



Staff Report for Committee of the Whole Meeting

Date of Meeting: December 4, 2017

Report Number: SRCFS.17.052

Department: Corporate and Financial Services

Division: Office of the Clerk

Subject: SRCFS.17.052 - Information Governance Policy

Purpose:

To recommend the adoption of an Information Governance Policy to establish a framework for the Information Governance Program that will support administrative efficiency, enhance the Town's compliance with the Municipal Act, the Municipal Freedom of Information and Privacy Act and other relevant legislation, and mitigate regulatory, financial, and reputational risk.

Recommendation(s):

- a) That Staff Report SRCFS.17.052 be received.
- b) That the proposed Information Governance Policy, attached as Attachment A to staff report SRCFS.17.052, be approved.
- c) That the Town Clerk be authorized to make amendments to the Information Governance Policy for the purposes of aligning the policy with any amendments to the *Municipal Act, 2001* and the *Municipal Freedom of Information and Privacy Act*.
- d) That a By-law to repeal By-laws 424-89, 115-92, 343-92, 180-94, 170-95, 284-95, 177-98, and 188-02 be enacted upon implementation of a revised Records Classification and Retention Policy pursuant to the Information Governance Policy

Contact Person:

Ryan Ban, Manager, Records and Information Management, Extension 5547

Report Approval:

Submitted by: Mary-Anne Dempster, Commissioner of Corporate and Financial Services

Approved by: Neil Garbe, Chief Administrative Officer

Town of Richmond Hill – Committee of the Whole Meeting

Date of Meeting: December 4, 2017

Report Number: SRCFS.17.052

Page 2

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Background:

Records and information are essential components of the Town of Richmond Hill's corporate operations and business activities. The availability of high-quality and accurate records and information to decision-makers supports the delivery of programs and services, enabling departments to be more efficient, responsive and accountable. Organized, accessible and accurate information is also a key component of risk management, transparency, and collaboration; and ensures that the Town can prove its financial and legal responsibilities.

The Town is legislatively required to develop, document and implement a program to manage its' records and information. Section 254 of the *Municipal Act, 2001* ("Municipal Act") requires the Town to "retain and preserve the records of the municipality and its local boards in a secure and accessible manner". Section 4.1 of the *Municipal Freedom of Information and Protection of Privacy Act* ("MFIPPA") requires that the Town "ensure that reasonable measures respecting the records in the custody or under the control of the institution are developed, documented and put into place to preserve the records in accordance with any recordkeeping or records retention requirements, rules or policies, whether established under an Act or otherwise, that apply to the institution." To comply with the Municipal Act and MFIPPA, as well as other legislation such as the *Safe Drinking Water Act* and the *Planning Act*, Richmond Hill must have a documented and implemented program to manage paper and electronic records throughout their lifecycles, from creation, use and maintenance, to final disposition.

Richmond Hill's current program to manage records includes a records classification scheme adapted from a one size fits all solution for small Ontario municipalities. The scheme was implemented in 1989 with minor updates in 2002. The second component of Richmond Hill's program is software introduced in 1999 to manage the physical (paper) records inventory; the software's platform is now outdated and unsupported. Since these two components were implemented, Richmond Hill has evolved tremendously in the size and scope of its operations, alongside significant changes in technology and ever-increasing volumes of records being created, received and maintained. The program components in place do not adequately address the Town's legislated obligations or truly account for risk management, and they do not support the way we do business today and into the future.

In 2016, Council approved a Capital Project to modernize the Records and Information Program. Historically, records and information management programs have been focused on paper recordkeeping. However like all organizations today, municipalities are faced with ubiquitous technology and volumes of both electronic and paper information. A novel approach, Information Governance (IG), addresses these new conditions; it encompasses the systems, activities, policies and procedures that recognize and maximize the value of records and information held in Richmond Hill's custody or control in order to meet immediate and future regulatory, legal, risk, environmental and operational requirements. IG builds on the activities and outcomes of traditional Records and Information Management and provides a framework for

managing information now and into the future, as the nature of work evolves with technology and a changing society.

A new IG program with an organization-wide mandate and scope is necessary to ensure that recordkeeping and records retention requirements are met, that access is guaranteed while also ensuring security of Town records, and that the value of the records and information is recognized by all parties involved. The proposed Information Governance Policy (Attachment A) establishes a framework for the creation and ongoing implementation of an IG program to meet Richmond Hill's obligations under applicable legislation and other instruments of accountability. The Policy defines the principles to which the Program must adhere, determines the roles and responsibilities of staff and lays the foundation for a Program that will advise and support staff in managing information assets.

Policy Purpose and Principles

This Policy describes the Information Governance standard of practice to ensure good governance, accountability and transparency, and is the foundation of the IG Program. The purpose of the proposed policy is to ensure that:

- Records are recognized as valuable corporate assets that are to be retained and preserved in a secure and accessible manner;
- Richmond Hill complies with any and all legislation that requires it to develop, maintain, implement and/or document a recordkeeping program;
- Reasonable measures are developed, documented and put into place to preserve records in accordance with any recordkeeping or records retention requirements, rules or policies, whether established under an Act or otherwise;
- Accurate and reliable records are maintained to support business decision-making, meet constituent and stakeholder expectations, mitigate risks, comply with legislative and regulatory requirements, and support Richmond Hill's legal positions; and
- All stakeholders understand their roles and responsibilities in retaining and managing all Records to support efficient, effective, and accountable operations across the organization.

The principles defined in the IG Policy will guide the development, implementation, and operations of the new IG Program.

Policy Highlights

The proposed Policy outlines the IG Program's mandate, defines roles and responsibilities, determines foundational activities to manage records and addresses risk management, accessibility, privacy and compliance. To achieve this, the proposed policy modernizes the Town's IG Program by:

- Formally recognizing the distinction between the Town's records and Members of Council constituency records, subject to any requirement of MFIPPA;

- Providing a framework to maintain official records regardless of format or medium (e.g. paper or electronic), throughout their lifecycle and in compliance with all legislation;
- Clarifying the definition and proper management of transitory and archival records;
- Incorporating good IG practices as a core responsibility for all staff; and
- Defining ownership of records.

The proposed Policy recognizes that the legislative, regulatory and operational context within which the Town operates is subject to change. To ensure continued compliance with all applicable statutes and regulations, as well as flexibility to adapt the IG program as the operations of the Town evolve, the Policy proposes to allow the Town Clerk to create, approve and amend subsidiary policies and procedures necessary to operationalize the IG program.

An example of a specific subsidiary policy that provides flexibility to address changing business and regulatory circumstances relates to the Town's Records Classification and Retention Schedule (RCRS). Historically, the Municipal Act required that a RCRS be implemented by by-laws that were approved by municipal auditors to ensure compliance with federal tax rules; the Municipal Act was recently amended to remove this requirement. To provide flexibility and align the program with recent amendments to the Municipal Act, the policy proposes that the RCRS be implemented as a subsidiary policy and that the current records classification by-laws be repealed.

Financial/Staffing/Other Implications:

There are no financial or staffing impacts from the implementation of the proposed Information Governance Policy. The Records and Information Management Project, responsible for the development of this Policy and the IG Program, was approved in 2016 as a Capital Project. There are no additional funding needs outside of the already approved amounts.

Relationship to the Strategic Plan:

The implementation of this policy addresses Goal Four: Wise Management of Resources. By establishing a strong information governance framework and practices, the Town will maximize the value of its information assets, mitigate risk and ensure that its rights, responsibilities and obligations are protected. This Policy and the IG Program will provide staff with the ability to efficiently and effectively search and retrieve information ensuring that time is not wasted on searching for records; rather the time is used to do value-added activities.

Conclusion:

The Municipal Act and MFIPPA require the Town to document and implement a program to manage paper and electronic records throughout their respective lifecycles. The proposed Information Governance Policy is the first step in the revamping of the existing Records and Information Management program to meet these requirements.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Attachment A – Information Governance Policy

Report Approval Details

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| Document Title: | SRCFS.17.052 - Information Governance Policy.docx |
| Attachments: | - IG Policy FINAL.docx |
| Final Approval Date: | Nov 15, 2017 |

This report and all of its attachments were approved and signed as outlined below:

Stephen Huycke - Nov 15, 2017 - 11:58 AM

No Signature - Task assigned to Mary-Anne Dempster was completed by delegate David Dexter

Mary-Anne Dempster - Nov 15, 2017 - 2:27 PM

Neil Garbe - Nov 15, 2017 - 4:21 PM