

Town of Happy Valley-Goose Bay

Title: Records Management	Internal/External:
Department: Administration	Policy Number: A0059
Approval Date: November 26, 2024	Implementation Date:
Authority: 13th Council	Page: 1 of 13

Policy Statement

1.0 PURPOSE

This policy describes how the Town manages the records it relies on to fulfil its mandate. Records are retained in an accessible, secure manner to support operations and to respond to information requests, legal or audit processes. Records are managed as required by legislation including, but not limited to, the *Towns and Local Services Districts Act* and *Access to Information and Protection of Privacy (ATIPP) Act, 2015* and the *Municipal Conduct Act*. Records are securely destroyed when the Town no longer has a legal requirement to retain it. These requirements are defined in the Town's Records Retention and Disposal Schedule (RRDS).

2.0 SCOPE

This policy applies to all employees, elected officials, contractors, consultants, partners, students, temporary workers, volunteers, vendors, agents, third parties and other persons working on behalf of the Town (hereafter referred to as "Town Users").

This policy applies to information in all formats, including physical (paper and hard copy), electronic records (including e-mail and instant messages), records in databases, datasets, or websites and any other technology in which information is created and managed.

3.0 DEFINITIONS

Archive Storing information assets for long term or permanent preservation.

Authenticity An authentic record is one that can be proven to be what it purports to be, to have been created or sent by the person purported to have created or sent it, and to have been created or sent at the time purported. (Source: ISO 15489-1: 2016)

Council A town council continued or incorporated under this Act and a regional council continued or incorporated under this Act.

Councillor Includes a mayor and a councillor of a town council and a chairperson and councillor of a regional council.

Compliance The set of activities and processes that result in complying and adhering to applicable legislation, rules, and codes of professional conduct, as well as the organization's policies and procedures.

Confidential information Information in the custody and/or control of the municipality that is prohibited from disclosure pursuant to legislation or court order or any other information that pertains to the business of the municipality generally considered to be of a confidential nature, including, but not limited to:

- Any matter that falls under the exceptions to disclosure identified in the Access to Information and Protection of Privacy Act (ATIPPA), whether or not a request for access has been made,
- Personal information which would constitute an unreasonable invasion of privacy,
- Potential acquisitions or disposition of real property,
- Information which would reveal the substance of deliberation of a privileged meeting,
- Pending contracts including tenders, requests for proposals (RFPs), and records related to potential procurement,
- Draft documents and legal instruments including reports, policies, bylaws, and resolutions that have not been the subject matter of deliberation in a meeting open to the public,
- Employment and collective bargaining matters,
- Legal matters,
- Law enforcement matters.

Destruction The process of eliminating or deleting records, beyond any possible reconstruction.

Disposition The range of processes associated with implementing records retention, destruction, or transfer decisions, which are documented in records retention and disposal schedules.

Integrity The assurance that information is accurate, correct, and authentic by using consistent methods to create, retain, preserve, distribute, and track information (Source: ARMA).

Metadata Short descriptive information about an email, document, or database such as its author, date and time created, length, language, and business unit owner.

Personal Identifiable Information (PII) means recorded information about an identifiable individual, including:

- the individual's name, address, or telephone number,
- the individual's race, national or ethnic origin, colour, or religious or political beliefs or associations,
- the individual's age, sex, sexual orientation, marital status, or family status,
- an identifying number, symbol or other particular assigned to the individual,

- the individual's fingerprints, blood type or inheritable characteristics,
- information about the individual's health care status or history, including a physical or mental disability,
- information about the individual's educational, financial, criminal or employment status or history,
- the opinions of a person about the individual, and
- the individual's personal views or opinions, except where they are about someone else (Source: ATIPPA, 2015)

Policy High level overall plan containing a set of principles that embrace the general goals of the organization and are used as a basis for decisions.

Record Any recorded information, regardless of medium or characteristics, made or received and retained by an organization in pursuance of legal obligations or in the transaction of business (Source: ARMA). The disposal of a municipal record must be authorized by the town council as per disposal authority such as a bylaw or Retention and Disposition Schedule.

Records Retention and Disposal Schedule (RRDS) Identifies how long different types of information assets are to be held, and how they will be archived or disposed of at the end of their lifecycle.

- **Removable Media** All media/records that are stored on external memory devices such as but not limited to USB drive, external hard drives, SD cards, or optical media and tapes.
- **Transitory** A record of temporary usefulness in any format or medium having no ongoing value beyond an immediate and minor transaction or the preparation of a subsequent record. Transitory records can be securely destroyed when no longer of value without authorization of the council.
- **Town Manager / Clerk** A Town Clerk or a regional clerk responsible for the day-to-day administrative activities of the municipality.
- **Town Users** All employees, elected officials, contractors, consultants, partners, students, temporary workers, volunteers, vendors, agents, third parties and other persons working on behalf of the Town.

4.0 PROCEDURE

4.1 The following documents will be available for public inspections during normal business hours of Council as per the authority of Section 50 of the *Towns and Local Service Districts Act*, **Inspection of documents**

(1) The following documents shall be made available by a town council for public inspection during the normal business hours of the town:

- (a) adopted minutes of the town council;
- (b) assessment rolls;
- (c) by-laws;
- (d) town plans;
- (e) open public tenders;
- (f) financial statements;
- (g) auditor's reports;
- (h) adopted budgets;
- (i) contracts;
- (j) orders;
- (k) permits; and
- (l) all other documents tabled or adopted by the town council at an open meeting.

(2) A person inspecting documents under subsection (1)

- (a) shall not remove the documents from the place where they are located or interfere with an employee of the town in the performance of the employee's duties; and
- (b) may make extracts from the documents and may make copies of the documents.

(3) Where copies are made by an employee of the town under paragraph (2)(b), the town may charge a fee equal to the actual cost of providing the copies.

(4) Where a person requests that a town provide the documents referred to in subsection (1) by an electronic means and the town has an electronic means to provide them, the town shall comply with the request.

(5) Notwithstanding paragraph (2)(b) and subsection (4), extracts and copies shall not be made of assessment rolls and assessment rolls shall not be provided to a person by an electronic means.

4.2 To deal with the accumulation and disposal of records, the following will be the record retention/disposal schedule for the Town of Happy Valley-Goose Bay:

	Record Series	Retention
Accounting	Policies and Procedures	Permanent
	Annual Audit	Permanent
	Planning and Management	7 Years
	Final Reports	Permanent

Banking	
Account Information	Permanent
Signing Authorities	Permanent
Bank Statements	7 Years
Deposits	7 Years
Cheques	7 Years

Budgets	
Planning and Management	7 years
Annual Budget	Permanent

Payable/Receivable	
Cash Receipt Books/Cash Register Tapes	7 Years
General Ledgers/Journals	7 Years
Monthly Financial Statements	7 Years
Advances	7 years
Federal /Provincial Remittance Forms	7 Years
Requisitions/Purchase Orders	7 Years
Gas Tax	7 years
Municipal Operating Grant	7 years
Fees and Charges	7 Years

Claims	
Claims (Financial)	Superseded or Obsolete + 5 years

Debt Management	
Debenture	Permanent

Donations	
Donations and Bequests	Permanent

Grants

Grants - External	7 Years
Grants - Internal	7 Years

Fees for Utilities

Utility Fees	Permanent
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Taxation and Property Management

Taxation - Assessments	Permanent
Taxation - Taxes Collected	5 Years
Taxation - Taxes Paid	6 Years
Assessment Agency Supplementary	7 Years
Letters of Compliance	Permanent
Tax Certificates	Permanent
Change of Ownership Documents	Permanent
Deeds	Permanent
Policies and Procedures	Permanent
Maintenance Summary Reports	2 Years

**Buildings,
Facilities,
and
Properties**

Buildings, Facilities, and Properties

Acquisition	Permanent
Upgrades & Repairs	Permanent
Construction	Permanent
Disposal	Permanent
Maintenance	7 Years
Utilities	7 Years

Parks and Playgrounds

Parks Planning and Management	7 years
Parks Construction	7 years

Parks Management	7 years
Trees - Maintenance and Regulation	7 years
Concessions	7 years

Land Development and Zoning

Policies, Procedures and Forms	Permanent
Municipal Plan	Permanent
Development Regulations	Permanent
Municipal Maps	S/O + 7
Case Files	Permanent
Public Notices	7 Years after expiry

Crown Land

Policies and Procedures and General	Permanent
Property Files	Permanent
Complaints	7 Years
Drainage and Flood Control	Permanent
Environmental Management	8 Years
Local Improvement Projects	Permanent
Public Works Projects	Permanent
Sewage	Permanent
Streets and Roads	Permanent
Snow Clearing and Winter Maintenance	6 years
Utilities	Permanent

Waste Management

Garbage Collection	7 Years
Hazardous Waste	Permanent
Landfill Sites	Permanent
Recycling	2 Years

**Engineering
& Public
Works**

Water Management	
Water Supply and Distribution	Permanent
Water Quality	7 years
Water and Waste Management Reports and Statistics	Permanent

Traffic Control	
Public Notices	8 years
Towed Vehicles/Tow Books	3 years

Supplies and Equipment	
Policies and Procedures	Permanent
Public Works Equipment	7 Years after end of equipment
User Guides	6 years
Vehicle Checklists	3 years

Human Resources

Human Resources	
General Administration	7 years
Awards	7 years
Certification Files	7 years
Employee Leave Slips and Time Sheets	2 years
Grievances	7 Years
Job Requisitions/Postings	5 Years
Personnel Files	85 years from date of birth
Training Requisitions	5 Years
Workers Compensation	85 years from date of birth
Volunteer Files	10 Years

Legal

Legal	
General Administration	10 Years

**Legislative
and
Regulatory**

Contracts	10 Years
Insurance Information	10 Years
Insurance Policies	Expiry + 10 Years
Leasehold Land	10 years
Real Estate	10 years
Minister's Orders	Permanent
Legal Opinion	Permanent
Litigation/Claims Case Files	10 Years
Access to Information and Protection of Privacy Act	7 Years

Council Files

Meeting Minutes	Permanent
Meeting Agendas	Permanent
Meeting Audio tapes	7 Years
Meeting Directives	7 Years

Grants

Grants	3 Years
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Licensing

Licensing Files	Expiry + 5 Years
Policies, Forms, and Regulations	Permanent

Occupational Health and Safety

Occupational Health and Safety Committee	3 Years
Occupational Health and Safety Case Files	2 Years

Emergency Management Plan

Emergency Management Plan	Permanent
Emergency Management Plan Development Files	Superseded or Obsolete

5.0 POLICY STATEMENTS

5.1. General

- 5.1.1. All records collected, created, received and/or maintained by Town Users resulting from work completed on behalf of the Town is the property of the Town.
- 5.1.2. Town Users conduct all Town business using Town-issued accounts and devices unless approved by the Town Clerk (e.g., use of personal computer may be approved).
- 5.1.3. Town Users return all records, including copies, as well as Town-issued equipment used to create and/or store records to the Town Clerk at the end of their term or employment.
- 5.1.4. Town Users do not share their Town-issued username or password.
- 5.1.5. Town Users do not use their Town-issued email address for personal use.

5.2. COLLECTION

- 5.2.1. Collection of personal information:
- 5.2.2. Occurs whenever the Town acquires, receives, obtains, gathers, or compiles personal information and then creates a record of that personal information.
- 5.2.3. Occurs via telephone, email, correspondence, form, interview, etc.
- 5.2.4. Is limited to only that which is necessary to provide a program or service.
- 5.2.5. Requires a privacy notice as set out in s. 62(2) of the *ATIPP Act, 2015*, be given either verbally or in writing.

5.3. CREATION

- 5.3.1. Town Users record all Town decisions, transactions, and operations.
- 5.3.2. Personal or confidential content is not included where such records are open to public inspection as required by the *Towns and Local Services Districts Act*.

5.4. RECEIPT

- 5.4.1. Town Users do not open electronic messages or download attachments unless they are from known or trusted sources/contacts.
- 5.4.2. Town Users verify sources of information via direct person to person contact (e.g., phone or direct messaging to known accounts) as needed.

5.5. ORGANIZATION/STORAGE

- 5.5.1. Town records are organized as directed by the Town Clerk.
- 5.5.2. Town records are stored in secured storage locations as directed by the Town Clerk.
- 5.5.3. Reasonable security measures are used to transport and store removable media.
- 5.5.4. Removable media is password protected and/or encrypted.
- 5.5.5. Records stored on removable media are returned to the Town's storage location when no longer required for business purposes.

5.6. USING/SHARING

- 5.6.1. Town records are used and shared minimally in a manner consistent with the original purpose of collection/creation in accordance with the *ATIPP Act, 2015*.
- 5.6.2. Town users do not disclose confidential information obtained in the course of their duties, except as required by law or as authorized by the Town to do so.

5.7. RETENTION, DISPOSITION AND TRANSFER

- 5.7.1 Electronic information is acceptable as a record of Town business provided:
- 5.7.2 It is retained in the format in which it was made, sent or received or in a format that does not materially change the electronic information that was originally created, sent or received.
- 5.7.3 It is accessible and usable to those authorized to access it.
- 5.7.4 There is sufficient metadata to document its authenticity including where the electronic information was sent or received, the origin and destination of the electronic information and the date and time when it was sent or received.
- 5.7.5 Town users dispose of transitory records as a regular course of business.
- 5.7.6 The RRDS authorizes the retention and disposition of the Town's records.
- 5.7.7 Town records may be transferred to a third party as approved by the Town Clerk.
- 5.7.8 Town records will be destroyed securely and completely, without possibility of reconstruction

6.0 ROLES AND RESPONSIBILITIES

6.1. ATIPP COORDINATOR

Ensures responses to Access to Information requests are made within the statutory timeframe, as openly as possible, in compliance with the *ATIPP Act, 2015* by:

- 6.1.1 Receiving and processing requests made under the *ATIPP Act, 2015*.
- 6.1.2 Coordinating responses to requests for approval by the head of the public body (as designated under s. 109 of the *ATIPP Act, 2015*).
- 6.1.3 Communicating, on behalf of the Town, with applicants and third parties to requests throughout the process including the final response.
- 6.1.4 Educating Town users of the public body about the applicable provisions of *ATIPP Act, 2015*.
- 6.1.5 Tracking requests made under *ATIPP Act, 2015* and the outcome of the request.
- 6.1.6 Preparing statistical reports on requests for the head of the public body.

6.2. TOWN USERS

- 6.2.1 Creation, use and management of records as defined by this policy.

6.3. TOWN CLERK/MANAGER

- 6.3.1 Overall management of the Town's records.
- 6.3.2 Organize orientation and training for Town Users on their records management responsibilities.
- 6.3.3 Provide tools and resources to Town Users to support compliance with this policy.
- 6.3.4 Authorize/issue equipment and tools to Town Users for the production/storage of Town records (e.g., Town network and/or email account, computing devices, cellular phone, etc.).
- 6.3.5 Identify/approve record storage locations either onsite (e.g., Town hall) or offsite (e.g., approve secure storage at a Town User's home office).
- 6.3.6 Control access to Town records and storage locations.
- 6.3.7 Retrieve and catalogue all records returned to the Town by the Town Users at the end of their term or employment.
- 6.3.8 Support ongoing disposal of records as per the RRDS.
- 6.3.9 Identify alternative storage locations for Town records including third party storage or archives.
- 6.3.10 Advise Town Council of any risks associated with non-compliance.

6.4. TOWN COUNCIL

- 6.4.1 Approves and authorizes this policy.
- 6.4.2 Promotes compliance with this policy.
- 6.4.3 Ensures the Town's records management program is adequately resourced.
- 6.4.4 Designates the head of the public body for the Town in accordance with s. 109 of the *ATIPP Act, 2015*. This person cannot also be the ATIPP Coordinator.

7.0 MONITORING AND COMPLIANCE

The Town updates this policy as needed to accommodate changes in the business environment, legislation, and technology. Compliance with this policy is mandatory for all Town Users. Non-compliance with this policy may result in disciplinary action.

8.0 RESOURCES

<https://www.assembly.nl.ca/Legislation/sr/statutes/t06-2.htm>

Towns and Local Service Districts Act

[Access to Information and Protection of Privacy Act 2015](#)

Department of Justice and Public Safety - ATIPP Office
4th Floor East Block, Confederation Building
PO Box 8700, St. John's, NL, A1B 4J6
709 729-7308(t) (709) 729-2129 (f)
email: rhynes@gov.nl.ca

[Municipal Conduct Act](#)

IN WITNESS WHEREOF, this policy is sealed under the Common Seal of the Town of Happy Valley-Goose Bay.



Mayor, George Andrews



CAO, Nadine MacAulay