

Records and Information Management Procedure

RATIONALE:

Hamilton-Wentworth District School Board (HWDSB) manages records and information to meet operational and legislative requirements and for present and future needs. Records of the Board are important strategic assets that must be managed by all employees and Trustees. Comprehensive Records and Information Management (RIM) supports HWDSB's integrity, transparency and accountability as a public organization.

The creation and management of HWDSB records is in accordance with the provisions of the [Education Act](#), the *Municipal Freedom of Information and Protection of Privacy Act* ([MFIPPA](#)), the [HWDSB Privacy Policy](#), and other relevant statutes and regulations of the Province of Ontario and the Government of Canada.

HWDSB is committed to the fundamentals and established practices of Records and Information Management to ensure that records and information are consistently accurate, authentic and reliable, that records of operational, fiscal, legal and historical value are identified, maintained and disposed of or preserved in accordance with all relevant legislation, established guidelines or operational needs. The Records and Information Management Procedure serves as a foundation for the HWDSB Records and Information Management Program which supports staff to uphold their duties as employees and fulfill legal and legislative records requirements.

TERMINOLOGY:

Electronic Records: means records that are captured, generated with and/or used by information technology devices. This includes email, digital images, audio and video files.

Disposition: refers to the final action carried out on a record once its retention period is complete. The disposition could be secure destruction/deletion, archival review or, for a small segment of records, permanent retention for the lifetime of the Board.

Generally Accepted Recordkeeping Principles ([GARP](#)): is a widely leveraged global standard consisting of eight (8) core values for records and information management established by the Association of Records Managers and Administrators International (ARMA). These principles are foundational at HWDSB and are reflected throughout this procedure. The eight principles are: accountability, transparency, integrity, protection & security, compliance, availability, retention, and disposition.

Legal Hold: refers to a process that an organization uses to preserve all forms of relevant and potentially relevant information when litigation, a government investigation, other investigation, audit, FOI request, or other legal issue or dispute is reasonably anticipated or is underway. During legal hold, applicable

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retention periods under the HWDSB Records Retention Schedule are suspended and all available records (including official and transitory) must be preserved.

Lifecycle of a Record: refers to the span of time from the creation or receipt of the recorded information through to its final disposition. The life cycle includes the following stages: creation or receipt, distribution, use, maintenance and final disposition (destruction/deletion or permanent retention).

Official Record: means any record created, collected and/or received in the course of regular Board business and kept for administrative, legislative or operational purposes that provides evidence of business decisions, actions, and transactions, including the delivery of programs.

Record: is defined by the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) as “any record of information however recorded, whether in printed form, on film, by electronic means or otherwise, and includes:

- a) correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine-readable record, any other documentary material, regardless of physical form or characteristics, and any copy thereof, and
- b) subject to the regulations, any record that is capable of being produced from a machine-readable record under the control of an institution by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the institution.”

Whether a record is created on a Board issued device or a personal device, if it relates to Board business, it is a record of the Board and must be maintained in accordance with the Board’s records retention schedule. All Board records may be subject to Freedom of Information requests.

Records and Information Management (RIM): refers to the systematic control of records throughout their lifecycle.

Retention: means the minimum amount of time required to keep a record as determined to be necessary by law or other authority. Original records cannot be destroyed until the retention time has been met. Likewise, records should not be retained longer than the retention time without a valid reason.

Records Retention Schedule (RRS): refers to a comprehensive list of records series held by the Board, indicating for each record series, a description of the records, the responsible department or location, the length of time the records must be retained, the final disposition once the retention has been met and any relevant legislation related to the retention requirement.

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Transitory Records: refers to records that are useful for only a short period of time and are of minor importance. Once they have fulfilled their use, transitory records should be destroyed or deleted. Examples of transitory records include: personal messages, general notices and announcements, copies of documents and emails; cc, bcc or FYI emails kept only for convenience; and drafts and working documents used to prepare final records with a few exceptions such as agreements/contracts working documents, or drafts in developing policy.

Vital Record: refers to a record that is fundamental to the functioning of an organization and necessary to continue the operations, without delay, under abnormal conditions.

PROCEDURES:

1.0 General

- 1.1. The Hamilton Wentworth District School Board (HWDSB) will maintain a comprehensive Records and Information Management (RIM) Program. The RIM Program fosters informed decision-making, facilitates accountability, transparency and collaboration, and supports appropriate disclosure of information.
- 1.2. HWDSB complies with applicable laws of Ontario and Canada and HWDSB policies. Personal information, including personal health information, is managed in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* ([MFIPPA](#)), the *Personal Health Information Protection Act* ([PHIPA](#)), all other applicable legislation including any college regulations, and Board policies, particularly Privacy Policy No. 1.6.
- 1.3. Records containing personal information must be kept secure. Access must be limited to only those who require access to the records in order to fulfill their duties. This is a legislative requirement under MFIPPA.
- 1.4. The Board will protect records and information management systems from the risk of disaster to ensure the continuity of business operations in the event of any disruption. The term “disaster” refers to a wide range of major and minor disruptions to records, records management and recordkeeping systems.
- 1.5. All employees and Trustees are records and information stewards and are tasked with accurately maintaining all Board records and information as required in a retrievable format, for current and future access.

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- 1.6. Records and information will be securely maintained for as long as required and disposed of only when all of HWDSB's operational, fiscal, legal, regulatory, vital and archival record-keeping obligations are met. These obligations and retention requirements are documented in the HWDSB Records Retention Schedule. The records retention schedule will be reviewed and revised, as required, based on changes to legislative or operational needs.
- 1.7. Records of archival or historical significance shall be identified and preserved in order to enhance the institutional memory of HWDSB.

2.0 Scope

- 2.1. School boards are mandated to have a records retention schedule based on the school board's needs and compliance requirements.
- 2.2. Systematic records management is fundamental to organizational efficiency. It ensures that the information is:
 - collected, maintained, and available for current and future access or retrieval, properly stored and retained, and destroyed on time or preserved according to need;
 - utilized to meet current and future needs, and to support change;
 - accessible to authorized persons only;
 - maintained as evidence of HWDSB functions and activities and supports the delivery of Board programs and services, and Board operating requirements.
- 2.3. The Board will manage records in its custody or within its control, in accordance with statutory and organizational requirements, in order to maintain an authentic and reliable history of its actions, transactions, and decisions. This includes:
 - records and information obtained, created, and maintained within all departments and locations of the Board and including records of the Board of Trustees;
 - all third-party contractors, service providers or agents who collect, process, or store records and information on behalf of the Board.
- 2.4. Statutory obligations throughout the lifecycle of the records require that records are:
 - retained according to the records retention schedule with the exception of any hold on records, including a designated legal hold;
 - not destroyed or deleted before the defined retention has been met;
 - authentic and reliable evidence of the activities of the Board;
 - accessible, and available, as appropriate;

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- maintained in a manner that ensures timely, efficient, and accurate retrieval by the Board as required;
- disclosed when requested, where not exempt according to MFIPPA;
- preserved and not intentionally deleted when required as evidence or for pending or future litigation;
- secured and protected from unauthorized disclosure.

It is an offence under Section 48.1 of MFIPPA to disclose personal information in contravention of MFIPPA, and to willfully destroy, delete or alter records to prevent access before the records retention has been met.

- 2.5.** Records can be in any format, including: paper, video, audio, microfilm, and electronic (includes email, digital media, websites, electronic document management systems, etc.).
- 2.6.** Electronic records stored in digital repositories (e.g., network drives, cloud storage, electronic document management systems) are to be retained in a readable format for the length of their required retention, as per the HWDSB Retention Schedule. This includes all business applications and information technology systems used to create, store and manage records and information, including email, database applications and websites.
- 2.7.** Business continuity planning and contingency measures are required to ensure that records vital to the continued functioning of HWDSB are identified as part of risk analysis, that they are protected and recoverable when needed.

3.0 Responsibilities

Records and information management is a shared responsibility. All records created by employees and Trustees in the course of their duties are HWDSB records. Our records management responsibilities start at the time of record creation or acquisition, and continue through the lifecycle of the record, from access to storage to final disposition.

The HWDSB Records Retention Schedule defines how we classify our records and it specifies how long we need to keep each classification of records. The schedule also describes what we do with the records at the end of their lifecycle if they are not permanent records (destroy/delete or review for possible transfer to the HWDSB Archives). The schedule applies to all records, regardless of format.

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3.1. Organization Responsibilities

3.1.1. Each department, school and the Board of Trustees must support the RIM Program by ensuring that the RIM Procedure is applied, and must also:

- manage all records and information regardless of format (paper, electronic including email, audio, videotapes, etc.) according to applicable federal and Ontario laws, and school board policies and procedures;
- ensure that appropriate access and security rules are in place to protect both paper and electronic records as required;
- ensure that records containing sensitive or personal information are only accessible to those who require access to the information in order to perform their duties;
- manage electronic records and information stored in digital repositories (e.g. network drives, cloud storage, electronic document management systems) to retain a readable format for the length of their required retention, as per the HWDSB Records Retention Schedule;
- maintain all records and information according to the HWDSB Records Retention Schedule;
- advise the Privacy and Information Management Officer of any retention schedule changes required to align with current legislation or operational needs;
- securely dispose of records in accordance with the HWDSB Records Retention Schedule;
- document and maintain an inventory of records destroyed in accordance with the HWDSB Records Retention Schedule;
- maintain an inventory of records transferred to secure offsite storage to facilitate future retrievability and support the Board's ability to manage the records in accordance with the HWDSB Records Retention Schedule;
- require that all third-party organizations, contractors, or agents of the Board that receive or collect information on behalf of the Board are aware of and comply with this Procedure.

3.2. Employee and Trustee Responsibilities

All employees and Trustees who create, collect and use records and information on behalf of the Board, must comply with this procedure and any statutory requirements. Employees and Trustees are required to:

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- manage records and information according to the records management best practices defined in this procedure and the *Generally Accepted Recordkeeping Principles (GARP)*, and retain according to the HWDSB Records Retention Schedule;
- at the end of employment, term or contract with the Board, HWDSB records and information must remain with the Board. This means that HWDSB records must be transferred to the employee's supervisor/manager/Principal or Superintendent, as applicable, or the Secretary-Treasurer of the Board to ensure operational continuity and fulfillment of retention requirements;
- utilize available privacy, access, and security measures to protect the confidentiality and sensitivity of records, as appropriate. Records must be protected from unauthorized use or release and from loss or damage;
- electronic records may only be stored on authorized HWDSB network accounts and applications. They should never be stored on, transferred or copied to personal devices or personal accounts such as email, cloud drives (e.g., Google Drive, Dropbox, iCloud) or USB devices.

Employees and schools are responsible for the management of records created and/or used at the school, including but not limited to office records, student records, and teaching resources. Each school must have a secure storage area for managing paper records until the retention period has expired and destruction has been arranged, or the records have been transferred to offsite storage.

3.3. The Privacy and Information Management Officer Responsibilities

The Director of Education oversees the Records and Information Management Program and delegates responsibility to the Privacy and Information Management Officer.

The direct Supervisor of the Privacy and Information Management Officer provides support and assistance as required.

The Privacy and Information Management Officer:

- coordinates the HWDSB Records and Information Management (RIM) Program;
- maintains a current records retention schedule;
- conducts records inventories at Board locations to ensure that all records are appropriately captured within the HWDSB Records Retention Schedule;
- consults with employees and Trustees on records management best practices;
- provides training and related documentation to assist Board employees and Trustees in understanding their records management responsibilities and obligations;

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- assists employees and Trustees with implementing retention requirements for their paper records systems and electronic platforms (e.g., Laserfiche, PowerSchool, Outlook);
- responds to and advises on any records management related inquiries;
- implements changes to the retention schedule in consultation with staff responsible for the records;
- liaises with IIT to address implementation of records and information management requirements for electronic records and information stored in digital repositories;
- liaises with HWDSB Archives when relevant records are identified for transfer to archival storage;
- makes updates to the HWDSB RIM Program and strategies as required and works with employees to implement any changes with the approval and support of Executive Council.