



## Report

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**Subject:** Agreement with Orangeville Police Services Board (OPSB) for Archival Services

**Department:** Corporate Services

**Division:** Clerks

**Report #:** CPS-2020-021

**Meeting Date:** 2020-11-23

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### Recommendations

The report CPS-2020-021 regarding the Orangeville Police Services Board (OPSB) Archival Services Agreement, be received;

And that Council approve an agreement with the OPSB for the secure and accessible archival service of its records;

And that Council pass a by-law to authorize the entering into and execution of an agreement with the Orangeville Police Services Board.

### Background and Analysis

Effective October 1<sup>st</sup>, 2020, the Orangeville Police Service was disbanded. As a result, the Orangeville Police Services Board (OPSB) seeks to transfer its records to the Town.

The proposed agreement is based on the *Municipal Act 2001, S.O. 2001, c. 25* which requires local police services boards to retain and preserve their records in a secure and accessible manner and retrievable within a reasonable time.

Under sections 254(3) and (4) of the Act, the Board may enter into an agreement for archival services with respect to its records with the consent of its municipality, subject to a records transfer agreement for the purposes of the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), under the ownership and control of the Board as an “institution” under MFIPPA.

It is proposed that The Town of Orangeville enter into an archival service agreement with the Orangeville Police Service Board (OPSB), whereby the Town will retain and preserve OPSB records to include:

1. **OPSB Requests:** Archival service to records will be provided based on a request from the Board for records access
2. **OPP Requests:**
  - any directions received by the Town from the Board to transfer upon receipt of a written request from the OPP, all or any part of the Board's records to the OPP in conjunction with the disbandment.
  - the return to, and acceptance by, the Town as archive service provider of any records transferred to the OPP which the OPP determines should be returned to the Board.

With respect to the transfer of any Board records to the OPP, the Town shall obtain from the OPP written confirmation of:

- **Security and Accessibility:** the transferred records will be retained and preserved by the OPP in a secure and accessible manner.
- **Policies:** the transferred records will remain subject to the Records By-law or another comparable retention policy, as approved by the Board.
- **Return & Itemization:** any records to be returned to the Town, as the Board's archival service provider, shall be returned, together with an itemized records list.

With respect to requests for access or transfers to the Town from the Board, the Board shall provide the Town with written communication signed by the Chair and Vice-Chair of the Board and a copy of the approved Board resolution(s).

**Freedom of Information:** The Town will be authorized to process freedom of information and other similar requests relating to Board/OPS records held by the Town under this Agreement. The Town will provide written notice of such requests and shall, when asked, advise the Board in writing of the progress and outcome of all such requests.

The Town, through the Clerks Division, will maintain the records according to the Records By-law No. 002-2018 and retention plan, as amended and approved by the Board.

The Town will manage OPSB records as its archive service provider, which will be partially facilitated through an electronic records management system.

**Terms:** This agreement may be amended or terminated at any time by the parties in writing

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**Strategic Alignment****Orangeville Forward – Strategic Plan**

Priority Area: Strong Governance

Objective: Positive relationships with other governments, agencies and private sector

**Sustainable Neighbourhood Action Plan**

Theme: Not applicable

Strategy: Not applicable

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**Notice Provisions**Not applicable

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**Financial Impact**

Additional temporary resourcing is required for the establishment and provision of this service, which is expected to be higher in the initial first few years. This request consists of \$72,500 and will be presented as part of the Clerks 2021 budget, as a one-time budget request.

Respectfully submitted

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Reviewed by

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**Attachment(s):** 1. OPSB Archival Services Agreement