

**APPENDIX 'A'**

<b>THE CORPORATION OF THE COUNTY OF ESSEX POLICIES MANUAL</b>		
<b>SUBJECT:</b> RECORDS DESTRUCTION POLICY	<b>POLICY NO:</b>	
	<b>EFFECTIVE DATE:</b>	
	<b>REPLACES ISSUE OF:</b>	
<b>PREPARED BY:</b>	<b>APPROVED BY:</b>	PAGE 1 OF 3

**1.0 POLICY OVERVIEW**

**.1 Definitions**

- a) **Corporation** means the Corporation of the County of Essex.
- b) **Corporate files/corporate records** means recorded information in any format or medium that documents the Corporation's business activities, rights, obligations or responsibilities or recorded information that was created, received, distributed or maintained by the Corporation in compliance with a legal obligation.
- c) **Destroy or Destruction** means the process of eliminating, deleting or expunging data, documents and records so that the recorded information no longer exists.
- d) **Dispose or Disposal** has the same meaning as "destroy and destruction" and may be used interchangeably.
- e) **Expunge** means to eliminate completely, to wipe out, to destroy or to obliterate an electronic record.
- f) **Files** has the same meaning as "records" and may be used interchangeably
- g) **Records** means any recorded information, however recorded, whether in printed form, on film, by electronic means or otherwise, regardless of physical form or characteristics.
- h) **Retention period** means the period of time during which records must be kept by the Corporation before they may be disposed of.

**.2 Policy Statement**

The Corporation of the County of Essex (Corporation) recognizes the importance of managing the disposal and destruction of corporate files and records. Corporate files and records shall not be destroyed or disposed of in any way unless the retention period, as set out in the records retention by-law (By-law Number 27-2005) has expired. Corporate files or records pertaining to pending or actual investigations or litigation shall not be destroyed. Corporate files and records disposed of, pursuant to the retention period set

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out in the records retention by-law, as well as drafts and copies of files and records disposed of on a regular basis, shall be destroyed in a way that preserves the confidentiality of any information they contain. Copies of corporate files or records may be destroyed at any time if the original files and records are being retained in accordance with the records retention by-law. If a file or record is not referenced in the records retention by-law, refer these matters to the Clerk for inclusion in future updates to the records retention by-law. Disposal and destruction of a file or record must be authorized by way of signature, by the responsible Department Head.

**.3 Purpose**

To develop a policy on the disposal and destruction of corporate records after the retention period has expired.

**2.0 SCOPE**

- .1 Applies to all departments, divisions or sections within the Corporation.
- .2 Applies to all employees of the Corporation.

**3.0 PROCEDURE**

- .1 When the retention period of a file or record has expired, as determined in the records retention by-law, the Department Head of the Department, Section or Division where the record or file originated is notified by the employee responsible for the Corporate files within the Department, Section, or Division, that records or files within his/her department are due for disposal and destruction using a *Records Destruction Notice*, a sample of which is attached.
- .2 The responsible Department Head shall verify that the date of disposal and destruction is correct, pursuant to the most recent records retention by-law of the Corporation. (By-law Number 27-2005 and amendments thereto).
- .3 The responsible Department Head shall approve destruction of files and records or the extension of the retention period of the files and records by signing the *Records Destruction Notice*.
- .4 The responsible Department Head shall ensure the Clerk is notified in writing when a record or file is to be retained past the scheduled disposition date and the reason why such further retention is necessary.

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- .5 It shall be the responsibility of the Department Head, Section or Division where the record or file originated to obtain any additional government approvals required for the disposal or destruction of any records or files.
- .6 Arrangements regarding the destruction of files and records shall be the responsibility of the Department Head of the Department, Section or Division where the record or file originated. Paper files shall be burned, shredded or recycled. Electronic files shall be expunged.
- .7 Paper files or records containing information of a confidential or sensitive nature shall be shredded or burned.
- .8 The responsible Department Head shall ensure the Clerk is provided a signed *Records Destruction Notice* as notification that the files and records have been destroyed.
- .9 The responsible Department Head may delegate all duties and responsibilities under this policy if, in his/her opinion, it would be more appropriate for a Section or Division Manager/Supervisor within that Department to fulfill that role. Written notification must be provided to the Clerk upon delegation.

<b>CORPORATION OF THE COUNTY OF ESSEX</b>		Date of Notice (D/M/Y)	
<b>Records Destruction Notice</b>			
<b>Responsible Department</b> (Name and Office Location)			
			<b>Date of Records</b>
<b>Records Type</b> (Use description on transfer list)	<b>Box No.</b>	<b>From</b>	<b>To</b>
(May attach Transfer List to Records Destruction Notice if not adequate room on form)			
<b>Authorized Approval Signature</b>	<b>Name</b>	<b>Date</b>	
<b>Retention Date Extension Explanation</b>	<b>Box No.</b>	<b>New Disposal Date</b>	
<b>Signature of Person Destroying Records</b>	<b>Name</b>		
<b>Method of Destruction:</b> Burn____ Shred____ Recycle____ Expunge____	<b>Date of Destruction (D/M/Y)</b>		

Distribution: Original – Clerk      Copy – Originating Department