

Records Disposition System (RDS) for Records of Urban and Rural Municipalities

Accountability

There are several pieces of legislation that work together to ensure that Urban and Rural Municipalities are accountable for the way in which they dispose of records created in their daily professional duties. These pieces of legislation are:

The Archives Act, 2004 – Section 26 of the Act provides the Archives with the authority to acquire historical records for permanent preservation. This section states that " With the consent of the Provincial Archivist, any municipality or school district in Saskatchewan may deposit any of its non-current records with the Archives Board for preservation".

The Municipalities Act (Section 116), The Cities Act (Section 90), and The Northern Municipalities Act (Section 71) – These acts require that a council establish a records retention and disposal schedule and that all records are dealt with in accordance with that schedule. These acts also state that with the consent of the Saskatchewan Archives Board, municipal documents may be deposited with that board for preservation in the Archives.

The Local Government Election Act - Section 112 of this Act determines how long election records should be kept and how they should be disposed of.

The Local Authority Freedom of Information and Protection of Privacy Act - This Act guarantees the public the right to access certain information in local government. Once information is requested, a local authority has 30 days to provide the information to the inquirer. If information is not available, the local authority has to show that the records were disposed of in accordance with the legislation and approved disposal procedures.

What is a Record?

A record is defined by *The Archives Act, 2004* and *The Local Authority Freedom of Information and Protection of Privacy Act* as:

"a record of information in any form and includes information that is written, photographed, recorded and stored in any manner, but does not include computer programs or other mechanisms that produce records."

Not all material requires filing, retention and authorization from the Provincial Archivist before its destruction. The following are considered to

be non-government records and can therefore be destroyed when no longer needed:

- A. Transitory records**
- B. Publications**
- C. Non-work-related records**

Transitory records have no long-term value and are typically produced for convenience or short-term reference. Publications are widely distributed and available from various sources. With some exceptions, transitory records and publications can be destroyed once they are no longer referenced. Non-work-related records are employees' own records. Disposal of employees' non-work-related records remains at the discretion of the employees. It is recommended that non-work-related records be kept separate from government records and that those in electronic format be frequently removed/deleted from the system.

Please refer to section 3 of The **Saskatchewan Records Management Guidelines** for more information on government and non-government records.

Disposal of Urban and Rural Municipalities Records

In 2001, provincial legislation regarding the retention of records by municipalities was amended. The requirement to follow a Provincial schedule was removed and replaced with a provision allowing Council to adopt a records retention and disposal schedule by bylaw. A council may adopt their own retention schedule, however, it is recommended that they adopt the Records Retention and Disposal Guide that was developed by UMAAS, RMAA, SUMA and SARM, with the assistance of the Saskatchewan Archives Board. This guide is available on the Government Relations website

<http://www.municipal.gov.sk.ca//publications/pdf/munadvisory/bylaws/recordretent.pdf>

Urban and rural municipalities' records are subject to the following disposal procedures:

1. **Prepare a records inventory listing** including box identification (if files are in boxes), medium identification (hard copy or electronic), titles of records, dates, brief contents description, volume of records, location of records and any other information that may be helpful in identifying records.
2. **Relate records to the schedule** to determine if they meet retention periods. In order to be eligible for disposal records must meet

retention requirements stated in the schedule. Schedule designation should be included on the inventory, for example:
Box 1

Payment Vouchers 1995 – 1.1 Accounts Payable

3. Approval by Council

4. Historical Appraisal by the Saskatchewan Archives Board

The Saskatchewan Archives Board has conducted an appraisal of the records included in the schedule and has identified the categories for which they wish to be contacted in order to review the records for a possible transfer to the Archives for permanent collection.

When records from these categories meet the retention periods stated in the Records Retention and Disposal Guide, a records inventory, approved by council, should be forwarded to the Saskatchewan Archives Board. An Appraisal Archivist will analyze the inventory and will advise in writing which records should be retained for physical appraisal or transferred to the Archives. The list should be sent to:

Provincial Archivist
Saskatchewan Archives Board
P.O. Box 1665
Regina, Saskatchewan S4P 3C6

The retention schedule includes provisions for destruction of certain records without referral to the Saskatchewan Archives Board. For these records the Disposal Recommendation column states “dispose”. These records do not possess long-term historical significance. They can be destroyed once they meet retention periods in the schedule and are approved by the council (steps 1, 2 and 3). The remaining records are subject to historical appraisal.

Please refer to the Records Retention and Disposal Guide 2006 for further information regarding management of municipal records at:
<http://www.municipal.gov.sk.ca//publications/pdf/munadvisory/bylaws/recordretent.pdf>

If you have any questions concerning the management of records belonging to local authorities, please contact the Inquiry Line of the Saskatchewan Archives at (306) 787-0734. You can also email us at recordhelp@archives.gov.sk.ca. We will be glad to assist you.

