

**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 9th day of May, 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 May 9, 2023.

Iain MacLean, Municipal Clerk

Notice of Motion:
Approval:

April 25, 2023
May 9, 2023