



## Corporate Policy

### General

### Information Management

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Approved by Council:

Report Number:

Effective:

Reviewed:

Amended:

Next Review:

Note:

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### Policy Statement:

At the City of Burlington (the "City") information is created, received and used every day. Information is a valuable corporate asset needed to support effective decision making, meet operational requirements, ensure openness and transparency, protect legal, fiscal and other interests of the City, and to adhere to legislative requirements.

City's information serves as a valuable public asset and supports the delivery of services, makes government information more accessible and builds trust and confidence in government.

As a critically valuable resource, it is recognized that information must be managed reliably to improve City programs and services in the same manner and given the same consideration as other valuable corporate resources.

The City maintains policies and standard operating procedures that support this policy and provide practical advice to employees including, but not limited to the:

- Protection of Privacy and Confidentiality of Information Policy,
- Computer and Acceptable Use Policy,
- IT Security Policy,
- Mobile Device and Bring Your Own Device (BYOD),
- Code of Good Governance, and
- Employee Code of Conduct.



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The following principles and practices establish the framework for effectively managing information assets at the City.

### Accountability and Transparency

- The City manages its information holdings through an Information Management program that is administered by the City Clerk in collaboration with the Chief Information Officer.
- The Information Management program is subject to internal audits and will regularly report on performance indicators including compliance with the program and training requirements designed to continually improve the City's program.
- The City's Information Governance Committee provides strategic guidance and direction on a wide range of topics impacting the City as they pertain to information management. These include change management, risk management, collaborative tools and technologies, and support and development across the organization.
- All users and authors of corporate information will be accountable for ensuring that their information management obligations are satisfied throughout the information management lifecycle.
- The City operates in the service of the public in general. Information that can be made available to staff and the public should be made available whenever practical.
- The access to and disclosure of corporate information is administered in accordance with the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.

### Integrity and Protection

- Information generated or managed by or for the City will be reliable and accurate, must be a true representation of the actual event or task.
- Records must not be altered or tampered with and shall be legible for consumption.
- The City will protect informational assets of the City so that they can be accessed, used and distributed as required in accordance with relevant legislation, by-laws, policy and leading practices.

### Availability and Compliance

- Information will be maintained in a manner that ensures timely and efficient retrieval of reliable information when it is needed.

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- Information must be stored in an official City repository, system or software to ensure that it can be accessed when needed. Unless a document or data contains personal, confidential or privileged information it should be available and accessible.
- The public has the right to access information under the control of the City in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*. Employees and the public also have the right to access and have any errors corrected in their personal information which the City has in its custody or under its control.
- The City will maintain its records and information for an appropriate time, as defined in the Records Retention Schedule, taking into account legal, regulatory, fiscal, operational and historical requirements.
- The City Clerk or delegated employees will sign off and approve the disposition of all original business records prior to destruction in accordance with the Records Retention Schedule and records destruction procedure.
- The City will provide secure and appropriate disposition for information that is no longer required to be maintained in accordance with applicable laws and corporate policies.
- The City promotes compliance with this policy and associated procedures, standards, guidelines and best practices by supporting all employees to meet their records and information management responsibilities through education and training.

### Ownership

- The City of Burlington ("the City") owns the information (data, records, documents, and content) that employees create, receive and maintain during the course of their corporate duties.
- Records created by City Councillors acting in their political or constituency capacity are not corporate records where these records are stored and managed separately from City records.
- The Mayor, as Head of Council and Chief Executive Officer, is considered an Officer of the city and as such records that relate to mayoral duties, are considered to be in the City's custody or control and subject to MFIPPA.

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- Regional Council members should ensure that records that pertain to Region of Halton business are held by the regional division that is responsible for maintaining the records in accordance with to the Region of Halton's Records Retention By-law.

### Scope:

This policy applies to information in all formats within the City's custody and control including those actively used, inactive and permanently retained/archival records holdings.

This policy applies to all City staff, consultants, contractors, volunteers and part-time employees who create and consume information during the course of their duties at the City.

### Objectives:

An Information Management program applies systematic controls and standards to the creation, security, use, retention, conversion, disposition and preservation of recorded information. The Information Management Policy will ensure the City is:

- Managing information through its life cycle to meet all legislated requirements for record keeping in an accountable and transparent manner under the oversight of the City Clerk, Chief Information Officer and the Information Governance Committee,
- Managing information holdings, making them readily available for evidence-based decision-making,
- Meeting information access requests, including those made under legislation and community benefit,
- Retaining permanently records of archival or historical significance in order to enhance the corporate memory of the City of Burlington and the collective memory of the community,
- Ensuring authorized destruction of records that have reached their scheduled retention periods pursuant to the City of Burlington's Records Retention Schedule,
- Ensuring the security of vital records,
- Promoting organizational efficiency and economy through sound record keeping practices, including reducing storage costs through the use of records storage centres and appropriate technology, and
- Remains compliant with legislated obligations (MFIPPA, Copyright Act, etc.)

## Consequences of Non-Compliance



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Failure to comply with this Policy may result in disciplinary action up to and including termination.

Individuals who willfully disclose personal information or maintain a personal information bank in contravention of MFIPPA, or individuals who alter, conceal, or destroy a record, or cause any other person to do so, with the intention of denying a right under MFIPPA to access the record or information contained in the record, is guilty of an offence and liable to a fine not exceeding \$5,000 in accordance with section 48(2) of MFIPPA.

### Definitions:

For the purpose of this policy, unless otherwise stated, the following definitions shall apply:

Term	Definition
<b>Control (of a record)</b>	The power or authority to make a decision about the use or disclosure of information. <sup>1</sup>
<b>Constituency information</b>	Information received or created by City councillors acting in a political or constituent capacity and is stored and managed separately from corporate records.
<b>Corporate records and information</b>	Information related to city business that must be retained and disposed of according to the City of Burlington Records Retention By-law.
<b>Custody (of a record)</b>	The keeping, care, watch, preservation or security of information for a legitimate business purpose. While physical possession of information may not always constitute custody, it is the best evidence of custody. <sup>2</sup>
<b>City</b>	The Corporation of the City of Burlington.
<b>Destruction</b>	The physical or electronic disposal of records or data by means of shredding, recycling, deletion or overwriting. This also includes the destruction of records or data residing on

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<sup>1</sup> <https://www.ontario.ca/laws/statute/90m56>

<sup>2</sup> <https://www.ontario.ca/laws/statute/90m56>

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Term	Definition
	computers and electronic devices supplied or paid for by the Corporation.
<b>Inactive Records</b>	Those records no longer required to carry out the administrative or operational functions for which they were created or received but must be kept for administrative, fiscal, legal, or historical purposes in accordance with the approved records retention schedules pursuant to Records Retention By-law.
<b>Information</b>	Any content (unstructured electronic records, physical records, video, voicemail messages, text and instant messages, website, intranet and social media content) and data (structured in a database or in the Cloud). <sup>3</sup>
<b>Information Management</b>	The lifecycle of information — the acquisition of information from various sources, the custodianship of that information, the distribution of that information, and the disposition of the information through deletion or archiving as dictated by the organization’s information governance policies. <sup>4</sup>
<b>Lifecycle</b>	The span of time beginning when information is created or received, actively used, inactively stored and retained, to their ultimate disposition either by disposal or transfer to Archives.
<b>Permanent</b>	That records and information shall be preserved for the life of the City and never destroyed or removed from the official records keeping system.
<b>Personal Information</b>	Information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual, the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved, any identifying number, symbol or other particular assigned to the individual, the address, telephone number, fingerprints or blood type of the individual,

<sup>3</sup> <https://www.arma.org/page/Information>

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Term	Definition
	the personal opinions or views of the individual except if they relate to another individual, correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence, the views or opinions of another individual about the individual, and the individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual. <sup>5</sup>
<b>Privileged Information</b>	Information subject to solicitor-client privilege.
<b>Record</b>	Any record of information however recorded, whether in printed form, on film, by electronic means or otherwise, and includes correspondence, memorandums, books, plans, maps, drawings, diagrams pictorial or graphic works, photographs, film, microfilm, sound recordings, video, machine readable records, any other documentary material, regardless of physical form or characteristics, and any copy thereof, and any record that is capable of being produced from a machine readable record under the control of the institution by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the institution. <sup>6</sup>
<b>Records Retention By-law</b>	A timetable that governs the life span of a record from its creation or receipt, through active use within an office and retention in off-site storage, to destruction or transfer to an archives/permanent storage approved by City Council and the City's external auditor.

<sup>5</sup> <https://www.ontario.ca/laws/statute/90m56>

<sup>6</sup> <https://www.ontario.ca/laws/statute/90m56>



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Term	Definition
<b>Structured Data</b>	Structured data is data that adheres to a pre-defined data model and conforms to a format with relationship between the different rows and columns. <sup>7</sup>
<b>Transitory record and information</b>	Information with temporary usefulness and no long-term value, received or stored in any format. Transitory information may facilitate the completion of insignificant transactions or be created while preparing an official corporate record. Transitory records are not required to meet legal or fiscal obligations, do not provide evidence of decision-making, and are not directly linked to the provision of City services and operations.
<b>Vital Record</b>	Records that are fundamental to an organization's ability to function containing information critical to the continued operation or survival of an organization during or immediately following a crisis. Such records are necessary to continue operations without delay under abnormal conditions. They contain information necessary to recreate an organization's legal and financial status and preserve the rights and obligations of stakeholders, including employees, customers, investors and citizens. <sup>8</sup>
<b>Unstructured Information</b>	Content including but not limited to, electronic records, physical records, video, voicemail messages, text and instant messages, website, intranet and social media content. <sup>9</sup>

### References:

The City requires that its records be managed in a systematic and logical manner according to the:

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<sup>7</sup> <https://www.bigdataframework.org/data-types-structured-vs-unstructured-data/>

<sup>8</sup> <https://www.ironmountain.com/resources/whitepapers/i/important-versus-vital-records-the-magic-5-you-cant-live-without>

<sup>9</sup> <https://www.bigdataframework.org/data-types-structured-vs-unstructured-data/>

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- Municipal Act,
- Municipal Freedom of Information and Protection of Privacy Act,
- City's Records Retention By-law.

### Roles:

#### Accountable:

Burlington's Leadership Team will;

- be accountable for information under their jurisdiction or in their department/service area,
- ensure the Information Management Policy and any associated procedures used to guide staff are adopted and reviewed regularly, and
- promote a culture and business practice that ensures City information is shared and accessible to the greatest extent possible, while respecting privacy requirements of personal information and other confidentiality obligations.

The City Clerk will:

- ensure the appropriate retention and availability of corporate records and information assets in accordance with the Municipal Act,
- be accountable for the administration of the Information Management Program within the City,
- ensure that privacy impact assessments are implemented when onboarding new or changed technology, systems and processes in partnership with the CIO, and
- ensure oversight of and compliance with this policy.

The Chief Information Officer in partnership with the City Clerk will:

- implement and integrate records and information management policies, standards, and procedures in enterprise architecture, systems and technologies, where appropriate,
- ensure that databases are administered and integrated where possible, remaining functionally reliable and sustainable, and
- ensure records and information management considerations, including retention and disposition, are built into technological systems or applications involving corporate information assets prior to implementation.

The Information Governance Committee members will:

- ensure the administration and communication of this policy broadly to employees in their department/service areas, and

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- integrate the appropriate management of information assets into the development, implementation, evaluation and reporting activities of service area programs and services.

The Manager of Records and Information will:

- establish safeguards to protect archival records and information to preserve corporate memory,
- develop standards, procedures, guidelines, training material and other tools as required,
- assist employees, Members of Councils and the public on matters pertaining to the creation, use, storage, retention and disposition of city information assets,
- ensure that legislative updates are incorporated into the City's records retention schedule, and
- ensure that the corporate destruction procedure is followed.

The Information Management & Archives Coordinator will:

- ensure the timely review, updating and dissemination of the policy.

### **Responsible:**

All City employees who manage information during the course of their duties at the City, will adhere to information management requirements contained in this policy and other related standards and procedures, including the Records Retention By-law.