

**BYLAW NUMBER 07-01**

**BEING A BYLAW TO REPEAL BYLAW 03-02 AND TO REGULATE  
THE RETENTION AND DESTRUCTION OF RECORDS OF**

**THE BRANTFORD POLICE SERVICES BOARD**

WHEREAS a Police Services Board may by bylaw make regulations for the government of the police service for preventing neglect or abuse and for rendering it efficient in the discharge of its duties under *the Police Services Act, R.S.O.*

THEREFORE the Brantford Police Services Board hereby enact as follows:

## I – PURPOSE AND DEFINITION

1. The Records Retention Schedule attached hereto (Appendix I) shall form part of this bylaw and be sufficient authority for the Brantford Police Services Board to regulate the retention and destruction of records as hereinafter provided.
2. The Records Retention Schedule is designed to reduce the volume of active and dormant records and eliminate inactive record holdings. The schedule has been planned with several objectives in mind:
  - a) to set a retention period for all records;
  - b) to achieve efficiency and economy with regard to space, equipment and staff through the destruction of records that are no longer of value, and the systematic transfer of records to dormant storage;
  - c) to ensure the preservation of records of a historical or noteworthy value (archives);
  - d) to establish an authority for the destruction of records;
  - e) to ensure the collection and destruction of all records, including personal information that conforms with the requirements of the *Municipal Freedom of Information and Protection of Individual Privacy Act, 1989, Bill 49*, and associated Regulations;
  - f) to promote efficient storage of records to allow for retrieval of personal information within a reasonable period of time (30 days);
  - g) to ensure that reasonable steps are taken in protecting the confidentiality of records containing personal information during their storage, transportation, handling and destruction.

### 3. Record

“Record” means any record of information, however recorded, whether in printed form, on film, by electronic means, or otherwise, and includes:

- a) correspondence, a memorandum, book, plan, map, drawing, diagram, pictorial or graphic work, photograph, film, microfilm, sound recording, videotape, machine-readable record, any other documentary material, regardless of the physical form or characteristics, and any copy thereof; and

- b) subject to the Regulations, any record that is capable of being produced from a machine-readable record under the control of an institution by means of computer hardware and software or any other information storage equipment and technical expertise normally used by an institution.

4. Record Grouping

When one record is attached to another or grouped together to form a file or dossier, the retention period for the group is ascertained by the longest period scheduled in the group or dossier.

## **II – RESPONSIBILITY**

1. It is the responsibility of the Executive Assistant to the Brantford Police Services Board to:
  - a) apply the retention schedule under the direction of the Chair in accordance with the provisions of this bylaw;
  - b) complete the records inventory in accordance with the provisions of this bylaw;
  - c) complete the record of destruction under the direction of the Chair in accordance with the provisions of this bylaw;
  - d) identify historical or noteworthy records in accordance with the provisions of this bylaw.
  - e) ensure that the actual destruction of records is carefully supervised.

## **III – RETENTION PERIODS**

1. Except where otherwise indicated, the retention period is indicated in calendar years. The retention period can be applied to a record beginning any month of the year. “Current” means in general circulation or use.
2. The record shall be destroyed at the end of the retention period, unless archived.
3. The length of time each record shall be retained is indicated in the schedule in the following manner:
  - a) “current +” means while in use, valid, outstanding;
  - b) six months, one year, etc.

4. Unless otherwise specified, the retention period of all field units (duplicate copies of records) is current plus one year.
5. The retention period of any record may be extended beyond the normal schedule, provided the record is clearly identified and the reason for the extension justified. The record shall then be reviewed on an annual basis until destruction or placement in the police services board archives.

#### **IV – WORKING PAPERS**

1. Working papers (rough notes, preliminary drafts, calculations, etc.) used in the preparation of other records, shall be destroyed as soon as practicable once the finished record has been produced.

#### **V - HISTORICAL RECORDS - ARCHIVES**

1. Historical records or archives are records of historical or noteworthy value and may be identified and retained after their administrative value has expired.
2. A record is of historical value and considered an archive record if it is identified as:
  - a) policies of the Brantford Police Services Board;
  - b) the organization and administrative history of the Brantford Police Services Board;
  - c) a specific individual transaction which established a legal status of any kind;
  - d) records that could reasonably be expected to have a general or continuing interest;

#### **VI – RECORD OF DESTRUCTION**

1. The Executive Assistant to the Board shall maintain a record of each group of records destroyed on a “Schedule of Records Destruction Form”, BPS #259, and maintained the original of the destruction.
2. Such record shall include:
  - a) a brief description of the record;
  - b) the period of time span for the record;

- c) date, location and method of destruction; and
- d) signature of the Chair authorizing destruction.

The record will also contain notation of any transfer of records of historical value.

## **VII – SECURITY**

1. At no time should records containing personal information waiting for transfer to dormant storage be left unattended in unprotected areas.
2. Rooms used for storage of manual and computer records (off-site premises included) should be locked and secure, with the distribution of access cards, keys or combinations carefully controlled.
3. Access to storage rooms should be monitored and retrieval of records documented.

## **VIII – DISPOSAL OF RECORDS**

1. The method of destruction of records shall be by means of shredding, burning or erasure. Records shall not be disposed of by sale as waste or salvage.
2. Personal information shall be disposed of in accordance with the Regulations of the *Municipal Freedom of Information and Protection of Individual Privacy Act, 1989*.
3. Outside suppliers of transportation and disposal services should be bonded with security provisions included in the service contract.

## **IX – METHOD OF APPLICATION**

1. The normal method of filing records is to subdivide them by year, in numerical order. When applying the schedule, all documents that are identified by bulk by year, shall be disposed of in the same manner. This will exclude those files maintained on a continuous basis, in which this bylaw will determine the disposition.

## **X - AUTHORITY FOR SCHEDULE OF RECORDS**

1. The retention schedule may be approved and amended by motion of the Brantford Police Services Board.

READ A FIRST TIME  
READ A SECOND TIME  
READ A THIRD TIME AND PASSED

June 21, 2007  
June 21, 2007  
June 21, 2007

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Larry Kings, Chair

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Margaret Eves, Executive Assistant

AMENDED TO REMOVE REFERENCE TO "BRANTFORD POLICE SERVICE"  
RECORDS

READ A FIRST TIME  
READ A SECOND TIME  
READ A THIRD TIME AND PASSED

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Larry Kings, Chair

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Margaret Eves, Executive Assistant

**APPENDIX I – RETENTION SCHEDULE FOR BRANTFORD POLICE SERVICES BOARD**

<b>RECORD</b>	<b>DESCRIPTION</b>	<b>RETENTION</b>
Annual Reports	Brantford Police Service	Current + 2 years, then archive
Appointments	Of Board Members	Current + 5 years
Business Plans		Current + 3 years, then archive
Bylaws	Of the Brantford Police Services Board	Current, then archive
Civil Actions	Naming Board	Current + 1 year, then archive
Collective Bargaining	Memoranda of Agreement, Minutes of Settlement, arbitrations, grievances, appeals, letters of understanding	Current + 2 years, then archive
Complaints Against Police	Of conduct of Chief or Deputy Chief or appeal of policy complaints	Current + 5 years
Contracts & Protocols	Property and service contracts, grant programs, etc.	Current + 1 years, then archive
Correspondence	General	Current + 2 years
Financial Reports	Details of expenditures by Service and Board	Current + 2 years
Minutes	Board meeting minutes	Current + 2 years, then archive
Oaths of Office	Of Board members	Current + 5 years
Personnel	Motions of appointments, promotions, resignations, retirements	Current + 2 years
Policies	Of the Board	Current + 2 years, then archive
Reports	By BPS staff on programs, statistical analysis, annual reporting on use of force, secondary activities, etc.	Current + 2 years
Tenders	For services or supply of equipment or vehicles	Current + 2 years
Training	Board members	Current + 2 years