

CITY OF NANAIMO

BUSINESS CASE – Legislative Services Department: Records and Information Specialist

CURRENT OVERVIEW

The Legislative Services Department provides legislative, policy and administrative expertise and services to Council, committees, task forces and City departments to ensure the City conducts its business in a manner that is consistent with provincial legislation and City bylaws. The department manages all requests received under the Freedom of Information and Protection of Privacy Act, oversees records management services, liability claims and municipal elections.

The department currently has one Records/Information & Privacy Coordinator who under the direction of the Director of Legislative Services is responsible for coordinating the FOI/Claims and Records Management processes for the City. The group also consists of two FOI/Claims & Records Clerks who among other duties compile, review and assist with the severing of documents in response to requests made under the Freedom of Information and Protection and Privacy Act and assist with the implementation and maintenance of an electronic records management system. Collectively, in this document this group will be referred to as the “Records Group”.

BUSINESS ISSUE

In the spring of 2017, the City undertook a Records Management Project (RMP). This is a joint project between the IT Department and the Legislative Services Department, but it is a Legislative Services-led initiative.

Led by the Records Group, the goals of the RMP are to have documents and records, within the City, managed and stored in a manner that will satisfy all governmental regulations and provide a streamlined way for employees to search for and access records. Additionally, the purchase and implementation of an Electronic Document Management System (EDMRS) will allow for records identification, and under the records retention schedule, for proper destruction at the appropriate time. The project is supported by “Records Management Bylaw 2012 No. 7150”, which establishes records management procedures for documents and records of the City of Nanaimo.

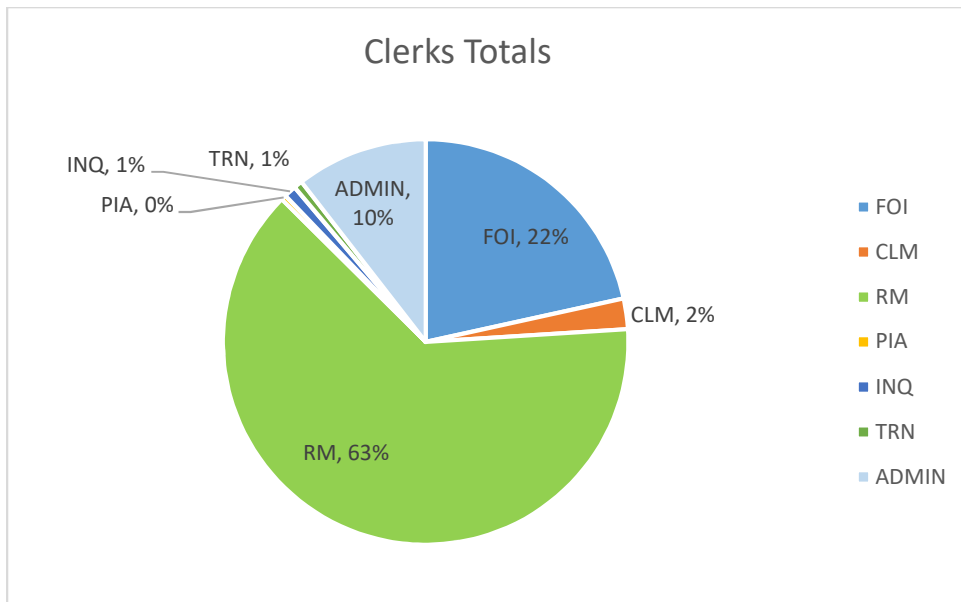
When this project was initially brought forward to Council in 2017, additional staff were not requested but it was noted by the consultant involved in the project that the current staffing level in the Records Group was not sufficient and additional staff would be required in the future to ensure successful implementation and on-going maintenance of the project.

In response to numerous privacy breaches, in 2018 the Office of the Information and Privacy Commissioner of BC (OIPC) recommended the City undertake immediate steps to implement a privacy management program to ensure it can meet all of its obligations under FOIPPA. The OIPC advised that the program should include a designated staff member responsible for reviewing privacy policies and security arrangements in place to protect the personal information in the custody or control of the City. The OIPC further recommended that all employees and officers of the City who handle personal information be made aware of their obligations under FOIPPA. The privacy training must be comprehensive, mandatory and ongoing for all employees and officers. These responsibilities are to be carried out by the Records/Information & Privacy Coordinator. Due to the extensive work required by the RMP, the tasks required by the OIPC are not currently being completed.

The last few years has seen a significant increase in workload for the Records Group due to a variety of factors:

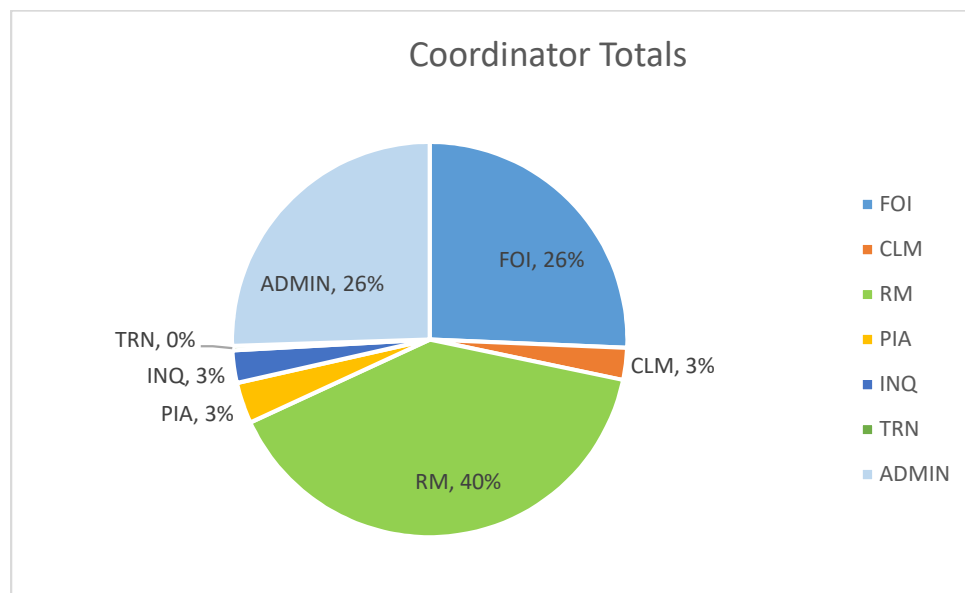
- Prioritization of the Records Management Project and associated tasks.
- The City’s commitment and increase in FOI education in 2019 led to more awareness of privacy requirements throughout the organization.
- Increased internal and external awareness of the Freedom of Information and Protection of Privacy Act resulted in more inquiries from staff and requests from the public.
- Increased internal awareness of privacy requirements led to a continued upswing in requests for Privacy Impact Assessments.
- Number of FOI requests and complexity of requests are increasing. All requests are required to be responded to within legislated time frames.
- Increase in number of electronic records created and classified, due to the shift to remote work environments.
- Increase in requests for physical records to be classified and retained or destroyed.

This chart reflects the FOI/Claims and Records Clerk’s time spent on each categorized task from November 2020 to January 2021.



FOI	Freedom of Information and Protection of Privacy Act tasks
CLM	Claims
RM	Records Management
PIA	Privacy Impact Assessments
INQ	Inquiries
TRN	Training
ADMIN	Administration

This chart reflects Records/Information & Privacy Coordinator’s time spent on each categorized task from November 2020 to January 2021. The administration category includes time spent coordinating all items.



In addition to the increase in tasks noted above, in November 2020 deadlines for the records management project and an influx of FOI requests put a further demand on staff time. To accommodate the increased workload, the Records Group have worked over 100 hours of overtime from mid-November 2020 – late-February 2021. When this proved to be unsustainable, other staff in the Legislative Services Department began processing FOI requests as time permitted. In early March, a steno from the Council support pool was seconded to assist with FOI work which is anticipated to allow the Records Group to primarily focus on execution of the RMP and focus on complex FOI requests. This is intended to provide a temporary reprieve but due to the workload, the overtime may continue. Seconding a steno is not a permanent solution as there are time limitations for secondments and the steno is needed in the Council meeting support pool. It is anticipated that the steno will return to the Council meeting pool mid-June. Since 2017, 631.25 consulting hours have been spent on the ECM project.

In order to ensure the RMP is successful, a full time Records and Information Specialist position dedicated to the ongoing implementation, support and coordination of the project is required. After implementation, this position will be responsible for completing the ongoing work associated with the new records management system.

EXPECTED OUTCOME

The addition of a new Records and Information Specialist position is anticipated to:

- Ensure RMP is given the full attention it requires in order to be successful and completed on time and on budget.
- Ensure that after the implementation of the project a resource is dedicated to manage the ongoing tasks associated with the project such as:
 - Archiving records

- Records destruction
- Coordinating physical records storage
- Physical records conversion to new Records Classification and Retention Schedule
- Maintenance of records already converted into system
- Managing tasks within the Electronic Document Records Management System
- Maintenance and compliance with records management policies and procedures
- Supporting departments as they transition to the new records management system
- Supporting the Records/Information & Privacy Coordinator to educate staff throughout the organization on the new program requirements.

OPTIONS

Option #1 –Add a Records and Information Specialist

Create a permanent full-time Records and Information Specialist position, reporting to the Records/Information and Privacy Coordinator, in the Legislative Services Department.

Benefits:

- Records and Information Specialist will oversee the day to day progress and operation of the RMP.
- Legislated requirements such as City-wide FOIPPA training will be able to be completed.
- Records/Information and Privacy Coordinator will be able to focus on oversight of the Records Management Program as a whole, the Privacy Management Program implementation, and all other duties as required.
- Allow for Clerks to return to focusing their time between FOI/Claims and records management duties.
- Eliminate the need for the seconded steno to complete FOI work and allow for that staff member to return to regular duties.
- Reduction or elimination of unbudgeted overtime is expected.
- Reduction in overtime would improve employee wellness and resiliency with less potential of burnout.

Weaknesses:

- Permanent increase to the operating budget of the Legislative Services Department.
- Workload after two years is relatively unknown at this point but is expected to continue as the program expands to integrate with our other City software programs.

Financial Analysis:

- The position is anticipated to be a level 11, subject to JEC, with an annual salary of \$72,313 plus benefits. 2021 budget impact including benefits is estimated at \$46,200 based on a July 1st start, 2022 budget impact is estimated at \$96,312.
- Additional annual costs are anticipated at \$1,645 for professional development and annual membership.
- One-time costs upon the creation of the position are projected at \$300 for the purchase of a desk phone. The department has a workstation and computer available for the position.

Option #2 – Status Quo

Benefits:

- No increase to operating budget for Legislative Services.

Weaknesses:

- RMP will not be completed on time and completion deadline will need to be extended.
- Likelihood of project failure increases with project deadline extension.
- RMP will not be completed on budget as more consultant time will be required to complete the project and will increase costs.
- Staff members will continue to split their focus between FOI/Claims and records management duties and accumulate unbudgeted overtime.
- Status quo is not a sustainable option and may result in deteriorated quality of work, employee burnout, lower levels of employee retention and increased sick time.
- Legislated FOI requirements will not be completed in a timely and efficient manner.
- Departmental work plan will need to be readjusted to accommodate extended RMP deadline.
- Seconded steno will be required to and will return to regular work duties.
- Flexibility and the ability to respond to Council's requests for meetings for Council, committees, taskforces would be reduced due to adjusted work plan.

RECOMMENDATION

Option #1 is recommended.