

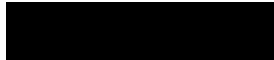


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Item No. 12.1.1
Executive Standing Committee
April 24, 2023

TO: Mayor Savage and Members of the Executive Standing Committee

SUBMITTED BY:



Denise Schofield, Acting Chief Administrative Officer

DATE: April 12, 2023

SUBJECT: **New Administrative Order 2022-009-ADM and Repeal of Administrative Order 2015-001-GOV**

ORIGIN

This report originates from staff.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, S.N.S. 2008, c. 39:

- s. 38 (1) The Council may adopt a policy for the management and destruction of records.
- (2) Records that are required by an enactment to be kept and minutes, by-law, policies and resolutions of the Council must not be destroyed.
- (3) The Council may, by policy, specify further classes of records that are not to be destroyed or that are to be kept for specified time periods.

RECOMMENDATION

It is recommended that the Executive Standing Committee recommend that Halifax Regional Council adopt Administrative Order 2022-009-ADM, Respecting Information Management and Archives, including repealing Administrative Order 2015-001-GOV, Respecting Corporate Information Management as set out in Appendix A of this report.

BACKGROUND

Administrative Order 2015-001-GOV provides the authority for the Municipality's information management activities. The most important of these activities is the establishment of retention schedules to regulate the retention and disposition of government records. The Administrative Order also establishes an information governance framework for the Municipality, including defining terminology, setting scope and application, and assigning roles and responsibilities for information management activities.

Since its implementation in 2015, Administrative Order 2015-001-GOV no longer adequately supports the Municipality's evolving information management requirements. As there are considerable structural formatting and editorial revisions required, a new Administrative Order is recommended to support the growing complexity of the Municipality's information management program and to ensure the Municipality has a responsive information governance framework moving forward.

DISCUSSION

Administrative Order 2015-001-GOV was approved in August 2015 and was intended to modernize the Municipality's information management authority. Since the adoption of 2015-001-GOV, the Municipality's information management needs have changed and evolved. Administrative Order 2022-009-ADM has been developed to refocus the Municipality's information governance framework. It ensures the Municipality has an Administrative Order which is responsive to ongoing and future information management initiatives, and provides clarity regarding roles, responsibilities, and terminology.

Retention Plan Completed

A substantial portion of Administrative Order 2015-001-GOV was designed to support the process of developing a new records retention plan for the Municipality. With the completion and approval of the Records Retention Plan in February 2020, aspects codifying this development process are no longer necessary to the Administrative Order and should therefore be removed. The new Administrative Order 2022-009-ADM provides an updated process for creating or revising the Municipality's records retention schedules.

Realignment of Roles and Responsibilities

Under the new Administrative Order 2022-009-ADM, a number of responsibilities have been reassigned in order to be better aligned with operational expertise. This is most notable in the changes to the responsibilities of the Manager of Corporate Information Management, and to those of the heads of business units. Under Administrative Order 2015-001-GOV, directors were assigned significant information management responsibilities. Administrative Order 2022-009-ADM reassigns many of these to the professional expertise of the Manager of Corporate Information Management. This ensures the duties are carried out as part of the Municipality's information management program.

The responsibilities which continue to be assigned to key roles such as the Chief Administrative Officer, the Municipal Solicitor, and the heads of business units have been streamlined and made more explicit. This will make it easier for individuals in these positions to understand and achieve their responsibilities under this Administrative Order.

Improved Structure and Language

Effort has been taken to make the new Administrative Order 2022-009-ADM easier to read and understand. There has been a reduction in the number of defined terms, and the remaining terminology given clearer definitions. This terminology will continue to provide the theoretical framework required to operate an effective information management program for the Municipality, while also reducing issues of interpretation and application. The improved clarity will also assist with ongoing Corporate Information Management training and education activities.

Strengthened Mandate of the Municipal Archives

Administrative Order 2022-009-ADM strengthens the Municipality's archival management program by supporting its core functions and activities. The new Administrative Order is also more explicit about the Municipal Archives' collection mandate, allowing it to continue to be the repository for the Municipality's archival records while also empowering it to acquire archival records from community sources which document other historical aspects of the Halifax region. This differs from the language in the current Administrative Order, which only acknowledges the acquisition of community records that supplement the archival records of the Municipality. Administrative Order 2022-009-ADM gives the Municipal Archives increased flexibility to acquire records from community sources which document the diverse history of the Halifax region and its people more broadly, providing a valuable compliment to the Municipal record. As per its acquisition policy, the Municipal Archives will continue to avoid acquiring records from community sources that are within the acquisition mandate of another archival institution. This was first reflected in the Administrative Order 31 from 2006 and continues to be the current practice today.

The role of the Municipal Archivist has also been reintroduced into the Administrative Order's accountability structure so that key responsibilities for administering the Municipality's archival management program are most appropriately aligned with operational expertise. These actions will help ensure the Municipal Archives operates according to operational needs and in line with professional standards.

FINANCIAL IMPLICATIONS

No financial implications associated with the recommendations in this report.

RISK CONSIDERATION

No risk considerations were identified.

COMMUNITY ENGAGEMENT

No community engagement was required.

ENVIRONMENTAL IMPLICATIONS

No environmental implications were identified.

ALTERNATIVES

Executive Standing Committee may:

1. Recommend that Halifax Regional Council adopt Administrative Order 2022-009-ADM subject to modifications. This may require a supplemental staff report.
2. Recommend that Halifax Regional Council refuse to adopt Administrative Order 2022-009-ADM. This would result in the current Administrative Order 2015-001-GOV remaining in effect.

ATTACHMENTS

Appendix A – Administrative Order 2022-009-ADM

Appendix B – Administrative Order 2015-001-GOV

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Stephanie Woods Stevens, Manager, Corporate Information Management 902.719.5783

**ADMINISTRATIVE ORDER NUMBER 2022-009-ADM
Respecting Information Management and Archives**

BE IT RESOLVED AS AN ADMINISTRATIVE ORDER of the Council of the Halifax Regional Municipality under the authority of the *Halifax Regional Municipality Charter*, as follows:

Short Title

1. This Administrative Order may be known as the “*Information Management and Archives Administrative Order*.”

Purpose and Objectives

2. The purpose of this Administrative Order is to establish an information management framework for the Municipality.

3. The objectives of the Administrative Order are to:

(a) vest the records and information assets of business units into the custody or control of the Municipality;

(b) establish the standards by which records may be destroyed, alienated, or otherwise removed from the custody or control of the Municipality;

(c) ensure that the government records and information assets of the Municipality are effectively and efficiently managed throughout their entire lifecycle to:

(i) support municipal operations;

(ii) promote accountability;

(iii) meet legal and legislative requirements; and

(iv) preserve corporate memory;

(d) provide for the comprehensive and accurate description, classification, retention, and disposition of government records; and

(e) maintain a municipal archival program to identify, acquire, preserve, and promote access to archival records from municipal and community sources documenting the history of the Municipality and the Halifax region.

Interpretation

4. In this Administrative Order,

(a) “acquisition” means the formal acceptance of records into the custody of the Municipality;

(b) “alienate” means the transfer of custody or control of records and information assets, whether or not they have completed the records lifecycle, to an entity not governed by this Administrative Order;

(c) “archival record” means a record or information asset that has been appraised as having enduring historical, informational, evidential, legal, research, or other value;

(d) “business unit” means a department of the Municipality;

(e) “Council” means the Council of the Halifax Regional Municipality;

(f) “deaccession” means the formal removal of archival records or material of archival value from the holdings of the Municipal Archives;

(g) “destroyed” means the obliteration of a record or information asset so as to ensure the information cannot be retrieved;

(h) “disposition” means the final administrative process of the records lifecycle whereby government records are destroyed or acquired by the Municipal Archives;

(i) “employee” means an individual employed by the Municipality, including permanent, term, part-time, casual, personal service contract, seasonal, temporary, volunteer or student positions;

(j) “government record” means a record created or received in the performance of business activities, and which serve as the most complete, accurate, and authentic record of the Municipality and best source of evidence of a business transaction, action, decision, obligation or right of the Municipality;

(k) “head” means the executive director or managing director of a business unit;

(l) “information asset” means a definable piece of information stored in a digital information system and recognized as having value;

(m) “material of archival value” means ephemera, objects, or small artefacts that have been appraised as having archival value;

(n) “Municipality” means the Halifax Regional Municipality;

(o) “non-government record” means a record that was not created in the performance of business activities and does not provide evidence of a business transaction, action, decision, obligation or right of the Municipality;

(p) “record” includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records;

(q) “records lifecycle” means the stages of activity from creation or receipt of a record, up to and including its final disposition;

(r) “Records Retention Plan” means a system for classifying and identifying the retention and disposition method of records;

(s) “records retention schedule” means the component of the Records Retention Plan that identifies the retention period and disposition method for a specific class of records; and

(t) “transitory record” means a record of temporary usefulness that is not required for evidence or to complete the government record.

Application

5. This Administrative Order applies to all records and information assets in the custody or under the control of the Municipality, including those of former municipal units.

6. Records may be classified as:

- (a) archival records;
- (b) government records;
- (c) non-government records; or
- (d) transitory records.

7. (1) This Administrative Order does not apply to the personal or political records of elected officials of the Council.

(2) This Administrative Order does not apply to the records of the Office of the Auditor General in the performance of their duties.

8. If this Administrative Order conflicts with another enactment or contract, the enactment or contract shall prevail to the extent of the conflict.

Roles and Responsibilities

9. (1) The Chief Administrative Officer shall:

(a) oversee the management of all records and information assets of the Municipality in accordance with information management, access to information, and protection of privacy principles;

(b) consider for approval all records retention schedules as found in the Records Retention Plan;

(c) consider for approval all information management policies, procedures, guidelines, and standards necessary to carry out the intent and purpose of this Administrative Order; and

(d) designate business units for the purposes of this Administrative Order.

(2) The Chief Administrative Officer may delegate any of their roles and responsibilities under sections 9(1)(c), 26, 34 and 38 of this Administrative Order.

10. The Municipal Solicitor shall:

(a) provide legal advice to business units related to the management of government records and information assets;

(b) review records retention schedules and any subsequent revisions as found in the Records Retention Plan for compliance with legal and legislative requirements;

(c) be a signatory for authorizing the disposition of government records; and

(d) establish a legal hold process to prevent the destruction or alteration of records and information assets that are subject to a subpoena, pending or actual litigation, or another legal or legislative purpose.

11. The Chief Information Officer shall:

(a) oversee the management of all government records and information assets in digital formats so they are:

(i) useable, legible, and accessible;

(ii) organized and captured in a recordkeeping system, according to Corporate Information Management standards; and

(iii) protected against unauthorized access or destruction; and

(b) in collaboration with the head of the business unit responsible for Corporate Information Management, or their delegate, incorporate information management standards in the planning and design of all existing, new, and modified information technology systems.

12. The Chief Financial Officer shall:

(a) provide advice to business units on the management of financial government records and information assets; and

(b) review records retention schedules and any subsequent revisions as found in the Records Retention Plan for compliance with financial and audit requirements.

13. The Manager of Corporate Information Management shall:

(a) maintain the Municipality's Records Retention Plan, including the creation and routine revision of individual records retention schedules for all government records;

- (b) coordinate the process for approving the Records Retention Plan and any subsequent revisions;
- (c) coordinate the process for authorizing the disposition of government records;
- (d) be a signatory for authorizing the disposition of government records;
- (e) participate in the planning and design of information technology systems to ensure their compliance with information management principles and practices;
- (f) authorize the acquisition of archival records from community sources and other material of archival value;
- (g) recommend for approval to the Chief Administrative Officer or their delegate policies, procedures, guidelines, and services as necessary to operate an effective information management program for the Municipality; and
- (h) recommend for approval to the Chief Administrative Officer or their delegate policies, procedures, guidelines, and services as necessary to operate an effective archival management program for the Municipality.

14. The Municipal Archivist shall:

- (a) identify government records, information assets, and other material of archival value;
- (b) identify and make recommendations for the acquisition of archival records and other material of archival value from community sources;
- (c) be a signatory for authorizing the disposition of government records; and
- (d) authorize the deaccessioning of archival records and material of archival value from the holdings of the Municipal Archives.

15. The head of a business unit shall:

- (a) have responsibility for the management of all records and information assets in the custody or under the control of the business unit;
- (b) manage the business unit's government records and information assets in accordance with the Records Retention Plan and other Corporate Information Management standards;
- (c) be a signatory for authorizing the disposition of government records in the custody or control of the business unit;
- (d) notify the Manager of Corporate Information Management when the creation or revision of records retention schedules is required due to legal, legislative, or operational changes; and

(e) review applicable records retention schedules and any subsequent revisions to ensure they are adequate for the business unit's operational recordkeeping requirements.

16. Managers and supervisors of a business unit shall:

(a) ensure their area of responsibility creates, manages, and maintains records that are:

(i) useable, legible, and accessible;

(ii) organized and captured in a recordkeeping system, according to Corporate Information Management standards; and

(iii) protected against unauthorized access or destruction; and

(b) manage government records in their area of responsibility in accordance with the Records Retention Plan.

17. All employees or members of a business unit shall:

(a) create, manage, and maintain records that are:

(i) useable, legible, and accessible;

(ii) organized and captured in a recordkeeping system, according to Corporate Information Management standards; and

(iii) protected against unauthorized access or destruction;

(b) manage government records in accordance with the Records Retention Plan; and

(c) destroy non-government records and transitory records when no longer required for operational purposes.

General

Custody or Control

18. All records and information assets in the custody or under the control of employees of the Municipality which are created or received in the performance of their business functions are the property of the Municipality.

19. Any contract between an outside agency or contractor and the Municipality for the provision of goods or services shall specify the conditions for the custody and control of the records and information assets resulting from such contract.

Records Retention Plan

20. The Records Retention Plan, as approved by the Chief Administration Officer, shall act as the Municipality's approved records retention schedules for government records.

21. No records retention schedule shall be put into force without approval of the Chief Administrative Officer.

22. The Manager of Corporate Information Management shall coordinate the creation, development, and revision of all records retention schedules in the Records Retention Plan.
23. The Records Retention Plan and any subsequent revisions shall be reviewed by:
- (a) the head of the business unit having custody or control over the records;
 - (b) the Municipal Archivist;
 - (c) the Manager of Corporate Information Management;
 - (d) the Chief Financial Officer;
 - (e) the Municipal Solicitor; and
 - (f) the Chief Administrative Officer.
24. The Manager of Corporate Information Management shall establish a process for the review and revision of the records retention schedules as found in the Records Retention Plan.
25. The head of a business unit shall notify the Manager of Corporate Information Management when legal, legislative, or operational changes require the creation or revision of retention schedules in the Records Retention Plan for the records under their custody or control.
26. The Chief Administrative Officer shall notify the Manager of Corporate Information Management when the addition or removal of a municipal function or business unit requires the creation or revision of retention schedules in the Records Retention Plan.

Retention and Storage

27. Government records shall be retained only for as long as they are required for administrative, legal, or operational requirements, as specified in the Records Retention Plan.
28. Government records and information assets shall be:
- (a) stored in controlled and secure environments;
 - (b) organized in recordkeeping systems so they are accessible, legible, useable, and authentic;
 - (c) maintained in formats, media, and conditions that ensure their retention and preservation;
 - (d) transferable throughout their lifecycle; and
 - (e) available for inclusion in a digital preservation system where such government records are in digital formats and constitute archival records.

29. The Municipal Records Centre shall be the central storage repository for government records in physical formats which are no longer needed for active use but which must be retained for further operational, archival, legal, legislative, or financial purposes, as specified in the Records Retention Plan.

30. The Municipal Records Centre shall provide business units with secure and controlled access to their government records which are in the physical custody of the Municipal Records Centre.

Disposition

31. Government records may only be destroyed, alienated, or otherwise removed from the custody or control of the Municipality in accordance with an approved disposition authorization.

32. Records and information assets that have been identified as non-government records or transitory records are not subject to the Records Retention Plan and may be destroyed without an approved disposition authorization.

33. Government records which have deteriorated beyond legibility or which have been damaged to the extent they cannot reasonably be salvaged may be destroyed outside the retention schedules established in the Records Retention Plan with an approved disposition authorization.

34. The Chief Administrative Officer may alienate government records and information assets to a third party not governed by this Administrative Order where such alienation is required as a component of an asset transfer, service, or service exchange agreement and may consider the retention of duplicate records in the custody of the Municipality.

35. The disposition of government records shall be authorized by:

- (a) the head of the business unit having custody or control of the records;
- (b) the Municipal Solicitor;
- (c) the Municipal Archivist; and
- (d) the Manager of Corporate Information Management.

36. The Manager of Corporate Information Management shall coordinate and document the disposition of government records.

37. Where no retention schedule in the Records Retention Plan applies to government records, the government records shall be held until an applicable retention schedule has been approved.

38. Where a business unit or municipal function has ceased and custody or control of its records and information assets is not transferred to another business unit or other entity, the Municipal Archives shall have custody or control of the records unless otherwise directed by the Chief Administrative Officer.

39. Records which are subject to an ongoing or pending litigation, audit investigation, or ongoing access to information request shall be retained until the completion and expiration of any appeal period.

Mandate of the Municipal Archives

40. The Municipal Archives shall:

- (a) identify, acquire, and preserve archival records;
- (b) provide open and equal access to its holdings within the confines of preservation concerns, legal or legislative restrictions, or the terms or conditions of an agreement; and
- (c) promote the history of the Halifax region by facilitating access to its holdings, providing outreach activities, and cooperating with other heritage and archival organizations.

Acquisition and Deaccessioning

41. The Municipal Archives shall be the permanent repository for all archival records of the Municipality and its former municipal units.

42. The Municipal Archives shall maintain a reference collection consisting of reports produced by or on behalf of the Municipality or its predecessor municipalities, and publications relating to historical aspects of the Halifax region.

43. The Municipal Archives may acquire government records directly from a business unit where so doing has been deemed the most appropriate course of action to ensure the preservation of the records.

44. The Municipal Archives may acquire records and other material of archival value from community sources which document the history of the Halifax region and are not within the acquisition mandate of another repository.

45. The Municipal Archives may acquire material of archival value where such items have been created or received by the Municipality, or are related to records acquired by the Municipal Archives.

46. The Municipal Archives may deaccession archival records and material of archival value from its holdings. Deaccessioned material may be destroyed, repatriated to the original owner, transferred to a more appropriate repository, or sold with the proceeds going to an appropriate revenue account of the Municipality.

47. The Municipal Archivist shall document all archival acquisitions and deaccessions.

Repeal

48. Administrative Order 2015-001-GOV Respecting Corporate Information Management is repealed.

Done and passed on this day of , 2023

Mike Savage, Mayor

Iain MacLean, Municipal Clerk

I, Iain MacLean, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted Administrative Order was passed at a meeting of Halifax Regional Council held on , 2023.

Iain MacLean, Municipal Clerk

Appendix B
Halifax Regional Municipality
Administrative Order Number 2015-001-GOV
Respecting Corporate Information Management

BE IT RESOLVED AS AN ADMINISTRATIVE ORDER of the Council of the Halifax Regional Municipality under the authority of the *Halifax Regional Municipality Charter*, as follows:

Short Title

1. This Administrative Order may be known as Administrative Order No. 2015-001-GOV, the *Corporate Information Management Administrative Order*.

Application

2. This Administrative Order applies to the records and information assets of business units of the Municipality, including the records and information assets of former municipal units of the Municipality.

3. (1) This Administrative Order does not apply to personal or political records of elected officials of the Council.

(2) If this Administrative Order conflicts with another enactment or contract, the enactment or contract shall prevail to the extent of the conflict;

Interpretation

4. In this Administrative Order,

(a) “accession” means the formal acceptance into custody by the Municipality of a record, and the recording of such acceptance;

(b) “alienation” means the transfer of custody and control of records and information assets, whether or not such records have completed the records life cycle, to an entity or person not governed by this Administrative Order;

(c) “archival record” means a record that is no longer required by the Municipality for current operations, legal, auditor, or financial requirements but which has been appraised as having enduring legislative, historical, informational, evidential, research or other value;

(d) “business unit” means:

(i) a service unit of the Municipality, including a department, committee, Council, community council, or other body of persons, whether incorporated or unincorporated, providing that all members are:

(A) appointed by the Council, or

(B) in the discharge of their duties, public officers or servants of the Municipality in a business unit designated by the CAO as a business unit for the purposes of this Administrative Order; or

(ii) for the purposes of HRM's File Plan, the office of primary responsibility for official records in the custody and control of the business unit;

(e) "copies/duplicates" means copies and duplicates of records in any format that are made and preserved only for mass distribution, convenience or reference, providing that nothing has been altered, added or deleted since their creation;

(f) "CAO" means the Chief Administrative Officer of the Municipality, or his or her delegate;

(g) "Chief Financial Officer" means the Chief Financial Officer of the Municipality, or his or her delegate;

(h) "Chief Information Officer" means the Chief Information Officer of the Municipality, or his or her delegate;

(i) "Council" means the Council of the Municipality;

(j) "deaccession" means permanently removing records from the holdings of the Municipal Archives.

(k) "destroyed" means the recorded information has been shredded, deleted or otherwise obliterated so it cannot be retrieved;

(l) "disposition" means that a record has been destroyed, transferred to the Municipal Archives or transferred to another entity as a result of organizational changes or new legislative requirements;

(m) "file plan" means a comprehensive classification scheme and description for official records of a business unit, including a records retention schedule governing the records life cycle from creation or receipt of the records through to their disposition;

(n) "head" means:

(i) the director or managing director of a business unit of the Municipality,

(ii) chair or presiding officer of a committee, Council, community council, or other body of persons of the Municipality, or

- (iii) the person designated by the CAO as the head of a business unit;
- (o) “HRM’s File Plan” means the compilation of all business unit file plans;
- (p) “information asset” means a definable piece of information stored in any manner, which is recognized by the Municipality as having value;
- (q) “information governance” means the specification of decision rights and an accountability framework to encourage desirable behaviour in the valuation, creation, storage, use, archival retention and deletion of information assets, and includes the processes, roles, standards and metrics used by organizations to ensure the effective and efficient use of information assets in achieving their goals;
- (r) “information management” means the coordinated and consistent application of legislation, strategies, policies, and practices used to manage records and information assets throughout the life cycle of the information, from planning and systems development to disposal or long-term preservation.
- (s) “Manager of Corporate Information Management” means the Manager of Corporate Information Management of the Municipality, or his or her delegate;
- (t) “Municipal Solicitor” means the Solicitor of the Municipality, or his or her delegate;
- (u) “Municipality” means the Halifax Regional Municipality;
- (v) “non-government record” means recorded information that does not provide evidence of a business transaction, action, decision, obligation or right of the Municipality, including emails containing personal conversations and documents used for general research;
- (w) “office of primary responsibility” means the business unit with the responsibility for maintaining the authoritative version of a specific series of records that support the functions and operations of such unit;
- (x) “official record” means the record of information, in any form or media, that:
 - (i) is designated in the file plan to serve as the Municipality’s official record of a transaction, action, decision, obligation or right;
 - (ii) serves as the most complete, final, accurate and authentic record of the Municipality; and
 - (iii) serves as the best source of evidence;
- (y) “record” means a record of information in any form including:

(i) books, documents, maps, plans, machine readable records, drawings, photographs, letters, vouchers and papers, sound recordings, videotapes, microfilm, electronic files, electronic mail transmissions, databases and spreadsheets, and

(ii) any other information that is written, photographed, recorded or stored in any manner and that is produced or received by the Municipality, such as official records, non-government records, copies, duplicates, and transitory records;

(z) “record life cycle” means the stages of activity from creation or receipt of a record up to and including its final disposition; and

(aa) “transitory record” means records:

(i) of temporary usefulness which are not an integral part of a record series within a file plan; and

(ii) that are not required for evidence or to complete the official record, including preliminary drafts, input documents, such as paper document created for the purpose of entering the information into a database, notes, calculations and drafts used in the preparation of reports and other documents.

Purposes

5. The purposes of this Administrative Order are to establish a corporate information management policy for the Municipality to:

a) apply information governance and information management to the records and information assets of the Municipality throughout their entire life cycle;

b) vest the records and information assets of the Municipality in the custody and control of the business units; and

c) ensure that the records and information assets of the Municipality are managed to support the daily business of the Municipality, preserve corporate memory and meet legal requirements.

Roles and Responsibilities

6. (1) The CAO shall:

(a) consider for approval all proposed file plans and corporate records and information management policies, procedures, guidelines and standards;

(b) designate and establish classes of records for the purpose of retention, destruction or permanent preservation of the records of the Municipality

(c) make policies, procedures, and guidelines and establish standards respecting any matter or thing that in the opinion of the CAO are necessary to effectively carry out the intent and purpose of this Administrative Order; and

(d) ensure that the records and information assets of the Municipality are managed to facilitate re-use, sharing and access to information, transparency, and the protection of privacy.

(2) The CAO may:

(a) establish procedures for the management of records, including the creation, use, disposition, retention, storage, and permanent preservation of records; and

(b) designate business units for the purposes of this Administrative Order.

7. The head of a business unit having custody or control over records shall:

(a) prepare one or more file plans that:

(i) describe, classify and index all official records in the custody or under the control of the business unit;

(ii) govern the record life cycle of the official records in the custody or under the control of the business unit;

(iii) provide precise retention periods for official records in the custody or under the control of the business unit; and

(iv) establish whether each class of official record in the custody or under the control of the business unit is to be permanently preserved, destroyed or otherwise alienated from the custody and control of the business unit;

(b) authorize the final disposition of official records in the custody or under the control of the business unit in accordance with the applicable approved file plan;

(c) ensure all proposed file plans of the business unit are reviewed by the Municipal Solicitor, the Chief Financial Officer and the Manager of Corporate Information Management in advance of requesting that the CAO approve the proposed file plans;

(d) ensure that the approved file plan(s) for the official records in the custody or under the control of the business unit are current and comply with the operational, legislative, legal, financial, audit, and historical requirements applicable to those records of the Municipality; and

(e) ensure that information management principals of records retention, protection of privacy, and the availability of information to meet service requirements, are considered in the development of all new or significantly changing projects, programs, services or systems of the business unit.

8. Managers and supervisors of a business unit shall apply approved file plans to the records and information assets in the custody and control of the business unit and protect and maintain records in the custody and control of the business unit to ensure that the records are:

- (a) usable, legible and accessible;
- (b) available for archival selection and appraisal where identified as having archival value;
- (c) authentic, reliable and trustworthy as evidence;
- (d) maintained in formats, media and conditions that ensures retention and preservation in accordance with approved records retention and disposition schedules and applicable legislation;
- (e) disposed of in accordance with approved file plans when they are no longer required;
- (f) organized and captured in the business unit's recordkeeping system;
- (g) protected against unauthorized access or destruction;
- (h) accessible to anyone who is authorized to access them; and
- (i) systematically retained or disposed of in accordance with approved file plans.

9. All employees or members of a business unit shall:

- (a) classify official records in accordance with approved file plans;
- (b) transfer official records not regularly used to the Municipal Records Centre where they will await their final disposition;
- (c) promptly dispose of copies, duplicates, non-government records, non-records and transitory records that are not required for legal, audit or operational purposes; and
- (d) comply with this Administrative Order and any approved records and information management file plans, policies, procedures, directives, standards and guidelines of the Municipality.

10. The Chief Information Officer shall:

(a) ensure that information management principles and practices are incorporated into all new and modified electronic systems considered for use by the Municipality prior to the development of such new and modified electronic systems; and

(b) implement, support, and maintain all new and modified electronic systems adopted by the Municipality to ensure that records are:

(i) accessible;

(ii) protected against unauthorized access or destruction; and

(iii) preserved so they can be transferred to the Municipal Archives or destroyed in accordance with approved file plans.

11. The Municipal Solicitor shall:

(a) provide legal advice to business units on the management of records and information assets;

(b) review all proposed file plans of business units for compliance with legal and legislative requirements and advise the CAO as to whether the file plans do or do not comply with legal and legislative requirements; and

(c) establish a legal hold process to protect from premature destruction or alteration, records and information assets in all formats and media, that are the subject of a subpoena, pending or actual litigation, or are otherwise required for another legal or legislative purpose.

12. The Chief Financial Officer shall:

(a) provide financial advice on the management of records and information assets; and

(b) review all proposed file plans of business units for compliance with financial and audit requirements and advise the CAO as to whether the file plans do or do not comply with financial and audit requirements.

13. The Manager of Corporate Information Management shall:

(a) develop policies, procedures, guidelines and standards to enable business units to manage records and information assets in compliance with this Administrative Order;

(b) review all proposed file plans of business units for compliance with corporate information management standards and to identify records for archival preservation and advise the CAO as to whether the file plans comply with corporate information management standards and identify records for archival preservation; and

(c) preserve all disposition notices and certificates of destruction and archival accession and de-accession records.

Municipal Records Centre

14. The Municipal Records Centre shall be the central storage repository for records that are no longer actively being used by business units, but must be retained for legal, legislative, financial, audit, or operational reasons.

15. The Municipal Records Centre shall receive, catalogue, store, protect, and provide access to records stored in the facility, provide secure destruction of records and information assets, and retain certificates of destruction.

Municipal Archives

16. The Municipal Archives shall be the permanent repository for archival records of business units of the Municipality and former municipal units.

17. The Municipal Archives shall, within all applicable legal restrictions and physical limitations, identify, acquire, preserve, protect and provide access to archival records in the custody and control of the Municipal Archives.

18. The Municipal Archives will take such measures as are necessary to accession, deaccession, appraise, arrange, describe, preserve and provide access to archival records within all applicable legal restrictions and physical limitations of the records.

19. The Municipal Archives may consider the acquisition of external records when such acquisitions will supplement the archival record of the Municipality.

20. Records that have been identified as having archival importance to the Municipality shall be transferred to the care and control of the Municipal Archives in accordance with applicable file plans and policies of the Municipality.

21. Except as otherwise directed by Council or the CAO, the Municipal Archives shall have the care and control of the records of a business unit that concern obsolete functions of the business unit, for the purposes of identifying and acquiring archival records for permanent storage.

General – File Plan

22. The Municipality adopts the Association of Municipal Administrators (AMA) Record Management Manual to serve as the starting point upon which the Municipality will develop its file plans.

23. The Association of Municipal Administrators (AMA) Record Management Manual, version 3.1, shall continue to be the approved file plan of a business unit until such time as a file plan that supersedes the Association of Municipal Administrators (AMA) Record Management Manual is approved for use by the business unit in accordance with this Administrative Order.

24. No file plan or corporate records and information management policy, procedure, guideline or standard shall come into effect until approved by the CAO.

General - Destruction

25. No person shall destroy, transfer to the Municipal Archives or alienate the official records of the Municipality except in accordance with an applicable file plans or procedures approved in accordance with this Administrative Order.

26. No records of the Municipality shall be destroyed if they are required for actual or potential legal, legislative or audit purposes.

27. Records which have been authorized for disposition shall be destroyed or transferred in a manner that preserves the confidentiality of any confidential information that they may contain.

28. Copies, duplicates, non-government records, and transitory records shall be destroyed according to established operational business rules.

29. A deaccessioned record may be destroyed, repatriated to its original owner, sold with the proceeds going to an appropriate revenue account of the Municipality, transferred to another organization or exchanged for a more useful record.

Repeal

30. The following Administrative Orders are repealed:

a) Administrative Order Number Thirteen, the Pre-Amalgamation Administrative Records Administrative Order; and

b) Administrative Order Number Thirty One, the Corporate Records and Information Management Administrative Order.

Done and passed in Council this 4th day of August , 2015.

Mayor

Municipal Clerk

I, Cathy Mellett, Municipal Clerk of Halifax Regional Municipality, hereby certify that the above noted Administrative Order was passed at a meeting of Halifax Regional Council held on August 4, 2015.

Cathy Mellett, Municipal Clerk

Notice of Motion:

June 2, 2015

Approved:

August 4, 2015