

THE REGIONAL MUNICIPALITY OF YORK

BILL NO. 16

BYLAW NO. 2013-15

A bylaw to establish retention periods
for records of
The Regional Municipality of York Police Services Board

WHEREAS subsection 254(1) of the *Municipal Act, 2001* (the “Act”) provides that a municipality shall retain and preserve the records of the municipality and its local boards in a secure and accessible manner;

AND WHEREAS The Regional Municipality of York Police Services Board is a local board for the purposes of the Act;

AND WHEREAS subsection 255(3) of the Act provides that a municipality may, subject to the approval of the municipal auditor, establish retention periods during which the records of a local board must be retained and preserved;

AND WHEREAS subsection 255(2) of the Act provides that a record of a local board may be destroyed if a retention period for the record has been established and the retention period has expired.

NOW THEREFORE the Council of The Regional Municipality of York enacts as follows:

1. In this bylaw,

- (a) “archival record” means a record of enduring historic value that is permanently maintained;
- (b) “record” means any record of information however recorded, whether in printed form, on film, by electronic means or otherwise, and includes:
 - i. correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine readable record, any other documentary material, regardless of physical form or characteristics, and any copy thereof; and
 - ii. subject to any regulations made under the *Municipal Freedom of Information and Protection of Privacy Act*, any record that is capable of being produced from a machine readable record under the control of the Board by means of computer hardware and software or any other information storage equipment ordinarily used by the Board;

- (c) “transitory record” means a record having only temporary value and which is not required to be retained to meet statutory obligations, set policy, establish guidelines or procedures, certify a transaction, become a receipt or provide evidence of legal, financial, operational or other decisions of the Board, including a record that is:
- i. created or retained solely for convenience of reference;
 - ii. of insignificant value in documenting the business transactions of the Board such as routine phone, email or text messages;
 - iii. required solely for the completion of a routine activity, or the preparation of another record;
 - iv. not related to the business of the Board;
 - v. not an integral part of a Board record;
 - vi. a miscellaneous notice or memorandum of a minor administrative nature;
 - vii. a copy of a record retained only for distribution or convenience, such as a copy of an internal communication, including a copy of meeting materials;
 - viii. a copy of a record unless such copy has been annotated to reflect significant input;
 - ix. a publication, telephone directory, catalogue, pamphlet or periodical that does not form part of any other record;
 - x. unsolicited advertising information;
 - xi. a preliminary draft of a letter, memorandum or report, or informal notes that do not represent significant steps in the preparation of a final document, including working papers;
 - xii. a tape or notes from a meeting for which the minutes or reports have been adopted or finalized;
 - xiii. a datafile back-up created solely for the purpose of restoring data;
 - xiv. a datafile created solely for the purpose of systems testing; or
 - xv. stored on a compact disk or other portable digital storage device and which meets the definition of a transitory record as defined in this bylaw.
2. Transitory records may be destroyed at any time without being classified pursuant to subsection 4(a) of this bylaw. Where a record is destroyed upon expiry of the retention period described in Schedule “A”, the corresponding transitory record shall also be destroyed.
3. Any record in a category set out in the Column 1 “Category of Record” of Schedule “A” shall be retained for the period set out opposite such category in Column 2 “Retention Period” and may thereafter be destroyed.

4. The following principles shall govern the destruction of records:
 - (a) no record shall be destroyed unless first classified according to Schedule “A” of this bylaw;
 - (b) all records shall be destroyed in a manner that preserves the confidentiality of any information contained in such records; and
 - (c) any record pertaining to pending or actual litigation or investigation or a request under any privacy legislation shall not be destroyed until such record is no longer required for such purpose.
5. When any record is deemed to be an archival record, such record shall be transferred to the custody and control of the Regional Archives.
6. This bylaw shall come into force upon receiving the approval of the Auditor appointed by Regional Council.
7. Schedule “A” shall form part of this bylaw.

ENACTED AND PASSED on March 28, 2013.

Denis Kelly
Regional Clerk

Bill Fisch
Regional Chair

Schedule “A”



Series Code	Column 1	Column 2
	Category of Record	Retention Period (in years)
A	Administration	
A00	Administration – General	C+1
A02	Office/Audio Visual Equipment	T+1 T=equipment disposed of
A06	Memberships	C+1*
A07	Media	C+1*
A08	Internal News	C+1*
A09	Speeches/Presentations	C+2*
A10	Graphics standards	S*
A11	Travel and Accommodations	C+1
A12	Conventions/Conferences/Events	C+1*
A13	Meetings – Internal	C+6*
A16	Publications	C+1*
A18	Organization	S*
A20	Printing Services	C+1
A21	Strategic Planning	S*
A23	Records Disposition	P*
A24	Freedom of Information Requests	T+2 T=file closed
A31	Inquiries and Complaints	C+1
A32	Meetings – External	C+6*

Codes: C – Current year P – Permanent S – Until superseded T – Termination of an event * – Archival review
Note: gaps in sequence indicate York Region codes not used by York Police Services Board



Series Code	Column 1	Column 2
	Category of Record	Retention Period (in years)
A34	Quality Assurance/Control/Performance Measurement	C+6*
A37	Daily Activity Information	C+3
F	Finance	
F00	Finance – General	C+1
F01	Accounts Payable	C+6
F02	Cheques	C+6
F04	Accounts Receivable	C+6
F06	Employee Expenses	C+6
F07	Payroll	C+6
F08	Budgets, Estimates and Forecasts	C+6
F12	Subsidies	C+6
F14	Capital Expenditures	P*
F16	Financial Statements	P*
F17	Audits and Auditing	C+6*
F21	Chargebacks	C+6
F31	Business Plan and Budget	P*
H	Human Resources	
H00	Human Resources – General	C+1
H01	Employee Records	T+7 T=termination of employment



Series Code	Column 1	Column 2
	Category of Record	Retention Period (in years)
H02	Recruitment	C+3
H03	Job Evaluation/Pay Administration	S+5*
H04	Benefits – General	S+5
H05	Corporate Learning and Development	C+4
H06	Labour Relations	C+49*
H08	Attendance and Scheduling	C+6
H09	Health and Safety – General	C+6*
H12	Health and Safety Accidents	T+50* T=file closed
H14	Pensions – General	C+1
H15	Disability Management	T+50 T=file closed
H16	Employment Applications	3 months after last action
H17	Labour Relations – General	C+9
L	Legal	
L00	Legal – General	C+1
L01	Contracts/Agreements	
	– Contracts or agreements entered into or completed up to December 31, 2003	T+7*
	– Contracts or agreements entered into after December 31, 2003	T+3* T=completion of contract or agreement plus warranty period



Series Code	Column 1	Column 2
	Category of Record	Retention Period (in years)
L05	Claims by/against Police	
	<u>Actual Claims</u>	
	– Claims commenced up to December 31, 2003	T+1
	– Claims commenced after December 31, 2003	T+1
	<u>Note 1:</u> If claim includes infant claimant represented by Litigation Guardian, this standard retention applies	T=claim settled or withdrawn
	<u>Note 2:</u> If claim includes infant claimant and	
	– Injury/complaint occurred up to December 31, 2003	T+6
	– Injury/complaint occurred after December 31, 2003	T+2 T=18 th birthday
	<u>Potential Claims</u>	
	– Injury/complaint occurred up to December 31, 2003 but no action commenced	T+7
	– Injury/complaint occurred after December 31, 2003 but no action commenced	T+2 T=date injury or damage allegedly sustained
	<u>Note:</u> If potential claim includes infant claimant and	
	– Injury/complaint occurred up to December 31, 2003	T+6
	– Injury/complaint occurred after December 31, 2003	T+2 T=18 th birthday
L07	Hearings/Proceedings	
	– Proceedings commenced up to December 31, 2003	T+1*
	– Proceedings commenced after December 31, 2003	T+3* T=date matter resolved by agreement or court order
L09	Precedents	S*
L13	Legal Advice – General	P*
L34	Legal Counsel –General Matters	T+25



Series Code	Column 1	Column 2
	Category of Record	Retention Period (in years)
P	Policy	
P00	Policy – General	C+1
P01	Policies, Procedures, Guidelines	P*
P02	Communications to Council	C+2*
P1	Bylaw – Region	P*
P12	Provincial Legislation	S*
P13	Federal Legislation	S*
P15	Federal – Ministries/Agencies	C+2
P16	Provincial – Ministries/Agencies	C+2
P17	Municipalities – Local	C+2
P18	Municipalities – Other	C+2
P19	Local Boards/Commissions/Authorities	C+2*
P45	Police Services Board Agendas and Minutes	P*



YORK REGIONAL POLICE RECORDS CLASSIFICATION AND RETENTION SCHEDULE

ADMINISTRATION

A01	Activity Reports	E + 3
A02	Alarms Program	C + 1
A03	Associations	
A04	Audits – Operational	S + 10
A05	Audits – Recommendations	E + 1
A06	Canadian Police Information Centre (CPIC) Messages	E + 3
A07	Clearance Requests	C + 1
A08	Committees	C + 5
A09	Conferences and Seminars	C + 1
A10	Corporate Records Management	
A11	Corporate Records Disposition	
A12	Correspondence	C + 1
A13	Fax Control Log	30 days
A14	Freedom of Information (FOI) Requests	E + 1
A15	Information Index (Info Index)	
A16	Letter Log	C + 1
A17	Mapping Information	

C – Current **E** – Event **P** – Permanent **S** - Superseded

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YORK REGIONAL POLICE RECORDS CLASSIFICATION AND RETENTION SCHEDULE

A18	Meetings and Minutes	C + 1
A19	Motor Vehicle Collisions – departmental	E + 3
A20	Newsletters – Internal	E + 1
A21	Prisoner Handling and Booking Records	E + 3
A22	Statistics	
A23	YRPNet News	E + 60 days
A24	York Regional Police Numbered Forms	S + 5
A25	Joint Health and Safety Committee	C + 5
A26	Business Cases/Proposals	E + 10
A27	Grants – supporting documentation	E + 2
A28	Risk Management	E + 10
A29	Risk Management Recommendations	E + 1
A99	Administration – General	C + 1

COMMUNITY SAFETY AND CRIME PREVENTION

CC01	Brochures/Pamphlets	S + 1
CC02	Community Events	E + 2
CC03	Community Programs	S + 2
CC04	Community Safety Village	C + 5

C – Current **E** – Event **P** – Permanent **S** - Superseded

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YORK REGIONAL POLICE RECORDS CLASSIFICATION AND RETENTION SCHEDULE

CC05	News Releases and Media Reports	C + 5
CC06	Programs and Initiatives	C + 9
CC07	Registrations	
CC08	School Programs	S + 2
CC09	Special Events	E + 3
SC10	Vulnerable Persons Registry	
CC11	Website Content	E + 3
CC99	Community Safety and Crime Prevention – General	C + 1

EQUIPMENT, FLEET AND FACILITIES

EF01	Facilities Testing	E + 3
EF02	Building Plans	E + 3
EF03	Building Access – Personal Access Codes (PACs)	
EF04	Decontamination Records	C + 5
EF05	Clothing and Equipment	E + 1
EF06	Physical Assets – Equipment	E + 1
EF07	Inventory	
EF08	Renovations and Repairs	E + 3
EF09	Vehicles and Vessels	E + 3

C – Current **E** – Event **P** – Permanent **S** - Superseded

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YORK REGIONAL POLICE RECORDS CLASSIFICATION AND RETENTION SCHEDULE

EF10	Lost, Missing or Stolen Clothing or Equipment	P
EF99	Equipment, Fleet and Facilities – General	C + 1
FINANCE		
F01	Accounts Payable	C + 6
F02	Accounts Receivable	C + 6
F03	Development Charge Reporting	C + 6
F04	Journals	C + 6
F05	Grants	C + 6
F06	Tangible Capital Assets	C + 6
F07	Budgets	C + 6
F08	Budget and Control Binders	C + 6
F09	Paid Duty Requests	C + 6
F10	Quotations and Tenders	C + 6
F11	Auto-taxable Benefits	C + 6
F12	Audits – Financial	S + 10
F13	Solicitations and Donations	C + 6
F14	Capital Projects	E + 8
F99	Finance – General	C + 1

C – Current **E** – Event **P** – Permanent **S** - Superseded

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YORK REGIONAL POLICE RECORDS CLASSIFICATION AND RETENTION SCHEDULE

GOVERNANCE

G01	Annual Reports	
G02	Business Plans	
G03	Chief's Orders	
G04	Collective Bargaining	C + 49
G05	Corporate Planning	C + 14
G06	Executive Command Team (ECT)	E + 15
G07	Police Services Board	
B 08	By-laws – Police Services Board	
B 09	Regulations and Procedures	
G10	Organizational Chart	
G99	Governance – General	C + 1

HUMAN RESOURCES

HR01	Awards and Honours	E + 50
HR02	Chemical Exposure Reports	E + 50
ER03	Fingerprints – Employees	
HR04	Images – Employees	E + 50
HR05	Human Resource Reports	C + 10

C – Current **E** – Event **P** – Permanent **S** - Superseded

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YORK REGIONAL POLICE RECORDS CLASSIFICATION AND RETENTION SCHEDULE

HR06	Job Postings	E + 3
HR07	Position Descriptions	S + 10
HR08	Disability Management	E + 50
HR09	Employee Records	E + 50
HR10	Corporate Orientation	S + 1
HR11	Discipline – Informal	As Per Working Agreement
HR12	Discipline – PSA Convictions	As Per Working Agreement
HR13	Payroll Processing	C + 6
HR14	Performance Management	E + 10
HR15	Promotion Process	E + 1
HR16	Recruiting – External	E + 30 months
HR17	Recruiting – Internal	E + 1
HR18	Transfer Requests	
HR19	Time Banks/Attendance Tracking	C + 6
HR20	Working Files	
HR21	Unsolicited Résumés	E + 3 months
HR22	Employee Relations	S + 19
HR23	Health and Safety	E + 3

C – Current **E** – Event **P** – Permanent **S** - Superseded

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YORK REGIONAL POLICE RECORDS CLASSIFICATION AND RETENTION SCHEDULE

HR24 Volunteer Records E + 5

HR99 Human Resources – General C + 1

INFORMATION TECHNOLOGY

IT01 Information Technology Requests E + 1

IT02 Hardware

IT03 Information Technology Project Files E + 1

IT04 Software E + 1

IT05 Disaster Recovery

IT06 Information Technology Audit Logs E + 5

IT07 Technology Growth E + 10

IT99 Information Technology – General C + 1

LAW ENFORCEMENT AND OPERATIONS

LE01 Voice/Audio Recordings E + 3

LE02 Premise Histories - Infectious/Communicable Disease E + 80

Premise Histories – Firearms/Weapons/Sex Offender E + 5

Premise Histories – Hazmat/Vicious Dog/EDP E + 3

Premise Histories – Other E + 1

S Premise Histories – Firearms Officer E + 80

Premise Histories – Federal Parolee E + 80

LE03 Canine E + 3

C – Current **E** – Event **P** – Permanent **S** - Superseded

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YORK REGIONAL POLICE RECORDS CLASSIFICATION AND RETENTION SCHEDULE

LE04	Circulars/Officer Safety Alerts/BOLOs	
LE05	Critical Incident Command	E + 25
LE06	Digital Closed Circuit Television (DCCTV) Recordings- General	E + 6 months
	Digital Closed Circuit Television (DCCTV) Recordings- Sally Port/Breath	E + 12 months
	Digital Closed Circuit Television (DCCTV) Recordings- Evidence	See OC14-21
LE07	Interview Recordings	See OC14-21
LE08	Fingerprint Destruction	E + 80
LE09	Mobile Data Terminal (MDT) Data	30 days
LE10	Pardons	E + 80
LE11	Intelligence	
LE12	Joint Task Force Operations	E + 3
LE13	Notebooks	E +15
LE14	Provincial Offences Tickets (POTs)	E + 1
LE15	Operational Plans	E + 3
LE16	Warrants	
LE17	Recongnizances	
LE18	Diving Operations	E + 50
LE19	Air Support	E + 1
LE20	High Risk Offenders	

C – Current **E** – Event **P** – Permanent **S** - Superseded

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YORK REGIONAL POLICE RECORDS CLASSIFICATION AND RETENTION SCHEDULE

LE21	Global Positioning System (GPS) Data	E + 2
LE22	Automated Licence plate Recognition (ALPR) Data	E + 5
LE99	Law Enforcement and Operations – General	C + 1
	LEGAL	
L01	Advice	E + 15
L02	Agreements – Real Estate	E + 15
L03	Civil Litigation	E + 15
L04	Contracts and Agreements	E + 6
L05	Criminal Injuries Compensation Board	E + 2
L06	Disclosure – Discipline/Misconduct	
L07	Leases	E + 7
L08	Public Complaints – Information Resolution	E + 2
L09	Public Complaints – Without Hearing	E + 3
L10	Public Complaints – With Hearing	E + 5
L11	Hearing Officer’s Files	E + 5
L12	Special Investigations Unit (SIU) Files	E + 5
L13	Third Party Motions	E + 15

C – Current **E** – Event **P** – Permanent **S** - Superseded

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YORK REGIONAL POLICE RECORDS CLASSIFICATION AND RETENTION SCHEDULE

L14	Waivers of Liability	E + 3
L15	Motor Vehicle Collisions Involving YRP Vehicles	E + 15
L16	Departmental Motor Vehicle Collisions	E + 3
L99	Legal – General	C + 1

OCCURRENCES

OC01	After Action Reviews	See OC14-21
OC02	Automated Fingerprint Identification System (AFIS)	See OC14-21
OC03	Centre of Forensic Science Reports	See OC14-21
OC04	Crime Analysis	C + 9
OC05	DNA Reports – Conviction	Destroy
	DNA Reports – Set Aside	
	DNA Reports – Acquittal	
	DNA Reports – Absolute Discharge	
OC06	Fingerprints – Charged Persons	E + 80
OC07	Fingerprints – Scenes of Crime	E + 80
OC08	Forensic Case Files	See OC14-21
OC09	Images – Charged Persons – Adult	E + 80*
OC10	Images – Unsolved Indictable	until solved

*unless application for destruction granted

C – Current **E** – Event **P** – Permanent **S** - Superseded

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YORK REGIONAL POLICE RECORDS CLASSIFICATION AND RETENTION SCHEDULE

OC11	Images – Unsolved Summary		C + 5
OC12	Images – Photo Line-ups		See OC14-21
OC13	Images – Young Persons		SeeOC14-21
OC14	Confidential Instructions to Crown Counsel – Major Case		E + 80
OC15	Confidential Instructions to Crown Counsel – Indictable		E + 25
OC16	Confidential Instructions to Crown Counsel – Summary		E + 5
OC17	Investigative File – unsolved Indictable		until solved
OC18	Investigative File – unsolved Summary		E + 5
OC19	Confidential Instructions to Crown Counsel – Young Person	As per	<i>Youth Criminal Justice Act</i>
OC20	Investigations – Provincial Offences		E + 5
OC21	Investigations – Municipal By-laws		E + 5
OC22	Polygraph		See OC14-21
OC23	ViCLAS		E + 80
OC24	Motor Vehicle Collision Reports		E + 15
OC25	Collision Reconstruction		E + 15
OC99	Occurrences – General		C + 1

PROPERTY

P01	Authorization for Release/Disposition of Property		E + 10
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C – Current **E** – Event **P** – Permanent **S** - Superseded

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YORK REGIONAL POLICE RECORDS CLASSIFICATION AND RETENTION SCHEDULE

P02	Certificates of Destruction	
P03	Certificates of Analysis	See OC14-21
P04	Drug Offence and Disposition Reports (3515s)	E + 5
P05	Drug Exhibits Envelopes	Destroy as per Health Canada Authorization
P06	Emergency Destruction Orders	E + 5
P07	Evidence Bags	
P08	Property/Exhibit Logs	E + 25
P09	Property Receipts	see P10
P10	Property Returns	E + 15
P11	Vehicle Impounds	E + 10
P12	Property Auctions	E + 10
P13	Evidence	Disposition and appeal period exhausted
P99	Property – General	C + 1

TRAINING AND DEVELOPMENT

TD01	Course Reimbursement	E + 2
TD02	Course Applications	E + 2
TD03	Course Records – Active	C + 3

C – Current **E** – Event **P** – Permanent **S** - Superseded

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YORK REGIONAL POLICE RECORDS CLASSIFICATION AND RETENTION SCHEDULE

TD04	Lesson Plans	S + 10
TD05	PIN Testing	E + 5
TD06	Requests for Equivalency	E + 3
TD07	Requests for Tenure Time Exemption	E + 3
TD08	Use of Force Equipment Inventory	E + 3
TD09	Use of Force Training	E + 3
TD10	Use of Force Reports Use of Force Reports – Part B	E + 30 up to E + 2
TD99	Training and Development – General	C + 1