

2. **2015 INFORMATION MANAGEMENT ANNUAL REPORT AND RECORDS
RETENTION AND DISPOSITION BY-LAW 2003-527 AMENDMENTS**
- RAPPORT DE 2015 ANNUEL SUR LA GESTION DE L'INFORMATION ET
MODIFICATIONS AU RÈGLEMENT 2003-527 SUR LA CONSERVATION ET
LE DÉCLASSEMENT DES DOSSIERS**

COMMITTEE RECOMMENDATION

That Council receive this report for information and amend the *Records Retention and Disposition By-law No. 2003-527* to incorporate the revisions to Schedule "A", as outlined in this report and more specifically described in the Changes to Schedule A, at Document 3.

RECOMMANDATION DU COMITÉ

Que le Conseil prenne connaissance du présent rapport et modifie le *Règlement n° 2003-527 sur la conservation et le déclassé des dossiers*, afin d'y intégrer les révisions à l'annexe A énoncées dans le présent rapport et décrites de façon plus précise dans le document 3.

DOCUMENTATION / DOCUMENTATION

1. M. Rick O'Connor, City Clerk and Solicitor, report dated 29 March 2016 /
Greffier municipal et chef du contentieux, rapport daté le 29 mars 2016
(ACS2016-CMR-CCB-0025)

**FINANCE AND ECONOMIC
DEVELOPMENT COMMITTEE
REPORT 13
13 AVRIL 2016**

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**COMITÉ DES FINANCES ET DU
DÉVELOPPEMENT ÉCONOMIQUE
RAPPORT 13
LE 13 AVRIL 2016**

**Report to
Rapport au:**

**Finance and Economic Development Committee
Comité des finances et du développement économique
5 April 2016 / 5 avril 2016**

**and Council
et au Conseil
13 April 2016 / 13 avril 2016**

**Submitted on March 29, 2016
Soumis le 29 mars 2016**

**Submitted by
Soumis par:
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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2016-CMR-CCB-0025

**SUBJECT: 2015 INFORMATION MANAGEMENT ANNUAL REPORT AND
RECORDS RETENTION AND DISPOSITION BY-LAW 2003-527
AMENDMENTS**

OBJET: RAPPORT DE 2015 ANNUEL SUR LA GESTION DE L'INFORMATION ET MODIFICATIONS AU RÈGLEMENT 2003-527 SUR LA CONSERVATION ET LE DÉCLASSEMENT DES DOSSIERS

REPORT RECOMMENDATION

That the Finance and Economic Development Committee recommend Council receive this report for information and amend the *Records Retention and Disposition By-law No. 2003-527* to incorporate the revisions to Schedule "A", as outlined in this report and more specifically described in the Changes to Schedule A, at Document 3.

RECOMMANDATION DU RAPPORT

Que le Comité des finances et du développement économique recommande au Conseil de prendre connaissance du présent rapport et de modifier le *Règlement n° 2003-527 sur la conservation et le déclasséement des dossiers*, afin d'y intégrer les révisions à l'annexe A énoncées dans le présent rapport et décrites de façon plus précise dans le document 3.

BACKGROUND

The purpose of this annual report is to apprise Committee and Council on the status of the City's Information Management program, summarize the accomplishments and challenges of 2015 and describe some of the work planned for 2016 and beyond.

The practice of annual reporting to Council started when the City Clerk and Solicitor Department assumed responsibility for Information Management (IM) program in 2013. Due to the previous year's work, the City continues to see positive changes in corporate culture with respect to information management and records keeping.

DISCUSSION

The City's Information Management (IM) Unit undertook an organizational realignment that began in 2015 and concluded in Q1 2016. The former IM Operations Unit and IM Strategic Planning Unit were integrated into a single IM Unit to improve business processes and to better support the City's ongoing transition from physical to electronic records

management. As a result of this efficiency, one (1) FTE was able to be reallocated to another Branch within the City Clerk and Solicitor Department.

A second efficiency was found due to a significant increase in the use of the Business Information Management System ('BIMS' – the City's electronic records management system) in the City Clerk and City Manager's offices. Thanks to this growth in the adoption of BIMS, the records office located in the Heritage Building was no longer needed. As such, the records office was closed, the staff member reassigned and the space returned to Public Works for reallocation. IM will continue to review other opportunities to find efficiencies with regard to space, personnel and operating procedures.

In the longer term, the IM unit will continue to alter the mix of its talent pool to meet the growing demand of work that is increasingly technical in nature. In effect, more technical processes and procedures related to managing records keeping databases require a different skill set. This evolution will be accomplished through attrition and additional 'org and tech' changes.

The IM Unit provides a range of services to guide and support diverse clients in meeting their current and evolving physical and electronic records management obligations including:

- Maintaining 14 records offices across the City;
- Providing Tier 1 and 2 system support for two (2) records management applications;
- Training City staff on the records management applications and IM principles;
- Assessing business specific databases for records-related risk;
- Maintaining the City's Records Management Policy and Procedures, the Corporate Records Classification Scheme and the associated Records Retention and Disposition By-law;
- Disposing of records in accordance with the Records Retention and Disposition By-law; and
- Providing expertise in the design, development, implementation, monitoring and evaluation of records and IM policies, standards and best practices.

Due to the City-wide nature of Information Management and records keeping, the scope of the work being performed by the IM unit is considerable. For example:

- Over 3.8 million files are tracked in the physical records system with 89,248 new files created in 2015;
- Electronically, there are over 2.97 million records recorded in BIMS;
- 1,662 City staff took IM training courses on the records management databases and the fundamentals of records classification;
- Over 300 changes were made to the Corporate Records Classification Scheme to keep in alignment with revisions to City program areas;
- Over 116,402 files were sent to commercial off-site storage in 2015;
- Approximately 28,630 files and 3,750 boxes were ordered back from commercial off-site storage for City staff to consult, which is an average of 550 files per week;
- 3,039 technical support calls were processed (e.g. metadata and security access control updates and organization changes); and
- Over 340 Continuous Disposition Authority designations were assigned.

Three Policy Instruments

There are three policy instruments that direct City staff on how to manage their records:

1. The **Corporate Records Management Policy** identifies the requirements and expectations regarding the creation, identification and management of City records;
2. The **Corporate Records Classification Scheme** is a tool that helps organize City records, as well as applies a schedule detailing how long records are kept which now includes the Continuous Disposition Authorities; and
3. The **Records Retention and Disposition By-law** provides the City with the legal authority to create, manage, and dispose of records. The City of Ottawa Archives is the disposition authority for the City and IM staff works in close collaboration with Archives staff.

Two Records-Keeping Applications

The City uses two records-keeping applications to manage its records:

1. **Records Management System (RMS)** is used to manage physical records.
2. **Business Information Management System (BIMS)** is used to manage the electronic records.

IM Results in 2015

2015 was a year of change, challenges and opportunities for the IM Unit. The City's information environment is becoming increasingly complex. Many business areas are replacing physical records with digital objects and data, managing them in business-specific systems and applications both within, and external to, the City network. IM adapted to these challenges by realigning staff, streamlining business processes and evolving new services, such as Information Governance (IG) plans and System Integrity Checklists. These changes will ensure the City's records are captured, appropriately managed and preserved to meet legislative obligations. These changes also support accountability and transparency, one of Council's strategic priorities and more expressly set out in the City's *Accountability and Transparency Policy*.

In July, 2015, an external review commissioned by the Chief Information Office (CIO), confirmed the quality of information management and record keeping work being performed by the City. A report entitled, "ITS Storage Retention Audit Information Management Review" states:

"in general the City of Ottawa is in good shape from an Information Management perspective when compared to other government organizations. There is governance, policy and procedure, effective information architecture and an electronic records and document management system in place. The City has also made a major step forward in the 'institutionalization' of IM by including it as a measured requirement on personal evaluations. While this is considered an industry best practice it is still rare to see in practice."

A copy of this report is on file with the City Clerk.

On June 8, 2015, IM participated in the City's Auditor General's Audit of IT Risk Management. The system integrity checklist, which assesses business specific databases for records-related risk, is consistent with the findings of this audit. A copy of the audit is on file with the City Clerk.

On October 22, 2015, the CIO and City Clerk and Solicitor established an inter-departmental Data Security Committee. This committee was established in part to meet some of the recommendations in recent Auditor General audits. One of the goals of this committee is to create a decision-making body to protect City data. IM is working with ITS Security, the ATIP office and other key information stakeholders on developing an information security classification scheme and associated information/data handling practices. Work will be ongoing into 2016 and beyond.

While two significant initiatives are summarized below, a more fulsome review of the IM Results for 2015 can be found in Document 1, attached to this report.

1. Bill 8 and the IM Response: *Duty to Document*

On January 1, 2016, the *Public Sector and MPP Accountability and Transparency Act, 2014* (Bill 8) came into effect. Bill 8 provides measures that the Ontario Government believes will strengthen political accountability, enhance oversight and increase transparency at the provincial and municipal levels. It includes new, statutory requirements to preserve records under the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*:

“Every head of an institution shall ensure that reasonable measures respecting the records in the custody or under the control of the institution are developed, documented and put into place to preserve the records in accordance with any recordkeeping or records retention requirements, rules or policies, whether established under an Act or otherwise, that apply to the institution.”

Further, Bill 8 added a new offence for the intentional destruction or alteration of records. If convicted of this offence, a person could be fined up to \$5,000 and can be prosecuted for two years after the process is discovered. The amendment states:

“No person shall alter, conceal or destroy a record, or cause any other person to do so, with the intention of denying a right under this Act to access the record or the information contained in the record.”

As a prelude to the Bill 8 implementation date of January 1, 2016, the Information and Privacy Commissioner of Ontario (IPC), published *FIPPA and MFIPPA: Bill 8 – The Recordkeeping Amendments* on December 22, 2015. The document provided guidance to develop and implement new recordkeeping practices. The IPC recommended that institutions develop a broad and effective *Duty to Document* practice regarding business-related activities, including a duty to accurately document key decisions. It was highlighted that this duty must be accompanied by effective oversight and enforcement provisions to ensure the right of access to public records remains meaningful and effective. IM has reviewed the specific implementation guidance and determined the City meets all requirements.

Specifically, in anticipation of this *Duty to Document* recommendation, on July 8th, 2013, IM put in place a records classification to capture senior management decisions and directives and associated deliberations. This classification is reported on a quarterly basis to the City Clerk and Solicitor.

On January 16, 2016, in light of the statutory requirement for all heads of the institution to take “*reasonable measures*” to preserve municipal records, the City Clerk instructed IM and ATIP staff to review template documents, procedures, letters and presentations to communicate these amendments and *Duty to Document* best practice.

This focus on *Duty to Document* is in keeping with provisions included in the February 12, 2015, British Columbia’s *Information Management Act* (Bill 5 - 2015) as well as the January 7, 2016, IPC and Public Interest Commissioner of Alberta Investigation Report. These Canada-wide developments show an increasing focus on the value that record keeping brings to municipal transparency and accountability.

The City Clerk and Solicitor will continue to monitor relevant legislation and the *Duty to Document* requirement with respect to any subsequent municipal best practices. In this way, it will be determined if any further amendments are required to the City’s record keeping program or policies.

2. BIMS Software Implementation Wrap-Up

BIMS has been in place for several years. It is the main repository for electronic Official Business Records (eOBRs). As BIMS was originally introduced to the City in 2006, like all

software, it is aging. The gap between its functionality and emerging information management needs is growing. A project was underway over the last four years to implement a single records-keeping system that managed both physical and electronic records, as well as to improve the interface, incorporate records disposition, and many other features. This ambitious project had various technical issues, which were eventually deemed too extensive to complete in a timely and cost efficient manner by Information Technology Services Department (ITS). Specifically, on October 21, 2015, it was confirmed by the CIO, that the implementation could not reach the planned milestones within the original project budget. IM and ITS reviewed available options with due regard for risk and cost. The result was a revised plan to update BIMS and RMS for the remaining term of Council.

On February 23, 2016, it was agreed that there would be two smaller projects. The CIO and City Clerk and Solicitor will invest the one-time Council approved allocation into these two systems to render:

- RMS stable and functional until 2020. The estimated cost for this is \$45,000; and
- BIMS stable and supportable until 2018. The estimated cost for this is \$232,000. BIMS will also require a second upgrade in 2018.

The purpose behind this work is to maintain our two well-established record systems:

- BIMS has seen wide-spread user adoption and successfully created an electronic records capacity and culture at the City. BIMS has over 1,700 contributors, contains more than 2.97 million records and is integrated with SAP, Microsoft Office products including Outlook; and
- RMS has been in place since 2002. Originally intended as a temporary solution, it has been the reliable tool for physical records at the City for over a decade. It tracks the status of 3.8 million files and has over 600 contributors.

With these applications made stable, IM will work in cooperation with ITS to fit replacement systems within the CIO's technology roadmap. A significant challenge will be the procurement of a new electronic records management system to replace BIMS. This future procurement process is expected to be a multi-year one and an investment will be required during the next term of Council. In 2018, IM staff will prepare a report for IT Subcommittee,

FEDCO, and Council with a new approach to continue to increase staff efficiencies found with the implementation of electronic records in the Corporation.

IM Plans for 2016 and Beyond

IM is well-placed and prepared to provide the direction and tools City staff needs. In fact, IM is anticipating future records challenges, and has developed plans to also address these. For convenience, a partial list is set out at Document 2.

Records Retention and Disposition By-law 2003-527, Schedule A Amendments

Section 255 of the *Municipal Act, 2001*, provides that a municipality may, subject to the approval of the municipal auditor, establish retention periods during which the records of the municipality must be retained and preserved. In general, a record of the municipality may be destroyed if a retention period for the record has been established and the retention period has expired.

The *Records Retention and Disposition (RRD) By-law 2003-527*, as amended, establishes a schedule for the retention and disposition of records in the custody or under the control of the City of Ottawa. In addition, it provides the City with the legal authority to destroy redundant official business records, administrative duplicates and temporary records.

Examples of temporary records include, but are not limited to:

- miscellaneous notices or memoranda concerning routine administrative matters or other minor issues not pertaining directly to the work unit receiving the information;
- information copies of widely distributed materials, such as committee minutes, agendas, etc.;
- preliminary drafts of letters, memoranda or reports and other informal notes that do not represent significant steps in the preparation of the final document and do not record decisions; or
- duplicate copies of documents, which are retained only for convenience.

The City's existing RRD By-law was approved by Council in October 2003, and the records retention and disposition component, being Schedule "A", has been revised on an annual basis.

This Schedule is comprised of a timetable that plans the life of a record from the time of its creation, through its maintenance stages as an active record (stored either on-site or electronically), to an inactive record (stored either off-site or electronically), to its final disposition through destruction or permanent retention. The records retention and disposition schedule is aligned with the corporate records classification scheme. In short, City departments are required to classify their official business records accordingly. Both the Schedule and the classification scheme require ongoing review and modification to accommodate changing legislation, user needs and program changes.

As a result of such routine business developments, modifications to the records retention and disposition schedule are identified by the City Clerk and Solicitor Department in the course of its IM service delivery with clients and are brought forward to Council on an annual basis for approval. This process ensures that the City's records management framework is reflective of the organization and the types of official business records the City needs to retain.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

As this is largely an administrative report, no consultation was undertaken.

COMMENTS BY THE WARD COUNCILLOR(S)

This section does not apply, as this is a City-Wide administrative report.

LEGAL IMPLICATIONS

There are no legal impediments to approving the recommendation contained in this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management concerns arising from this report

FINANCIAL IMPLICATIONS

There are no direct financial impacts associated with this report.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

TERM OF COUNCIL PRIORITIES

This report aligns with Council's Strategic Priority entitled "Governance, Planning and Decision Making." This Strategic Priority aims to "Achieve measurable improvement to residents' level of trust in how the City is being governed and managed, ensure that decisions will result in sustainable measures over the long term and create a governance model that compares well to those used by best-in-class cities around the world".

Specifically, this report supports and compliments Strategic Objective GP1: "Improve the public's confidence in and satisfaction with the way Council works." This objective is described as follows: "Put into place business practices that are democratic, engaging and visible by encouraging citizens to participate in decision-making and community life, by informing them in a timely manner of decisions that affect them, and by providing reasons for decisions."

Robust IM will ensure that records detailing decision-making are retained and preserved in a secure and accessible manner. Having records classified and structured improves transparency. Organized information also streamlines the release of information to residents, for example, improving processes such as routine disclosure and Freedom of Information requests.

SUPPORTING DOCUMENTATION (held on file with the City Clerk and Solicitor)

Appendix 1 – Excerpt from the *Municipal Act, 2001*, with respect to records.

Document 1 – IM Results in 2015

Document 2 – IM Planned Activities for 2016 and Beyond

Document 3 – Schedule A, Amendments Table

Document 4 – Amending By-Law

Document 5 – Revised Schedule A (incorporating changes contained within the amendments table)

DISPOSITION

The City Clerk and Solicitor Department to prepare the amending by-law for enactment upon approval of the report recommendation.

Information Management Unit to forward the amending by-law to the City's External Auditor for approval pursuant to Section 255 of the *Municipal Act 2001*, after enactment by City Council.