

THE REGIONAL MUNICIPALITY OF YORK

BYLAW NO. 2019-04

A bylaw to establish retention periods
for records of
The Regional Municipality of York Police Services Board

WHEREAS subsection 254(1) of the *Municipal Act, 2001* (the "Act") provides that a municipality shall retain and preserve the records of the municipality and its local boards in a secure and accessible manner;

AND WHEREAS The Regional Municipality of York Police Services Board (the "Board") is a local board for the purposes of the Act;

AND WHEREAS subsection 255(3) of the Act provides that a municipality may establish retention periods during which the records of a local board must be retained and preserved;

AND WHEREAS subsection 255(2) of the Act provides that a record of a local board may be destroyed if a retention period for the record has been established and the retention period has expired;

AND WHEREAS subsection 255(6) of the Act provides that a record does not include a record of a police services board that is directly related to any law enforcement activity with respect to a person or body.

The Council of The Regional Municipality of York hereby enacts as follows:

1. In this bylaw,

- (a) "archival record" means a record of enduring historic value that is permanently maintained;
- (b) "record" means any record of information however recorded, whether in printed form, on film, by electronic means or otherwise, and includes:
 - i. 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
 - ii. subject to any regulations made under the *Municipal Freedom of Information and Protection of Privacy Act*, any record that is capable of being produced from a machine readable record under the control of

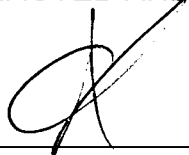
the Board by means of computer hardware and software or any other information storage equipment ordinarily used by the Board;

- (c) "transitory record" means a record having only temporary value and which is not required to be retained to meet statutory obligations, set policy, establish guidelines or procedures, certify a transaction, become a receipt or provide evidence of legal, financial, operational or other decisions of the Board, including a record that is:
- i. created or retained solely for convenience of reference;
 - ii. of insignificant value in documenting the business transactions of the Board such as routine phone, email or text messages;
 - iii. required solely for the completion of a routine activity, or the preparation of another record;
 - iv. not related to the business of the Board;
 - v. not an integral part of a Board record;
 - vi. a miscellaneous notice or memorandum of a minor administrative nature;
 - vii. a copy of a record retained only for distribution or convenience, such as a copy of an internal communication, including a copy of meeting materials;
 - viii. a copy of a record unless such copy has been annotated to reflect significant input;
 - ix. a publication, telephone directory, catalogue, pamphlet or periodical that does not form part of any other record;
 - x. unsolicited advertising information;
 - xi. a preliminary draft of a letter, memorandum or report, or informal notes that do not represent significant steps in the preparation of a final document, including working papers;
 - xii. a tape or notes from a meeting for which the minutes or reports have been adopted or finalized;
 - xiii. a datafile back-up created solely for the purpose of restoring data;
 - xiv. a datafile created solely for the purpose of systems testing; or
 - xv. stored on a compact disk or other portable digital storage device and which meets the definition of a transitory record as defined in this bylaw.

2. Transitory records may be destroyed at any time without being classified pursuant to subsection 4(a) of this bylaw. Where a record is destroyed upon expiry of the retention period described in Schedule "A", the corresponding transitory record shall also be destroyed.

3. Any record in a category set out in the Column 1 "Category of Record" of Schedule "A" shall be retained for the period set out opposite such category in Column 2 "Retention Period" and may thereafter be destroyed.
4. The following principles shall govern the destruction of records:
 - (a) no record shall be destroyed unless first classified according to Schedule "A" of this bylaw;
 - (b) all records shall be destroyed in a manner that preserves the confidentiality of any information contained in such records; and
 - (c) any record pertaining to pending or actual litigation or investigation or a request under any privacy legislation shall not be destroyed until such record is no longer required for such purpose.
5. When any record is deemed to be an archival record, such record shall be transferred to the custody and control of the Regional Archives.
6. Schedule "A" forms part of this bylaw.
7. Bylaw numbers 2013-15 and 2015-69 are hereby repealed.

ENACTED AND PASSED on January 31, 2019.



Regional Clerk


Regional Chair



Schedule "A"

POLICE SERVICES BOARD -RECORDS CLASSIFICATION AND RETENTION SCHEDULE

Series Code	Column 1	Column 2
	Category of Record	Retention Period (in years)
A	Administration	
A00	Administration – General	C+1
A01	Vendors and Suppliers	C+1
A02	Office/Audio Visual Equipment	T+1 T=equipment disposed of
A04	Information Technology Hardware, Software and Administration	T+3
A05	Records Management Program	C+2
A06	Memberships	C+1*
A07	Media	C+1*
A08	Internal News	C+1*
A09	Speeches/Presentations	C+2*
A10	Graphics standards	S*
A11	Travel and Accommodations	C+1
A12	Conventions/Conferences/Events	C+1*
A13	Meetings – Internal	C+6*
A15	Marketing (Promotions)	C + 1
A16	Publications	C+1*
A18	Organization	S*
A20	Printing Services	C+1
A21	Strategic Planning	S*

Codes: C – Current year P – Permanent S – Until superseded T – Termination of an event * – Archival review

Note: gaps in sequence indicate obsolete codes.



Series Code	Column 1	Column 2
	Category of Record	Retention Period (in years)
A22	Consultants	C+2
A23	Records Disposition	P*
A24	Freedom of Information Requests	T+2 T=file closed
A25	Supplies and Services	C+2
A26	Certificates of Insurance	P
A30	Information Technology Services Requests	C+1
A31	Inquiries and Complaints	C+1
A32	Meetings – External	C+6*
A34	Quality Assurance/Control/Performance Measurement	C+6*
A37	Daily Activity Information	C+3
D	Development	
D01	Demography	S
D13	Regional Office Building and Property Development	P*
F	Finance	
F00	Finance – General	C+1
F01	Accounts Payable	C+6
F02	Cheques	C+6
F04	Accounts Receivable	C+6
F06	Employee Expenses	C+6
F07	Payroll	C+6

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Series Code	Column 1	Column 2
	Category of Record	Retention Period (in years)
F08	Budgets, Estimates and Forecasts	C+6
F12	Subsidies	C+6
F14	Capital Expenditures	P*
F16	Financial Statements	P*
F17	Audits and Auditing	C+6*
F19	Quotations and Tenders	C+7
F21	Chargebacks	C+6
F31	Business Plan and Budget	P*
H	Human Resources	
H00	Human Resources – General	C+1
H01	Employee Records	T+7 T=termination of employment
H02	Recruitment	C+3
H03	Job Evaluation/Pay Administration	S+5*
H04	Benefits – General	S+5
H05	Corporate Learning and Development	C+4
H06	Labour Relations	C+49*
H08	Attendance and Scheduling	C+6
H09	Health and Safety – General	C+6*

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Series Code	Column 1	Column 2
	Category of Record	Retention Period (in years)
H12	Health and Safety Accidents	T+50* T=file closed
H14	Pensions – General	C+1
H15	Disability Management	T+50 T=file closed
H16	Employment Applications	3 months after last action
H17	Labour Relations – General	C+9
L	Legal	
L00	Legal – General	C+1
L01	Contracts/Agreements – Contracts or agreements entered into or completed up to December 31, 2003 – Contracts or agreements entered into after December 31, 2003	T+7* T+3* T=completion of contract or agreement plus warranty period
L05	Claims by/against Police <u>Actual Claims</u> – Claims commenced up to December 31, 2003 – Claims commenced after December 31, 2003 <u>Note 1:</u> If claim includes infant claimant represented by Litigation Guardian, this standard retention applies <u>Note 2:</u> If claim includes infant claimant and – Injury/complaint occurred up to December 31, 2003 – Injury/complaint occurred after December 31, 2003 <u>Potential Claims</u> – Injury/complaint occurred up to December 31, 2003 but no action commenced – Injury/complaint occurred after December 31, 2003 but no action commenced <u>Note:</u> If potential claim includes infant claimant and	 T+1 T+1 T=claim settled or withdrawn T+6 T+2 T=18 th birthday T+7 T+2 T=date injury or damage allegedly sustained

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Series Code	Column 1	Column 2
	Category of Record	Retention Period (in years)
	– Injury/complaint occurred up to December 31, 2003 – Injury/complaint occurred after December 31, 2003	T+6 T+2 T=18 th birthday
L07	Hearings/Proceedings – Proceedings commenced up to December 31, 2003 – Proceedings commenced after December 31, 2003	T+1* T+3* T=date matter resolved by agreement or court order
L09	Precedents	S*
L11	Licenses - Licenses granted, denied or revoked up to December 31, 2003 - Licenses granted, denied or revoked after December 31, 2003	T+7 T+3
L13	Legal Advice – General	P*
L14	Property Leases and Licenses - Contract completed or licences granted, denied or revoked after December 31, 2003 - Contract completed or licences granted, denied or revoked up to December 31, 2003	T+3 T+7 T= date license granted, denied or
L34	Legal Counsel –General Matters	T+25
P	Policy	
P00	Policy – General	C+1
P01	Policies, Procedures, Guidelines	P*
P02	Communications to Council	C+2*
P09	Ad Hoc Committees	P*
P10	By-law – Region	P*

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Series Code	Column 1	Column 2
	Category of Record	Retention Period (in years)
P12	Provincial Legislation	S*
P13	Federal Legislation	S*
P15	Federal – Ministries/Agencies	C+2
P16	Provincial – Ministries/Agencies	C+2
P17	Municipalities – Local	C+2
P18	Municipalities – Other	C+2
P19	Local Boards/Commissions/Authorities	C+2*
P45	Police Services Board Agendas and Minutes	P*
W	Works	
W10	Office Building and Property Maintenance	C+1
W11	Radio Systems	S

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York Regional Police Records Classification and Retention Schedule

ADMINISTRATION

A01	Activity Reports	E + 3
A03	Associations	E + 2
A04	Audits	E + 10
A08	Committees	E + 10
A09	Conferences and Seminars	C + 2
A10	Corporate Records Management	E + 5
A11	Corporate Records Disposition	P
A14	Freedom of Information (FOI) Requests	E + 2
A16	Letter Log	C + 14
A17	Mapping Information	E + 2
A18	Meetings and Minutes	E + 10
A20	Newsletters – Internal	E + 30
A22	Statistics	P
A24	York Regional Police Numbered Forms	E + 5
A26	Business Cases/Proposals	P
A28	Risk Management	E + 10

COMMUNITY SAFETY AND CRIME PREVENTION

CC01	Brochures/Pamphlets	P
CC02	Community Events	E + 2
CC03	Community Programs	E + 2
CC05	Media Releases and Media Reports	P
CC06	Programs and Initiatives	E + 9
CC07	Registrations	P



York Regional Police Records Classification and Retention Schedule

CC08	School Programs	E + 2
CC09	Events	E + 20

EQUIPMENT, FLEET AND FACILITIES

EF01	Facilities Testing	C + 3
EF02	Building Plans	E + 3
EF03	Building Access – Personal Access Codes (PACs)	E + 5
EF04	Decontamination Records	C + 5
EF05	Clothing and Equipment	E + 1
EF06	Physical Assets – Equipment	E + 1
EF07	Inventory	P
EF08	Renovations and Repairs	E + 3
EF09	Vehicles and Vessels	E + 3
EF10	Driver's Files/Logs	E + 3
EF11	Air Support	E + 3

FINANCE

F01	Accounts Payable	C + 6
F02	Accounts Receivable	C + 6
F04	Journals	C + 6
F05	Grants	E + 6
F06	Tangible Capital Assets	E + 6
F07	Budgets	E + 6
F09	Paid Duty Requests	C + 6
F10	Procurement	E + 6
F11	Auto-Taxable Benefits	C + 6
F13	Solicitations and Donations	C + 6



York Regional Police

Records Classification and Retention Schedule

F14	Capital Projects	E + 10
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GOVERNANCE

G01	Annual Reports	P
G02	Business Plans	P
G03	Chief's Orders	P
G04	Collective Bargaining	P
G05	Corporate Planning	C + 14
G06	Executive Command Team (ECT)	E + 15
G07	Police Services Board	P
G08	Bylaws – Police Services Board	P
G09	Regulations and Procedures	P
G10	Organizational Chart	P

HUMAN RESOURCES

HR02	Chemical Exposure Reports	E + 50
HR03	Fingerprints – Employees	P
HR05	Human Resources Reports	C + 10
HR06	Job Postings	E + 3
HR07	Position Descriptions	E + 10
HR08	Disability Management	E + 50
HR09	Employee Records	E + 50
HR10	Corporate Orientation	E + 1
HR11	Discipline – Informal	As per Police Services Act/Working Agreement
HR12	Discipline – PSA Convictions	As per Police Services Act
HR13	Payroll Processing	C + 6
HR14	Performance Management	E + 10



York Regional Police Records Classification and Retention Schedule

HR15	Promotional Process	E + 3
HR16	Recruiting – External	E + 15
HR17	Recruiting – Internal	E + 3
HR18	Transfer Requests	E + 1
HR19	Time Banks/Attendance Tracking	C + 6
HR20	Working Files	C
HR21	Unsolicited Résumés	C
HR22	Employee Relations	E + 19
HR23	Health and Safety Information	E + 3
HR24	Volunteer Records	E + 5
HR25	Diving Operations	E + 50

INFORMATION TECHNOLOGY

IT01	Information Technology Requests	E + 1
IT02	Hardware	E
IT03	Information Technology Project Files	E + 1
IT04	Software	E + 1
IT05	Disaster Recovery	S
IT06	Information Technology Audit Logs	E + 5
IT07	Technology Growth	E + 10

LEGAL

L01	Advice	E + 15
L02	Agreements – Real Estate	E + 15
L03	Civil Litigation	E + 15
L04	Contracts and Agreements	E + 6
L05	Criminal Injuries Compensation Board	E + 2



York Regional Police Records Classification and Retention Schedule

L06	Disclosure – Discipline/Misconduct	E + 2
L07	Leases	E + 7
L08	Public Complaints – Informal Resolution	E + 2
L09	Public Complaints – Without Hearing	E + 3
L10	Public Complaints – With Hearing	E + 5
L11	Hearing Officer's Files	P
L12	Special Investigations Unit (SIU) Files	E + 5
L13	Third Party Motions	E + 15
L14	Waivers of Liability	E + 3
L15	Motor Vehicle Collisions Involving YRP Vehicles	E + 15
L17	Chief's Complaints	E + 5

TRAINING AND DEVELOPMENT

TD01	Course Reimbursement	E + 50
TD02	Course Applications	E + 2
TD04	Lesson Plans	E + 10
TD05	PIN Testing	E + 50
TD06	Requests for Equivalency	E + 3
TD07	Requests for Tenure Time Exemption	E + 3
TD08	Use of Force Equipment Inventory	E + 3
TD09	Use of Force Training	E + 3
TD10	Use of Force Reports	E + 2
	Use of Force Reports – Part B	30 days