

CITY OF SURREY

BY-LAW NO. 17002

A By-law to provide for the corporate records system of the City.

.....

- (a) WHEREAS pursuant to Section 148 of the *Community Charter*, S.B.C. 2003, c. 26, the municipal officer, being the City Clerk, is responsible for the preparation, maintenance, access and safe preservation of the minute books and other records of the business of Council and its committees;
- (b) AND WHEREAS pursuant to Sections 6(1) and 30 the *Freedom of Information and Protection of Privacy Act*, R.S.B.C. 1996, c. 165, the City must make every reasonable effort to assist applicants and to respond without delay to each applicant openly, accurately and completely and to protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal;
- (c) AND WHEREAS Council desires to manage and maintain the corporate records system of the City;

Under its statutory powers, including Section 148 of the *Community Charter*, S.B.C. 2003, c. 26 and Sections 6(1) and 30 the *Freedom of Information and Protection of Privacy Act*, R.S.B.C. 1996, c. 165, the Council of the City of Surrey, in open meeting assembled, enacts the following provisions:

1. Title

- 1.1 This By-law may be cited for all purposes as "Surrey Corporate Records By-law, 2010, No. 17002".

2. Interpretation

- 2.1 In this By-law:

"City Clerk" means the person holding the position of City Clerk (Corporate Officer);

"corporate file plan" means the classification schema and retention schedules authorized by the City Clerk for all record series;

"corporate records system" includes a system used by the City of Surrey to manage the records of the City of Surrey from record creation through to records disposal or long-term preservation;

"manual" means the written manual of policy and procedures for the corporate records system, including four published volumes (*Corporate Records Toolkit*, *Records Centre Toolkit*, *Shared Drive Migration Toolkit*, and *Corporate File Plan*), and any other volumes authorized by the City Clerk;

"record" includes anything on which information is recorded or stored by graphic, electronic, mechanical or other means in any format, but does not include a computer program or any other mechanism that produces records.

3. Corporate Records System Established

3.1 The corporate records system currently used by the City of Surrey is authorized.

4. Compliance with Corporate Records System

4.1 All records in the custody and control of the employees of the City of Surrey are the property of the City of Surrey.

4.2 All records of the City of Surrey must comply with this corporate records system and this By-law.

4.3 All employees and management of the City of Surrey must comply with this By-law.

5. City Clerk

5.1 The City Clerk is responsible for the management and maintenance of the corporate records system.

- 5.2 The City Clerk is authorized to manage and maintain the corporate records system.

6. Manual of Policy and Procedures

- 6.1 The City Clerk is authorized to create and maintain the manual, including the corporate file plan, in consultation with all departments of the City, reflecting the sustainability and other goals of the City of Surrey.
- 6.2 Records of the City of Surrey are created, accessed, maintained and disposed of only as provided by the manual.
- 6.3 The manual must provide for management of the records of the City of Surrey and include provisions regarding:
- the creation and organization of records (including records not authorized for creation);
 - the collection of records (including records not authorized for collection);
 - access to records;
 - disclosure of records;
 - maintenance of records;
 - retention of records;
 - security of records;
 - storage of records;
 - preservation of records;
 - disposal of records; and
 - any other matter(s) the City Clerk authorizes to be included in the manual.

7. Integrity and Authenticity Maintained

- 7.1 The corporate records system must maintain the integrity and authenticity of records made or kept in the usual and ordinary course of business.

8. Authorization to Amend Manual

- 8.1 The City Clerk is authorized to amend the manual.

9. Compliance with Law

- 9.1 The corporate records system must comply with the manual, applicable laws and any provincial, national or international standards adopted for use and contained in the manual.

10. Severability

- 10.1 If any section, subsection, paragraph, subparagraph or clause of this By-law is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this By-law.

11. Repeal

- 11.1 "Records Retention and Scheduling By-law, 1992, No. 11593" and amendments thereto are hereby repealed.

PASSED THREE READINGS on the 1st day of March, 2010.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 22nd day of March, 2010.

MAYOR

CLERK