



- (i) Records reserved exclusively to the custody or control of separately incorporated entities within the NOSM community, such as faculty and staff unions, and the NOSM Student Society (NOSMSS);
- (ii) Significant groups of non-administrative and non-operational Records – for example, Library holdings - governed by a Unit’s own maintenance, retention, and disposition policies;
- (iii) Instructors’ and researchers’ research and teaching materials;
- (iv) Publications and personal communications of individual faculty members, staff and students – unless specifically commissioned or prepared under contract for the NOSM or prepared in the context of administrative work.

### 3. Definitions

- (a) “Active File” means a File to which a Unit needs ready access due to the ongoing and frequent usefulness of at least one Record in that File.
- (b) “Active Record” means a NOSM Record to which a Unit needs ready access due to the Record’s ongoing and frequent usefulness.
- (c) “Confidential Information” means all information in NOSM Records which
  - (i) is designated as or is understood by those creating, receiving, and holding it to be “confidential,”
  - (ii) is of a proprietary nature – including all forms of intellectual property, or
  - (iii) can identify anyone, and includes personal information and personal health information as defined respectively by Ontario’s *Freedom of Information and Protection of Personal Privacy Act* (“FIPPA”) and *Personal Health Information Protection Act* (“PHIPA”), but does **not** include information that is collected and maintained specifically, and as permitted by law, for the purpose of creating a record available to the general public.
- (d) “Disposition” means an action taken with regard to a NOSM Record or File that is no longer needed to support current operations. Such action may be

transfer to a short-term storage facility, permanent preservation, or destruction.

- (e)** “Dormant File” means a File to which no Unit needs ready access and which contains no Active Records.
- (f)** “Dormant Record” means a NOSM Record to which no Unit needs ready access because the Record no longer has frequent usefulness but which should not be destroyed due to
  - (i)** occasional usefulness (e.g. in emergencies);
  - (ii)** legal requirement;
  - (iii)** permanent value to the NOSM; or
  - (iv)** significant historical value to the NOSM.
- (g)** “File” means a collection of different kinds of NOSM Records kept together because they relate to a particular subject or person (e.g. various kinds of student Files and personnel Files).
- (h)** “Record” means any information contained and preserved in any medium, electronic or other, including but not limited to correspondence (including electronic mail [“email”]), documents, notices, memoranda, contracts, forms, lists, directives, policies, procedures, minutes, reports, transcripts, syllabi, past examinations, CD’s, drawings, diagrams, photographs, videos, DVD’s, and films, and sound recordings.
- (i)** “RRS” (“Records Retention Schedule”) means a schedule showing all categories of NOSM Records and Files in the custody of a Unit, and, for each category,
  - (i)** index classification (usually by a numerical system),
  - (ii)** a brief description,
  - (iii)** whether the category includes Confidential Information,
  - (iv)** the period during which the category’s Records and Files remain Active Records and Active Files,
  - (v)** the location(s) of the Active Records and Active Files,
  - (vi)** the period for which the category’s Records and Files remain Dormant Records and Dormant Files,
  - (vii)** the location(s) of the Dormant Records and Dormant Files, and

(viii) the final Disposition(s) of each category of these NOSM Records and Files.

The RRS template is shown in **Appendix 1** of this Policy.

- (j) “Transitory Records” means Records that have only limited, temporary significance or applicability, including but not limited to: redundant copies of Records; rough notes superseded by a final document; preliminary drafts; appointments and meeting schedules; notices of upcoming events; unsolicited advertising materials; and email, telephone, and other messages that do not relate to NOSM business (e.g. spam).
- (k) “Unit” means a functional academic, research, or administrative Faculty, school, centre, office or other unit of the NOSM that has NOSM Records in its custody.
- (l) “NOSM Record” means every Record, excluding every Transitory Record, in the custody of NOSM that has been created or received by any NOSM board member, employee, volunteer, agent, or contractor in relation to any aspect of the NOSM’s operations or business.

#### **4. Maintenance of NOSM Records and Files**

- (a) Except in specific cases in which law or a NOSM policy or regulation states the contrary, responsibility for all aspects of the maintenance and Disposition of a NOSM Record or File or a copy of a NOSM Record falls to the Unit which has custody of that Record, File, or copy, and such responsibility must be exercised in compliance with law, this Policy, and other applicable NOSM policies and regulations.
- (b) NOSM Records are the property of the NOSM and every NOSM Record must be at all times retrievable by the head of the Unit having custody of that Record.
- (c) Custody and control of an electronic Record stored in the NOSM’s Enterprise Resource Planning (“ERP”) system, also known as *Datatel Colleague*, or in other NOSM databases belong, subject to the ruling of the NOSM’s *Data Standards and Shared Codes Group*, to the Unit which collects the data for that Record. Hence, for example,

- (i) the Office of the Registrar has custody and control of all ERP Records relating to student enrolment;
- (ii) the Office of Admissions has custody and control of all ERP Records relating to student admission, and
- (iii) the Financial Services Office has custody and control of all ERP Records relating to financial matters,

and so on.

**(d)** Every Unit is responsible for ensuring that all NOSM Records and Files in its custody are

- (i) classified and listed in its RRS;
- (ii) maintained in good condition regardless of their medium;
- (iii) filed in an orderly fashion so that they can be easily retrieved;
- (iv) kept secure in accordance with the sensitivity of their information:
  1. NOSM Records bearing Confidential Information should be kept and handled with the highest degree of security;
  2. The most sensitive NOSM Record in a File determines how the whole File is kept and handled;
- (v) accessed, used, and disclosed only in compliance with applicable law and NOSM policy and regulations.

**(e)** Transitory Records bearing Confidential Information must also be handled with the highest degree of security.

**(f)** If a copy is made of a NOSM Record for only limited, short-term use, that copy is a Transitory Record. Otherwise, a copy of a NOSM Record is subject to all the rules of this Policy pertaining to NOSM Records.

**(g)** A copy of a NOSM Record should be made only when it is necessary for the NOSM's operations or business.

- (h) Every Unit must ensure that all NOSM Records and Files in its custody that are kept in electronic format are maintained unaltered and undamaged through system upgrades and do not become unavailable due to software or hardware obsolescence.

## **5. Retention of NOSM Records**

- (a) Every Unit is responsible for:
  - (i) identifying and distinguishing all Active Records and Files, all Dormant Records and Files, and all NOSM Records and Files eligible for final Disposition in its custody;
  - (ii) determining effective and secure means of storage for all NOSM Records and Files in the Unit's custody;
  - (iii) reviewing and updating its RRS at least annually.
- (b) Every RRS should be publicly accessible.
- (c) Keeping Records solely as templates or precedents for new Records is a legitimate reason for retaining them for as long as they may practically serve as templates or precedents.
- (d) A Unit may elect to classify and treat all of its Records and Files as Active Records and Files, in which case no provision in this Policy regarding Dormant Records or Files shall apply to that Unit from the time of the election.

## **6. Disposition of NOSM Records**

Following are the rules governing the Disposition of NOSM Records and Files:

- (a) Every Unit is responsible for determining the appropriate Disposition of every NOSM Record and File in its custody, and noting that Disposition in its RRS. Determination of final Disposition may include consultation with other Units and NOSM officers but the final decision shall remain in the sole discretion of the Unit having custody of the NOSM Record or File in question unless the NOSM Dean/CEO or the Dean/CEO's delegate orders a different final Disposition, which order shall be binding on all.

- (b) If a copy is made of a NOSM Record, and that copy is not a Transitory Record, the Unit which has custody of that copy shall consult with the Unit having custody of the original Record to determine the appropriate Disposition of the copy. The final decision on the Disposition of the copy, however, shall remain in the sole discretion of the Unit having custody of the copy.
- (c) Every Unit is responsible for ensuring that the Disposition of NOSM Records and Files in its custody is carried out in conformity with the RRS governing those Records and Files.
- (d) As soon as ready access is no longer needed to it, an Active Record or Active File should be either considered for destruction or recategorized as, respectively, a Dormant Record or a Dormant File and filed accordingly.
- (e) The Disposition schedule of an Active File is determined by the latest scheduled Disposition of the Active Records within it, and the Disposition schedule of a Dormant File is determined by the latest scheduled Disposition of the Dormant Records within it.
- (f) An Active or Dormant Record scheduled for Disposition should, at the scheduled time, be removed from an Active or Dormant File whenever such removal is practical and will not destroy the integrity of the File. If it cannot be removed then the Record's Disposition shall be determined by that of the whole File.
- (g) When Active Records and Files become Dormant they should be, whenever possible, practical and appropriate, and legally permissible, retained only in electronic format. A Unit assessing the feasibility of converting a paper document into an electronic Record should refer to Ontario's *Electronic Commerce Act*.
- (h) NOSM Records of significant historical value to the NOSM should be preserved, whenever possible, in their original form and the Unit having custody of such a Record should identify it to the NOSM Librarian who shall inform the Unit in writing whether or not the Record will be accepted or rejected for storage in the NOSM's archives, such acceptance or rejection falling to the Librarian's sole discretion unless overridden by the NOSM Dean/CEO or the Dean/CEO's delegate. The Unit having custody of the

Record shall then follow the procedures laid down in this Policy for Record Disposition.

- (i)** When access to an Active or Dormant Record or File is no longer needed for NOSM business, it has no permanent or historical value, and there is no legal requirement to retain it, the Active or Dormant Record or File should be designated for destruction as soon as possible.
- (j)** Normally a Record that does not have even occasional usefulness or permanent or significant historical value to the NOSM should not be preserved more than ten (10) years from the time that it ceased to be useful, unless the law or other special considerations require longer preservation.
- (k)** Any NOSM Record that bears Confidential Information must be preserved for at least one year after the Confidential Information has been used unless the person(s) to whom the Confidential Information belongs or relates consent(s) to its earlier destruction. This rule does not apply to copies of NOSM Records bearing Confidential Information, unless the Record originals no longer exist or, in the case of Records generated from queries to the NOSM's ERP or other database systems, can no longer be generated.
- (l)** A NOSM Record or File may be destroyed only as stipulated by the RRS in which that Record or File is listed.
- (m)** Destruction deadlines shall be suspended for every NOSM Record that is relevant to:
  - (i)** an on-going or pending claim or litigation filed on behalf of or against the NOSM;
  - (ii)** an investigation or appeal conducted in accordance with a NOSM policy or regulation;
  - (iii)** an on-going or pending audit;
  - (iv)** review of a NOSM program;
  - (v)** an on-going or pending access to information request filed under a statute (e.g. FIPPA or PHIPA); or



- (vi) a government, court, or tribunal order.
- (n) Non-electronic NOSM Records and Files that are scheduled for destruction and bear Confidential Information must be confidentially shredded or confidentially destroyed in other ways that meet industry standards.
- (o) Units must ensure that electronic NOSM Records in their custody or control that are scheduled for destruction are indeed completely deleted and erased or overwritten such that they cannot be retrieved.
- (p) To reduce the frequency of Dispositions involving destruction of NOSM Records and Files, and thus the time necessary for and cost of these Dispositions, Units may defer scheduled destruction of particular NOSM Records and Files for up to one year.
- (q) All destruction of NOSM Records and Files must be recorded on a Records Destruction Form, an example of which is shown in **Appendix 2** of this Policy.
- (r) Transitory Records should be destroyed as soon as they have served their purpose. Transitory Records bearing Confidential Information should be destroyed in such a manner that their information is not disclosed during destruction and cannot be retrieved after destruction. Destruction of Transitory Records should not be recorded.

## 7. **General**

The head of every Unit is responsible for ensuring compliance with this Policy.

## 8. **Review**

The Chief Administrative Officer (CAO) will review this policy within five years to ascertain if any amendments are necessary.

## 9. **Getting Help**

Questions, concerns, and comments about the Policy should be directed to the Director of Planning and Risk.

**DO NOT REMOVE THIS VERSION RECORD FROM THIS DOCUMENT**

<b>Version</b>	<b>Date</b>	<b>Authors/Comments</b>
1	June 10, 2015	

## Appendix 1 – Record Retention Schedules

<b>UNIT</b>						
Record #	RECORDS TITLE					
<b>- Description</b>						
<b>- Records included in this section</b>						
Affected Unit(s)		Active Retention	Semi-Active Retention	Total Retention	Final Disposition	
<u>Responsible</u>	Unit with primary responsibility.	Length of time kept in the office or dept.	Length of time kept in storage or archives.	Total of active + semi-active	What is ultimately done with a document at the end of its retention period	
<u>Other</u>	Any units without primary responsibility who retain copies.					
<b>Rationale</b>						
*states why a record is retained for the above stated period, either by law or by operational policy*						
<b>Media</b>						
*What form is the record in? I.E. Paper or electronic.*						

**Appendix 2**

**Northern Ontario School of Medicine  
Records Destruction Form  
(Article 6(q) - Records Retention Policy)**

1. Use this form to document the destruction of Northern Ontario School of Medicine Records and Files that have met or exceeded their retention period as defined by the Records Retention Schedule (RRS) governing them.
2. Enter the Records/Files Index number, their category and a brief description of their contents (but keep the description generic; do not include specific identifying details of Confidential Information), whether or not they include Confidential Information, the range of their dates (e.g. Jan. 1 – Dec. 31, 2007), and their method of destruction.
3. Do not destroy any Records or Files pertaining to an investigation, appeal, legal action or proceeding, access to information request, audit, program review, or government, court, or tribunal order – even if their retention period specified in the RRS has expired.
4. This form has been produced in conformity to FIPPA Regulation 459, s. 6(1).
5. This form should be permanently retained in the office of the Unit carrying out the destruction.

**Unit:**

**Date of Completion and Filing of This Form:**

Index No.	Category/Description of Information	Medium	Confidential Information (Y/N)	Range of Record/File Dates	Manner of Disposal	
					<input type="checkbox"/> Shredded <input type="checkbox"/> Erased	<input type="checkbox"/> Incinerated <input type="checkbox"/> Rerecorded
					<input type="checkbox"/> Shredded <input type="checkbox"/> Erased	<input type="checkbox"/> Incinerated <input type="checkbox"/> Rerecorded
					<input type="checkbox"/> Shredded <input type="checkbox"/> Erased	<input type="checkbox"/> Incinerated <input type="checkbox"/> Rerecorded
					<input type="checkbox"/> Shredded <input type="checkbox"/> Erased	<input type="checkbox"/> Incinerated <input type="checkbox"/> Rerecorded
					<input type="checkbox"/> Shredded <input type="checkbox"/> Erased	<input type="checkbox"/> Incinerated <input type="checkbox"/> Rerecorded
					<input type="checkbox"/> Shredded <input type="checkbox"/> Erased	<input type="checkbox"/> Incinerated <input type="checkbox"/> Rerecorded
					<input type="checkbox"/> Shredded <input type="checkbox"/> Erased	<input type="checkbox"/> Incinerated <input type="checkbox"/> Rerecorded
					<input type="checkbox"/> Shredded <input type="checkbox"/> Erased	<input type="checkbox"/> Incinerated <input type="checkbox"/> Rerecorded
					<input type="checkbox"/> Shredded <input type="checkbox"/> Erased	<input type="checkbox"/> Incinerated <input type="checkbox"/> Rerecorded

Name of approving officer (please print):	Title:
Signature of approving officer:	Date: