

# BY-LAW 2-2024

## Retention & Destruction of Records

### ST. THOMAS POLICE SERVICE



PASSED AND ENACTED AT THE CITY OF ST. THOMAS  
THIS 15<sup>th</sup> day of February, 2024

A handwritten signature in black ink, appearing to be 'J. K.', is positioned above a horizontal line.

Chair, Police Services Board

# ST. THOMAS POLICE SERVICES BOARD

## BY-LAW #2

A by-law to repeal by-law number 2-2021 and to provide for regulating the retention and destruction of records in the St. Thomas Police.

Whereas a Police Services Board may, by by-law, make regulations for the government of the St. Thomas Police Service for preventing neglect or abuse, and for rendering it efficient in the discharge of its duties under the *Police Services Act*, R.S.O. 1990;

AND WHEREAS it has been found advisable to repeal by-law number 2-2021.

THEREFORE, the City of St. Thomas Police Services Board hereby enacts BY-LAW 2-2024 as follows:

### **PURPOSE AND DEFINITION**

The records retention schedule attached hereto shall form a part of this by-law and be sufficient authority for members of the St. Thomas Police to regulate the retention and destruction of records, as herein after provided.

### **Indefinite**

“Indefinite” means unlimited retention subject to disposal at the completion of a record’s life cycle.

The record retention schedule applies to all Services and Divisions of the St. Thomas Police. It is designed to reduce the volume of active and dormant records and eliminate inactive record holdings. The schedule has been planned with several objectives in mind:

- a) To set standard record retention periods;
- b) To achieve efficiency and economy in the areas of space, equipment and staff through the orderly destruction of records no longer of value and systematic transfer of records to dormant storage;
- c) To ensure the preservation of records of historical or noteworthy value;
- d) To constitute an actual authority for the destruction of records;
- e) To promote efficient storage of records to allow for retrieval of personal information within a reasonable period of time (30 days);
- f) To ensure that reasonable steps are taken in protecting the confidentiality of records containing personal information during their storage, transportation, handling and destruction.

## **RECORDS**

“Record” means any record of information however recorded, whether in printed form, on film, by electronic means or otherwise, and includes:

- a) correspondence, memorandum, book, plan, map, drawing, diagram, pictorial or graphic work, photograph, film, microfilm, sound recording, videotape, machine readable record, any other documentary material regardless of physical form or characteristics and any copy thereof, and;
- b) any record that is capable of being produced from a machine readable record under control of the St. Thomas Police by means of computer hardware and software, or any other information storage equipment and technical expertise normally used by the St. Thomas Police.

### **I RECORDS GROUPING**

When one record is attached to another or grouped together to form an information bank, file or dossier, the retention period for the group is ascertained by the longest period scheduled in such a grouping.

### **II RESPONSIBILITY**

It is the responsibility of any member of the St. Thomas Police who is assigned custody of a record or series of records to apply the retention schedules under the direction of the Chief of Police in accordance with the

provisions of this by-law.

### **III RETENTION PERIODS**

Except where otherwise indicated, the retention period is indicated in calendar years. What is implied is simply a period of years, which can be applied at any month of the year. Records may be retained for a longer period than shown in the schedules, but only where a clear requirement for such action can be justified.

“Current” denotes in general circulation or use.

The length of time each type of record shall be retained in the active records area before transfer to dormant storage is indicated in the schedule in the following manner:

- a) 2A + 3D
- b) 5 years - 2A (active) + 3D (dormant)
- c) Retained for specified number of years.

Records, which are scheduled to be destroyed within one year or less, do not have a dormant period scheduled. Within such a short lifetime, it is not worthwhile to transfer such records from active to dormant storage. All records transferred to dormant storage shall be clearly identified to permit accurate retrieval on request by authorized personnel. All boxes must be properly labeled, showing contents, year and retention period prior to transfer to inactive storage.

Unless otherwise specified, the retention period for duplicate copies of records is in accordance with the Records Retention Schedule.

Personal information that has been used by the St. Thomas Police shall be retained by the St. Thomas Police for at least one year after use unless:

- a) the individual to whom the information relates consents to its earlier disposal, **or**;
- b) The record is destroyed in accordance with the Records Retention Schedule.

#### **IV WORKING PAPERS**

Working papers consist of rough notes and preliminary drafts, calculations, et cetera, used in the preparation of other records. These become of little value once the finished record has been produced and shall be destroyed as soon as practicable.

#### **V HISTORICAL RECORDS**

Historical records are of historical or noteworthy value after their administrative value expires. It is the responsibility of the St. Thomas Police to identify, evaluate, and retain all documents of historical value.

A record is of “historical value” if it concerns:

- a) the policies followed by the St. Thomas Police and various reasons for their adoption;
- b) the organization and administrative history of the St. Thomas Police;
- 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;
- f) major criminal cases, which may be of interest in the future.

#### **VI RECORD OF DESTRUCTION**

1. The Chief of Police shall maintain a schedule for each record series on an Authority for Schedule of Records. This record will be maintained in central records. The Chief of Police will be responsible for maintaining and/or updating the record and the information found therein;
2. Such record will include:
  - a) brief description of the records;
  - b) period of time the record spans;
  - c) date, location and method of destruction;
  - d) signature of individual authorizing the destruction.

## **VII SECURITY**

1. At no point should records containing personal information waiting for transfer to dormant storage be left unattended in hallways or in unprotected areas.
2. Rooms used for storage of manual and computer records should be locked. Access to storage rooms should be monitored and retrieval of records documented.

## **VIII DISPOSAL OF RECORDS**

The method of destruction for official records shall be by means of shredding. Records shall not be disposed of by sale as waste or salvage. It is the responsibility of the Chief of Police to ensure that the actual destruction of records is carefully supervised.

The Chief of Police shall maintain a record detailing the actual records destroyed and the date of the destruction.

Personal information shall be disposed of in accordance with regulations of the *Municipal Freedom of Information and Protection of Privacy Act*, 1989, and in accordance with the directions and guidelines issued by the Ministry responsible for the *Municipal Freedom of Information and Protection of Privacy Act*, 1989.

## **IX AUTHORITY FOR SCHEDULE OF RECORDS**

Individual record schedules may be approved and amended by motion of the Board.

## **X EFFECTIVE DATE**

This by-law shall come into force and take effect on the 15th day of February 2024.

**READ A FIRST AND SECOND TIME** this 15th day of February 2024.

**READ A THIRD TIME AND PASSED** this 15th day of February 2024.



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Dan Reith  
Chair, Police Services Board



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Tiffany Terpstra  
Secretary, Police Services Board

Type of Record	Description	Retention Period
Accidents	Motor Vehicle Collision Reports	3A
Agreements	Property and Service Contracts	1A + 1D
	With other Police Services detailing policing of roads and boundaries including any amendments	Permanent
Annual Reports	To the Police Services Board	Permanent
Appeals and Grievances	By or regarding Police Personnel	13 months unless appealed
Appointments	Elevation of rank or transfer of duties	Permanent
Arbitration		Until superseded or obsolete
Archival files	Records of historical value	Permanent
Audio/Video Recordings	Telephone calls – recorded	6 months
	Video images captured in/around police station	
Awards and Honours	Police Personnel – Civilian and Uniform	Permanent
	Civilian Citations to Members of the Public	1A
Badges	Record of hat and wallet badges issued	Permanent
Budget	Current and Capital Budget	1A + 1D
Bulletins	Circulars issued externally	While active
	Circulars received from other agencies	6 months active 6 months dormant
Bylaws	Police Services Board	Permanent
Body Worn Camera (BWC)	Municipal By-Law Charges – Parking offences	2 Years
	Motor Vehicle Accidents	2 Years, 30 days if no charges
	Traffic Stop – Charges	2 Years
	Traffic Stop – No Charges	30 days
	Other Provincial Charges	2 Years
	Criminal / Federal Evidence – Charges Laid	60 days past the expiry of the last appeal period
	Criminal Investigation – No Charges Laid	30 days
	Major Case – Charges Laid, Solved No Charges, Unsolved	Indefinite
	General Call for Service or Community Interaction	30 days
	Restricted – Used for SIU or Internal Investigation	Indefinite
	Training or Positive Recognition	6 months
Canvassing	Canvassing, charitable soliciting	While active
Clothing & Equipment	Record of items held in stores, and issued to members	See inventory

Type of Record	Description	Retention Period
Canadian Police Information Centre (CPIC)	Audit – every 2 years	Until Superseded
	Zone/Provincial Alerts Message Logs, Narrative Messages, Validation Lists	As per CPIC Regulation
Citizens' Complaints	Complaints against police	As per Public Complaints Policy and Procedure
Collective Bargaining	Agreements, Arbitrations, Letters of Understanding, etc.	Until superseded or obsolete
Communications	Audio recordings of emergency telephone lines and radio channels	6 months
	Audio recordings held of court	Indefinite
Community Relations	Related records and files	1A + 1D
Conferences	Chief of Police Others	1A 1A
Correspondence	General correspondence	1A + 1D – consider removal of 1D this was previously covered in Housekeeping and appears to be a redundant entry – no need for 1D year as captured in Housekeeping
Court attendance	Record of attendance	1A
Court dockets	Copies of Ontario Court of Justice dockets	1A
Court file	Court file packages ref: Young Person	As per Youth Criminal Justice Act
	Deceased persons	Upon official notification of death
Court file and exhibits	Property tags related to physical exhibits	See Property
Court Notification	From Court Officer regarding appearance in court	1A
Court Orders	Probation orders, peace bonds, restraining orders, weapons prohibitions	As per CPIC Policy and retention guidelines
Crime Prevention	Correspondence and related files	1A
Crown Briefs	Federal Statutes	60 days after disposition
	Provincial Statutes	
	Municipal By-laws	
Demonstrations	Strikes, riots, reports	3 years
Daily roster	Daily Assignment Sheet	1A
Destruction of Records Log	Record of Destruction	Permanent, or while record series valid
Directives	Notifications and procedures issued	As per Service Policy
Discipline	Transcripts of disciplinary trials	Pursuant to Police Services Act or CSPA



Type of Record	Description	Retention Period
	Informal Civilian Informal Uniform Formal Police Act Convictions	-2 years -2 years if no other entries -Permanent
Drug Reports	Drug related occurrence (tasks)  Drug destruction reports HPB3515 copies	See Occurrence  2A
Electronic Infrastructure Assets (E-Mails)	E-Mail files	1 Year
Equipment	Inventory	See inventory
Events	Correspondence and related materials	1A
Finance	Budget Preparations  Recovery Correspondence, details of and requests for payment of losses or bills for services rendered i.e. restitution  Source documents, all original documents, cheque requests, receipts	1A  While current  1A
Fingerprints	Adult Charged Persons  Young Person – Charged	Permanently upon conviction
	Consent Prints  Police Personnel  Non conviction (withdrawn, dismissed, quashed, absolute discharge, conditional discharge)	As per Youth Criminal Justice Act and Young Offenders Act While active then destroy  See Personnel File  As per Policy HR-09 Records Keeping
Firearms	Departmental Firearms - Inventory - Record of Issue	Permanent
Freedom of Information	Requests for information and related documentation	1A + 1D
Historical Documents	Any form or record deemed to have historical value	Indefinitely
Housekeeping	Files, general correspondence, personal reference notes	1A
Inquests	Copies of documents pertaining to all Coroners Inquests	Permanent

Type of Record	Description	Retention Period
Inventory	Annual  Equipment – Record of quantities, type of clothing, equipment issued to personnel  Record of equipment issued by serial number  Correspondence relating to equipment and uniforms	When superseded  Duration of service + 1A  Until superseded  1A
Investigative files	Files that contain accumulated person / general information during the investigation of law enforcement matters	Current
Keyholders	Information regarding keyholders for business premises	While valid
Ledger	Identification Unit  Ledgers detailing fingerprints, photos and crime scenes  Log of all property received and released	Indefinite    1A + 6D
Ledger	Log of all visitors admitted to police building	1A
Licence & Permits	Licences issued to the Police Service	1A + 1D
	Vehicle Licence & Permits  Copies of Special Occasion  Permits issued  Copies of Liquor Licences issued to licenced premises  Taxi Licences	While valid  While valid  While valid  While valid  While valid
Maps, Charts	Master copies	While valid
Minutes of Police Services Board meetings Police Services Board Meetings	Originals  Agendas and relevant correspondence: Minutes Resolutions Appointment notifications	As per Police Services Board Procedural By-law   Permanent Permanent Permanent
Mobile Workstation (MDT) Transmissions	Communication between MDT's and officers using the "SPARK" system	6 months
Newspaper	Newspaper clippings	Permanent

Type of Record	Description	Retention Period
News Releases	Media Releases	1A
Occurrence	Old system (paper reports) original at records dept. with all related correspondence	3A + 4D
	Major criminal cases	Indefinitely
	OMPPAC 1 <sup>st</sup> generation computer system	As per OMPPAC policy
	Statements and original documents: <b>No charges laid</b>	1A
	Statements and original documents if <b>charges laid</b>	After 60 day appeal period
Officer's notebooks	Officers Record of Activity	15 years
Pardon	All related documentation	Destroy upon notification
Paid Duty Roster	Roster of Personnel	1A
Parades	Correspondence	6 months after completion
Parking tags	Copies	3 months
Payroll	Overtime, court time attendance	1A + 1D
Performance appraisals	Probationary, annual, advancement, special evaluations	5A
Personnel	Fingerprints, promotional exam results, original documentation, awards, honours, termination/retirement training	Permanent
Photographs	Police/Civilian Personnel	Permanent
	Adult charged persons	Indefinitely, most recent photo kept, if withdrawn destroy
	Young person charged persons	As per Youth Criminal Justice Act
	Crime scenes – solved Crime scenes - unsolved	Indefinite or conclusion of court
Prisoner Cell Sheets	Originals	1A
Prisoner Escort Sheets		1A
Probation Orders		As per CPIC Regulations
Procedures	Force Policy & Procedures, Adequacy Standards	Until superseded
Promotions	Details of promotions	Permanent

Type of Record	Description	Retention Period
Property	Reports	As per Niche RMS policy
	Receipts	Current, 1A
	Property Tags	2A
	Property destroyed or auctioned	2A
Quartermaster Stores	All related files	Current
Receipt books	For Committal Warrants, Insurance reports, Police Clearances, Auctions, Freedom of Information Requests	1A
Records	Authority for schedule of records and destruction	Permanent or while record series valid
Recruiting	Rejected Applicants	1 month
Requisitions	Original	1A
Routine Orders	Notifications of Appointments, transfers	While valid
Rules and Regulations	Standing Orders Procedures, Regulations	Until superseded
Statements	Look in occurrence	Look in occurrence
Status Forms	Copies	1A
Statistics	Statistics produced monthly for office use	Current
	Statistics Canada reports	1A + 1D
	Annual statistical reports	Permanent
Suspensions	Copies of notice to suspended drivers	While valid
Suspect Apprehension Reports	Original	1A + 1D
Recordings (new location sorted by alpha)	Video recorded interviews	Duration of Court + appeal
	Audio visual training material	While valid
	CCTV Internal Recordings	6 months unless being held for court
	CCTV External Recordings	72 hours 6 months
	KOMLog Reproducer	
	Communication audio recordings	6 months unless being held for court
	Body Worn Cameras	See BWC policy for retention of video (Evidence.com)
Telephone	Invoices for service	1A
Traffic	All related files	1A

Type of Record	Description	Retention Period
Training	Lesson plans and presentations	While valid
	Course calendars detaining officers required to attend	1A
	Use of Force qualification records	While current
Transfer	Of personnel	Permanent
Trespass notice	Notices of correspondence	While valid
Three / Seven / Twenty One day suspensions	Copies of notices	While the suspension notice is in effect.
Use of Force Reports	Original	1A + 2D
Validation Lists	Automatic Purge Report	Until next CPIC printout received
	Monthly Validation Report	Cover page retained until next audit
Vehicles	Correspondence and records	Current
Wanted Posters	Issued and received	While current
Warrants	Committal	3A
	Outstanding	Returned to Court
	Executed	2A
	Receipts for payments Register	See Ledger
	of Committal WarrantsArrest	Until executed or rescinded
	Warrants	Until executed or rescinded
	Search Warrants	Until executed or rescinded
Wide Load Escorts	Copies of permits, invoices	While current
Workers Compensation	Form and reports detailing claim	Covered under Human Resources Policy at City Hall