

AP 1305: Data Retention

School District No. 8 (Kootenay Lake) (SD8) 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 SD8's systems and processes for the retention and destruction of the records that it creates during its activities.

SD8 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 SD8 (“**Personnel**”).

Definitions

Records: Any document created, maintained, or received by District employees during its operations or business, or in performing its legal duties and responsibilities, but does not include excluded records. Records include any papers, materials, devices, or other media on which information is stored, if they are within the custody and control of the school district.

Excluded Records: Records that employees possess, receive, access, or create that are personal in nature and do not pertain to District business.

Transitory Records: Records that are created or prepared for the limited purpose of preparing final or permanent records and include working papers and draft copies of documents.

Learning Resources: Any teaching tool created or acquired and used by an employee in the process of providing instructional programming.

Personal information: Information about or that concerns an identifiable individual. There are two main types of personal information including any information that can be used to identify an individual, including, but not limited to, the person's name, address, date of birth, phone number, and student or employee number and any information that is particularly “sensitive” and could be used to exploit an individual including: financial, medical, biometric and assessment data. Personal information does not include business contact information such as information to enable an individual at a place of business to be contacted.

Custodian: The person with custody and control of a physical or digital record. In some cases, the custodian may be an administrator of a record system.

Retention periods: The length of time a record is kept (outlined in the Schedule of Retention Periods).

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 is 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-compliant 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. Custodians have a 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; and,
 - 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 are maintained.
12. Secure Destruction of Records
- 12.1. Paper records must be destroyed by cross-cut shredding or by a contracted, bonded shredding service that provides a Certificate of Destruction.
 - 12.2. Digital records must be destroyed by securely deleting so that data cannot be recovered. IT Services will ensure approved deletion methods are used.
 - 12.3. A Record Destruction Authorization Form will be completed by the office of primary responsibility and retained permanently as proof of destruction.
 - 12.4. 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.
 - 12.5. The disposal of all records must be approved by the applicable custodian. Records of all such approvals and confirmation of the secure destruction of records will be maintained by the Custodian.
13. Personal information
- 13.1. 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.
 - 13.2. 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.
 - 13.3. Records containing personal information pertaining to identifiable individuals will be destroyed by secure means to ensure the confidentiality and security of the records.
 - 13.4. Personal information or other confidential materials stored electronically will be securely destroyed by ensuring that the electronic storage method are rendered unreadable using appropriate mechanical, physical or electronic processes.

14. Transitory records

- 14.1. 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 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
- 14.2. The personal information has not been recorded in the permanent record or otherwise retained by SD8 in another form.

15. Storage

- 15.1. Records kept in off-site storage must be properly labelled with the name of the department or service provider, contents, and expiry dates.
- 15.2. 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.

16. Confidential Material Disposal

- 16.1. Each site will be provided with at least one locked, tamper-resistant disposal bin for the secure collection of confidential paper records designated for destruction.
- 16.2. Only confidential materials (such as records containing personal, financial, or sensitive information) are to be placed in these bins. Non-confidential paper should continue to be placed in the site's regular recycling system.
- 16.3. When a secure bin is nearing capacity, site staff must submit a Work Order to workorders@sd8.bc.ca requesting a replacement.
- 16.4. Operations staff will coordinate bin exchanges within approximately two to three weeks. A full bin will be swapped with an empty one from a nearby facility (Operations Creston or School Board Office Nelson).
- 16.5. The full bin will be stored securely until collected by the district's approved confidential-shredding service provider.
- 16.6. The district will not charge sites for proper confidential-material disposal; however, sites may be billed if bins are used for regular recycling or non-confidential waste.
- 16.7. No key is kept on site for these bins. If an item is placed in the bin by mistake, contact the Secretary-Treasurer (Nelson) or a Creston-based Director to coordinate retrieval through approved procedures.
- 16.8. Prior to placement in the secure bin, confidential materials must be stored in a secure location (e.g., locked cabinet or restricted-access area).

17. Conversion to electronic records

- 17.1. 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.
- 17.2. Hard copy records may be converted and retained in electronic form, provided that the electronic copy is accessible, legible and secure.
 - 17.2.1. 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.
 - 17.2.2. 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.
 - 17.2.3. A tracking record of the conversion process will be retained with the converted record.
- 17.3. 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.

18. Electronic and Email Records:

- 18.1. Email and electronic files are official records if they document district business.
- 18.2. Business-value emails must be saved to the appropriate folder or document management location according to the Records Retention Schedule.
- 18.3. Transitory emails (e.g. meeting invites, scheduling, routine reminders) may be deleted when no longer needed.
- 18.4. The district will implement an automatic email deletion period of two years from the date sent or received:
 - 18.4.1. Staff who need to retain an email longer than two years must save it to the appropriate record folder or system.
 - 18.4.2. Emails that have been subject to an FOI request, legal hold, or investigation must not be deleted.

Appendix A: Schedule of Retention Periods

<u>Board Records</u>	<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
<u>Buildings and Property</u>	<u>Minimum Retention period</u>
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 years after the expiration of term
Capital expenditure plans -----	10 years
<u>Accounting</u>	<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, Journals Purchase Orders and Invoices -----	7 years
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 -----	<i>Per Personnel Collective Agreement / 7 years</i>
Applications and job competition -----	10 years after the position is filled for successful applicants. 2 years after the position is filled for unsuccessful applicants.
Complaints or Investigation Personnel -----	<i>per Personnel Collective Agreement/ at least 1 year after completion of investigation/complaint</i>
Payroll sheets -----	6 years
Salary agreements -----	Indefinite
Time sheets -----	7 years
TD4 and summary -----	4 years
Workers Orientation Records -----	Duration of Employment + 1 year

General administration

	<u>Minimum Retention period</u>
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

Email and Digital Communication	Minimum Retention Period
Business Value Email	As per related record category
Transitory Emails	Delete when no longer required
Default Email Retention	Auto-delete after 2-years

School Records

	<u>Minimum Retention period</u>
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

Safety Records

	<u>Minimum Retention period</u>
Asbestos inventory	Until removal complete
Asbestos - changes to inventory	Indefinite
Asbestos - related records	10 years
Confined space entry permits	1 year after completion
Confined space isolation points	Indefinite
Confined space test record	While current
Confined space rescue: training and drill records	Duration of employment + 1 year
District Joint Committee reports and Worksite Joint Committee/Health and Safety Representative training records	2 years
First aid records	3 years
Fall Protection Training Records	Duration of employment
Hearing test records	Duration of employment
Investigation of symptoms from exposure to workplace substances	10 years
Lead health monitoring records	10 years

Machine and equipment inspection and maintenance records, including automotive lift inspection and maintenance records, Fume Hood Assessments -----	Life of machine
Occupational health and safety program policies and procedures, including instruction and information -----	Indefinite
Pesticide health monitoring records -----	10 years
Safety Data Sheets -----	Duration of product
Worksite Joint Committee/Health and Safety Representative training records -----	2 years
WorkSafe Inspection reports, orders and notice of compliance -----	Indefinite