

File No. 04-1000-20-2019-448

July 19, 2019

s.22(1)

Dear s.22(1)

**Re: Request for Access to Records under the Freedom of Information and Protection of Privacy Act (The "Act")**

I am responding to your request of July 15, 2019 for:

**Record of freedom of information requests to the city in from January 1, 2019 to July 15, 2019, including the wording and the processing time\* to complete the request.**

\*The City's assumption is that the term "processing time" in your request refers to the total time to complete an individual FOI request from initial receipt to final response.

Regarding your request for "processing time" to complete an FOI request, the FOI Office confirms the City of Vancouver has met all (100%) statutory timelines as required under FIPPA from January 1, 2019 to July 15, 2019. However, because the City's FOI Office does not have a case management system (to date) to provide efficient and accurate and/or itemized metrics for individual FOI request "processing times," we are unable to produce the requested information specified as "processing time" using our normal computer hardware and software and technical expertise. We do calculate and publish our "average" processing time for all requests each year in our annual report.

Additionally, there are different processing circumstances that impact processing time and we note that even when we acquire a case management system and are better able to generate individual processing metrics, processing times must be referenced to the specifics of each individual request.

Under FIPPA, time extensions "may" or "must" be taken if one or more of the following impact the processing time for the request:

1. **Clarification:** The request is unclear or confusing and the source for the record search and compilation cannot be identified. When a request requires clarification, the response deadline is suspended until such time as the request is clear enough that record search and compilation can begin.

2. **Record Search:** If a request is extremely broad in scope or the topic of the request has a large number of responsive records and the record search, quality checks and responsive record compilation requires a large amount of staff time to complete, the City can extend the response deadline by 30 business days. If it is still not possible to complete the request within that additional timeline, the City can apply to the Office of the Information and Privacy Commissioner, (the OIPC), for additional time to complete the request.
3. **Application of a Fee:** If a request is extremely broad in scope and/or the request requires staff time in excess of 3 hours to search, quality check and compile the responsive records, the City can issue a fee estimate. When a fee estimate is issued, the response deadline is suspended until a 50% deposit is received.
4. **Third Party Records:** If a responsive record package contains third party records there is a required notification process that "must" be completed. The full timeline extension for third party consultations can be up to 50 business days. If there is disagreement regarding release or withholding of information in the records, the third party can request a review by the OIPC. OIPC processes have their own timelines.
5. **Public Body Records:** If there are other public body records, for example Metro Vancouver or TransLink records in the responsive record package, notification to the other public bodies is required and timelines are suspended until the consultation is complete. In general we allow an extra 20 business days to complete most other public body consultations, but a public body can ask for additional review time if they are being asked to review a large number of records.
6. **Total number of open, in process FOI Requests:** The total number of open, in process FOI requests fluctuates on a daily basis as does resource availability and this can also impact processing times.

Section 10 of FIPPA provides the statutory support for the extending to deadlines in the above detailed circumstances. You can read or download these sections here:  
[http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/96165\\_00](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00)

Regarding your request for a record of each FOI request, including wording, for the specified timeframe, all requests that can be made public are published via our proactive release program on a monthly basis. You'll find the FOI Releases on the public website here:  
<https://vancouver.ca/your-government/freedom-of-information.aspx>

Each file is published with the exact response package and the response letter, which contains the wording of the request. Completed FOI requests are added to the proactive release for the month following their release to the applicant, this ensures a minimum 30 day time lag between the time of disclosure to the applicant and making the package publicly available. Requests that contain personal, third party, or City confidential information are not made publicly available. Therefore, as this information is publicly available, an FOI request is not required or necessary.

City of Vancouver also publicly reports a comparative set of annual performance metrics for our FOI, Privacy and Records Management work in our Annual Report. The 2016 to 2018 ATIP Annual Reports along with the FOI Releases are linked from this page:  
<https://vancouver.ca/your-government/freedom-of-information.aspx>

Under section 52 of the Act, and within 30 business days of receipt of this letter, you may ask the Information & Privacy Commissioner to review any matter related to the City's response to

your FOI request by writing to: Office of the Information & Privacy Commissioner, [info@oipc.bc.ca](mailto:info@oipc.bc.ca) or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number (#04-1000-20-2019-448); 2) a copy of this letter; 3) a copy of your original request; and 4) detailed reasons why you are seeking the review.

Yours truly,



**Barbara J. Van Fraassen, BA**  
**Director, Access to Information & Privacy**

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\*If you have any questions, please email us at [foi@vancouver.ca](mailto:foi@vancouver.ca) and we will respond to you as soon as possible. Or you can call the FOI Case Manager at 604.871.6584.

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