

Toronto District School Board

Policy P097

Title: **RECORDS AND INFORMATION MANAGEMENT**

Adopted: February 3, 2021

Effectuated: February 3, 2021

Revised: N/A

Reviewed: N/A

Authorization: Board of Trustees

1. RATIONALE

The Records and Information Management Policy (the “Policy”) supports the Toronto District School Board’s (TDSB or the Board) commitment to the effective, efficient and secure management of recorded information, regardless of format or media.

This Policy is consistent with subsection 171. (1), par. 38 of the *Education Act* which states the Board may institute a program of records and information management.

2. OBJECTIVE

To establish requirements for effective, efficient, and secure records and information management at the TDSB; and,

To protect the authenticity, reliability, usability, and integrity of recorded information recognized for its operational, legal, financial and or historical value in order to support the delivery of Board programs and services.

3. DEFINITIONS

Board is the *Toronto District School Board*, which is also referred to as “*TDSB*.”

Data is facts, figures and statistics objectively measured according to a standard or scale, such as frequency, volumes or occurrences and forms the basis of information.

Dataset is an organized collection of data.

Electronic Records means records that are captured, generated with and/or used by information technology devices.

Freedom of Information (FOI) Request is a request under *MFIPPA* for access to information that is in the custody or control of the Board. Refer to the Freedom of Information and Protection of Privacy Policy (P094).

Health Information Custodian or “Custodian”, in accordance with the *Personal Health Information Protection Act (PHIPA)*, is the Toronto District School Board for records related to personal health information.

Inactive Records means records that are no longer required in the day-to-day operations of an organization but must be retained for administrative, historical, fiscal, audit, or legal purposes.

Information is meaning and value derived through the analysis and interpretation of data.

Legal Hold is a process that an organization uses to preserve all forms of relevant and potentially relevant information when litigation, a government investigation, investigation, audit, FOI request, or other legal issue or dispute is reasonably anticipated or is underway. During legal hold, applicable retention periods under the TDSB’s records retention schedule are suspended and all available (including official and transitory) records must be preserved.

Metadata is a set of data that describes other data.

Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) establishes legal obligations on how public organizations may collect, use, and disclose personal information. MFIPPA also establishes a right of access that enables individuals to request their own personal information and have it corrected.

Official Record means any record of information created, collected and/or received in the course of regular Board business that provides evidence of business decisions, actions, and transactions, including the delivery of programs and services.

Personal Information is recorded information about an identifiable individual. As defined by *MFIPPA* this may include, but is not limited to:

- Information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,
- Information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,
- Any identifying number, symbol or other particular assigned to the individual,

- The address, telephone number, fingerprints or blood type of the individual,
- The personal opinions or views of the individual except if they relate to another individual,
- Correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,
- The views or opinions of another individual about the individual, and
- The individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

Personal Health Information Protection Act (PHIPA) establishes rules for the collection, use and disclosure of personal health information. It regulates health information custodians (“custodians”) operating within the province of Ontario and to individuals and organizations that receive personal health information from health information custodians.

Recorded Information or Record(s) means any record of information, however recorded, whether in printed form, on film, by electronic means or otherwise, made or received and retained by an organization in pursuance of legal obligations or in the transaction of business.

Examples include:

reports, presentations, briefing notes,; letters, memos; books, pamphlets, plans, maps, drawings, diagrams, graphics, video recordings; and, may also include correspondence such as e-mails, hand-written notes,; text (SMS and/or MMS) messages, voice messages, and instant messages (IM).

Records and Information Management (RIM) is the efficient and systematic control of the creation, receipt, maintenance, use and disposition of records throughout its lifecycle including the processes for capturing and maintaining evidence of and information about business activities and transactions in the form of records.

Record Retention Schedule (RRS) is a comprehensive list of records series titles, indicating for each series (1) the length of time each document or record will be retained as an active record, (2) the reason (legal, operational, fiscal, historical) for its retention, and (3) the final disposition (archival or destruction) of the record.

TDSB is the Toronto District School Board, which is also referred to as the “Board”.

Transitory Records are records of short-term value that can be destroyed immediately or after meeting its transitory need. Examples include a working document used in the preparation of a final document such as reports, policies or procedures or routine e-mails to schedule or confirm meetings or events.

4. RESPONSIBILITY

The Director of Education holds primary responsibility for the implementation of this Policy. Within the Director's Office, the responsibility for the coordination and day-to-day management of the Policy is assigned to the Associate Director, Business Operations and Service Excellence and the Executive Officer, Information Technology/Information Management and Freedom of Information and Privacy.

5. APPLICATION AND SCOPE

This Policy applies to all recorded information created, collected, received or captured within the Board in the normal course of business, whether held in digital (electronic) or hardcopy format.

This Policy applies to all Board staff, Trustees, and service providers (including contractors, consultants) working on behalf of the Board.

6. POLICY

6.1. General

- 6.1.1 Recorded information in the custody and/or control of the Board are corporate and strategic assets.
- 6.1.2 The authenticity, integrity, and usability of recorded information must be maintained over the course of its lifecycle.
- 6.1.3 All recorded information created, produced, collected, received or distributed in the course of conducting Board business are the sole property of the Board.
- 6.1.4 The Board is responsible for the maintenance and safeguarding of records that require long-term preservation, including student records which are managed in accordance with the *Education Act* and the Ministry's *Ontario Student Record (OSR) Guideline* as well as student registers, Board and Committee minutes, financial and personnel records.
- 6.1.5 All recorded information that confirms the delivery of Board programs and services will be created, captured, classified, maintained, and stored within manual or automated systems or repositories approved by the Board.
- 6.1.6 All recorded information will be appraised, described, classified, maintained, retained, and destroyed or preserved in accordance with the Board's records retention schedules, other applicable policies and procedures and applicable access and privacy legislation.

- 6.1.7 The Board will establish corporate requirements for the identification, classification and security of recorded information.
- 6.1.8 The responsibility and accountability for the adequate management of Board recorded information assets rests with individual employees, managers of organizational units, and the TDSB as a whole.
- 6.1.9 Staff leaving employment will ensure that files and records are transferred to the manager/supervisor to ensure retention and operational continuity. Staff are prohibited from keeping Board records following the cessation of their employment.
- 6.1.10 Recorded information will be protected from unauthorized access, disclosure, alteration, use or destruction in accordance with applicable access and privacy legislation, and Board policies, procedures and supporting documentation.
- 6.1.11 Personal information, including personal health information, will be managed in accordance with the *Education Act*, *MFIPPA*, *Personal Health Information Protection Act*, the Board's Freedom of Information and Protection of Privacy Policy (P094), and all other applicable legislative acts and policies.
- 6.1.12 Retention requirements will be determined based on operational, legal, fiscal, and/or historical value of the recorded information.

6.2. **Creation, Capture, and Classification**

- 6.2.1. Recorded information will be regularly created, captured and classified using a standardized approach as part of normal and ongoing business practice to serve as evidence of daily business transactions, decisions, and actions.
- 6.2.2. Recorded information will be routinely assessed and classified either as transitory record or official record, and based on its content and context.
- 6.2.3. The content, context, and structure of official records will be described through index information (e.g., metadata) associated with the recorded information within manual and/or automated systems.
- 6.2.4. The elements (e.g. metadata) of an electronic record will not be altered without proper approval after the record is declared the official record.

6.3. **Access, Security, and Control**

- 6.3.1. Recorded information will be readily available and accessible for as long as it is required, with access permissions restricted to Board employees (or authorized individuals) that require it to perform job duties.
- 6.3.2. The Board will publish online and make available to the public recorded information that is classified as public within the custody and/or control of

the TDSB, following criteria and requirements of the Open Data Policy (P091).

- 6.3.3. The Board will establish requirements for the identification, classification and security of recorded information.
- 6.3.4. The sharing and reuse of recorded information within the Board will be utilized to the greatest extent possible, subject to legal and policy obligations.
- 6.3.5. Recorded information will be managed to protect privacy and confidentiality. The Board will use secured means through the Board's internet technology systems wherever possible, and data encryption will be utilized in the transmission of confidential and/or sensitive recorded information. Board staff should refrain from using personal or unsecured transmission means when conducting Board business.

6.4. **Maintenance, Storage and Preservation**

- 6.4.1. The authenticity, integrity, and usability of recorded information and data must be maintained over the course of its lifecycle.
- 6.4.2. Based on the TDSB's records retention schedule, inactive official records will be transferred to less-costly off-site or off-line facilities and repositories while maintaining effective and efficient access, for as long as required to meet legal, business and accountability requirements.
- 6.4.3. Recorded information will be safeguarded from unauthorized access, use, disclosure, alteration, removal or destruction.
- 6.4.4. Official records of historical value will be identified, safeguarded and preserved for long-term access and use based on the TDSB's records retention schedule. Conditions for physical preservation of records will be compliant with applicable environmental and safety regulations.
- 6.4.5. Official records deemed essential for business continuity will be identified, classified, maintained, stored and protected with the appropriate safeguards and controls to ensure its recovery and use for business resumption.
- 6.4.6. Recorded information will be stored in a manner that maximizes efficiencies and economies (e.g., off-site storage; archives; record centres; data warehouse) while ensuring the delivery of Board programs and services are maintained.
- 6.4.7. Recorded information will be preserved and made accessible over time and through technological changes.

6.5. **Retention and Disposition**

- 6.5.1. Retention periods for recorded information will be determined based on appraisal and scheduled according to operational, legal, fiscal, and

historical value, and, in accordance with legislative requirements and accountabilities.

- 6.5.2. All official records will be assigned a retention period which will be maintained within the TDSB's records retention schedule.
- 6.5.3. The Board's official records will not be removed from its control and custody, or destroyed, except for under the authority and rules contained within the records retention schedule.
- 6.5.4. Transitory records, those with short-term value and only required for a limited period of time, will be disposed of at the earliest time possible, subject to legal and business requirements.
- 6.5.5. The destruction or deletion of recorded information and data will be done so in a manner that ensures that it cannot be recovered, reconstructed, retrieved or read.
- 6.5.6. Legal requirements supersede any and all Board policies authorizing destruction of records, including the authority granted in approved retention schedules. The issuance of a legal hold will be on an exception basis when authorized by the Director of Education or designate including the Board's Executive Officer, Legal Services. During a legal hold, applicable retention periods under the TDSB's records retention schedule are suspended and all available records – both official and transitory - must be preserved.
- 6.5.7. The retention period assigned to all recorded information and data will only be extended or suspended when subject to a:
 - FOI request made under the *Municipal Freedom of Information and Protection of Privacy Act*;
 - formal investigation and/or audit;
 - legal hold and e-discovery; and,
 - circumstances that alter the normal operational, legal, fiscal or regulatory value of the records.
- 6.5.8. Official records will be disposed of in accordance with the Board's records retention schedule and authorized by the business unit or departmental head responsible for its lifecycle management.

6.6. **System Implementation and Training**

- 6.6.1. Records and Information Management (RIM) will be integrated into Board programs and services, and into the ongoing planning, budgeting and management processes. It will also be integrated into the design of new or updated technology tools and systems.
- 6.6.2. Records and Information Management (RIM) training will be provided to Board staff for the application of this Policy.

7. SPECIFIC DIRECTIVES

The Director of Education is authorized to issue operational procedures to implement this Policy.

8. EVALUATION

This Policy will be reviewed as required but at a minimum every four (4) years after the effective date.

9. APPENDICES

Not applicable.

10. REFERENCE DOCUMENTS

Legislation:

- *Canada Evidence Act*
- *Education Act*
- *Municipal Freedom of Information and Protection of Privacy Act*
- *Ontario Evidence Act*
- *Personal Health Information Protection Act*
- *Electronic Commerce Act*

Policies and Procedures:

- Acceptable Use of Information Technology Resources Policy (P088)
- Cyber Risk and Security (PR725)
- Freedom of Information and Protection of Privacy Policy (P094)
- Open Data Policy (P091)
- Records and Information Management Procedure (PR677)

Other Documents:

- Ontario Student Record (OSR) Guideline, 2000
- TDSB's Records Retention Schedule
- TDSB's Records Management Classification System, August 18, 2004