

**RECORDS INFORMATION MANAGEMENT LEGAL HOLD POLICY**

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| Department | Administration | Policy No. | 0340-90 |
| Section | Records and Information Management | Date Approved by Board | |
| Repeals | | Board Resolution # | |

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| Amended | | Board Resolution # | |
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1. Purpose

- 1.1 The purpose of the Legal Hold Policy is to prevent improper destruction or alteration of Peace River Regional District (PRRD) information assets related to litigation or potential litigation.
 - a) Improper destruction or alteration of PRRD information assets may result in the loss of records integrity and valuable information and carries the risk of legal repercussions associated with the destruction of evidence.
 - b) Intentional destruction or alteration of data, records or information with the purpose of prejudicing litigation, even potential litigation, is considered tampering with evidence and can result in criminal charges and will have a negative impact on litigation.
 - c) Unintentional destruction or alteration of data, records or information related to a litigation or a potential litigation, while not necessarily risking criminal charges, may have serious legal repercussions.

2. Scope

- 2.1 This policy applies to PRRD Board members, volunteers, employees, and contractors.
- 2.2 A Legal Hold involves all data, information and records in the custody and control of the PRRD including backups and transitory records.

3. Definitions

- 3.1 See RIM-01 Records and Information Management Framework Policy for definitions.

4. Policy

- 4.1 Upon instruction from the Corporate Officer, the Corporate Services Coordinator, with or without advice from legal counsel, shall place all relevant information assets under a legal hold and suspend regular destruction practices to prevent improper or intentional alteration or destruction of file folders.



- 4.2 During a legal hold, the Corporate Officer must authorize and approve the destruction of file folders which are not relevant to the litigation.
- 4.3 Any information assets maintained on PRRD computer systems, including mobile devices, are legally discoverable and are not considered private. Non-work-related records should either be destroyed as soon as possible or, preferably, not be stored on PRRD computer systems.
- 4.4 Any Personal IT Device (i.e., a personally owned computer, mobile device or storage media device) when used to store PRRD electronic information assets becomes discoverable during litigation and, if required by the court, may be seized as a source of evidence. If possible, PRRD records should not be managed on personal devices.

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| Affiliated Procedure | Legal Hold Procedure |
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