



# Sarnia Police Services Board Policy

Issue Number:  <b>SPS-BP-AI-007</b>
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<b>Subject:</b> <b>Management of Police Records</b>	<b>Effective Date:</b>
<b>Replaces:</b> <b>September 14, 2023</b>	<b>Distribution:</b> <b>All Members</b>
<b>Last Reviewed:</b> <b>September 2024</b>	<b>Expiration Date:</b> <b>Indefinite</b>
<b>Approved By:</b> <b>Board Chair</b>	<b>Signature:</b> <i>Paul Wiersma</i>

## A Legislative/Regulatory Requirements

**Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1**, provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by **Section 10** of the **CSPA**.

**Subsection 38 (2)** of the **CSPA** provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing.

**Subsection 1 (1)** of the **Municipal Act, R.S.O. 2001 c.25** defines “Local Board” as a Police Service Board.

**Section 254** of the **Municipal Act** states that a Local Board that has ownership and control of its records has an obligation to retain and preserve the records in a secure and accessible manner.

**Section 255** of the **Municipal Act** regulates the circumstances under which a Local Board may destroy records.

**Section 18 of O. Reg. 395/23: Investigations** prescribes reporting requirements for reportable investigations as defined in the Regulation.

**Section 20** of the said **O. Reg. 395/23** requires a Chief of Police to establish procedures for the management of information relating to investigations.

**B Policy Statement**

1. The Board recognizes that appropriate management of police records are essential to policing, and it is therefore the policy of the Board that such management of police records be dealt with in a professional and thorough manner and in accordance with the ***Community Safety and Policing Act*** and the procedures established by the Chief as directed in this By-law.

**C Board Policy**

1. It is the policy of the Sarnia Police Service Board that the Chief of Police will:
  - (a) Establish procedures on records management, including the collection, security, retention, use, disclosure and destruction of records in accordance with the requirements of the appropriate legislation;
  - (b) The Chief shall ensure that said procedure above complies with the ***Municipal Freedom of Information and Protection of Privacy Act***;
  - (c) Comply with the procedures set out in the Ontario Major Case Management Manual;
  - (d) The Chief shall ensure that all records are protected from unauthorized access, alteration, or removal and inadvertent destruction or damage by members of the Police Service and the public;
  - (e) Establish procedures on the Canadian Police Information Centre (“CPIC”) that are consistent with the “CPIC Reference Manual” and the Ministry’s policy relating to CPIC Records.
2. In relation to the destruction of police records, it is the policy of the Sarnia Police Service Board that the Chief of Police will:
  - (a) Ensure that no member destroys any record except in accordance with the procedure developed;
  - (b) Ensure that, when records are destroyed in compliance with the said procedure, a listing is maintained indicating the classification and dates of the records being destroyed, the date of destruction, and the signature of the Member destroying the record;
  - (c) Designate a Member(s) as persons responsible for overseeing destruction of records in accordance with the procedure;

- (d) Ensure that records are destroyed in a manner, which ensures that the records are no longer legible or usable;
  - (e) Ensure that the procedure developed in respect of retention and destruction of Service records provides for the retention of records pursuant to the Service's Record Retention Schedule.
3. The Chief shall ensure that members involved in the collection, security, retention, use, disclosure and destruction of police records, have the requisite knowledge, skills and abilities to perform these functions.
  4. The Chief of Police will provide information in the annual report with respect to the management of police records.