



STATUS
Council Approved
CAO Approved:

ATTACHMENT 1

TITLE: Housing York Inc. Records and Information Management	Approval Date: March 11, 2009
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HOUSING YORK INC.

POLICY STATEMENT:

Regional employees shall manage Housing York Inc. (HYI) paper and electronic records in accordance with this policy and applicable legislation.

APPLICATION:

This policy shall apply to all officers, directors, employees, agents and designated representatives of HYI.

PURPOSE:

The purpose of this policy is to ensure all HYI paper and electronic records are managed throughout their life cycle according to the requirements of the Records and Information Management (RIM) program and applicable legislation. This is to support effective decision-making and operational requirements, protect and enforce legal rights and obligations, and ensure HYI accountability.

DEFINITIONS:

"**archival records**" means records that are appraised by the Region's Records Manager and/or external Archivist hired by the Region, and are deemed to have historical value to either HYI or the Region, justifying their preservation in an archive.

"**disposition/dispose**" means to destroy records or transfer them to a records centre and/or the Regional Archives after their retention period has expired.

"**General Manager**" means the designated General Manager for Housing York Inc.

"**Housing York**" means Housing York Inc.

"**official record**" means any record in HYI's custody and control that serves important functions of HYI, such as supporting program delivery or policy development, committing HYI to an action, meeting legal, financial, operational and other official requirements, or providing evidence of obligations, responsibilities, decisions and actions.

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"**official records system**" means the Region's Network, Versatile Enterprise and the electronic document management system (eDOCS).

"**Personal Information Bank**" means a collection of personal information that is organized and capable of being retrieved using an individual's name or an identifying number or particular assigned to the individual as identified in either HYI's or the Region's records classification schedule.

"**record**" means any record of information however recorded, whether in printed form, on film, by electronic means or otherwise as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), or the *Social Housing Reform Act, 2000* (SHRA), or by the Service Manager.

"**Region**" means the Regional Municipality of York.

"**Records Manager**" means the Region's Corporate Records and Information Manager.

"**retention period/schedule**" means the period of time during which records must be kept by HYI before they may be disposed of as set out in the SHRA and the Records Retention Schedule.

"**Service Manager**" means the Regional Municipality of York.

"**signing authority**" means the Regional Chair, Chief Administrative Officer, Commissioner or Department Head of the responsible department, or their authorized designate.

"**transitory record**" means a record, including an e-mail, voice mail or text message, that has only temporary value and is not required to meet statutory obligations, set policy, establish guidelines or procedures, certify a transaction, commit HYI to an action, become a receipt or provide evidence of legal, financial, operational or other official requirements for HYI. It includes a copy of an official record that is created for convenience and reference.

"**vital records**" means records containing information essential to resuming or continuing HYI's business operations in the event of a disaster.

DESCRIPTION:

Background

HYI has a service agreement with the Region to provide property management services.

Records document HYI business activity and are necessary for retaining corporate memory and ensuring accountability and compliance with legal obligations. Records and information are HYI property and their retention and disposal must be properly managed to increase efficiency and reduce risk.

The SHRA and its Regulation 339 require that HYI, as a housing provider, maintain financial and housing project records for at least seven years and tenant household records for at least five years after the household vacates their rental unit.

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MFIPPA places additional responsibilities on HYI for maintaining documentation, ensuring the integrity of records, and providing paper and electronic records responsive to a request, subject to certain exemptions.

1. General

1. HYI records will be managed in accordance with recognized standards and codes of best practice for records and information management and in accordance with applicable legislation and regulations.
2. HYI will maintain a devolved model of records and information management whereby, through the service agreement, the Community and Health Services Department and staff have responsibility on HYI's behalf for managing the records in their custody or control in accordance with this policy and the RIM program.
3. The Records Manager provides recommendations on the RIM program and for facilitating best practices in the management of records. These best practices include the development and maintenance of the HYI Records Retention Schedule, vital and archival records, and destruction of records. The Records Manager will provide training and information on this policy to York Region staff that serve HYI.
4. HYI records will be managed consistently through the Region's Corporate Records Classification System and destroyed consistently through the Records Retention Schedule and disposition process (under review).
5. HYI records will be stored in the most appropriate and cost-effective storage media and promptly disposed of when they are no longer required.
6. HYI records will be protected from unauthorized access, disclosure, alteration, deterioration and loss as well as inadvertent destruction or damage.
7. HYI records designated as "archival" will be appropriately identified and transferred to the Region's Archives to be retained and preserved.
8. HYI records designated as "vital" will be appropriately identified, preserved and protected according to processes established by the Records Manager. The Housing Operations Unit in the Housing and Long Tem Care Branch will be responsible for protecting vital records in its custody or control.
9. A representative who holds a position of authority will be identified with the responsibility to ensure compliance, accountability and consistency with RIM policies and practices. This representative will provide assistance to staff in the correct use and application of the Region's Corporate Records Classification System as well as advice on retention and destruction practices. This person may act as the signing authority's authorized designate regarding approval of HYI's final records disposition.
10. All technologies developed or purchased by the Region or HYI to process records (particularly records in electronic formats) must provide the functionality required to meet the records and information requirements stated in this policy and in applicable

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legislation. In particular, these technologies must permit the accurate capture of metadata, the protection of the authenticity and integrity of records, the classification and application of retention periods, and the prevention of records loss due to incompatibility or insufficient safeguards. Documented migration procedures will also be implemented to preserve the content, context and structure of the record and the record's metadata during any infrastructure changes (hardware, software, and storage media) due to obsolescence, schedule upgrades or major corporate information technology initiatives.

2. Classification

1. Regional employees should categorize all HYI records, however recorded or stored, as either official records or transitory records.
2. Regional employees should classify all official HYI records in a manner consistent with the Region's Corporate Records Classification System.
3. Regional employees are not required to classify or store transitory HYI records unless they are notified of an MFIPPA request, investigation or litigation as set out in section 4.6.

3. Storage

1. Regional employees should record and store all official HYI records (including e-mails that are official records) in an official records system of the Region. This does not include the Region's e-mail and voice mail systems which are only designed for temporary use.
2. Regional employees must ensure that official HYI records in their custody or control are accessible and retrievable for the entire period set out in the Retention Schedule.
3. Regional employees entrusted with confidential HYI records shall keep these confidential at all times from the time the records are created until the records are destroyed.
4. Regional employees shall record and store official HYI records in environments conducive to their preservation over time for the entire period of their retention. All costs connected with this storage shall be borne by HYI for the records.
5. All filing equipment, furniture, storage facilities, record systems and supplies purchased by HYI is intended to meet any standards and specifications set by the Records Manager.
6. Regional employees shall restrict access to official HYI records only where specifically required by business need and/or the access and privacy provisions of MFIPPA or any other statute.

4. Retention and Disposition

1. The Records Manager along with the General Manager, HYI shall maintain and amend the HYI Records Retention Schedule and shall ensure that the HYI Records Retention Schedule and Corporate Records Retention Schedule comply with all relevant legal requirements for records retention. The Records Manager shall do this in conjunction with HYI signing authorities.
2. Regional employees will retain all official HYI records for the period set out in the HYI Records Retention Schedule and may thereafter destroy them or arrange for their transfer to the Regional Records Storage Vendor or Archives only with the express written consent of HYI signing authority and the Records Manager in accordance with the disposition process approved by the Records Manager.
3. The Signing Authority in conjunction with the Records Manager will ensure that official records are promptly disposed of according to approved retention periods and by approved disposition methods. Any extension to an approved retention period will only be supported if there is a demonstrated need in writing and with the concurrence of the Records Manager. The Records Manager shall obtain written confirmation of the destruction of all official HYI records and shall keep this confirmation on HYI's behalf with the department's transfer documentation permanently.
4. When the Records Manager deems official records to be of archival value, the Records Manager and the General Manager of HYI jointly may stop destruction or remove selected records from the destruction process and place the records into the Regional Archives.
5. Regional employees may delete or otherwise destroy a transitory HYI record as soon as it is no longer needed, subject to Section 4.6 below, by methods appropriate to its level of confidentiality.
6. Regional employees who have been notified by the HYI Secretary of an MFIPPA request, by the HYI Solicitor of pending or actual litigation or by the General Manager, HYI or Board Chair of an investigation shall not destroy any relevant official records or transitory records in their custody or control until they have been notified by the same people that the request, litigation or investigation pertaining to those records has concluded.

RESPONSIBILITIES:

1. General Manager, Assistant General Manager, Managers, Supervisors and other Management:

- (a) ensure that staff who report to them are made aware of their responsibilities under this policy;
- (b) comply with this policy; and
- (c) address non-compliance with this policy.

2. Regional employees providing operational services to HYI

All employees shall:

- (a) familiarize themselves with this policy;
- (b) comply with this policy; and
- (c) report any violation of this policy to their supervisor.

3. Region's Records Manager

The Region's Corporate Records and Information Manager shall:

- (a) develop and maintain HYI Records and Information Management program in accordance with best practices and legislative requirements;
- (b) ensure that reasonable measures are defined, documented and implemented to manage and protect HYI records from inadvertent destruction or damage, taking into account the nature of the records to be protected and the resources available to protect those records;
- (c) develop and communicate business rules for compliance with this HYI policy;
- (d) provide training to Regional employees on compliance with this HYI policy;
- (e) provide record storage service to HYI, and to associated agencies by agreement;
- (f) ensure that all the destruction notices prepared and confirmation of destructions obtained are preserved permanently;
- (g) ensure the preservation, security and disposition of official records in the custody of the Region's records storage vendor and archives, in accordance with the HYI Records Retention Schedule; and
- (h) ensure that reasonable measures, including periodic audits, are defined, documented and implemented to protect HYI's official records from inadvertent destruction or damage, taking into account the nature of the records to be protected and the resources available to protect those records.

NON-COMPLIANCE WITH POLICY: (OPTIONAL)

Non-compliance with this policy may be the subject of disciplinary action and/or termination.

REFERENCE:

- *Social Housing Reform Act, 2000* (SHRA)
- [Municipal Freedom of Information and Protection of Privacy Act \(MFIPPA\)](#)
- [Municipal Freedom of Information and Protection of Privacy Administration Policy](#)
- [Regional Corporate Classification System 2005](#)
- [Regional Information and Technology Security Policy](#)
- [Transitory Records](#)
- [Official Records](#)
- [Vital Records Program](#)

CONTACT:

Corporate Records and Information Manager, Corporate Services Department, Regional Clerk's Office

<p><u>APPROVAL INFORMATION</u></p> <p>Joann Simmons</p> <p>General Manager, Housing York Inc.</p> <p>Date:</p>
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