

BYLAW NO. 8-99

RECORDS RETENTION AND DISPOSITION BYLAW

A Bylaw of the Beaver Regional Waste Management Services Commission in the Province of Alberta, establishing Regulations and Procedures for the retention and disposal of the Commission records. Pursuant to the Provisions of Section 214 of the Municipal Government Act, being Chapter M-26.1 of the Statutes of Alberta, 1994 and amendments as well as pursuant to the Freedom of Information and Protection of Privacy Act, being Chapter F-18.5 of the Statutes of Alberta, 1994 and amendments thereto.

WHERE AS, it is the desire of the Beaver Regional Waste Management Services Commission, in the Province of Alberta, to provide regulations and procedures with respect to the retention and disposal of Records including, but not limited to: correspondence, records, vouchers, receipts, instruments, and other records in the custody or control of the Beaver Regional Waste Management Services Commission; and

WHEREAS, it is the desire of the Commission to establish the necessary authority to release Commission records to the Alberta Archives or other Archival Centres on either a permanent loan or retention basis; and

WHEREAS, the authority for such regulations and authorities must be consistent with Federal or Provincial Statutes and Regulations:

NOW THEREFORE, the Board of the Beaver Regional Waste Management Services Commission, in the Province of Alberta, duly assembled, enacts as follows:

PART 1 - TITLE, DEFINITIONS AND SYMBOLS

Section 1

This Bylaw is cited as “**The Records Retention and Disposition Bylaw**” of the Beaver Regional Waste Management Services Commission.

Section 2

In this Bylaw, unless the context otherwise requires, the word, term or expression:

“**Confidential**” shall mean any record which contains personal information about individuals, thirty party, commercial, financial, scientific or technical information, information supplied either explicitly or implicitly in confidence or other sensitive

information described in Sections 15-28 of the Freedom of Information and Protection of Privacy Act.

“General Record” shall mean those records within the general files pursuant to **Schedule “A”**.

“Official” shall mean the Chief Administrative Officer or delegate, duly appointed by the Chief Administrative Officer of the Beaver Regional Waste Management Services Commission.

“Records” shall mean all ledgers, receipts, vouchers, instruments, correspondence, maps, rolls, papers or other information in the custody or control of the Beaver Regional Waste Management Services Commission in any form or format.

“Transitory Record” shall mean records that have short-term, immediate or no value and will not be required for future reference.

Section 3

When used in this Bylaw and the Schedules attached hereto, as well as, in the operation of any Records Management Systems established consistent with this Bylaw, the following symbols shall be used to designate the form of retention or disposal required:

D	Destroy
P	Permanent Retention
A	Permanently held in Alberta or other Archival Centre
T	Transfer to appropriate authority

PART 2 - RECORD RETENTION AND DESTRUCTION

Section 4 - Retention & Destruction

- (a) All Transitory Records, which do not contain confidential information, shall be disposed of at anytime, when they no longer serve any valid purpose.
- (b) All Transitory Records containing potentially confidential information shall be disposed of in a manner so that the information contained therein is completely obliterated, at anytime, when they no longer serve any valid purpose.
- (c) All General Records of the Beaver Regional Waste Management Services Commission shall be destroyed after five (5) years, except as otherwise provided for in **Schedule “A”**.

- (d) Should an individual's personal information be used by the Beaver Regional Waste Management Services Commission to make a decision that directly affects the individual, the Beaver Regional Waste Management Services Commission shall retain the personal information for at least one (1) year from the date it was used to make the determination, so that the individual has a reasonable opportunity to obtain access to it.
- (e) Where, in this Bylaw and Schedule "A" attached hereto, it is provided that particular records in the custody or control of the Beaver Regional Waste Management Services Commission shall be:

Destroyed (D)

Such records shall be destroyed, so that the information contained therein is completely obliterated, without any copy thereof being retained: and

Permanent (P)

Such original records shall be preserved and never destroyed, excepting original records, which have been recorded on microfilm: and

Permanently held in Archives (A)

Such records shall be released to either the Provincial Archives or other local archives upon decision and direction of the Official. A copy of the transferred record index shall be permanently retained on file: and

Transferred to an appropriate authority (T)

Such record shall be transferred to the authority responsible for the records upon decision and direction of the Official, when they are no longer under the authority or responsibility of the Beaver Regional Waste Management Services Commission. A copy of the transferred record index shall be permanently retained on file.

Section 5 - Discretion

The Official shall always have a discretion to retain records longer than the period provided for in this Bylaw and shall do so where the Official deems it appropriate and shall do so where the Official has received an indication that there is or maybe any litigation involving any of said records. Such decision to retain the records longer than the period provided for herein shall be recorded in the record retention index.

Section 6 - FOIP Requests

Where the Official has received an indication that there is or may be a FOIP request involving any records scheduled for destruction, the Official is obligated to retain said records for a period of one (1) year after the FOIP request has been made. Such decision to retain the records longer than the period provided for herein shall be recorded in the record retention index.

Section 7 - Permanent Retention and Destruction

- (a) When records have been destroyed under this Bylaw, with the exception of records destroyed under Section 4 (a) and (b), the Official shall so certify in writing. Such certification shall refer to the relevant schedule and item of this Bylaw and shall identify the records destroyed.
- (b) The Official shall keep an index of:
 - Records Destroyed;
 - Records Transferred to Archives; and
 - Records Transferred to Another Authority.
- (c) When records are destroyed under this Bylaw, the proper and complete destruction thereof is the responsibility of the Official.
- (d) When records are recorded on microfilm, the Official shall ensure that such microfilm is properly prepared, identified and indexed.
- (e) Destruction of all records shall be carried out in the presence of a witness. The person destroying the records shall provide a statement in writing attesting to the time and location of the destruction of the records, together with a list of the records destroyed and also the names and the persons who witnessed the destruction. The statement of disposition shall be presented to the Board of the Commission and permanently filed in the Beaver Regional Waste Management Services Commission office.

Section 8 - Retention Audit

The Official will ensure that the Retention Schedule attached shall be adhered to and that annual audits of the records will be conducted to ensure compliance with this Retention and Disposition Bylaw.

PART 3 - GENERAL

Section 9 - Record Retention Schedules

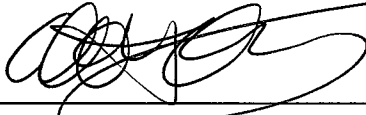
The attached **Schedule "A"** is hereby adopted. It may be amended by resolution of the Board upon the recommendation of the Official.

Section 10 - Storage and Security

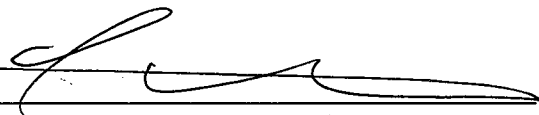
It shall be the responsibility of the Official to provide for the adequate storage and security of all Beaver Regional Waste Management Services Commission records.

PART 4 - ENACTMENT

This Bylaw shall come into force and have effect upon it being passed.



CHAIRMAN



CHIEF ADMINISTRATIVE OFFICER

**BYLAW
Schedule "A"**

FILE TYPE	SPECIFICS	RETENTION
GENERAL RECORDS	Reference material	Review relevance annually
	Quotes/ unsuccessful tenders Price lists Information packages/proceedings Associations Daytimers Newspapers	Destroy after 5 years
Working Documents	Tape recordings of meetings	Destroy after minutes approved
	Budget Inventories (stock counts)	Destroy after 5 years
	Maintenance Records - all Etc.	Destroy after 11 years
TRANSITORY	Meeting notes Telephone messages Drafts Fax cover sheets Etc.	Routinely discard (without permission)
LEGAL	Contracts Permits (other than development) Licenses Notices Services agreements Government agreements Government approvals Etc.	Destroy 11 years after expiry
Litigation	All	Permanent
CORRESPONDENCE		
General	Announcements General information Associations Newsletters Solicitations/requests Requests for support of action Etc.	Destroy after 5 years
Policy/bylaw related	Complaints Actions Petitions Amendments Etc.	Destroy after 5 years (keep for 11 if suspect legal action)

FILE TYPE	SPECIFICS	RETENTION
Government correspondence	Other municipalities Provincial ministries/agencies Federal ministries/agencies	Destroy after 5 years
Correspondence with historical value	First of's Anniversaries Celebrations Awards Events	Permanent
REPORTS/STUDIES	Prepared for other jurisdictions (reference)	Review relevance annually
	Produced for Beaver Regional Waste	Permanent
CORPORATE DOCUMENTS		
Agenda packages	Council Committees Boards Etc.	Destroy after 5 years
Insurance	All	Destroy 11 years after expiry
	Accident reports	Destroy 11 years after claim
Agendas	Council	Permanent (retain 1 copy only as "official" record)
Minutes	Council Committees Boards Etc.	Permanent (retain 1 copy only as "official" record)
Other	Bylaws Policies Etc.	Permanent (retain 1 copy only as "official" record)
FINANCE		
General financial documents	Receipts Vouchers Invoices Purchase orders Cancelled cheques Bank statements Etc.	Destroy after 7 years
	Debentures, loans, leases, investments	Destroy 7 years after expiry
Investments, financing	Yearly:	Permanent
"Official" financial documents	General Ledger Accounts Payable Accounts Receivable Cash Receipts Fixed Asset Ledger Annual reports/financial statements Etc.	

FILE TYPE	SPECIFICS	RETENTION
PERSONNEL Personnel records	Applications/resumes	Destroy rejected after 1 year
	Employee files	Destroy 5 years after termination
	Salary ranges/surveys Job descriptions, advertisements	Destroy after 5 years
Payroll	Direct deposit transfer lists	Destroy after 2 years
	Time sheets T-4 copies Etc.	Destroy after 7years
Remittance records	Benefits	Destroy after 7 years
	RSP/Pension – summary of yrs of service	Permanent
FILE TYPE LAND	Pest control notices Weed notices	
	Utility rights-of-way	Destroy 2 years after removal
	Aerial photographs Compliance certificates Construction projects County maps Development decisions Land titles	Permanent