel Files	All related documents	Current plus 1 year
Finance	Originals and/or copies	5 years
Minutes of Board and Committee Meetings	Originals	Permanent
Oaths	Oaths of Office of Board Members	Duration of appointment
Policies	Board policies (current and past)	Permanent
Tenders	All related documentation	Current plus 5 years
Disposal Authorization Records	Schedule D	Permanent

Schedule B

Corporate Procedure

OPP Detachment Board ("Board") Records Retrieval

Subject: **Procedure for requesting Board records from Town Hall**

Division: **Executive Assistant**

Service Area: **Records Management, OPP, OPP Detachment Board**

Date: **April 1, 2024**

Purpose

The purpose of this procedure is to outline the process for requesting, retrieving, and returning Board records located at Northumberland County Hall.

Scope

This procedure applies to OPP, Board, and other Law Enforcement Agencies.

Procedure

A. This procedure is informed by the Archival Services Agreement. The agreement has been referenced where applicable.

B. Requesting Records:

All requests for records will be sent to records@Northumberland OPP Detachment Board .ca

The received data will be entered into the Records Retrieval and Return form, which includes an itemized list of requested records.

Please provide the following:

Board

1. A certified copy of the approved Board resolution (*Section 3*). Please include which records you are looking for in this resolution.

2. Requesters name and full contact information, including:
   - Email
   - Phone number and extension
   - Job Title

3. A detailed description of the requested records, including:
   - Date(s) and Year(s)
   - Surname(s)
   - Box information (number, subject)
   - Any identifying alpha-numerical information.

4. Records Staff will contact the requester to schedule an appointment to retrieve the requested records.

OPP / Other Law Enforcement Agencies

1. Requesters name and full contact information (must be high ranking law enforcement officer authorized to access the requested records). Please include:
   - Email
   - Phone Number and extension
   - Job Title

2. A detailed description of the requested records. Please include:
   - Date(s) and Year(s)
   - Surname(s) and First Name(s)
   - Box information (number, subject)
   - Any identifying alpha-numerical information.

3. If requesting employee/personnel records, must include copy of the consent approval form from the affected employee.

4. **Note:** If required, the Clerk or Deputy Clerk will decide if the consent of the Board is required for any requested records.

5. Records Staff will contact the requester to schedule an appointment to retrieve the requested records.

C. Retrieving Records:

Records can be retrieved at Town Hall between the hours of 8:30 am to 4:30 pm, Monday-Friday. Exact pick-up location will be confirmed prior to retrieval.

For tracking and verification purposes, a signature will be required from the requester to retrieve the records (*Section 1 [c] and 2*).

A reasonable timeframe for retrieval will be followed; however, the volume of the request may have some bearing on the speed of service.

Records may be signed out for 30 days at a time. A courtesy email reminder will be sent out intermittently. If you require more time, please notify us by email at records@Northumberland OPP Detachment Board .ca

D. Returning Records:

Records can be returned to the Executive Assistant at the Northumberland OPP Detachment Board Office located at the Northumberland County Office located at 555 Courthouse Road Cobourg Ontario.

For tracking purposes and to verify all items are returned, a signature will be required to return the records (*Section 1 [c] and Section 2*).

Schedule C

OPP Detachment Board ("Board") Records Retrieval Request Form

Subject: **Form for Requesting Board Records from Town Hall**

Division: **Executive Assistant**

Service Area: **Records Management, OPP Detachment Board**

Revision Date: **April 1, 2024**

OPP / Other Law Enforcement Agencies

1. Requesters name and full contact information (must be high ranking law enforcement officer). Please include:

Full Name:	
Email:	
Phone Number and extension:	
Job Title:	

2. A detailed description of the requested records. Please include:

Date(s) and Year(s):	
Surname(s) and First Name(s):	
Box information (number, subject):	
Any identifying alpha-numerical information:	
Would you like the originals or a scan of the document(s)?	

3. If requesting employee/personnel records, must include copy of the consent approval form from the affected employee.

4. If necessary, the Board may need to provide consent prior to the release of requested records.

5. Records Staff will contact the requester to schedule an appointment to retrieve the requested records. If the requester has chosen that scans are suitable, they will receive these to the email specified on the form.

Schedule D

Records Destruction Authorization

Submitted by:

The records listed below are now eligible for destruction according to the approved records retentionschedule. Please indicate your approval for the destruction unless reasons to delay exist. If the destruction is to be delayed, please give the reason in the space indicated and provide a revised destruction date.

Record or Incident #	Description of Record	Date of Destruction	Method of Destruction

Reason for Destruction or Continued Retention:

Chair/Executive Assistant/Designate -_____ Date: _____

Certificate of Destruction

This completed and signed form certifies that the records listed above have been destroyed on thedates shown above.

Destroyed by Signature:	Date: