

Revised Records Retention Schedule

Date:	December 14, 2015
To:	Toronto Public Library Board
From:	City Librarian

SUMMARY

This report requests approval from the Toronto Public Library Board for a revised records retention schedule for records in the custody and control of the Board, and requests that the Board forward the schedules to City Council for enactment of the necessary by-law. The revisions to the Board's Records Retention Schedule incorporate recommendations made in PricewaterhouseCoopers' audit of the Library's proposed changes to the records retention schedules, and align with the City of Toronto's revised records retention schedules.

Highlights of the changes include alterations to the formatting to be consistent with the City of Toronto's records retention schedule layout, changes to administrative responsibilities for retention to more accurately reflect the Library's organizational structure, and new series and changes to existing series to align with the Library's legal and operational requirements. Some records series were eliminated where they were no longer relevant or where they had been superseded by other series.

The Library's Records Retention Schedules have not been updated since their development and approval in 2006.

RECOMMENDATIONS

The City Librarian recommends that the Toronto Public Library Board:

1. approves the revised records retention schedules as reflected in Attachment 1; and
2. presents the revised records retention schedules to the Toronto City Council, through the Executive Committee, for approval.

FINANCIAL IMPACT

The ongoing implementation of the revised records retention schedules has no financial impact beyond what has already been approved in the Library's operating budget.

The Director, Finance and Treasurer, has reviewed this financial impact statement and is in agreement with it.

DECISION HISTORY

The Toronto Public Library Board approved a new records retention schedule for records in the custody and control of the Board at its January 16, 2006 meeting.

The Library's records retention schedules were approved by City Council as a City of Toronto By-Law 260-2006 on April 27, 2006 and have been integrated into the City of Toronto Municipal Code section 219, Article III (Attachment 2), following a review by the City of Toronto's Administration Committee at its meeting on March 6, 2006. As part of the approval process, the schedules were reviewed by City Legal and by the City Auditor (then referred to as the City's external/municipal auditor).

The City of Toronto has consistently reviewed and updated its schedules since 2005, and other agencies are currently in the review process, as best practices require that an institution review and update its records retention schedules for compatibility with ongoing and anticipated operational and administrative requirements.

The Library has completed its own comprehensive review. Library staff revised the schedules in consultation with subject matter experts from across the Library and individual Directors who are the Offices of Record. Library staff consulted with staff from the City of Toronto's Division of Corporate Information Management, and with City Legal, who provided input on specific series with respect to the retention of personal information, and on the legal requirements of the by-law and other applicable legislation.

The City of Toronto Act, S.O. 2006, C.11, s.201(3) obliges the Library to seek the review of its auditor regarding the review of any proposed changes to the Library's records retention schedules:

The City may, subject to the approval of the City auditor, establish retention periods during which the records of the City and its local boards must be retained and preserved in accordance with section 200.

In accordance with its obligations under the City of Toronto Act, the Library engaged its auditor (engaging the Library's auditor satisfies the Library's obligations under s.201(3)) to compare the Library's proposed changes to its retention schedules to the similar schedules at the City of Toronto. After the initial review process, the City of Toronto amended its records retention schedules, approved by City Council on October 2, 2015 as the City of Toronto By-Law No.1048-2015. Following the audit by PricewaterhouseCoopers, Toronto Public

Library made minor adjustments to its records retention schedules to align more closely with the City's.

ISSUE BACKGROUND

Records retention schedules are necessary for establishing the duration of retention of records, the location and owner of the master copies of records, and the final disposition of records once they reach the end of their lifecycle – destruction or permanent archival retention.

Proper records retention has implications for institutional administration and operations, legal discovery, Freedom of Information, and facilities/systems management.

As a local board of the City of Toronto, certain aspects of the Library's administration and accountability are governed by the City of Toronto Act, S.O. 2006, C.11. This includes the development of records retention schedules, as described in sections 200 and 201 of the City of Toronto Act.

Following approval by the Board, the revised retention schedules will then be presented to City Council for approval. Once approved, a comprehensive staff training plan will be rolled out to ensure full and complete understanding of the changes to the retention schedules.

COMMENTS

Retention scheduling is the process of identifying and describing record series (unique categories of records that reflect the organization's business needs) and then using a timetable to specify the length of time that each record series must be kept prior to disposition, either destruction or archival storage. The length of time that record series are retained is based on legal requirements (where such requirements exist), and also on the basis of their value in supporting operational, administrative, legal, financial, or archival functions. Unmanaged information is a liability for the Library as a whole. Establishing retention schedules is necessary to reduce risk, support effective and efficient records and information management, promote transparency and accountability, and facilitate access to records.

The changes are summarized as follows:

- in the current version of the retention schedules, there are 188 records series; in the revised version, there are 207;
- 22 of the previous series were either discarded or consolidated (Attachment 4);
- 41 new series were added (Attachment 5).

Series were discarded or consolidated based on revisions to business practices or where there was redundancy or ambiguity between series. Series were added in response to legislative obligations, as well as to update the series to comprehensively reflect current and future Library services and organizational functions.

Legal Review

The Library consulted with City Legal and requested a review of the proposed changes to the records retention schedules. The context of the review was to establish if any proposed changes or revisions to the Library's records retention schedules appeared to violate or conflict with any legislation, and to ensure that the Library's retention periods were lawful and practical. City Legal identified several points requiring clarification, several discrepancies between the Library and the City of Toronto, and one instance wherein the Library's proposed retention period was less than the legal requirement. These changes were incorporated in this revised draft.

Auditor's Review

The Library engaged PricewaterhouseCoopers in order to fulfill its obligations under the City of Toronto Act, s.201(3). In consultation with the City of Toronto and City Legal, the Library established that the auditor's mandate would be to compare the proposed revisions to the Library's records retention schedules to similar retention schedules at the City of Toronto, and identify any discrepancies in retention between the Library and the City. This included overall retention period, disposition, and active/inactive retention.

Where any discrepancies between the Library and City were identified with respect to active/inactive retention, the Library adopted the City's retention period. The Library does not have inactive retention for the majority of its physical files; as such, changing this retention period does not have a substantive impact on Library retention practices. Finance currently stores records inactive; however, records series for Finance were already mostly compatible with the City of Toronto.

Consistency with the City of Toronto

The retention schedules were formatted to be consistent with the approach taken by the City of Toronto. Where similar series exist between the Library and the City and where it was feasible to do so, the Library's records series were modified to align with those used at the City.

Further, the layout of the Library's retention schedules now include a section for notes, mirroring the format used at the city. This is useful for including supplementary details about records series, adding expanded definitions of termination based on specific criteria or expanded definitions on what does or does not fit into the records series, and including references where retention is governed by legislation.

The Library adopted several series that are identical or substantially similar, and modified existing series to match the retention periods established at the City of Toronto. There are some instances where the Library chose not to adopt the City's retention periods for some records series, for reasons outlined below:

- Library operational requirements demanded a longer retention period than the City of Toronto
- The Library lacks the physical storage infrastructure of the City of Toronto.

The Library identified several series with a different disposition than the City of Toronto. The majority of these differences have either no practical implications, or commit the Library to a theoretically longer retention period than the City for operational or historical reasons.

Organizational Structure and Operations

The Library's existing records retention schedules were approved in 2006 and reflected the needs and functions of the Library at the time. As the Library has evolved, both structurally and in terms of services, functions, and strategic priorities, changes to the records retention schedules are required to reflect these changes. Attachment 1 highlights the changes to the organizational structure and to the functional categories of the records retention schedules. The Office of Record, the individual with corporate and administrative responsibility for the records as described in each records series, has been updated not to reflect a specific title, but rather to reflect the key functions of the Library.

Major highlights and changes

While the records retention schedule review covered all of the Library's functions and services, several key areas were identified as opportunities for substantial improvement.

- a) Library Services and Programs
 - a. Ambiguous and/or conflicting records series clarified
 - b. Reasonable retention periods for smaller-scope Library programs
 - c. Full spate of Library programs and services now covered
- b) Information Technology
 - a. Library database log files now covered
 - b. References to obsolete technological concepts (i.e. Y2K) removed
- c) Administration and Governance
 - a. New records series covering major gaps identified during review process (i.e. video surveillance records, emergency planning)
 - b. Adopted existing series from City of Toronto to supplement Library's current records series (i.e. Access to Information and Protection of Privacy functions)
- d) Social Media
 - a. Included several new series to capture Library's use of Social Media (i.e. Facebook, YouTube, etc.).

Other records series required revision as the retention period was not appropriate for the legal or operational requirements of the Library, and new series were developed to capture records that were not otherwise captured by existing series.

Next Steps

Following approval by the Library Board, the revised retention schedules will be presented to City Council (through the Executive Committee) for approval.

Once approved by City Council, training will be developed and delivered, and Library staff will be oriented to the new schedule, and retention and records destruction practices and processes will be reviewed to ensure staff have the tools and knowledge to ensure compliance with the new schedule. Supplementary file planning guides will be developed as requested by staff and management. The Toronto Public Library will continue to monitor the City's retention schedule and rollout to ensure consistency and adherence to best practices.

CONTACT

Elizabeth Glass; Acting Director, Planning, Policy & E-Service Delivery;
Tel: 416-395-5602; E-mail: eglass@torontopubliclibrary.ca

SIGNATURE

Vickery Bowles
City Librarian

ATTACHMENTS

- Attachment 1: Revised Toronto Public Library Records Retention Schedules
- Attachment 2: Toronto Municipal Code, section 219 Article III
- Attachment 3: Summary list of records series deleted/consolidated
- Attachment 4: Summary list of records series added