

Clause 8 in Report No. 14 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on September 24, 2015.

8

York Region Archives Policy

Committee of the Whole recommends adoption of the recommendations contained in the following report dated August 27, 2015 from the Commissioner of Corporate Services:

1. Recommendation

It is recommended that:

Council adopt the York Region Archives Policy in the form shown in Attachment 1.

2. Purpose

This report seeks Council approval of the York Region Archives Policy (“Policy”). The policy sets out the mandate of the York Region Archives (“Archives”). It clarifies what material will be accepted in the Archives and the roles of Regional staff and the Regional Archivist pertaining to the Archives.

3. Background

There is a legislated requirement to preserve records in a secure and accessible manner

Legislative authority for the Archives is contained in section 254(1) of the *Municipal Act*. It provides that “a municipality shall retain and preserve the records of the municipality and its local boards in a secure and accessible manner.” The Archives collects materials such as records, publications, photographs and artifacts with significant historical and cultural value about York Region and its predecessors. These materials are referred to as “Archival Material”. The Archives is the Region’s mechanism for retaining and preserving Archival Material. Staff create and maintain records, publications and artifacts as

part of the normal course of their work where some of them would have significant long term historical or cultural value. The Regional Archivist identifies this material, preserves it and facilitates access to it.

The Archives houses a collection of Archival Material that has significant historical and cultural value for the Region

Archival Material is stored in a 70 square meter (740 square foot) area that is secured and climatized in the basement of the Regional Administrative Centre. This area is referred to as the Archives Vault. It is actively monitored by the Regional Archivist in accordance with the legislative requirement to retain and preserve the Region's Archival Material.

The Region has a collection of Archival Material dating back to 1842

The collection in the Archives Vault goes back over one hundred and seventy years. It currently has 865 boxes of records, photographs, artifacts and publications with historical or cultural value from the Region (1971-present) and its predecessors York County (1850-1970) and the Home District (1842-1849).

A few examples of the Region's Archival Material are set out in Attachment 2 and include:

- Commission from Her Majesty Queen Victoria in 1842 appointing the first Warden of the Home District. (The position of Warden has evolved into the current position of Regional Chair.)
- the first Bylaw passed by the Home District in 1842
- a cane given to Warden E.M. Legge as a gift on behalf of York County at the end of his term in 1932
- a photograph of the Members of the first Regional Council from October, 1970

4. Analysis and Options

The Region's history will be preserved, secured and accessible

The Policy will ensure the Region collects and preserves only those materials with genuine archival value for current and future generations. It provides a consistent approach to the collection, preservation, accessibility, use and disposition of Archival Material. The collection will be secured in the Archives Vault and access will be monitored and limited. Archival Material will be made accessible to staff and the public by contacting the Regional Archivist.

The Policy also provides for greater protection of information generated today that may have archival value in the future. This includes electronic information and technology applications that will facilitate ongoing access to electronic Archival Material in future years.

While the Region values the historical collection within the Archives, there is an ongoing need to preserve Archival Material that is being created today which may be of significance in the future.

The Archives will have increased value and ancillary benefits

The Policy will allow for a systematic approach to archives management and will increase the value of the Archives and provide ancillary benefits including:

- Retention and preservation of historical and cultural Archival Material to enhance corporate memory and community identity
- Accurate documentation of material acquired and removed from the Archives (this is particularly important for copyright and ownership issues)
- Increased transparency by providing access to Archival Material to staff and residents. This will enhance their understanding and appreciation for the Region's heritage

There will be efficient use of storage space

The Policy will allow the Regional Archivist to remove material that does not have archival value from the Archives. In the past, some materials were transferred to the Archives without a clear or consistent process. Consequently, while much of the material in the Archives is of genuine value, there is most likely to be some material which should be removed from the collection. Identifying and removing this material will ensure that the space in the Archives is optimized.

Donations will benefit the Archives, individuals and organizations

The Policy enables suitable donations from individuals and organizations. Donations may include photographs, diaries, videos, correspondence or personal records. The Policy will allow for donations and consistent management of donated Archival Material.

Donated material will be accompanied by a deed of gift granting the Region ownership of Archival Material. The deed of gift will also allow donation receipts to be issued for income tax purposes pursuant to Canada Revenue Agency requirements, where applicable. Individuals and organizations will benefit from the donation as their Archival Material will be preserved in a secure facility for the benefit of future generations.

The Policy outlines the roles of staff and the Regional Archivist

The Policy will provide clarity regarding roles and responsibilities of staff and the Regional Archivist. Staff will assist the Regional Archivist in identifying Archival Material and transferring it to the Archives in appropriate circumstances.

The Policy will allow for consistent management of Archival Material. The Regional Archivist will have clearer responsibility over what Archival Material to collect, retain and preserve. Factors such as importance, age, uniqueness, quality, quantity, accessibility restrictions, and the condition of the material will inform the Regional Archivist's decision to determine what should be acquired for the Archives. The Regional Archivist will also continue to develop and maintain the Archives in accordance with archival best practices and legislative requirements to ensure the integrity, maintenance, security and preservation of Archival Material.

An efficiently managed Archives will better inform the public about York Region's history

One of the goals of *Vision 2051* is to recognize the Region's history as a way to inform the future. Archival Material will inform staff and residents about the Region's history. This will be achieved through outreach under the guidance of the Regional Archivist as outlined in the Policy. Exhibits have been on display in the Administrative Centre since 2007 for staff and the public to view Archival Material and learn about the Region's history. There are plans to use York.ca to reach a broader audience to promote the Region's history.

Social media platforms such as Facebook, Instagram, Twitter and Flickr are important tools used to engage staff and residents. The Region's history is promoted on social media platforms to educate and provide access to the Region's history. In 2014, historical images were shared on social media to promote the Region's history. One of these images was the most popular tweet on York Region's Twitter account in 2014.

Local municipalities preserve their history

Local municipalities in York Region preserve their history through an archives or in partnership with other heritage institutions.

- The City of Markham houses archival material in the Markham Museum
- The City of Vaughan has a dedicated space that stores its archival collection at City Hall
- The Town of Richmond Hill preserves its history through its local historical society and library

- The Town of Newmarket has its own local government archives
- The Township of King, the Town of East Gwillimbury, the Town of Aurora and the Town of Whitchurch-Stouffville preserve their history through local libraries and museums

Each local municipality is preserving its history. This Policy will give the Regional Archivist authority to preserve the Region's history consistent with the practices of the local municipalities and other municipalities such as the Peel Region, Waterloo Region and Simcoe County.

Link to key Council-approved plans

Vision 2051 contains the goal area of "Open and Responsive Governance". To support this goal the Region is "recognizing and valuing the importance of the Region's history as a way to inform the future".

The Archives will also increase stewardship of the Region's assets and make it easier to access Regional information and services as set out in the *Corporate Strategic Plan 2015-2019*.

5. Financial Implications

There are no financial implications identified at this time. The implementation of this Policy will have no additional costs to the Region. Any changes to the Archives storage or resources would be subject to the annual budget review process.

6. Local Municipal Impact

Through the clarity derived from this Policy, local municipalities and residents will have better access to the Archives which will enhance their understanding and appreciation for the Region's history.

7. Conclusion

The York Region Archives Policy is an important tool for ensuring the appropriate retention and preservation of historical and cultural material that is of significance to York Region. The Policy will ensure that there is a consistent approach to the collection, preservation, accessibility, use, and disposition of Archival Material. Consequently, the Region's rich history will be more readily accessible to staff and residents, providing an important resource for future generations. The Policy is consistent with Council approved plans and demonstrates the Region's commitment to accessibility, accountability and transparency to its residents.

For more information on this report, please contact Evangeline Lee, Regional Archivist at ext. 71866.

The Senior Management Group has reviewed this report. August 25, 2015

Attachments (2)

6308595

Accessible formats or communication supports are available upon request

The Regional Municipality of York

York Region Archives Policy

Policy No.: N/A

Original Approval Date: N/A

Policy Last Updated: N/A

Policy Statement:

A policy regarding the Regional Archives and its program.

Application:

This policy applies to all Regional employees and Donors.

Purpose:

This policy outlines the Regional Archives' mandate, access and use, acquisitions and deaccessioning of Archival Material.

Definitions:

Archival Material: consists of Records and relevant artifacts and publications that have long term archival value, justifying their Preservation. They have archival value if they relate to:

- the origin, development, organization or activities of the Region or its predecessors
- the development or implementation of a law or policy or decision made by the Region or its predecessors
- the history of the Region, any part of the Region or its predecessors, or

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- they are designated as having archival value according to the Region's Records Retention Bylaw.

Deaccession: process by which the Regional Archivist permanently removes accessioned materials from the Regional Archives.

Deed of Gift: formal donation agreement between the Donor and the Regional Archives that transfers ownership of and legal rights of the donated materials. It also covers terms of use, access and copyright of the donated materials.

Disposition: to destroy Records or transfer them to the Regional Archives as determined by their appraisal after their retention period has expired.

Donor: a person, body or organization who donates Archival Material to the Regional Archives.

Preservation: all processes and operations involved in the stabilization, protection and/or security (handling, misuse, and privacy protection) of all Records regardless of their format (physical/electronic) and other media types (magnetic, optical etc.) against damage or deterioration to ensure minimal loss of information and to extend their life. Preservation may also include the copy or transfer of information to another medium or format to maintain access to it.

Record: any record of information however recorded, whether in printed form, on film, by electronic means or otherwise as defined in the [Municipal Freedom of Information and Protection of Privacy Act](#).

Regional Archives: the unit within the Information Asset Management division of the Regional Clerk's Office that is responsible for the custody and control of Archival Material (also known as The Regional Municipality of York Archives and York Region Archives). It can also mean the physical location where Archival Material is maintained and preserved.

Description:

Scope of Policy

The Regional Archives houses Archival Material relating to the Regional Municipality of York and its predecessors (York County and the Home District). The primary interest is to acquire Archival Material that has been created, received and/or maintained by employees in any media or format, including digital records. The secondary interest is to acquire suitable donations of Archival Material from Donors.

Archival Material relating to entities other than the Region and its predecessors may be accepted if it possesses characteristics considered historically and/or culturally significant to the Region.

Primary responsibility for the Regional Archives program resides with the Regional Archivist who reports to the Manager of Corporate Information Asset Management and the Regional Clerk.

Strategy, Legislation and Regulations

The Regional Archives program will increase government accountability and transparency and let the Region's rich history be preserved and accessible to employees and the community at large. This program allows the Region to meet its obligations and objectives outlined in the following:

- [Vision 2051](#): Celebrating our culture, heritage and diversity, and recognizing and valuing the importance of the Region's history as a way to inform the future.
- [York Region 2015 to 2019 Corporate Strategic Plan](#): Stewardship of the Region's assets and making it easier to access Regional information and services.
- [Municipal Freedom of Information and Protection of Privacy Act](#): Governs the collection, use, disclosure of personal information to protect confidentiality of information and privacy of individuals held in municipal institutions. It also provides the public with right of access. A recent amendment to the Act, which is not yet in force, will require that reasonable measures are in place to preserve Records under the control of the Region.
- [Personal Health Information Protection Act, 2004](#): Governs the collection, use, disclosure of personal health information from the health care system to protect confidentiality of information and privacy of individuals. It also provides the public with right of access.
- [Municipal Act, 2001](#): A municipality must retain and preserve the records of the municipality and its local boards in a secure and accessible manner.
- *Region's Records Retention Bylaw 2014-52*: Identifies which Records series have archival value and require archival review at the Region. Once Records are deemed archival as set out in the Bylaw, they are to be transferred to the custody and control of the Regional Archives.
- *Region's Records and Information Management Policy, 2006*: Regional Records designated as 'archival' will be appropriately identified and transferred to be retained and preserved in the Region's Archives.

Mandate

The Regional Archives will:

- Be the official repository for all Archival Material created, maintained and received by Regional employees and will be the official repository for suitable donations from Donors
- Appraise, acquire, and provide access to Archival Material with evidential, informational, historical and/or cultural significance to the Region
- Preserve and protect Archival Material using best practices with available resources

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- Provide intellectual and physical control over Archival Material
- Promote the heritage of the Region through advocacy and outreach initiatives (online access, programming, social media and exhibitions)
- Add value to employees and residents lives by increasing their understanding and appreciation of the Region's history
- Support the development of the archival community in the Region

Access and Use

Employees and residents may access and use Archival Material in the Regional Archives, subject to applicable legislation ([Municipal Freedom of Information and Protection of Privacy Act](#), [Personal Health Information Protection Act, 2004](#), and [The Copyright Act](#)). It will be the responsibility of those who use Archival Material to obtain proper copyright clearance when necessary.

Acquisitions

The Regional Archivist will make recommendations for the acquisition of suitable space as needed to provide an appropriate repository for Archival Material in the Regional Archives. The Regional Archivist will not acquire Archival Material if the Regional Archivist cannot responsibly preserve it and if there is no space available for storage.

The Region's Records deemed to have archival value according to the Region's Records Retention Bylaw or the Regional Archivist will be transferred to the custody and control of the Regional Archives through scheduled Dispositions. However, if required, direct transfer of unscheduled inactive Archival Material will be accepted. When the original Record is not available, the best copy will be retained in the Regional Archives.

The Regional Archives may acquire Archival Material created by individuals, families, businesses or non-governmental organizations within the Region. These private Records will become the property of the Regional Archives by means of a Deed of Gift and a tax receipt may be issued for the donation. The Regional Archives will not accept donations of Archival Material for which the Donor wishes to impose impractical access or user restrictions as determined by the Regional Archivist.

Deaccessioning

The Regional Archivist, in consultation with the Manager of Corporate Information Asset Management and/or the Regional Clerk may Deaccession Archival Material because it is no longer within the scope of the York Region Archives policy. It can also be deaccessioned when Archival Material has been reappraised and found to be no longer suitable for continuing Preservation.

Responsibilities:

Chief Administrative Officer, Commissioners, Directors, Managers, Supervisors and other Management:

- Responsible for supporting, encouraging and ensuring compliance with this policy
- Address non-compliance with this policy

Director, Information Technology Services:

- Develop, maintain and implement system controls to ensure the security, accuracy, trustworthiness and reliability of electronic and digitized records of archival value
- Provide support for the transfer of electronic and digitized records for long term Preservation
- Support and assist in maintaining software and equipment available to enable the Preservation of archival Records
- Assist with developing a strategy for long term digital Preservation and access of digital materials and update as necessary to meet the challenges associated with digital obsolescence

Manager, Corporate Information Asset Management:

- Oversee the development and maintenance of the Regional Archives program in accordance with best practices and legislative requirements
- Oversee the Preservation, security, and Disposition of Records in the custody of the Regional Archives in accordance with the Records Retention Bylaw
- Ensure that reasonable measures are defined, documented and implemented to manage and protect the Region's archival Records from inadvertent destruction or damage, taking into account the nature of the Records to be protected and the resources available to protect those Records
- May approve acquisitions and deaccessions in consultation with the Regional Archivist

Regional Archivist:

- Develop and maintain the Regional Archives program and its processes in accordance with archival best practices and legislative requirements to ensure the integrity, maintenance, security and Preservation of Archival Material
- Promote and support the development of a strategy for long term digital Preservation and access of digital materials and update as necessary to meet the challenges associated with digital obsolescence
- Organize and describe Archival Material according to archival standards
- Make recommendations regarding acquiring physical space and geographic location(s) for the Regional Archives

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- Provide controlled access and use of Archival Material for employees and residents according to legislation
- Ensure transfer (original or copy) of Regional Archival Material to the Region that may be held at other archives, heritage and cultural institutions that have been donated to them prior to the development of this Policy
- Approve and acquire government Records and other Archival Material within scope through scheduled Dispositions and unscheduled transfers, and ensure they are transferred to the custody and control of the Regional Archives
- Approve and acquire non-government Records and other Archival Material from Donors within scope through Deed of Gift
- Deaccession Archival Material no longer in scope and no longer suitable for long term Preservation in consultation with the Manager of Corporate Information Asset Management and/or the Regional Clerk
- Create appraisal reports to determine archival value for transferred and donated Archival Material
- Determine fair market value for donations valued from \$10 to \$999 for tax receipt purposes and ensure accepted donations valued over \$1,000 have been appraised by a certified external appraiser. The external appraisal will be at the donor's expense unless the Regional Archivist determines that it is the best interest of the Region to pay for the external appraisal in order to secure an important donation.

Regional Employees:

- Understand and comply with this policy
- Ensure that archival Records are properly classified and not destroyed except as outlined in the Records Retention Bylaw
- Notify the Regional Archivist regarding potential Archival Material
- Report any violation of this policy to their supervisor

Non-Compliance with policy:

Non-compliance with this policy may be the subject of disciplinary action and/or termination.

Reference:

Copyright Act (<http://laws-lois.justice.gc.ca/eng/acts/C-42/Index.html>)

Municipal Act, 2001 (<http://www.ontario.ca/laws/statute/01m25>)

Municipal Freedom of Information and Protection of Privacy Act

(http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90m56_e.htm)

Personal Health Information Protection Act, 2004

(<http://www.ontario.ca/laws/statute/04p03>)

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Records Retention Bylaw 2014-52, 2014 (eDOCS #5243071)
Records and Information Management Policy, 2006 (eDOCS #248258)
Information Accountability and Sharing Policy, 2014 (eDOCS #5383788)

Contact:

Evangeline Lee, Regional Archivist, Corporate Services, Office of the Regional Clerk,
Information Asset Management, extension 71866.

Approval Information:

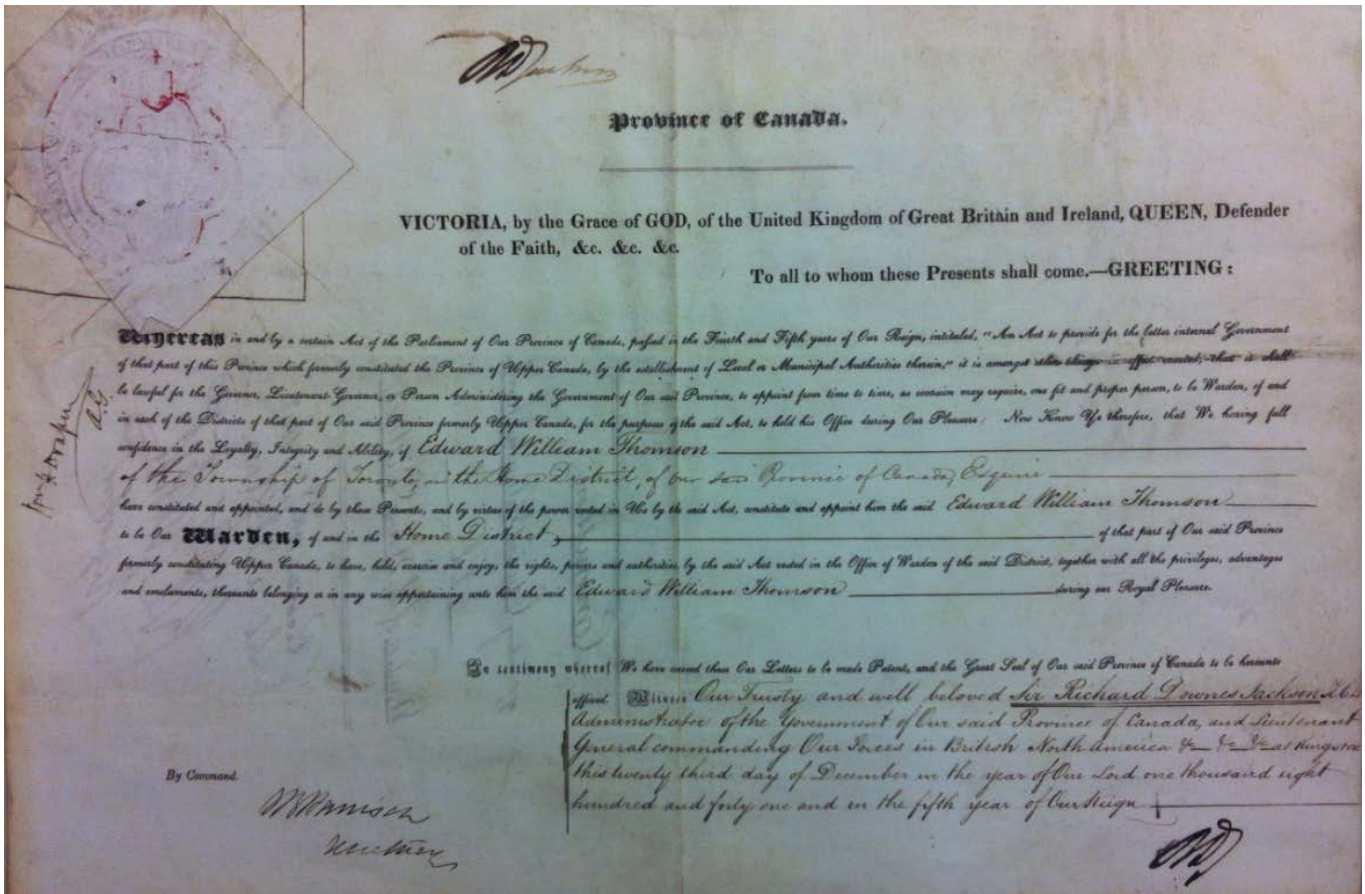
Council Approval Date: [REDACTED]	Committee Name: [REDACTED]
Council Minute No.: [REDACTED]	Report No.: [REDACTED]
Extract eDOCS #: [REDACTED]	Clause No.: [REDACTED]

York Region Archives Policy (eDOCS#6138276)
Deed of Gift Agreement template (eDOCS# 5938327)

Accessible formats or communication supports are available upon request.

The Regional Municipality of York York Region Archives Policy

1. The commission of the Warden for Home District from Queen Victoria, 1842



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Transcription of the commission of the Warden of the Home District, 1842:

Province of Canada

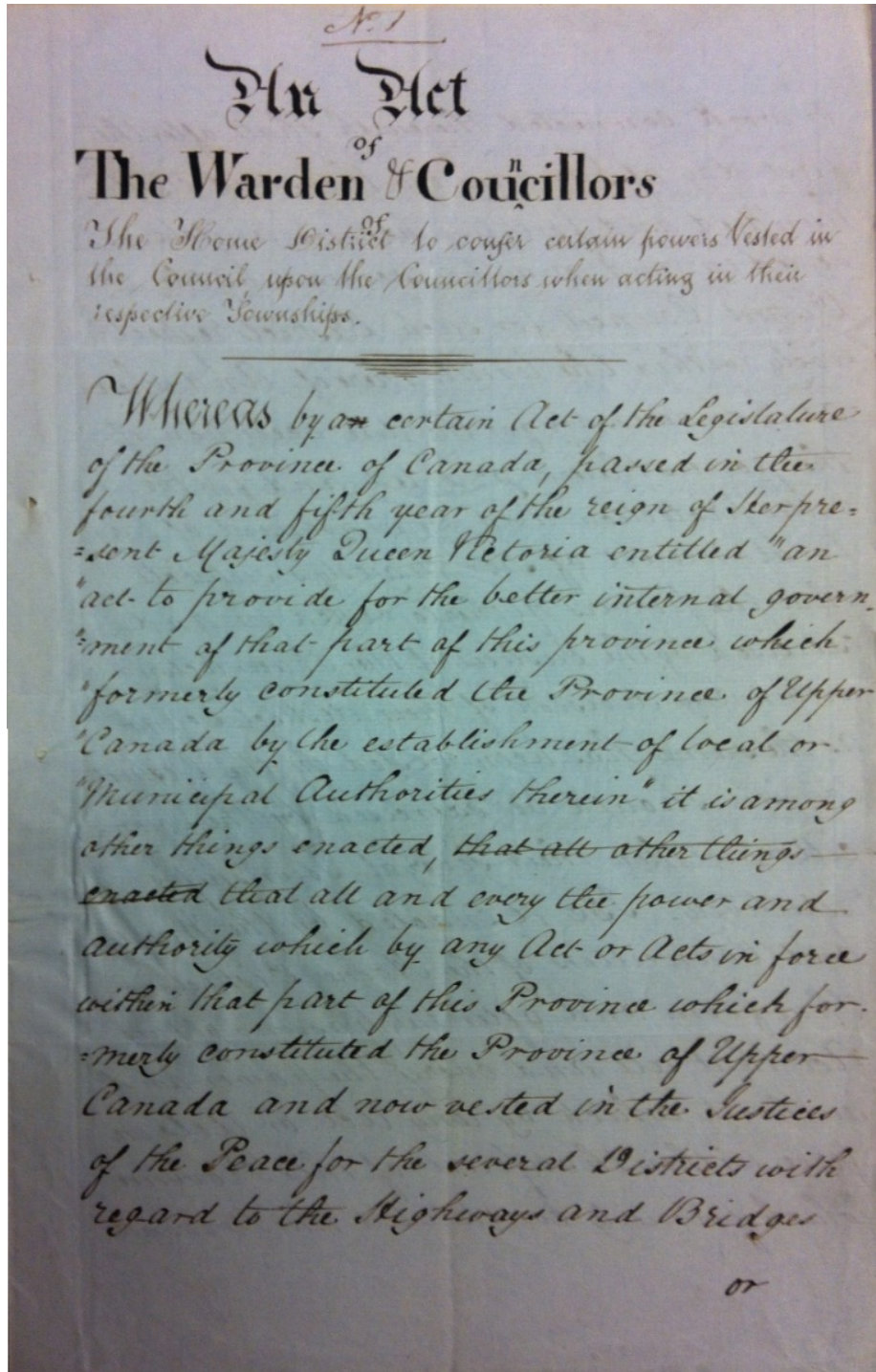
VICTORIA, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the faith, etc. etc. etc.

To all to whom these Presents shall come. –GREETING:

Whereas in and by a certain Act of the parliament of Our Province of Canada, passed in the Fourth and Fifth years of Our Reign, intituled, “An Act to provide for the better internal Government of that part of this Province which formerly constituted the Province of Upper Canada, by the establishment of Local or Municipal Authorities therein,” it is amongst other things in effect enacted, that it shall be lawful for the Governor, Lieutenant Governor, or Person Administering the Government of Our said Province, to appoint from time to time, as occasion may require, one fit and proper person, to be Warden, of and in each of the Districts of that part of Our said Province formerly Upper Canada, for the purposes of the said Act, to hold his Office during Our Pleasure: Now Know Ye therefore, that We having full confidence in the Loyalty, Integrity and Ability, of Edward William Thomson of the Township of Toronto, in the Home District, of our said Province of Canada, Esquire have constituted and appointed, and do by these Presents, and by virtue of the power vested in Us by the said Act, constitute and appoint him the said Edward William Thomson to be our Warden, of and in the Home District, of that part of Our said Province formerly constituting Upper Canada, to have, hold, exercise and enjoy, the rights, powers and authorities by the said Act vested in the Office of Warden of the said District, together with all the privileges, advantages and emoluments, thereunto belonging or in any wise appertaining unto him the said Edward William Thomson during our Royal Pleasure.

In testimony whereof We have caused these Our Letters to be made Patent, and the Great Seal of Our said Province of Canada to be hereunto affixed. Witness Our Trusty and well beloved Sir Richard Downes Jackson, K.C.B. Administrator of the Government of Our said Province of Canada, and Lieutenant General commanding Our Forces in British North America etc. etc. etc. at Kingston this twenty third day of December in the year of Our Lord one thousand eight hundred and forty one and in the fifth year of Our Reign.

2. The first page of the first Bylaw passed by the Home District, 1842



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Transcription of the first Bylaw passed by Home District, 1842:

No.1 An Act of The Warden & Councillors of The Home District to confer certain powers vested in the Council upon the Councillors when acting in their respective Townships.

Whereas by a certain Act of the Legislature of the Province of Canada, passed in the fourth and fifth year of the reign of Her present Majesty Queen Victoria entitled "an act to provide for the better internal government of that part of this province which formerly constituted the Province of Upper Canada by the establishment of local or Municipal Authorities therein" it is among other things enacted, that all and every the power and authority which by any Act or Acts in force within that part of this Province which formerly constituted the Province of Upper Canada and now vested in the Justices of the Peace for the several Districts with regard to the Highways and Bridges or work connected therewith shall after the first day of January one thousand eight hundred and forty two become and be vested in and may be exercised by the District Council for such Districts respectively within the limits thereof. And whereas it is necessary for the due execution of the powers therein granted and for the better protection and management of the local interest of Her Majesty's subjects that the powers hitherto invested in and exercised by the Justices of the Peace acting within any division of their district so far as the same has been vested in the District Council should be exercised by the Councillors within their several Townships respectively. Be it enacted by the Warden and Councillors of the Home District that from and after the passing of this Act that all and every the power and authority which by and Act or Acts in force within that part of this Province which formerly constituted the Province of Upper Canada previous to the passing of the before recited Act was vested in the Justices of the Peace acting within any Division of the District so far as the same has been conferred upon the District Council shall be exercised by the Councillors of this District acting within the Township or Townships for which they may have been elected respectively.

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3. Warden E.M. Legge's appreciation gift (cane), 1932



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4. First Regional Council at Bayview Secondary School, October 1970



Back Row (L to R): Councillor G. Rowe (Town of Richmond Hill), Mayor K. Mactaggart (Township of King), Mayor R. Illingworth (Town of Aurora), Councillor R. Pollock (Township of Georgina), Mayor W. C. Lazenby (Town of Richmond Hill), Councillor J. P. Jongeneel (Town of Markham), Councillor H. Lawrie (Town of Markham), Councillor A. H. Rutherford (Town of Vaughan), Councillor R. Twinney (Town of Newmarket)

Front Row (L to R): Mayor G. M. Burrows (Township of Georgina), Mayor A. Roman (Town of Markham), Mayor G. Williams (Town of Vaughan), Albert J. Rettie (Acting Officer), Chairman Garfield E. Wright, The Honourable W. Darcy McKeough (Minister of Municipal Affairs), Mayor G. Rolling (Township of East Gwillimbury), Mayor K. Laushway (Town of Whitchurch-Stouffville), Mayor R. Forhan (Town of Newmarket)

Missing: Councillor D. Plaxton (Town of Richmond Hill)