
Title: **RECORDS MANAGEMENT AND RETENTION**

Adopted: January 2018

Revised:

Reviewed:

Authorization: Education Act of Ontario
Canada Evidence Act
Municipal Freedom of Information and Protection of Privacy Act
Personal Health Information Protection Act
Income Tax Act
Employment Insurance Act
Canada Pension Plan
Employment Standards Act
Pension Benefits Act
Workplace Safety and Insurance Act
Occupational Health and Safety Act
Ministry of Education OSR Guideline 2000
Ministry of Education Policy and Program Memoranda

POLICY

It is the policy of the Bloorview School Authority that a standardized Records and Information Management procedure be maintained in order to safeguard the assets of the Board and ensure efficiency in the creation, maintenance, retrieval, storage and disposition of all records and information.

It is the policy of the Board that the personal information under its control be protected and that the management of records and information within its care and custody be supported in a disciplined, coordinated and strategic manner.

BACKGROUND

1. Recorded information for the purpose of this procedure includes, but is not limited to, the information contained in any record such as:
 - *Legal* - Board minutes, correspondence, memoranda, reports, student records, drawings, microform records (microfilm, microfiche), electronic and all other machine-readable records, any record produced by means of computer hardware and software.
 - *Historical* - books, journals or published reports which are, or will, form part of catalogued library of holdings, publications/brochures, forms, plans/maps, photographs/films, sound recordings/videotapes, pictorial/graphic works.
 - *Administrative* - duplicate records preserved within the same medium of storage and retained solely for convenience, reference or future dissemination.
2. "Record" means any information in printed form, on film, by electronic means or otherwise, and includes:
 - a. correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial, or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine-readable record, any other documentary material, regardless of physical form or characteristics, and any copy thereof, and
 - b. any record that is capable of being produced from a machine-readable record under the control of an institution by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the institution.
3. Transitory records are records that hold no further value to the school board beyond an immediate or minor transaction, or records that may be required only for a very short time, perhaps until they are made obsolete by an updated version of the record, or by a subsequent transaction or decision. Examples of transitory records include notices of meetings, routine notices or memos regarding holidays or special events circulated to all staff or posted in public folders; insignificant or inconsequential information items concerning routine administrative or operational matters, daily student work/assignments, and personal messages and information.

GUIDING PRINCIPLES

4. The Bloorview School Authority is committed to maintaining an authentic and reliable record of Board actions, transactions and decisions through a coordinated and integrated approach to records and information management. These assets are valuable as evidence of Board functions and activities.
5. The Board is committed to the appropriate collection, use, retention and disclosure of personal information in compliance with all applicable provisions in the *Education Act*, the *Municipal Freedom of Information and Protection of Privacy Act*, the *Personal Health Information Protection Act*, the *Personal Information and Protection of Electronic Documents Act* and other relevant statutes and regulations of the Province of Ontario and the Government of Canada. (See Appendix A).

6. All records and information received, created, and maintained within administrative departments and schools support the Board's day-to-day operations. As such, they are the property of the Board and subject to this policy.
7. Confidential records and those containing personal information must be treated as such when storing, maintaining, transferring or destroying them. They are to be destroyed in such a manner that they cannot be read, interpreted or reconstructed in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*.
8. This policy applies to:
 - all records within the custody or under the control of the Board and addresses all aspects of Board operations and all records made or received in the day-to-day business operations of the school or Board regardless of the medium in which those records are stored and maintained. It ensures that records are available as evidence of Board functions and activities and supports operating requirements.
 - all business applications and information technology systems used to create, store, and manage records and information including email, database applications, and websites.
 - all Board staff and to third party contractors or agents who collect or receive records and information on behalf of the Board. All staff shall be responsible and accountable for creating, maintaining accurate business records within their control.
9. Recorded information is a vital public resource to be managed effectively to ensure its continued availability, integrity, preservation and security from its initial creation or acquisition to its final disposition, following appropriately defined cycles of retention and disposal.
10. Personal information collected and student records must be retained for the minimum periods required by law.
11. Although these procedures have been designed to specifically address the establishment of a records management system, special consideration is also given to those records identified in the Board's Retention schedule as having archival value.

These records, although no longer required for daily administrative purposes, contain information which is of value for both long-term use and for historical reference. The archival program will effectively store records which are to be kept permanently once the original operational need for the record has ceased to ensure that valuable documents are not destroyed.

The following list provides general information on the types of records which should be maintained as archival for historical reference:

 - Minutes of Official Meetings of the Board of Trustees;
 - Board Reports;
 - Yearbooks;
 - Architectural Plans/Engineering Drawings;
 - In-House Publications
 - Legal Documents
12. Timely disposal must be ensured for recorded information that has been identified as not having archival value.

13. The willful destruction, alteration, deletion, removal from the custody or control of the Board, concealment or private use of Board records and information is prohibited by this policy unless done so in accordance with the Board's approved records and information management retention schedule.
14. Where practical and possible, information technology shall support the procedures of records and information management.
15. The Board shall specify the purposes for which personal information is collected, used, retained and disclosed, and for notifying individuals at or before the time the information is collected.
16. The collection of personal information must be fair, lawful and limited to that which is necessary to the specified purpose. Personal information shall be collected only when it is necessary for providing for the education of students, the employment of staff, or as required and authorized by law.
17. An individual has the right to access his/her personal information and will be given access to that information, subject to any restrictions. An individual has the right to challenge the accuracy and completeness of the information and request that it be amended as appropriate, or to have a letter/statement of disagreement retained on file. Any individual to whom the disclosure has been granted in the year preceding a correction has the right to be notified of the correction/statement. An individual is to be advised of any third-party service provider requests for his/her personal information in accordance with privacy legislation.
18. A records management program facilitates:
 - Timely, relevant, and accurate management of information to support the provision of programs and services that best meet students' needs;
 - Informed decision-making and policy development, and effective, efficient, and trustworthy program and service delivery;
 - Transparency and accountability;
 - Access to and privacy of information in accordance with legislation and policies;
 - Recording and management of business decisions and transactions that preserve corporate memory; and
 - Access to information for legal purposes

PROCEDURES

19. Electronic files cover a broad range of data and include any named grouping of data such as word processing files, email, directories, spread sheets, databases or any official electronic board documents. An example of these may include, but is not limited to: Board minutes, correspondence, memoranda, reports, student records, journals or published reports which are, or will, form part of a catalogued library of holdings, publications/brochures, forms, plans/maps, photographs/films, sound recordings/videotapes, pictorial/graphic works, and newsletters. The same issues apply for storage and retention of machine-readable records as when dealing with paper documents. They are governed by the statutes that apply to the access, retention, and destruction of all public records and personal information held by public institutions.
20. A Vital Records Plan will be developed to identify and protect those records that are vital to getting the system up and running immediately after a disaster, e.g., water damage, fire. It will include a pre-arranged set of scenarios for dealing with system records and back-up copies of vital records. Once identified and duplicated, the record copies are to be kept in a separate and safe location as determined by the Supervisory Officer. The location of all back-up material will be reported to and maintained by the HR Liaison.
21. For access and privacy purposes, there should be only one complete official retention copy of each record. Back-up copies should be prepared only when there is sufficient need for authenticity of the original record, when they are considered vital records and to provide ease of access.
22. All records which are currently inactive must be retained for longer periods of time, as defined by the Records Retention Schedule.
23. Records (including electronic and other viable media records) should be reviewed regularly for disposal and in accordance with the Board's Retention Schedule. This includes all relative back-up tapes and hard drives.
24. Duplicate records and temporary working papers such as rough notes or informal drafts are to be destroyed at the time the official records are destroyed as they should not outlive the documents that resulted from them.
25. Records which include confidential/personal information or are of a sensitive nature are to be destroyed by shredding or by a means to render the information illegible.
26. Most electronic/voice mail and telephone transitory messages are considered short term records and should be disposed of as soon as their purpose has been served. However, if the content of the message or any attachments are considered business records, they fall under the Retention Schedule.
27. The need to maintain electronic records should also be taken into consideration when upgrading software or hardware throughout the system. Electronic files, particularly those designated as permanent records, must be migrated onto the new technology and stored in a stable environment.
28. The Records Retention Schedule (Appendix B) outlines retention of the Board's records according to their administrative, fiscal, legal, and research/archival value. It includes records that must be retained according to legislation and/or Board procedures and a notation of the archival/historic importance of each record series where appropriate.

29. The following is the process for destroying Board/school records:
 - i. Staff refer to the approved retention schedule for time lines
 - ii. The principal shall review the list of documents recommended for disposal
 - iii. The Supervisory Officer shall approve documents for disposal or require documents to be maintained as appropriate.
 - iv. Once approval has been granted, the record can be destroyed;
 - v. The Retention Schedule must be amended and approved to dispose of a record which is not listed.
30. If there is a potential lawsuit, investigation or pending audit, related documents will become permanent records.
31. Records should be reviewed yearly for disposal including electronic and other viable media records, and in accordance with the Board's Retention Schedule. This includes all relevant back-up tapes and hard drives.
32. Transitory records may be destroyed after their use has been served, e.g., in the case of student work, once a mark or indication of mastery has been made.

RECORDS RETENTION SCHEDULE

33. The Records Retention Schedule (Appendix B) outlines retention of the Board's records according to their administrative, fiscal, legal, and research/archival value. It includes records that must be retained according to legislation and/or Board procedures and a notation of the archival/historic importance or vital status of each record series, where appropriate.
34. All recorded information must be identified in a retention schedule and must not be destroyed or removed from the control or custody of the Board except as authorized in the schedule.
35. The HR LIAISON shall:
 - generate and maintain documentation to support records and information management including, but not limited to, classification schema, records inventories, schedules of retention periods and disposition schedules;
 - oversee the management of inactive records storage;
 - oversee the management of expired records destruction;
 - oversee the application of legal holds to records and information, as required; oversee the management of records storage, ensure that records are properly stored.
36. Staff members shall maintain all records and information in a secure, reliable and trustworthy manner for current and future access.