



Staff Report

Report To: Dan Best, Chief Administrative Officer
From: **Rebekah Msuya-Collison, Director of Legislative Services/Clerk**
Date: July 30 2020
Report: CL#23-2020
Subject: Electronic Signature Policy

Recommendations:

That South Huron Council received the report of R. Msuya-Collison, Director of Legislative Services/Clerk re Electronic Signature; and

That Council approve the Electronic Signature policy as presented.

Purpose:

For approval.

Background and Analysis:

In 2000, the *Electronic Commerce Act, 2000, c17* (ECA) was passed by the Province of Ontario. This legislation provides the opportunity for municipalities to conduct business via electronic signature. The acceptance of electronic signatures has the potential to expedite workflow processes and improve customer service now and in future municipal initiatives.

The COVID-19 pandemic has created an environment where new approaches to conducting business needed to be considered and ramped up the timeline for the use of electronic submission forms and signatures. With the reduced in person interactions between the public and Municipal offices, the Municipality should have a policy on what is classified as a digital signature, when digital signatures are required and how electronic submissions may be accepted and under whose authority. Electronic signatures can be an

effective tool for municipal operations, provided the proper technology and safeguards are in place.

The *Electronic Commerce Act*, 2000 provides for several conditions to be adhered to regarding the reliability and authenticity of digital signatures and electronic submissions. The statutes adopted in this regard recognize the legal validity of electronic documents and impose requirements for their validity, their admissibility as evidence and, in the case of signed agreements, their enforceability against the parties that executed them. Unless there are rules specific to a given area of law, an electronic document will have the same legal effect as a paper-based one. A document signed electronically that allows its origin and integrity to be established will be enforceable against the parties that executed it.

One of the most important features for the integrity of a document involves the ability to confirm the absence of any modifications to it or to detect any modifications made to the document since it was finalized or signed. The Municipality has access at this time to certain reliable digital signatures technologies and is investigating different software platforms to ensure the integrity of municipal documents.

The Municipality of South Huron is committed to streamlining services in order to continue to provide excellent customer service. This policy identifies types of documents for which electronic signatures will be acceptable and the manner in which an electronic signature must be provided. This Policy provides guidance on when electronic submissions are considered official and acceptable by the Municipality and is intended to expedite workflow processes, reduce recordkeeping requirements and improve customer service.

Operational Considerations:

The policy was circulated to all members of the Senior Management Team for input. The policy will be reviewed per schedule noted in policy header.

South Huron's Strategic Plan:

Section 6.2.2 of the Municipality of South Huron 2015- 2019 Strategic Plan identifies key priorities and strategic directions. Administrative Efficiency is supported by the actions outlined in this report.

Financial Impact:

The cost of some digital signature technologies can be based on users required to administer this program for the corporation.

Legal Impact:

There are no legal implications not outlined in this report.

Staffing Impact:

There are no staffing implications as a result of this report.

Communication Actions:

The Clerk's Office will work with all internal departments on this initiative and ensure staff understand the policy requirements as specified by the legislation and provide the policy document.

Policies/Legislation:

[Electronic Commerce Act](#)

Consultation:

D. Best, CAO

S. Becker, Director of Finance/Treasurer

D. Giberson, Director of Infrastructure and Development

S. Currie, Manager of Community Services

M. Goss, Manager of Public Works

D. McNab, Chief Building Official

Related Documents:

Draft Electronic Signature Policy

Respectfully submitted,

Rebekah Msuya-Collison, Director of Legislative Services/Clerk

Report Approval Details

Document Title:	CL23-2020 - Electronic Signature Policy.docx
Attachments:	- 2020.07.31 - Electronic Signature Policy.docx
Final Approval Date:	Aug 6, 2020

This report and all of its attachments were approved and signed as outlined below:

Dan Best - Aug 6, 2020 - 9:29 AM