

## Category: Administration Standard

<b>Title:</b>	<b>Records Retention and Disposition</b>
<b>Approved by:</b>	<b>Deputy City Clerk – Information &amp; Privacy Services</b>
<b>Effective Date:</b>	<b>April 5, 2024</b>
<b>Last Updated:</b>	<b>April 5, 2024</b>
<b>Responsible Service:</b>	<b>Records Management, Access &amp; Privacy</b>

### 1. **ASSOCIATED GOVERNANCE**

- 1.1. This administration standard outlines requirements in support of Corporate Records Management Policy.
- 1.2. This administration standard conforms to the provisions in the Records Retention and Disposition Bylaw 54M2023.

### 2. **PURPOSE**

- 2.1. This standard will be followed when managing The City of Calgary's ("The City") records throughout retention and disposition.
- 2.2. Following this standard will result in good customer service and program delivery, financial accountability, legal compliance, and open and transparent government.

### 3. **DEFINITIONS**

#### 3.1. *In this Administration Standard:*

- a. **"Archival Value"** means records that have residual or secondary administrative, legal, financial, evidential, informational, and historical value to The City and to society, after the records' primary value to their creating business unit has expired;
- b. **"Corporate Records Classification and Retention Schedule ("CRCRS")"** is established by the City Clerk under Bylaw 54M2023 that classifies and lists corporate records maintained by all or part of The City, together with the agreed upon lengths of time they will be retained;
- c. **"Corporate Records Management Program"** is a governance framework for the management and control of the creation, use, receipt, access, storage and maintenance, retention, and disposition of records, including vital records management and transitory records management;
- d. **"Disposition"** means the formal process of removing records from business unit custody when the retention period is met, by deletion or destruction, transfer to archival holdings, or transfer to another organization;

- e. **“Employee”** means any person employed by The City and reporting to a City of Calgary business unit, department, the Chief Administrator’s Office, the City Auditor’s Office, including those working under an employment contract with The City;
- f. **“Hold”** means a delay or suspension of disposition to prevent the disposal of records identified in an audit, court or administrative proceeding, a change in legislation, a *Freedom of Information and Protection of Privacy Act* (“FOIP Act”) request, or a change in the use of a record;
- g. **“Official Record”** means a record created or received and maintained by The City as evidence of a business transaction, decision, or activity. It has legal, operational, fiscal, or archival value;
- h. **“Record”** means a record of information in any form and includes notes, images, audiovisual recordings, x-rays, books, documents, maps, drawings, photographs, letters, vouchers and papers and any other information that is written, photographed, recorded, or stored in any manner, but does not include software or any mechanism that produces records. Includes both official records and transitory records;
- i. **“Retention Period”** means the time period each type of official record should be kept based on legislative, fiscal and operational requirements as provided in the CRCRS; and,
- j. **“Transitory Record”** means a record that has immediate or short-term usefulness or is required for a limited time to complete a routine action or to prepare an official record. It is not required for legal, operational, fiscal, or archival purposes.

#### 4. **APPLICABILITY**

- 4.1. All City of Calgary employees except the Calgary Housing Corporation and the Calgary Police Service; and,
- 4.2. When an outside agency or contractor conducts business on behalf of The City and creates or receives City records in order to do so, the records are subject to the Corporate Records Management Program. An agreement between The City and the agency or contractor must specify the conditions for the custody and control of the records.

#### 5. **STANDARD**

##### 5.1. Employees will:

- a. retain and dispose of all official records in their custody and/or under their control in accordance with the CRCRS;
- b. maintain transitory records while they are required and delete or destroy in accordance with the Information Security Classification Standard when the record no longer serves a function or purpose; and,
- c. review records for responsiveness to active and/or reasonably anticipated litigation and/or access to information requests prior to destruction or disposition; and advise their Director that records must be retained until the hold is lifted.

5.2. Business Unit Records Coordinators (BURC) and alternates will:

- a. Act as the primary point of contact for records retention and dispositions matters within their business unit or department; and,
- b. conduct regular reviews to ensure compliance with the CRCRS, including reviewing when operational, legal, or fiscal requirements change or business unit ownership of programs and services change.

5.3. Business unit managers will approve CRCRS change requests when updates are required other than retention period changes.

5.4. Business unit directors will:

- a. approve changes to CRCRS retention periods; and,
- b. approve official records disposition or advise where records are to be retained on hold due to business, legal, or audit needs and notifying when holds can be lifted.

5.5. The City Clerk's Office will:

- a. exercise Council delegated authority to make and approve the CRCRS ensuring all official records in the custody and/or under the control of The City are covered within the CRCRS and update the CRCRS to meet changing legal, fiscal, operational, and archival retention requirements;
- b. exercise Council delegated authority to destroy records in accordance with the CRCRS and the Information Security Classification Standard by managing the annual disposition process, including initiation, preparation, authorization, and retention of disposition documentation;
- c. ensure records identified as needing to be retained due to business, legal, or audit needs are held back from disposition until approval is received from the business unit or department;
- d. ensure Archivists review and approve disposition forms, identify records with archival value during the disposition process, and transfer those records to The City of Calgary Archives; and,
- e. notify FOIP Program Administrators when a FOIP action requires placing records on hold and notify the Corporate Records Coordinator when a hold shall be lifted.

5.6. The Law Department will:

- a. provide interpretation of applicable legislation and assessment of corporate risk to support business units considering modifications to the CRCRS;
- b. approve the retention periods in the CRCRS and ensure they accurately reflect the legal requirements of The City; and,
- c. advise business units when records are or may be needed for legal action, so that business units can request holds; and advise business units when holds for legal reasons can be removed.

## 6. **CONSEQUENCES OF NON-COMPLIANCE**

6.1. Employees who fail to adhere to the Corporate Records Management Administration policy and any associated standards and procedures may face disciplinary action in accordance with either the Labour Relations policy or Exempt Staff policy.

## 7. **HISTORY**

Action	Date	Report Number	Description
New	April 5, 2024	n/a	Includes material from records management policies rescinded as of April 2, 2024.  Approved by the Deputy City Clerk, on behalf of the Service Director for Records Management Access and Privacy, as per delegation of authority for the Records Retention & Disposition Bylaw 54M2023