

Access to Information & Privacy

2018 ANNUAL REPORT



Access to Information and Privacy (ATIP) Group
City Clerk's Office, City of Vancouver



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Introduction

The Access to Information and Privacy Division (ATIP) of the City Clerk's Office, manages formal access to information requests (FOI), and all aspects of the City's privacy and personal information protection obligations under the *Freedom of Information and Protection of Privacy Act* of British Columbia, in addition to Ombudsperson's complaints and early resolution files, Corporate Records Management and all associated matters on behalf of the City of Vancouver.

One of the questions in a 2018 privacy survey commissioned by the Office of the Privacy Commissioner of Canada, (Office of the Privacy Commissioner of Canada, *2018-19 Survey of Canadians on Privacy*, (https://www.priv.gc.ca/en/opc-actions-and-decisions/research/explore-privacy-research/2019/por_2019_ca/), asked who should be responsible for the protection of personal privacy? Two thirds of respondents answered that they believe the responsibility lies with government, but most Canadians express heightened concern about certain online practices.

The City of Vancouver, like most levels of government, has moved many of its face-to-face services, limited by Monday to Friday office hours, to online, non-time-dependent, web processes. Although most Canadians are pleased with the convenience of online government services, their acceptance of the convenience is offset by concerns about their lack of control over how their personal information is being used by government. They want a say in how, and to whom, it is disclosed.

As the online business processes have developed, so has the privacy work for our Division. In December of 2017, we added a Privacy Analyst position with the broad mandate to provide guidance, expert advice, and recommendations on privacy for the City as a whole. With a full year of privacy work completed in 2018, we are including several privacy metrics in this report for the first time.

Based on an informal survey of our counterpart larger municipalities across Canada, our office continues as the second busiest municipal FOI office in Canada, with only the City of Toronto recording a higher intake of formal FOI requests each year. Each of the larger Canadian municipalities contacted noted that they have a small to moderate increase in their access requests each year. While each of us has some variation in our mandate and services, based on per capita data calculated by the Municipal Benchmarking Network Canada (MBNCanada), the City of Vancouver's per capita intake of new FOI requests in 2017 and 2018 is comparable to corrected per capita figures¹ for Calgary, Montreal and Toronto.

ATIP is also responsible for Corporate Records Management, collecting metrics and information regarding the City's gradual transition from paper to electronic records, along with direct to citizen's services such as proof of residence affidavits.

¹ Per capita metrics are recorded metrics per 100,000 of population. Montreal: Due to a decentralized model, when the City of Montreal receives a proper request, it may be forwarded to one or all of the 19 boroughs, which significantly increase the number of requests, e.g. a request submitted to the City and sent to 7 of 19 boroughs, would count as 8 requests.

The 2018 ATIP Annual Report, our third, provides a public report of consistent and comparable data on our City service areas, as well as comparable metrics for other British Columbia Municipalities. We analyze and use the comparative findings to identify trends, support budget recommendations and identify areas where changes to our programs and services should be considered.

Significant 2018 milestones:

24%: Increase in the number of formal FOI requests received in 2018 compared to 2017.

- ❖ This is the largest increase in formal access requests for a single year for the City.

22 Days: The average response time for FOI requests in 2018.

- ❖ This is slightly lower than 2017's average response time of 23 days.

15%: Lowest percentage of Media requests compared to all previous years.

- ❖ This compares well with other large Canadian Municipalities.

35: Privacy Impact Assessments (PIA's) completed.

- ❖ A formal PIA is necessary for all new or significantly changed City programs or applications that may collect, use, store and disclose personal information in a data-sharing/data-linking environment or as part of a common or integrated program with other public bodies.

155: Privacy Reviews and Consultations completed; 15 different Departments.

- ❖ ATIP's Privacy Analyst provides knowledgeable and useful advice on privacy matters, dedicated privacy training, as well as fulfilling embedded procurement and new technology functions where privacy is a crucial component of the work.

6.85 TB: EDRMS Records Storage at Year End.

- ❖ This is an increase of 1.7 Terabytes, (TB), compared to 2017. Moderate growth of this number over time is a good indicator of the success of the City's Electronic Document and Records Management System (EDRMS) "VanDocs".

436,836: 2018 Net Electronic File Growth.

- ❖ The net electronic file growth is a new reporting metric for corporate records management for 2018; it is being tracked to better understand the trends associated with electronic record retention.

Executive Summary

The purpose of this annual report is to promote corporate and public awareness of the City's work in Access to Information, Privacy and Corporate Records Management. The annual report provides a snapshot of the year's work, summarizing the accomplishments and challenges of 2018.

In 2016 and 2017, this report focused on access to information, or FOI requests as they are commonly known. In part this is because FOI matters have a high degree of public interest in contrast to some of the other equally important, but more internally focused work the group does such as privacy and corporate records management. FOI requests and the access to information process promote municipal government transparency through the management of public accessibility to City records and information not available through any other means.

However, this year we are broadening the scope of this report with additional privacy and corporate records management metrics so the relationship between the three functions of the Division and the critical aspects of our work are better explained and understood. The report, as always, is comparative and contextual, providing metrics and information for the years 2014 to 2018, inclusive, where they are available.

2018 marks the first year for our Division where the privacy requirements under part 3 of the *Freedom of Information and Protection of Privacy Act*, (the Act or FIPPA), reached the same level of importance as access to information (FOI) matters. Further, 2018 also marks the year when the City's electronic records management program reached maturity, noted when corporate records functions evolved from encouraging use of the system, to managing a critical City system, building a yearly update/upgrade program and mature online and classroom training for new and advanced system users.

The remainder of this report provides detailed metrics and relevant supporting information.

Public Access to City of Vancouver Records

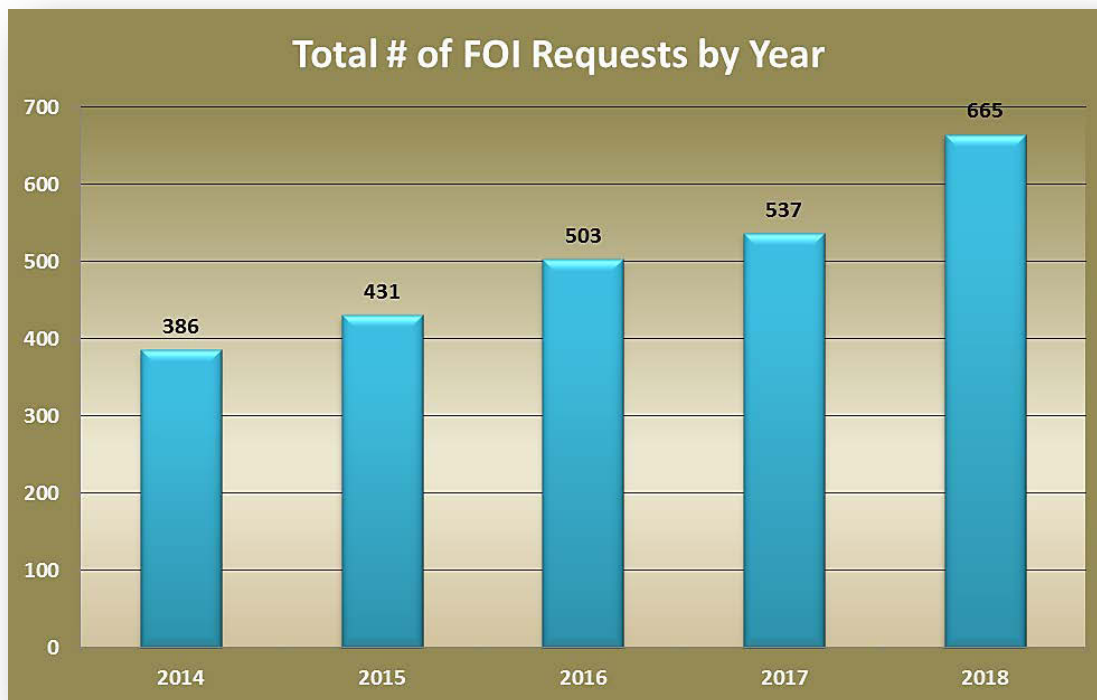
Public access to City of Vancouver records, not available to the public free or on a fee for service basis, are handled through the access to information or FOI process. For the past five years, (2014-2018), the City has experienced a steady increase in the number of formal FOI requests received, with 2018 displaying the most significant increase compared to the previous five years. Table 1 and Figure 1 below provide this information in numeric and graphic form.

TABLE 1: Total number of formal FOI requests by year (2014-2018)

Year	2018	2017	2016	2015	2014
Total # of FOI Requests	665	537	503	431	386
% Increase from previous year*	24%	6%	17%	12%	2%

* Percentages are rounded to the closest whole number

FIGURE 1: Total number of formal FOI requests by Year



Lower Mainland, Victoria, Kelowna Comparison – 2017 & 2018 FOI Request Metrics

A survey of BC public bodies was conducted in January of 2018. The collected comparative FOI metrics for 2017 and 2018 are provided in **Table 2** below with the permission of the participant public bodies.

TABLE 2: 2017 & 2018 Freedom of Information Requests - Lower Mainland, Kelowna, Victoria

Municipality or Regional District	Number of formal FOI requests received by Year		Number of Fee Estimates Issued		Percentage of requests completed within 30 business days*	
	2017	2018	2017	2018	2017	2018
City of Abbotsford**	629	670	52	178	95%	95%
City of Burnaby	109	103	5	5	93%	100%
City of Chilliwack	73	87	9	15	96%	99%
City of Coquitlam	137	135	23	46	98%	95%
City of Delta	69	78	12	6	96%	100%
City of Kelowna	102	127	6	10	88%	90%
City of Langley	42	56	1	0	95%	95%
City of Maple Ridge	73	68	0	4	100%	100%
City of New Westminster	66	87	15	17	92%	90%
City of North Vancouver	62	60	2	6	97%	95%
City of Port Coquitlam	53	54	1	2	100%	92%
City of Port Moody	34	44	11	10	97%	100%
City of Surrey	559	610	Not reported	Not reported	Not reported	Not reported
City of Vancouver	536	665	37	46	82%	80%
City of Victoria	117	155	5	13	90%	89%
District of Hope	62	39	16	11	100%	100%
District of North Vancouver	215	205	46	47	88%	76%
District of Tofino	14	11	0	4	85%	63%
Fraser Valley Regional District	45	48	23	22	89%	90%
Township of Langley	176	178	Not reported	Not reported	Not reported	Not reported
<p>* As per <i>FIPPA</i> legislation, the initial 30 business day response deadlines can be extended for several reasons and remain in statutory compliance, most commonly:</p> <ol style="list-style-type: none"> 1) a large number of records must be searched and compiled (s. 10(1)(b)); and/or 2) the records require other public body or third party consults (s. 10(1)(c)). 						

Note: One of the major differences between the above reporting organizations is whether requests for Fire Records are processed by the reporting FOI office. For example, the City of Vancouver does not include requests for Fire Structure and Investigation reports in the above total, whereas they are included for the District of North Vancouver, Port Coquitlam and the Township of Langley.

****** The City of Abbotsford processes requests for Property Records in addition to Fire Structure and Investigation reports as FOI requests, which are handled as routine fee for service requests in most other municipalities.

City of Vancouver – Comparative FOI Request Metrics – 2014 to 2018

In addition to tracking aggregate metrics such as the total number of FOI requests for the year and the average response time for completed files, the City records more definitive metrics that provide insight into the FOI work accomplished for the year. Tables 3 and 4 provide some of the detailed metrics collected by year. The associated Figures display 2018 proportional information. All metrics refer to completed requests.

City of Vancouver Detailed FOI Response Metrics, 2014 to 2018

TABLE 3: Foundation Metrics

Description	2014	2015	2016	2017	2018
Total Formal FOI Requests	386	431	503	536	665
Total Number of Pages of Records Released	36,081	21,509	58,184	60,473	36,685
Average Response Time (Business Days)	42	27	20	23	22
Number of OIPC Reviews*	33	19	14	23	22
OIPC Reviews as % of Total Requests	8.5%	4.4%	2.7%	4.2%	3.3%

* **NOTE:** Applicants can request a review by the Office of the Information and Privacy Commissioner, (OIPC), if they are dissatisfied with any aspect of the handling of their request.

FIGURE 2: Average Response Times (Days), 2014 to 2018

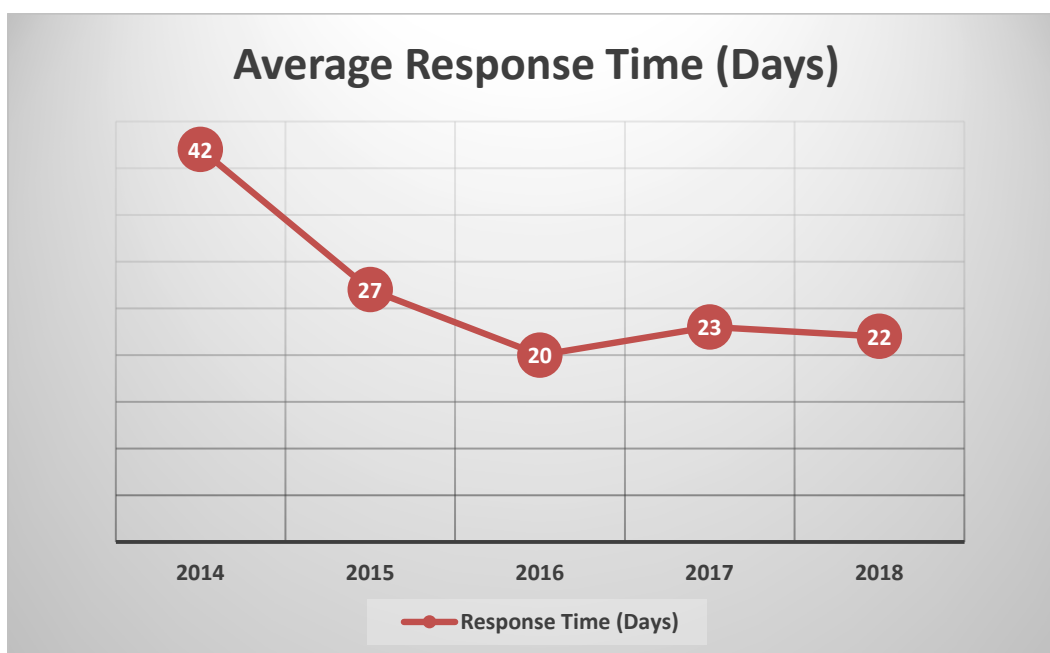
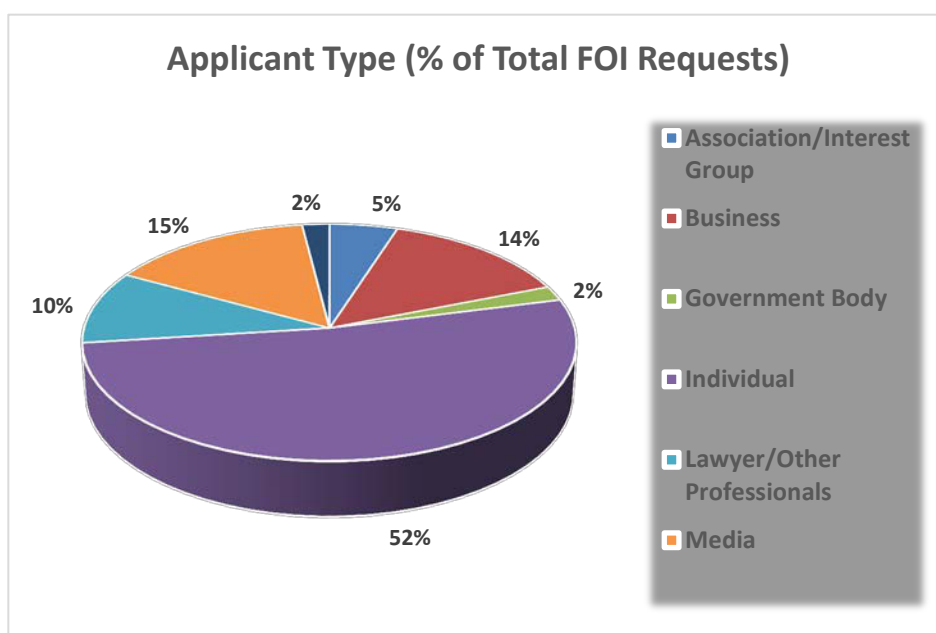


TABLE 4: Requestor / Applicant Types, 2014 to 2018

Year	2018	2017	2016	2015	2014
Requestor Types (#/Total)	665	536	503	431	386
Association/Interest Group	34	35	16	19	3
Business	96	45	46	39	18
Government Body	7	8	5	3	0
Individuals	342	243	249	173	136
Lawyer/Other Professional	69	84	66	42	47
Media	103	120	115	156	173
Other	14	1	6	2	8
Requestor Types (% of Total)					
Association/Interest Group	5%	7%	3%	4%	1%
Business	14%	8%	9%	8%	5%
Government Body	2%	1%	1%	1%	0%
Individuals	52%	45%	50%	40%	35%
Lawyer/Other Professionals	10%	16%	13%	10%	12%
Media	15%	22%	23%	36%	45%
Other	2%	1%	1%	1%	2%

FIGURE 3: 2018 Requestor / Applicant Types, (% of Total FOI Requests) 2018



Corporate Records and Information Management (RIM)

Records management is about knowing what you have, where you have it, and how long to keep it.

A comprehensive records management program ensures:

- ✓ Information is made available to the right people, in the right place, and at the right time.
- ✓ Information is authentic and reliable.
- ✓ Information is protected and confidential items are managed appropriately.

2018 Corporate Records Management Highlights

Electronic Records Final Disposition Process – The final disposition of records is a matter of policy according to the City’s approved retention schedules outlined in VanRIMS. The Corporate Records Management Team completed its first set of electronic record destructions from VanDocs in accordance with approved retention schedules this year.

RIM on City Wire – Good management of records in all formats benefits all parts of the organization. It is every employee’s responsibility to ensure that records management procedures are implemented and followed. An excellent resource for new and existing employees has been updated on City Wire for easier navigating, <http://citywire.city.vancouver.bc.ca/ati/rim/index.htm>

Records @ Work – The Access to Information and Privacy group hosted its third annual **Records @ Work** Open House on April 5th. This yearly one-day awareness campaign personally showcases ATIP’s expertise in Records Management, Freedom of Information and Privacy provides an opportunity for all staff to connect, learn and ask questions. Attendees include staff from other City public bodies such as the Vancouver Police Department, Vancouver Public Library and the Pacific National Exhibition.

VanDocs Upgrade – VanDocs, the City’s Electronic Document and Records Management System, (EDRMS), was successfully upgraded to version 9.1 and is scheduled to be upgraded on a yearly basis going forward to ensure robustness and scalability. The upgrade was a collaborative effort between the Corporate Records Management Team and Technology Services.

Off-site storage cost savings – The Corporate Records Centre (CRC) is mainly responsible for managing the movement of hard copy records between City of Vancouver departments and the Corporate Records Storage facility, Iron Mountain. In 2018, transfer delivery days were consolidated to one delivery per week resulting in a reduction in financial costs and a decrease in carbon emissions.

Off-boarding – The high turnover of Council members in 2018 necessitated a review of our off-boarding information processes for both Elected Officials and City Employees. The off-boarding process ensures transitory information is deleted and business related records are maintained in VanDocs before the person leaves the City. This preserves the organization’s continuity of decision making.

Updated DRC Course Curriculum - Departmental Records Coordinators (DRCs) are designated contacts in each business unit vital to the organization who ensure records management procedures are implemented and compliance is maintained. In order to preserve and further hone this program, the DRC course curriculum was refreshed and rolled out to 175 Departmental Record Coordinators in 2018.

Privacy

Part 3 of the *Freedom of Information and Protection of Privacy Act*, (the Act or FIPPA), sets out the rules and essential details for how the City can collect, use, store and disclose personal information. In December of 2017, in response to the City's growing list of new programs and services needing to acquire personal information and wishing to take advantage of new technology, our Division added a dedicated Privacy Analyst position. This secured our ability to provide leadership, training, guidance and practical support in the area of privacy, working in a collaborative manner to balance the needs of the organization, while ensuring the continued security and appropriate use of personal information.

We began to collect two significant metrics as a measurement of our Privacy work in 2018, the number of Privacy Impact Assessments (PIA's) completed for the year and the number of CCTV applications or amendments. These are our current core privacy metrics.

In 2018, the Privacy office completed **35** Privacy Impact Assessments, (PIA's), for **8** different City Departments. Not all PIA's complete the full formal process, culminating in submission to the Office of the Information and Privacy Commissioner. The City's Privacy office provides advice and formal privacy management for all new or substantially changed initiatives that may include the collection, use, storage and disclosure of personal information; and/or initiatives that involve data-sharing and data-linking between departments or organizations.

The current Privacy Review system has three separate levels; Privacy Consultation, Privacy Impact Assessment "Light", and the formal Privacy Impact Assessment process. In 2018, the Privacy office handled **111 Internal Consultations with Staff from 41 different workgroups** and **44 External Inquiries and complaints**; in addition to completing **35 Privacy Impact Assessments** and **10 CCTV applications or amendments**.

In addition to managing the day-to-day statutory privacy obligations for the City, the Privacy Office was an integral part of the development of the Vacant Homes Tax and Short Term License programs as well as the joint City of Vancouver, City of Surrey's submission to the Smart Cities Challenge.

Ombudspersons Complaints

The Provincial Ombudsperson is legislated to deal with all complaints regarding administrative fairness of municipalities. The legislation allows the Ombudsperson to investigate as fully and completely as is required to settle the complaint. Complaints for, or about, the City of Vancouver that require a full investigation by the Ombudsperson are handled by the ATIP Director as delegated by the City Clerk. For 2017-2018 the Office of the Ombudsperson reported the following metrics:

- 8,400 Inquiries and Complaints were received; 1092 of the total Inquiries and Complaints, or 13%, were Local Government/Municipal related.
- 39 of the 1092 complaints; 4% of the local government complaints and less than 1% of the total number of all inquiries and complaints, were for, or about, the City of Vancouver.
- 32 of the City-related files were closed at Early Resolution or without contacting the City of Vancouver; 7 of the City-related files required full investigations and City input.

Proof of Residence

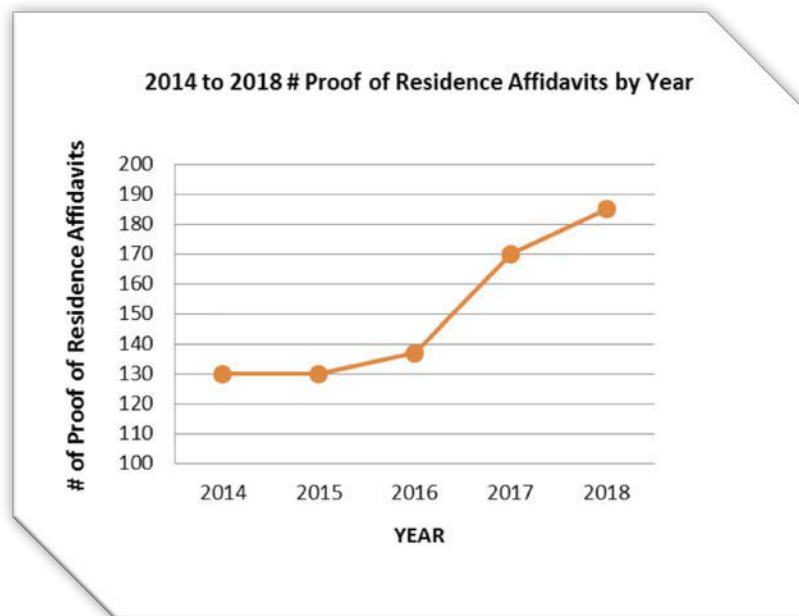
Two staff members of our Division are Commissioners for Taking Affidavits for British Columbia in the course of their duties for the City of Vancouver. The Affidavits are specific to legal matters that require a “Proof of Residence” for example some countries such as Japan and Greece require persons eligible for a pension from their country, who reside in Vancouver on a permanent basis, to provide proof of residence each year in order for them to continue to collect their pension.

The service is free to City of Vancouver residents. Most of the citizens using the service are seniors who might otherwise have to pay \$ 40 to \$ 60 to a Notary Public to obtain the same documents. The seniors using the service come every year and we get to know them personally. Since 2014, the service has grown slightly each year. Table 5 and Figure 4 provide the service metrics by year.

TABLE 5: Proof of Residence Affidavits Completed – 2014 to 2018

YEAR	PROOF OF RESIDENCE AFFIDAVITS COMPLETED
2014	130
2015	130
2016	137
2017	170
2018	185

FIGURE 4: 2014 to 2018, Proof of Residence Affidavits Completed



Conclusion

Unlike Ontario and Alberta, the British Columbia Freedom of Information and Protection of Privacy Act does not require Municipalities to report annual metrics to the Information and Privacy Commissioner's Office regarding access to information requests. Which is why, in 2016, the ATIP Office at the City of Vancouver made a policy decision to compose and publish our own annual report, to promote a public understanding of our work and as a tool for continuous improvement.

In addition to providing access to City records that are not publicly available free of charge or on a fee for service basis, the legislation sets out rules for the protection of personal information collected, used, stored and disclosed by the City of Vancouver. Our office provides advice and direction to all City staff and affiliates about privacy compliance standards, including when a Privacy Impact Assessment must be completed prior to beginning a project; as well as when it is appropriate, and when it is not, to link or share personal information.

In our first Annual Report (2016), I noted in my summary that the ATIP group continues to expand our collaborative, centralized business model, building a dynamic and responsive workgroup to serve current and future needs of the organization. With the addition of a Privacy Analyst to our staff in December of 2017, our privacy capacity expanded allowing us to consult and respond in a more timely and thorough manner. Based on the privacy metrics collected this year, the organization has responded accordingly.

The access to information, privacy, and corporate records management landscape continues to change with the advent of new and evolving technology and services. As a municipal government, with finite resources, the City is constantly exploring ways to utilize new technology in order to increase service to the public while reducing service overhead. In 2018, the privacy component of our work came to the forefront as we collaborated with specific departments and workgroups on major initiatives such as the development and implementation of the Vacant Homes Tax and Short Term Rental programs in addition to the privacy-centric work accomplished for the Joint City of Surrey, City of Vancouver Smart Cities Challenge.

Our Corporate Records Management group continues to build their knowledge base and organization-wide reputation for excellence throughout the organization. Classroom and online dedicated VanDocs and Records Management training programs were redeveloped and updated in 2018 in conjunction with a very successful upgrade to the system. The ease of the upgrade was directly relational to the time and attention to detail the entire VanDocs team put into the testing prior to the upgrade.

Overall 2018 was a busy and successful year for the ATIP group.

Respectfully submitted,



Barbara J. Van Fraassen, BA honours
Director, Access to Information and Privacy
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