



SUBJECT: Information Management Policy

TO: Corporate Services, Strategy, Risk & Accountability Cttee.

FROM: Office of the City Clerk

Report Number: CL-27-21

Wards Affected: All

File Numbers:

Date to Committee: November 10, 2021

Date to Council: November 23, 2021

Recommendation:

Approve the Information Management (IM) Policy attached as appendix A to office of the city clerk report CL-27-21; and

Repeal the Records Management (RM) Policy attached as appendix B to office of the city clerk report CL-27-21.

PURPOSE:

The purpose of the report is to approve a new Information Management Policy and repeal the previous Records Management Policy. The goal of the new Policy is to clarify the City's expectations and requirements regarding the creation and life cycle management of information in the custody, or under the control of the City. It defines responsibilities, authorities and relationships in order to establish and maintain an information management discipline at the City. This is to ensure that information can be made available for decision-making, program and service delivery, and *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) access requests while being protected and disposed of (retained and preserved or destroyed) in accordance with relevant legislation, regulations and policies.

Vision to Focus Alignment:

- Building more citizen engagement, community health and culture
- Deliver customer centric services with a focus on efficiency and technology transformation

Background and Discussion:

The *Municipal Act, 2001, S.O. 2001, c. 25 as amended* requires the City to retain and preserve the records of the municipality and its local boards in a secure and accessible manner and provides that the City establish retention periods during which the records of the municipality and local boards of the municipality must be retained and preserved.

The *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), R.S.O. 1990, c. M.56, as amended* provides the general right of access to certain records and personal information under the control of the City, subject to stipulated exemptions to that right. It also requires the City to develop and maintain an inventory of its information holdings as a means of organizing information for the purpose of general access, and specifies how the City can collect, use, disclose, retain and dispose of personal information and personal information banks.

In 2012, the City adopted a Records Management Policy, attached as Appendix B to this report. The Policy and companion strategy addressed that records management is the responsibility of all staff in the city as they create records in their everyday work. It defined a strategic structure for records management to be used to ensure that records are maintained adequately and commensurate with legal and operational requirements.

Over the years the concept of records management has expanded as the types, and format of information that can be recorded, has grown. While the City has been successful in managing its paper records program, managing its electronic records, email and structured data has presented challenges. In response to these challenges in 2018 staff retained professional Information Management consultant, Ergo Group Inc., to review the City's information program, assess its information maturity and provide a road of map of improvement recommendations.

The City's ability to deliver efficient and effective services depends upon accurate, up-to-date information that can be readily accessed as needed. The management of public information is an integral part of the effective administration and governance and results in:

- Sound decision-making
- Efficient and effective customer service
- Managing business information and resources
- Meeting legal and accountability requirements
- Documenting significant events and preserving historic and culturally important records

Strategy/process

Several of the recommendations from the Ergo report relate to approaching information management from a holistic or enterprise lens, as opposed to the ad hoc approaches of the past. This is in line with principles of open information, a component of Open Government endorsed by Council in April 2020.

Open Government, from an access and privacy perspective, means the City is “open by default”. The intent is that limited only by the extent necessary to comply with privacy, confidentiality and security obligations, City information should be available both internally (across departments and silos) and to the public. The resulting efficiencies and the benefits to both evidence-based decision-making and economic development are well-documented. The IM Policy marks the City’s first foray into open government by committing to approaching information management so it’s treated as an asset, accurate, complete and consistent.

One of the gaps identified in the Ergo report was that the existing Records Management Policy, approved by Council in 2012, did not specifically address ownership of records created by staff. Several of the focus groups and surveys conducted revealed that staff continued to view information from a proprietary perspective.

In reviewing the Records Management Policy, IM Staff identified that the Policy was outdated, as it did not capture the information practices being employed at the City for physical (paper) records, nor did it address other forms of information such as electronic records, or data.

Staff researched other records and information policies from both the municipal sector, but also post-secondary institutions as well including the Cities of Toronto, Brampton, London, Waterloo, Guelph and Richmond Hill.

Options Considered

The Policy, attached as Appendix A, was revised significantly to reflect the willingness to centralize governance of information at the City.

Rather than simply amend the Records Management Policy to address ownership, a fulsome review resulted in many improvements to not only document current practices more fully, but also to reflect governance models and begin discussions of centralized enterprise information.

The IM Policy was developed based on municipal best practices, as well as ISO standards for records management and Association of Records Managers and Administrators (ARMA) material dealing with the issues of the management of paper and electronic records and electronic records systems.

The policy is formulated to establish a common understanding and a clear corporate direction in the area of information management and records systems in general. The following is an overview of the features of the Information Management Policy.

1. It defines a 'record' as provided for in the *Municipal Freedom of Information and Protection of Privacy Act*, to include any information however recorded whether in printed form, on film, by electronic means or otherwise.
2. It defines "information" as 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
3. It demonstrates principles of open government, namely that the City operates in the service of the public in general and information that can be made available to staff and the public should be made available whenever practical.
4. It recognizes the shared responsibility for the management of the City's information holdings between the City Clerk and the Chief Information Officer.
5. It speaks to the role of the City's Information Governance (IG) Committee, established in 2017 through the IT Corporate Strategic Plan as providing 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.
6. It requires City employees to manage information throughout the information management lifecycle so that it is reliable and accurate, and a true representation of the actual event or task.
7. The City will maintain its records and information in accordance with the Retention Schedule and the Policy addresses authorized destruction processes.
8. It establishes that information, however recorded or stored, is the property of the City and that these are subject to the access and privacy provisions of MFIPPA,.
9. It excludes the personal, political and constituency records of City Council Members and advocates they be stored and managed separately. But includes records created or received by Members of Council in their capacity as members of a committee of Council or when acting at the specification of Council, as well as records produced by the Mayor as Chief Executive Officer.
10. It distinguishes between:
 - corporate records, that must be retained and managed for the applicable retention periods as set out in the City's approved Retention Schedule and not destroyed or caused to be destroyed except in accordance with the proper authority, and
 - transitory records, that will not be retained as part of the usual and ordinary course of business of the City and that may be deleted or otherwise destroyed.

11. It establishes that corporate records must be recorded or stored in or by the official records systems of the City, and

The City's Leadership Team approved the Information Management (IM) Policy on February 10, 2021 and recognized that with the introduction of the policy and corresponding IM Strategy, departments would have to formally incorporate the City's approved information management practices into their mode of operation.

Accordingly, the Information Management team has been tasked with the implementation of a training and communication program that will provide for an awareness strategy for all levels of the organization. This training program was started in April 2021 and will continue into 2022.

Financial Matters:

There are no financial implications associated with the approval of this report.

Climate Implications

Reducing the printing of physical paper records contributes to lowering greenhouse gas emissions and provides cost savings to the City both in terms of off-site records storage centre and transfer/transport from the centre to City Hall, supplies and printing devices. In contrast, studies are emerging of the harmful impacts of the energy needed for internet and electronic devices, the rapid growth of discarded devices and negative effects of e-waste.

Engagement Matters:

The proposed Policy was developed in consultation with the IG Committee. The IG Committee consists of representatives from across the organization and is still in action at present. Members of Burlington Leadership Team were engaged in the development and responsible for sharing the proposed Policy within their respective areas for impact.

Conclusion:

Rather than simply amend the Records Management Policy to address ownership, a fulsome review resulted in many improvements to not only document current practices more fully, but also to reflect governance models and begin discussions of centralized enterprise information.

The proposed IM Policy broadens the scope beyond physical records to “information in all formats within the City’s custody and control including those actively used, inactive and permanently retained/archival records holdings”, and includes policy statements based on ARMA best practices to reflect that information is a valuable corporate asset and public resource and must be managed reliably and given the same consideration as other corporate resources.

The proposed Policy refers to policies and procedures that support the IM policy and addresses gaps in identifying constituent records and regional records held by the Region of Halton.

It serves as the first of many policies being reviewed and revised to modernize the governance structure of information management at the City and to address gaps and reducing risk by adopting information, and privacy best practices.

Respectfully submitted,

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Appendices:

- A. Information Management Policy
- B. Records Management Policy

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.