



CITY OF VANCOUVER

POLICY REPORT INFORMATION

Report Date: June 24, 2005
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RTS No.: 5355
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Meeting Date: July 12, 2005

TO: Vancouver City Council
FROM: City Clerk
SUBJECT: Records Management By-law and Policy

RECOMMENDATION

- A. THAT the Records Retention and Destruction By-law No. 5201 be repealed and replaced by a new Records Management By-law, as discussed in this report.
- B. THAT the Director of Legal Services be requested to bring forward the new by-law for enactment, generally as shown in Appendix A.
- C. THAT a new Records Management policy be approved, as shown in Appendix B.

CITY MANAGER'S COMMENTS

The City Manager recommends APPROVAL of the foregoing.

COUNCIL POLICY

The Records Retention and Destruction By-law No. 5201 was enacted in 1978. There is currently no other Council policy related to records management.

SUMMARY

On November 18, 2003, Council resolved to approve a project (RTS 3685) to inventory and classify all corporate records holdings. According to the report entitled "Corporate Records Inventory and Classification Project" dated October 10, 2003, this project included

“development of an updated Records Management By-law and Records and Information Management Policy” .

The current report recommends a new By-law to provide for records management and an associated policy.

BACKGROUND

The Corporate Records Inventory and Classification Project was renamed the Corporate Records Standards Project to highlight the project’s standards-based approach. The project will be completed on December 31, 2005. Two of the deliverables are an updated Records Management By-law and the City of Vancouver’s first-ever records and information management policy.

The proposed By-law and policy follow the approach set out in the October 10, 2003 Council Report. They clarify roles and responsibilities of the City Clerk’s Department, the Records Committee, and departments and other civic bodies. The applicability to civic bodies is defined and the scope of the records and information management programme is broadened.

The 2003 Council Report also called for a standardized, corporate classification scheme. The new policy provides a records classification and scheduling standard, VanRIMS (Vancouver Records and Information Management Standard).

DISCUSSION

New By-Law

The proposed Records Management By-law repeals the Records Retention and Destruction By-law No. 5201 (enacted in 1978) and replaces it with one that is clearer and more comprehensive.

The new By-law clarifies its scope of application by defining “body” so that it covers not only departments, but task forces, commissions, and other types of bodies under the purview of Council. It also clarifies the relationship of the Park Board, the Vancouver Library Board, and the Vancouver Police Board by recognizing the power of those Boards to approve record schedules, while offering them the option to participate in the Corporate programme.

The new By-law provides a general and comprehensive definition of “record” in keeping with the *Freedom of Information and Protection of Privacy Act* and the *Interpretation Act*, while avoiding wordy and confusing lists of examples. The details of the definition are included at the policy level. The By-law defines “Record Schedule” so that it deals with more than just destruction, and now covers the full life-cycle of records and specifies conditions and actions required to maintain and protect the records.

The new By-law makes the City Clerk responsible for the overall management of City records and for establishment of policies, standards, and other requirements. It constitutes a Records Committee to review and approve of record schedules so that necessary legal and fiscal requirements are identified and met. The new By-law also requires departments and other bodies to prepare record schedules for all records in their custody or control, submit them to

the Records Committee, and manage their records in accordance with approved record schedules.

New Policy

The new policy is directly based on the proposed Records Management By-law and specifies the roles and responsibilities of the City Clerk, civic departments and bodies, and the Records Committee. Working together with departments, the City Clerk develops and administers the records scheduling process and the Corporate Records and Information Management Programme.

The scope of the programme is defined as the management and control of the creation, receipt, classification, use, access, storage and maintenance, retention, disposition and preservation of City records. The old narrow focus on retention and destruction is expanded to cover all aspects of a record's life cycle including creation, active records use, and transfer to the Corporate Records Centre or the City Archives and, if appropriate, destruction.

The Corporate Records and Information Management Programme develops and implements standards and guidelines, but it is also a corporate-wide service that provides the following services to departments and other bodies covered by the By-law:

- Consultation and advisory services;
- Assistance with implementation and maintenance of VanRIMS, record schedules, and filing systems;
- Advice on electronic records and document management applications;
- Records management training;
- Storage and retrieval services of the Corporate Records Centre; and
- Archival services of the City of Vancouver Archives.

The new policy also sets out the accountabilities of departments and other bodies for records in their control and custody. These include:

- Designation of an exempt Records Officer to liaise with the Corporate programme;
- Preparation of record schedules for all records acquired, created, or held;
- Management of records, including digital records, in accordance with approved record schedules and VanRIMS;
- Designation of an Office of Primary Responsibility for every record which the body retains as the authentic, master record;
- Implementation and maintenance of other procedures and standards established under the policy;
- Establishment and maintenance of a departmental network of records coordinators, custodians, and other stakeholders; and
- Training of departmental staff in the City's records management systems and in best records-keeping practices.

In 2003, Council requested that a mandatory records classification and retention standard be developed. The new policy delivers this standard, known as VanRIMS - the Vancouver Records and Information Management Standard. VanRIMS is the chief deliverable of the Corporate

Records Standards Project and establishes the basis for effective implementation of electronic document and records management.

FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSION

The goal of the Corporate Records Standards Project, approved by Council in 2003, is to inventory and classify all corporate records holdings. In order to meet this goal, it is necessary to enact a new Records Management By-law and a Records and Information Management Policy, as set out in this report.

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BY-LAW NO. _____

A By-law to provide for records management

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

Name of By-law

1. The name of this By-law, for citation, is the "Records Management By-law".

Definitions

2. In this By-law:

"body" includes every department, service group, division, section, board, commission, task force, and advisory body established by or under the authority of the Vancouver Charter whose records are subject to the control of Council but does not include Council or its committees;

"record" means information, regardless of physical form or characteristics, recorded or stored graphically, mechanically, electronically, digitally, or otherwise; and

"record schedule" means a description of a record including its title and classification, its life span from the date of its creation or acquisition to the date of its disposition or destruction, its active and dormant stages, the prescribed dates for its transfer from the body who has custody of it to off-site storage or to the Archives, and the time and method of its disposition or destruction.

Functions of bodies

3. Despite any other by-law, the person in charge of each body must:
 - (a) prepare a record schedule for each record the body holds on the date of enactment of this By-law, or creates, acquires, or holds after the date of enactment of this by-law;
 - (b) submit each record schedule to the records committee, established under section 4, for approval;
 - (c) manage each record in accordance with the record schedule approved by the records committee; and
 - (d) comply with the requirements of the City Clerk under section 7.

Records committee

4. Council establishes the records committee, and appoints to it the City Clerk, Director of Finance, Director of Legal Services, and City Archivist.

Chair

5. The City Archivist is the chair of the records committee.

Functions of records committee

6. The records committee:

- (a) must review each record schedule in consultation with the person in charge of the body to whom the record belongs;
- (b) must approve each record schedule if it is in form and substance acceptable to the records committee;
- (c) if requested to do so by the Park Board, Vancouver Library Board, or Vancouver Police Board, may review and approve any record schedule prepared by any such Board; and
- (d) if requested to do so by the City Clerk, may review and advise the City Clerk about record schedules regarding resolutions, transactions, and other business and proceedings of Council and its committees, except that such record schedules must not allow the destruction of any record.

Functions of City Clerk

7. The City Clerk must:

- (a) oversee the management of records, and establish requirements regarding such management; and
- (b) administer the process by which the records committee reviews and approves record schedules.

Severability

8. A decision by a court that any part of this By-law is illegal, void, or unenforceable is not to affect the balance of this By-law.

Repeal

9. Council repeals By-law No. 5201.

EXPLANATION

A By-law to provide for records management

On July 12, 2005, Council resolved to enact a new Records Management By-law

Director of Legal Services
July 12, 2005

City of Vancouver

Corporate Records and Information Management Policy

Purpose

This policy establishes the authority and responsibilities necessary for the management and control of the records of the City of Vancouver so that they are organized, secure, retrievable, and legible, maintained under appropriate conditions, retained according to statutory requirements, and managed throughout their life-cycle [life span].

Scope

This policy applies to “bodies” as defined in the Records Management By-law [5201A].

“Body” includes every department, service group, division, section, board, commission, task force, and advisory body established by or under the authority of the Vancouver Charter whose records are subject to the control of Council, but does not include Council or its committees.

The Park Board, Vancouver Library Board, the Vancouver Police Board may approve record schedules and, subject to the approval of the respective Board, may adopt this policy, implement VanRIMS (Vancouver Records and Information Management Standard), and participate in the Corporate Records and Information Management Programme.

This policy applies to all “records” as defined in the Records Management By-law [5201A].

“Record” means any information, regardless of form or characteristics, recorded physically, graphically, mechanically, electronically, digitally, or by any other means. [Bylaw 5201A]

This includes, but is not restricted to forms, documents, papers, correspondence, note books, reports, contracts, letters, memoranda, vouchers, accounts, receipts, investment securities, debentures, books, maps, plans, and photographs; analog and digital motion picture and audio recordings, paper tapes, punch cards, microfilm, microfiche or any other micrographic rendering; electronic mail, word processing documents, spreadsheets, and any other electronic documents; electronic data input to, output from, captured by, or used as source code or data content for any data processing devices, databases, or applications; and any other information acquired, created, or held by a body.

Other Definitions

Corporate Record means records that are acquired, created or held by a body subject to the Records Management By-law [5201A].

Corporate records and information management means the systematic management and control of Corporate Records throughout their life-cycle and covers acquisition, receipt, creation, active use, maintenance, off-site storage, inactive use and preservation, disposition, destruction, and transfer to the City of Vancouver Archives. See Section 6 of this policy.

Record Schedule means a description of a record including its title and classification, its life span from the date of its creation or acquisition to the date of its disposition or destruction, its active and dormant stages, the prescribed dates for its transfer from the body who has custody of it to off-site storage or to the Archives, and the time and method of its disposition or destruction. [Records Management By-law 5201A]

Record Schedules identify personal information banks and whether or not a records classification has personal information contained with its records. They may also include Retention and Disposition Plans that prescribe the physical conditions, technical requirements, or other factors necessary for the protection, legibility, accessibility, and preservation of the records during their life-cycle. The total retention period includes the time period required to meet legal, fiscal, archival, and administrative and/or operational needs.

VanRIMS (Vancouver Records and Information Management Standard) is the City standard for Record Schedules. See Section 7 of this policy.

POLICY STATEMENTS

1. Authority

In accordance with the Records Management By-law [5201A], records shall be managed according to the Record Schedules approved by the Corporate Records Committee.

2. Corporate Responsibility

The City Clerk oversees the management of records and is responsible for the management and administration of the Corporate Records and Information Management Policy.

The City Clerk may establish requirements, procedures, standards, and guidelines necessary to the application of this policy.

The City Clerk prescribes the form and organization of Record Schedules, subject to the approval of the Corporate Records Committee. The City Clerk administers the process for approval and review of Record Schedules.

The City Clerk will submit to Council a report every two years on the status of City Records and the application of the Corporate Records and Information Management Policy.

3. Corporate Records Committee

The Corporate Records Committee means “Records Committee” as provided for in the Records Management By-law [5201A].

The Corporate Records Committee, working in consultation with each body that holds records, is responsible for reviewing and approving Record Schedules to ensure conformity with legislative, legal, fiscal, archival, administrative and operational requirements.

The Corporate Records Committee consists of the City Clerk, the Director of Finance, the Director of Legal Services, the Corporate Records Administrator, and the City Archivist.

The City Archivist is the chair of the Corporate Records Committee and is responsible for approving all dispositions of Corporate Records and for preserving records that are of historical or long-term value to the City.

If requested to do so by the City Clerk, the Corporate Records Committee may review and advise the City Clerk about Record Schedules regarding records of resolutions, transactions, and other business and proceedings of Council and its committees, except that such Record Schedules must not allow the destruction of any record.

4. Responsibilities of Departments and Other Bodies

Persons in charge of departments or other bodies are responsible for ensuring that records of their respective departments and bodies are managed and controlled in accordance with the policies, procedures, standards, and guidelines established under the Corporate Records and Information Management Policy.

The person in charge of a department and other bodies shall designate an exempt Records Officer who is responsible for ensuring:

- 4.1 Preparation and submission of Record Schedules to the Corporate Records Committee for all records acquired, created, or held;
- 4.2 Management of records, including digital records, according to approved Record Schedules and this policy;
- 4.3 Implementation, use, and currency of VanRIMS as it applies to the records of their departments or bodies;
- 4.4 Designation of an Office of Primary Responsibility for every record which the body retains as the authentic, master record;
- 4.5 Implementation and maintenance of other procedures and standards established under this policy;

- 4.6 Establishment and maintenance of a departmental network of records coordinators, custodians, and other stakeholders;
- 4.7 Training of staff in the City's records management systems and in best records-keeping practices; and
- 4.8 Liaison and consultation with the Corporate Records and Information Management Program, City Clerk's Department.

Departments, bodies, and all City of Vancouver employees are responsible for managing records in their control and custody and ensuring these records are described according to the appropriate VanRIMS classification.

5. City of Vancouver Archives

The City of Vancouver Archives is the repository for Corporate Records with long-term or archival value. The mandate of the City of Vancouver Archives is to acquire, preserve, and make available these records, as well as private records of significant value to the documentary heritage of Vancouver.

While Corporate Records that are scheduled for archival retention are in the custody of a body or department, they shall be maintained in such a manner that ensures their preservation, legibility, and accessibility in accordance with retention standards that may be established under this policy or prescribed in a Record Schedule.

6. Scope of the Corporate Records and Information Management Programme

The Corporate Records and Information Management Programme is administered by the City Clerk. It applies to all Corporate Records and provides:

- 6.1 A framework for the management and control of the creation, use, receipt, access, storage and maintenance, retention, disposition and preservation of Corporate Records;
- 6.2 Standards, procedures, and guidelines for records and document management and other areas necessary to the application of this policy; and,
- 6.3 Services to departments that assist and support the implementation and maintenance of this policy, including:
 - consultation and advisory services;
 - assistance with implementation and maintenance of VanRIMS, Record Schedules, and filing systems;
 - advice on electronic records and document management applications;
 - records management training;
 - storage and retrieval services of the Corporate Records Centre; and,
 - archival services of the City of Vancouver Archives.

7. Vancouver Records and Information Management Standard – VanRIMS

VanRIMS is the records classification, document management, and Record Schedule standard for the City of Vancouver. It is for use by all civic departments and bodies to which the Records Management By-law [5201A] applies and covers records in all media, including hard-copy and digital records.

VanRIMS integrates three important records and information management tools into one comprehensive standard:

- 7.1 VanRIMS as a records classification system. VanRIMS organizes, describes, and provides intellectual and physical control over groups of Corporate Records. VanRIMS is organized according to business functions, processes, activities, and transactions. VanRIMS serves as a naming convention by specifying the classification titles for all types of Corporate Records.
- 7.2 VanRIMS as a filing standard. VanRIMS is the standard for file plans, filing schemes, network directory hierarchies, and document libraries and hierarchies in digital document management systems. It provides a common base for identification and management of all City Records and is the essential filing structure for Electronic Records and Document Management systems.
- 7.3 VanRIMS as a Record Schedule. VanRIMS prescribes a life-cycle plan for each type of Corporate Record. Life-cycle plans define the requirements for the maintenance and preservation of the records, sets out the periods of time the records are to be considered active and in the custody of a department, when records are semi-active and can be transferred to off-site storage or to the City of Vancouver Archives, and the time and method of records disposition or destruction.

8. Ownership of Records

Corporate Records are the property of the City of Vancouver, unless otherwise specified in a Record Schedule.