

**NORTH BAY POLICE SERVICES BOARD
BY-LAW # 03/03**

**RETENTION AND DESTRUCTION OF RECORDS FOR THE NORTH BAY
POLICE SERVICE AND THE NORTH BAY POLICE SERVICES BOARD**

Subject to approval by the Municipality, By-Law # 01/98 is rescinded and replaced with the following.

WHEREAS the North Bay Police Service's Board is governed by the *Municipal Act*, R.S.O. 1990, c. M.45.

And **WHEREAS** the *Municipal Act* provides that the Board shall not destroy any of its records except with the approval of the Ministry of Municipal Affairs, or in accordance with a by-law passed by the municipality.

And **WHEREAS** the Board is governed by the *Police Services Act*, R.S.O. 1990, c. P.15, which provides that the Board may, by by-law, make rules for the effective management of the police service.

The North Bay Police Services Board hereby enacts as follows:

Definitions

For the purpose of this By-Law:

1. **ARCHIVES** shall mean records stored in the archives of the Police Administration Building, or in the archived videotape storage area of Quartermaster Stores.
2. **BOARD SECRETARY** shall mean the secretary to the North Bay Police Services Board
3. **CHIEF OF POLICE** shall mean the Chief of Police of the North Bay Police Service.
4. **CURRENT** shall mean "in general circulation or use"
5. **CURRENT FILES** shall mean records of the North Bay Police Service that are not yet stored in Service Archives.
6. **CURRENT YEAR** shall mean the calendar year in which the record was created.
7. **HISTORICAL RECORDS** shall mean records of historical or noteworthy value after their administrative value expires and may include:

- a. The policies followed by the North Bay Police Service and the various reasons for putting them in place;
 - b. The organizational and administrative history of the North Bay Police Service;
 - c. A specific individual transaction which established a legal status of any kind;
 - d. Documents that may be presumed to have a general or continuing interest;
 - e. Major changes concerning the issuing of clothing, equipment, or the opening of new buildings; and
 - f. Major criminal cases that may be of interest in the future.
8. **INDEFINITE RETENTION** shall mean unlimited retention subject to disposal when no longer required.
9. **PERMANENT RETENTION** shall mean that the record will be kept as long as possible in the format used.
10. **RECORD** shall mean any record of information, however recorded, whether in printed form, on film, by electronic means or otherwise, and includes:
- a. Correspondence and memoranda;
 - b. Books;
 - c. Plans and reports;
 - d. Maps, drawings, diagrams, and pictorial or graphic works;
 - e. Photographs, films and microfilms;
 - f. Sound recordings and videotapes;
 - g. Machine-readable records;
 - h. Any other documentary material, regardless of physical form or characteristics;
 - i. Any copy of a record listed above; and
 - j. Any record capable of being produced from a machine readable record under the control of the North Bay Police Service by means of computer hardware and software, or by means of any other information storage equipment and technical expertise normally used by the North Bay Police Service.
11. **ViCLAS REPORTABLE OFFENCE** shall mean any offence that is reportable under the "Violent Crime Linkage and Analysis System" (ViCLAS) mandated by the Policing Services Division of the Ministry of the Solicitor General and Correctional Services. For greater certainty, these offences are as follows:
- a. Homicide or attempted homicide, solved or unsolved;
 - b. Sexual assault, solved or unsolved;

- c. Missing person, where the circumstances indicate a strong possibility of foul play and the person remains missing;
 - d. Unidentified body, where the manner of death is known or suspected to be homicide;
 - e. Non-parental abduction or attempted non-parental abduction; and
 - f. Any investigation on the direction of the Officer in Charge of Investigative Support.
12. **WORKING PAPERS** shall mean papers of an administrative nature, including rough notes, calculations, Daily Bulletin Entries and preliminary drafts used in the preparation of other documents.

Chief's Powers

13. The Chief of Police of the North Bay Police Service is hereby directed and authorized to retain or cause the destruction of North Bay Police Service records in accordance with the provisions set out in the Table of Retention Periods attached to this By-Law, which Table forms an integral part of this By-Law and is appended hereto as Schedule A.
14. The Chief of Police is hereby authorized to delegate the authority granted to him by the Board in paragraph 2 above to any member of the North Bay Police Service that the Chief deems fit.

Board Secretary Powers

15. The Board Secretary is hereby directed and authorized to retain or cause the destruction of North Bay Police Services Board records in accordance with the provision set out in the Table of Retention Periods attached to this By-Law, which Table forms an integral part of this By-Law and is appended hereto as Schedule B.

Method of Destruction

16. Records of the North Bay Police Service that are to be destroyed shall be destroyed by means of shredding or incineration by fire. However, in the case of tapes or electronically stored data, the record shall be destroyed by means of incineration by fire or, where the tape is to be re-used, by erasure. All destroyed records must be reduced to such a state as to be deemed totally destroyed. Records shall not be disposed of by sale as waste or salvage.

Record of Destruction

17. The Chief of Police shall cause a certificate of record destruction form to be developed and made available to Members who are authorized to destroy Service records. The certificate of record destruction shall

require, at minimum, the following information: date of destruction, description of records destroyed, signature and rank / position of the person destroying the records, and certification that the records were destroyed by a method approved by this By-Law.

18. Records of the North Bay Police Service that are destroyed in accordance with the terms of this By-Law shall be set out on the certificate of record destruction.
19. Completed certificates of record destruction shall be kept current and under no circumstances shall any such form ever be destroyed.

RMS Records

20. Notwithstanding the foregoing, and except as further provided in paragraph 8, records of the North Bay Police Service that are stored in the computerized Records Management System (RMS) utilized by the North Bay Police Service are to be retained and destroyed in accordance with legislative guidelines and any retention policies established by the by-laws of the chosen Records Management System.

Use of Force Records

21. Notwithstanding the foregoing, Part "B" of the Use of Force Report Form I shall be destroyed not later than 30 days after the report is submitted, unless otherwise directed by the Board.

Groupings of Records

22. When records are grouped together to form a file, dossier or information bank, the retention period for that grouping shall be the longest period scheduled for any of the documents it contains.

Coming Into Force

This By-Law comes into effect on the date of signing.

READ a 1st time this ____ day of _____, 2003.

READ a 2nd time this ____ day of _____, 2003.

READ a 3rd time and ENACTED AND PASSED this 25th day of June, 2003.

William Ferguson
Chair

D. Scott
Secretary

**SCHEDULE A TO NORTH BAY POLICE SERVICES BOARD BY-LAW 03/03
TABLE OF RETENTION PERIODS – POLICE SERVICE RECORDS**

SUBJECT	DESCRIPTION	CURRENT FILES	ARCHIVES	SPECIAL NOTES
ARREST REPORTS	See "Occurrences/ Incidents"			
AUDIO TAPES	See "Communications - Telephone & Radio Audio Tapes"			
BICYCLES	Reports, Licences, Registration Cards - See "Occurrences/ Incidents"			
BULLETINS	Circulars (Wanted & Missing) - Sent or Received Daily Bulletin Entries Policing Services Bulletin	Until cancelled 6 months 2 years		
BY-LAWS (Municipal)	Retention By-laws	Until replaced		
CHIEF'S OFFICE (Records of the Office of the Chief of Police)	Administrative Files (Office of the Chief of Police) Audit Results/ Reports (continued next page)	Current + 2 years Current + 2 years	1 year 1 year	

SUBJECT	DESCRIPTION	CURRENT FILES	ARCHIVES	SPECIAL NOTES
CHIEF'S OFFICE (continued)	Complaints/ Commendations Files (other than Human Resources Records)	Current + Appeal Period	1 year	Destroy subject to historical selection.
	Grants, Agreements, Contracts, Protocols, Plans	Current + 1 year	Indefinite	
	Grievance Files	Current + Appeal Period	2 years	
	Planning/ Research	Current	Indefinite	
	Reports to External Agencies	2 years		
	Reports to Police Services Board	2 years	2 years	
	Routine Orders	1 year	1 year	
	Special Service Programs	Current	Indefinite	
	Standard Operating Procedures	Until rescinded or superseded.	7 years	
CLEARANCE CHECKS		Current year + 1 year		

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SUBJECT	DESCRIPTION	CURRENT FILES	ARCHIVES	SPECIAL NOTES
COMMUNICATIONS	Telephone & Radio Audio Tapes Major Cases - See "Occurrences/Incidents" 911 Printer Log Maps & Charts CAD History	3 months (Except for Major Cases) 3 months (to correspond to Voice Tapes) Current 6 months		
COMPUTER/ ELECTRONIC RECORDS	See type of record			
COURT DOCKETS		1 year		
COURT ORDERS	e.g. Probation Orders, Peace Bonds, Restraining Orders, Weapons Prohibitions	Current + 2 months		
CPIC	Audit - External Validation Lists - in full Purge Lists - in full	Until next audit Current month + 1 month Current month + 1 month		

SUBJECT	DESCRIPTION	CURRENT FILES	ARCHIVES	SPECIAL NOTES
FAX LOGS		Current		
FINANCE & ACCOUNTS		2 years	5 years	
FINGERPRINTS	Criminal - See "Criminal Dossiers" Personnel – See "Human Resources" (Personnel Files)			
FIREARMS	Records relating to Acquisitions, Registration, Transportation, etc. Records of incidents related to Firearms Interest Police (FIP) entries	5 years (minimum)		As per National Firearms Manual
FREEDOM OF INFORMATION REQUESTS		Current year + 1 year		
HEALTH & SAFETY		2 years	1 year	
HISTORICAL RECORDS	Any item of historical value (See definition section in By-Law)		Permanent	
HOUSEKEEPING FILES	Personal reference notes (continued next page)	Current year + 1 year		

SUBJECT	DESCRIPTION	CURRENT FILES	ARCHIVES	SPECIAL NOTES
HOUSEKEEPING FILES (continued)	Correspondence - Insurance requests - Occurrence requests - MVC report requests Record search requests	Current year + 1 year Current year +1 year		
HUMAN RESOURCES	Applicant Files Benefit Premium Invoices Employee Information Summary Sheet (Active and Terminated) Insurance Carrier Files Pay Equity Files Personnel Files • Active • Terminated (continued next page)	1 year 2 years Current Current Retain for duration of employment, then transfer to Terminated Employees file 1 year	5 years Permanent Permanent 50 years	

SUBJECT	DESCRIPTION	CURRENT FILES	ARCHIVES	SPECIAL NOTES
HUMAN RESOURCES (continued)	Position Descriptions	Current	Permanent	
	Promotional Candidate Files	Current	1 year	
	Recruitment Competition Files	Current	2 years	
	Workers' Compensation Files	3 years	Permanent	
INQUEST RECORDS	Records of Coroner's Inquests	5 years		
INSURANCE REQUESTS	See "Housekeeping Files"			
INVENTORY	Personnel equipment	Duration of service + 1 year		
INVESTIGATIVE FILES	Investigative working files (no charges laid)	Current		
KEYHOLDERS	List of keyholders for alarms	Current		
LEDGERS/ LOG BOOKS	Driver's Licence Suspensions Sign-in Sheets Record of Summonses Received and/or Served Warrant	Current + 1 year		
LIQUOR LICENCES	Copies of liquor licences	Current		

SUBJECT	DESCRIPTION	CURRENT FILES	ARCHIVES	SPECIAL NOTES
LIQUOR SEIZURE & DISPOSAL REPORTS		1 year	1 year	Destroy 1 year following disposal
MOTOR VEHICLE COLLISIONS (MVC)	Property Damage Personal Injury Non-reportable (if applicable) Fatalities	5 years 5 years 5 years 7 years	3 years	
NEWS RELEASES		Current year + 1 year		
NOTEBOOKS	Officers' memorandum notebooks Relating to Major Case	<p>Notebooks to be kept for at least 7 years after termination of employee. However, in addition, no notebook to be destroyed until 15 years from end-date of the notebook*.</p> <p>If the notebook relates to a major case (solved or unsolved) as defined by the <i>Ontario Major Case Management Manual</i>, retain in accordance with schedule for "Occurrences/ Incidents", below*.</p> <p>* Location of notebook storage determined by Chief's procedures.</p>		
OBSERVATION CARDS	Persons investigated (no occurrence)	30 days		

SUBJECT	DESCRIPTION	CURRENT FILES	ARCHIVES	SPECIAL NOTES
OCCURRENCES / INCIDENTS	<p>Major Cases as defined by the <i>Ontario Major Case Management Manual</i> (<u>except</u> Unsolved Cases and ViCLAS Reportable Offences)</p> <p>Major Cases (Unsolved)</p> <p>ViCLAS Reportable Offences (see By-Law definition)</p> <p>All Other General Occurrences</p> <p>Property receipts/ tags (found/seized property reports)</p>	<p>5 years</p> <p>5 years</p> <p>5 years</p> <p>5 years</p> <p>Current year + 1 year</p>	<p>Indefinite with selective purging</p> <p>Indefinite</p> <p>25 years from date of offence (minimum)</p>	
PAROLEE FILES		Current		
PERSONNEL FILES	See "Human Resources"			
PHOTOGRAPHS (criminal)	See "Criminal Dossiers"			
PRE-TRIAL RELEASE DOCUMENTS	See "Crown Brief"			

SUBJECT	DESCRIPTION	CURRENT FILES	ARCHIVES	SPECIAL NOTES
PROPERTY RECEIPTS/ TAGS	Found/seized property reports – See “Occurrences/ Incidents”			
RADIO LICENCE	Police Radio Licence	Current		
RECEIPT BOOKS	Clearance/ Volunteer screening checks Warrants MVC/ Insurance reports	7 years		
RECORDS OF DESTRUCTION		Permanent		
STATISTICS	Statistics Canada reports All other statistics for internal police use	5 years Current year + 1 year		
SUMMONS	Record of Received/ Served Summonses - See "Ledgers/ Log Books"			
TAXI LICENCING FILES		1 year	2 years	
TEMPORARY ABSENCE PERMITS		Current + 30 days		
TOWING RECORDS	See “Occurrences/ Incidents”			
TRESPASS NOTICE		Until expiry		

SUBJECT	DESCRIPTION	CURRENT FILES	ARCHIVES	SPECIAL NOTES
USE OF FORCE REPORTS	Ministry Form 1 – Use of Force	1 year		
VEHICLE HISTORY FILE	Fleet Records	1 year	1 year	
ViCLAS REPORTABLE OFFENCES	See “Occurrences / Incidents”			
VIDEOTAPES	<p>Prisoner Tapes (videotapes of prisoners in cells)</p> <p>Video Statements</p> <ul style="list-style-type: none"> ▪ Major Cases, as defined by the <i>Ontario Major Case Management Manual</i> (except Unsolved Cases and ViCLAS Reportable Offences) ▪ Major Cases (Unsolved) ▪ ViCLAS Reportable Offences (see By-Law definition) ▪ All Other General Occurrences (charges laid) ▪ All Other General Occurrences (no charges laid) 	<p>30 days</p> <p>5 years</p> <p>5 years</p> <p>5 years</p> <p>Court plus Appeal Period</p>	<p>Indefinite with selective purging</p> <p>Indefinite</p> <p>25 years from date of offence (minimum)</p>	<p>Either current files or archives</p> <p>During investigation, keep with investigative files. If Complete/ Unsolved, 5 years in current files.</p>

SUBJECT	DESCRIPTION	CURRENT FILES	ARCHIVES	SPECIAL NOTES
VOLUNTEER SCREENING CHECKS		Current year + 1 year		
WARRANTS	<p><u>Arrest</u></p> <ul style="list-style-type: none"> • Outstanding • Executed <p><u>Committal</u></p> <ul style="list-style-type: none"> • Outstanding • Executed • Paid • Jail <p>Receipts/ Ledgers - See "Receipt Books"</p> <p>Statements of Execution</p>	<p>Permanent until rescinded</p> <p>Returned to court</p> <p>3 years, then returned to court</p> <p>Returned to court</p> <p>Sent with prisoner</p> <p>7 years</p>		
WORKING PAPERS	See definition in By-Law			Retain only until finished document is produced.

**SCHEDULE B TO NORTH BAY POLICE SERVICES BOARD BY-LAW 03/03
SCHEDULE OF DESTRUCTION
NORTH BAY POLICE SERVICES BOARD RECORDS**

RECORD	YEARS TO BE RETAINED	AFTER RETENTION PERIOD
1. Minutes of Board meetings	Permanent	Permanent
2. Agendas	2	Destroy
3. Resolutions	3	Destroy
4. Motions	3	Destroy
5. Board by-laws (original)	Permanent	Permanent
6. General Correspondence	6	Destroy
7. Contracts and Agreements (if not part of a By-law)	6 after work or agreement completed	Destroy
8. Insurance Records and claims	6	Destroy
9. Contracts and Agreements with the North Bay Police Association	Permanent	Permanent
10. Business Plans and Annual Reports	Permanent	Permanent
11. Bank Statements, cancelled cheques and other financial records	7	Destroy
12. Budget	Permanent	Permanent
13. Budget working papers	3	Destroy
14. Other reports (if not part of meeting minutes)	6	Destroy
15. All Grants and Subsidies	10	Destroy
16. Record of destruction of records	Permanent	Permanent