

## AP 1305: Data Retention

School District No. 8 (Kootenay Lake) is committed to carrying out its mandate and services in a manner that is transparent, accountable, and compliant with applicable personal information protection laws and other laws concerning record retention. The purpose of this Procedure is to set out the School District No. 8 (Kootenay Lake)'s systems and processes for the retention and destruction of the records that it creates during its activities.

The School District No. 8 (Kootenay Lake) has developed this Administrative Procedure to establish a framework and related processes for the retention and destruction of records that complies with the law, including applicable Provincial regulatory and privacy related legislation.

This Administrative Procedure applies to all board members, officers, employees, and contracted service providers of the School District No. 8 (Kootenay Lake) (the “Personnel”).

### Procedures

1. The Secretary-Treasurer is responsible for:
  - 1.1. Educating Personnel about their obligations under this Administrative Procedure.
  - 1.2. Ensuring that this Administrative Procedure and appropriate procedures under this Administrative Procedure are implemented and followed by the Personnel;
  - 1.3. Ensuring procedures are in place to monitor the retention and destruction of records under this Administrative Procedure;
  - 1.4. Conducting regular (at least annual) reviews of the procedures under this Administrative Procedure and making such modifications as may be necessary to ensure this Administrative Procedure is effective and reflects current changes in applicable laws.
2. All Personnel are responsible for following the guidelines and procedures outlined in the Administrative Procedure, and for reporting material non-compliance with this Administrative Procedure to the Secretary Treasurer
3. Retention and Deletion of Documents
  - 3.1. A records management program will be maintained to provide control over the quality and quantity of information produced by School District No. 8 (Kootenay Lake), from its creation until its disposal, for legal, fiscal, and historical purposes. Proper custody, storage, and disposal of records shall comply with statutory requirements.
  - 3.2. Federal and provincial statutes require varying retention periods for different financial and related records.

4. The Custodians listed in Appendix A: Schedule of Retention Periods have responsibility for ensuring that records for which they are responsible are retained for the applicable retention period, and for approving their destruction.
5. Retention periods are calculated from the end of the calendar or fiscal year in which the records were created.
6. Departments must abide by the minimum retention periods set out in Appendix A: Schedule of Retention Periods and required by law but may retain records for an additional period if required for operational, legal or business reasons. Questions about whether records should be retained beyond the minimum retention period should be referred to the Secretary-Treasurer.
7. Records relating to actual or threatened litigation must be retained until the litigation is complete and all rights of appeal have been exhausted or have expired.
8. Appendix A: Schedule of Retention Periods may not reflect federal or provincial government policies or contractual provisions with third parties specifying alternate retention periods. It is the responsibility of the Custodian to ensure compliance with such contractual or other governmental obligations.
9. SD8 will retain all documents in accordance with the retention periods set out in Appendix A: Schedule of Retention Periods attached. Retention periods shall be determined based on:
  - 9.1. Legal requirements
  - 9.2. Usefulness for operational, historical, or statistical purposes.
  - 9.3. Storage minimization.
10. Once records are past the applicable retention period, the department or school responsible for the records is authorized to destroy them if they are satisfied that the records are of no further use and that they have no historical or archival value.
11. Records that contain personal or confidential information must be securely and permanently destroyed in a manner that ensures that confidentiality and privacy is maintained.
12. Personal information
  - 12.1. SD8 recognizes that personal information about an identifiable individual must be retained for at least one year, if the information is used for the purposes of making a decision that affects the individual.

12.2. SD8 seeks to protect the privacy of individuals by ensuring that personal information is destroyed when it is no longer needed, and the applicable retention period has passed.

## 13. Transitory records

13.1. Working papers, drafts, and other transitory records that are created in contemplation of the preparation of a final record may be destroyed prior to the expiry of the retention period, except that.

13.2. Transitory records must be retained for at least one year if they contain personal information that is used to make a decision that affects an individual; and

13.3. The personal information has not been recorded in the permanent record or otherwise retained by SD8 in another form.

## 14. Storage

14.1. Records kept in off-site storage must be properly labelled with the name of the department or service provider, contents, and expiry dates.

14.2. Storage facilities must be secure, and inventories of all records sent off-site must be maintained and audited regularly to protect against loss or theft of records.

## 15. Disposal

15.1. Once the retention period for a record has expired, the Records will be scheduled for secure disposal, unless there is a business, legal or operational reason to retain them for a period exceeding the retention period.

15.2. The disposal of all records must be approved by the applicable Custodian. Records or all such approvals and confirmation of the secure destruction of records will be maintained by the Custodian.

15.3. Records containing personal information pertaining to identifiable individuals will be destroyed by secure means to ensure the confidentiality and security of the records.

15.4. Personal information or other confidential materials stored electronically will be securely destroyed by ensuring that the electronic storage method (tapes, disks, cassettes, compact disks, flash drives) are rendered unreadable using appropriate mechanical, physical or electronic processes.

## 16. Conversion to electronic records

16.1. The Electronic Transactions Act (BC) provides that most records stored in electronic form will have the same legal effect as the hard copy original, provided that the conditions set out below are met.

16.2. Hard copy records may be converted and retained in electronic form, provided that the electronic copy is accessible, legible and secure.

16.2.1. The conversion process must be documented, and there must be processes implemented to ensure that the electronic copy constitutes a complete and unaltered likeness of the original. Contact the Secretary-Treasurer for more information.

16.2.2. The conversion must not impair the accessibility of the records to those who have are entitled to access it, and it must remain in a form that is usable for subsequent reference.

16.2.3. A tracking record of the conversion process will be retained with the converted record.

16.3. Following the conversion of hard copy records, the appropriate Custodian must approve the destruction of hard copy originals regarding the above requirements. Originals may not be destroyed if they constitute a will, a trust document, a power of attorney, or a document affecting a transfer of an interest in land.

## Appendix A: Schedule of Retention Periods

### Board Records

	<u>Minimum Retention Period</u>
Annual Report	7 years
Board Policy	7 years
Committee Reports	7 years
Minutes	7 years
Notice of Meeting and Agenda	7 years
Oaths and declarations of Trustees	For Term of Office

### Accounting

	<u>Minimum Retention Period</u>
Accounts payable and Receivable	7 years
Annual Budget and Supporting Documents	7 years
Auditor's Reports	7 years
Cancelled cheques	7 years
Cheque duplicates	7 years
Debenture and bylaw register	7 years
Financial and Statistical statements	7 years
Ledgers, synoptics, subsidiary Ledgers,	7 years
Journals purchase orders and Invoices	
Quotations and relative correspondence	7 years
Receipts issued	7 years

### Banking

	<u>Minimum Retention Period</u>
Bank Statements	7 years
Deposit books	7 years
Loans, authorization of	7 years or term of loan
Cancelled notes	7 years

### Personnel/Payroll

	<u>Minimum Retention Period</u>
All records relating to any employee	Per PCA / 7 years
Applications and job competition	1 year after position is filled
Complaints or Investigation Personnel	per PCA <sup>1</sup> / at least 1 year after completion of investigation/complaint
Payroll sheets	4 years
Salary agreements	Indefinite
Time sheets	7 years
TD4 and summary	4 years

<sup>1</sup> Personnel Collective Agreement

W.C.B claims<sup>2</sup>

3 years from closure of file

Buildings and Property

Minimum Retention period

Appraisal and inventory records	Indefinite
Authorization for expenditure of capital funds	Indefinite
Building plans and specifications	Indefinite
Changes, guarantees, bonds, liens and valuable correspondence	Indefinite
Land titles, deeds, and plans	Indefinite
Records of payroll remittance	4-years
Mortgages and leases	7 year after expiration of term
Capital expenditure plans	10 years

General administration

Minimum Retention period

Administrative circulars	While in effect
Complaints or allegations with possible repercussions	5 years
FOIPOP requests	5 years
FOIPOP requests to review decisions	5 years after review of adjudication completed
General correspondence	7 years
Insurance- accident reports	1 year or until finalized
Insurance Claims	Indefinite
Insurance policies	While in effect
Manual school law and regulations	While in effect
Transportation data	While applicable

School Records

Minimum Retention period

Permanent student record	55 years from the day the student withdraws or graduates
Other student records	5 years from the day the student withdraws or graduates

<sup>2</sup> Workers Compensation/WorkSafe BC