

Law, Legislative Services & Security Report to  
Regular Meeting of Council  
2023 November 28

ISC: UNRESTRICTED  
C2023-1045

## **The City of Calgary Records Retention and Disposition Bylaw**

### **PURPOSE**

The purpose of this report is to obtain Council's approval to repeal the Records Management Bylaw 53M99 and give three readings to a new proposed Records Retention and Disposition Bylaw.

### **PREVIOUS COUNCIL DIRECTION**

At its Meeting of 1998 September 28, Council authorized work to complete Corporate-wide Records Management project to develop a Records Management Program. On 1999 October 04, Council approved a Bylaw to adopt policies and procedures for the management of The City of Calgary ("The City") records. This Bylaw included the adoption of a Corporate-wide file classification system that represents the administrative and operational records of The City of Calgary; a retention schedule for the systematic disposal of City records at the completion of their lifecycle; and Corporate policies and procedures to support the maintenance of the Records Management Program.

### **RECOMMENDATION:**

That Council:

1. Give three readings to proposed Records Retention and Disposition Bylaw 54M2023 (Attachment 1); and,
2. Repeal the Records Management Bylaw 53M99.

### **CITY MANAGER/GENERAL MANAGER COMMENTS**

The City Solicitor and General Counsel concurs with this Report.

### **HIGHLIGHTS**

- In accordance with section 214 of the *Municipal Government Act* ("MGA"), Council may pass a bylaw to authorize the destruction of records and documents of The City. Good record management activities enhance transparency of government and make official City records easily accessible, reliable, and useable. The Records Retention and Disposition Bylaw will provide the appropriate framework for records management while meeting information access, privacy, and security requirements.
- Under the existing Records Management Bylaw 53M99, the authority to modify the records classification and retention schedule lies with Council. The proposed Records Retention and Disposition Bylaw repeals Bylaw 53M99 enacted in 1999 and replaces it with an updated and consistent approach, with delegated authority to the City Clerk, to manage The City official records through their lifecycle.

### **DISCUSSION**

Records Management Bylaw 53M99 no longer meets the needs of The City to efficiently adjust and improve records retention and destruction activities as the legislative and operational needs and obligations of The City change.

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Administration prepared a new bylaw to meet the MGA requirements set out in section 214 and streamline the process for retention and destruction of records. The proposed bylaw delegates internal administrative functions to the City Clerk to formalize long standing Corporate practices and create agility to respond to business needs. In addition to the Bylaw, The City has a robust administrative framework that guides the Corporate Records Management Program. Work has been completed to review and consolidate existing Administration policies for approval by the Executive Leadership Team.

The proposed Records Retention and Disposition Bylaw does not impact the *Records Management Policy for Councillors (PAC013)* which formalizes and clarifies the current and proposed practices of the Office of the Councillors in relation to records which Councillors create or receive during their term of office.

### EXTERNAL ENGAGEMENT AND COMMUNICATION

- |  |   |
|--|---|
| <input type="checkbox"/> Public engagement was undertaken        | <input type="checkbox"/> Dialogue with interested parties was undertaken                |
| <input type="checkbox"/> Public/interested parties were informed | <input checked="" type="checkbox"/> Public communication or engagement was not required |

### IMPLICATIONS

#### Social

Not Applicable

#### Environmental

Not Applicable

#### Economic

Not Applicable

#### Service and Financial Implications

Existing operating funding - base

Resources for this work were allocated from Law, Legislative Services and Security existing operating budget.

### RISK

There are no risks associated with the adoption of the recommendation in this Report.

### ATTACHMENTS

1. Proposed Bylaw 54M2023
2. Background and Previous Council Direction
3. Presentation

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Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Jill Floen, City Solicitor and General Counsel	Law, Legislative Services and Security	Approve
Katarzyna Martin, Director/City Clerk	Law, Legislative Services and Security	Approve

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