Access to Information & Privacy

2019 ANNUAL REPORT

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

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, (FOI), requests 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.

The ATIP annual report provides 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. The purpose of this annual report is to promote corporate and public awareness of the City's work in Access to Information, Protection of Privacy and Personal Information and Corporate Records Management.

Executive Summary

In 2019 privacy and personal information handling rose to the level of importance previously reserved for FOI matters at the City of Vancouver. Over the past ten years, government service models have evolved from 'in person' service delivery to online and digital processes, accruing efficiencies and cost savings for citizens. However, online services require an additional layer of oversight and new security models if the collection, use, storage and disclosure of citizen's personal information are required. This service delivery evolution is directly reflected in the approximately 50% increase in the number of Privacy Impact Assessments (PIAs) and other types of privacy consults and reviews conducted by our privacy office in 2019 compared to 2018.

One of our unique 2019 privacy projects, an intersection of privacy and cutting-edge technology, was the City of Vancouver's collaboration with the City of Surrey on a joint submission to the Smart Cities Challenge. The Smart Cities challenge was a unique Infrastructure Canada competition where municipalities competed for a grant to implement new connected technology to improve citizen services. The joint PIA, a critical component of the submission, was written collaboratively by the City of Surrey and City of Vancouver's Privacy Offices, with review by the Information and Privacy Commissioner of British Columbia prior to submission. The PIA provided a review of all aspects of personal information collection, use, storage and disclosure by the various proposed new technology solutions. While the joint submission was ultimately not successful, many of the IA solutions reviewed for the submission will be incorporated in future City projects.

As was true for previous years, the total number of formal FOI requests increased over the previous year, 2019 FOI intake was 17% higher than in 2018. Based on an informal survey of our counterpart larger municipalities across Canada and comparing published per capita FOI request intake volumes between the City of Vancouver and the published municipalities, our office remains the second busiest municipal FOI office in Canada, with only the City of Toronto recording a higher intake of formal FOI requests in 2019. The per capita comparison also shows that the upward, increasing trend in the number of formal FOI requests received each year is the same for all major Canadian municipalities.

The City's corporate-wide records management program is another core ATIP responsibility where the overall yearly metrics are indicative of the City's forward momentum toward the incorporation of technology solutions to core services. ATIP's record management oversight provides standardized, consistent, economic record keeping practices supporting timely access to information and information sharing while reducing administrative costs and inefficiencies.

One final note regarding 2019 ATIP programs and services, the number of Ombudsperson's complaints and early resolution files remained relatively stable on a year over year comparison, while other peripheral responsibilities such as administration of bylaws and agreements and proof of residence affidavits for citizens increased slightly.

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

Significant 2019 Milestones

17%: Increase in the number of formal FOI requests received in 2019, compared to 2018.
  ❖ Since 2016, the formal FOI Intake volume has increased by 64%.

18 Days*: The average response time for FOI requests in 2019.
  ❖ This is the best average turnaround time achieved in the past five years.
    * Metric is corrected for outliers (extremely large requests that can require a
      year or more to complete and abandoned/withdrawn requests).

15%: Percentage of FOI requests from Media.
  ❖ No change from 2018. Metric is consistent with all larger Canadian municipalities.

47: Privacy Impact Assessments (PIA's) completed.
  ❖ This is a 34% increase from 2018. The increase directly correlates with the City's acquisition and
    implementation of new technology applications for programs and services.

206: Privacy Reviews and Consultations completed.
  ❖ This is a 33% increase from 2018 and reflective of the City-wide awareness that privacy is
    integral to many new and substantially updated programs and services.

8.15 TB: EDRMS Records Storage at Year End.
  ❖ This is an increase of 1.3 Terabytes, (TB), compared to 2018. 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".

234,638: Net Electronic File Growth.
  ❖ The net electronic file growth is being tracked to better understand the trends associated with
    retention of electronic records. In 2018, the net electronic file growth was 436,836.

3.6 million: Documents in VanDocs.
  ❖ This is a 9% increase/growth rate from 2018 and an increase in the average growth rate over the
    past four year of 8.25%, indicating good adoption of the program.

Service Metrics

**Public Access to City of Vancouver Records**

Public access to City of Vancouver records, not publicly available free or on a fee for service basis, are handled through the access to information or FOI process. For the past five years, (2015-2019), the City has experienced a steady increase in the number of formal FOI requests received, with 2019 displaying a 17% increase compared to 2018. Table 1 and Figure 1 below provide this information in numeric and graphic form.

TABLE 1: Total number of formal FOI requests by year (2015- 2019)

Year	2019	2018	2017	2016	2015
Total # of FOI Requests	**775**	665	536	503	431
% Increase from previous year*	**17%**	24%	6%	17%	12%

Percentages are rounded to the closest whole number

FIGURE 1: Total number of formal FOI requests by Year

Total # of Formal FOI requests by Year
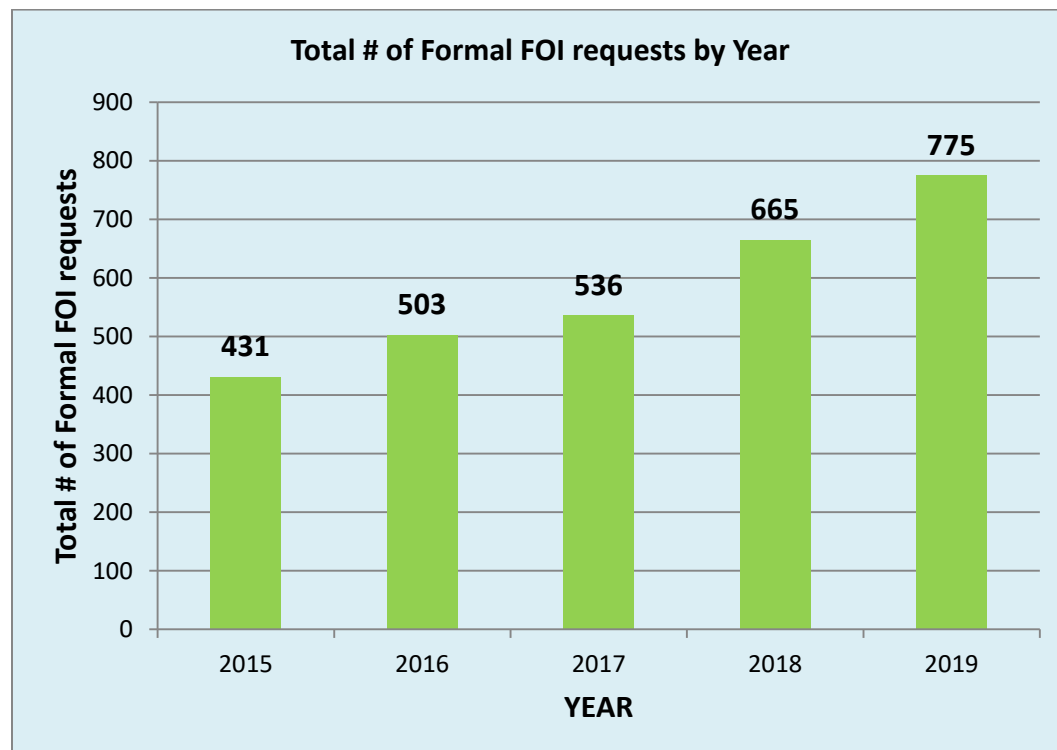
Lower Mainland Comparison –2019 FOI Request Metrics

A survey of BC public bodies was conducted in early 2020. The FOI metrics are provided in **Table 2** below with the permission of the participant public bodies.

TABLE 2: 2019 Freedom of Information Requests - Lower Mainland, Kelowna, and Victoria

Municipality or Regional District	Number of Formal FOI Requests received	Number of Fee Estimates Issued	Percentage of requests completed within 30 days*
City of Abbotsford**	584	64	99%
City of Burnaby	145	5	94%
City of Chilliwack	117	5	99%
City of Coquitlam	175	48	95%
City of Delta	79	15	99%
City of Kelowna	86	6	98%
City of Langley	43	0	93%
City of New Westminster	86	31	88%
City of North Vancouver	106	1	97%
City of Port Coquitlam	60	8	95%
City of Port Moody	56	20	98%
City of Vancouver	**775**	**66**	**63%**
City of Victoria	122	5	77%
City of White Rock	51	0	100%
District of Hope	47	16	99%
District of Tofino	12	4	100%
Fraser Valley Regional District	86	29	99%
* As per FIPPA legislation, the initial 30 business day response deadlines can be extended for several reasons and remain in statutory compliance, most commonly: 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 Port Coquitlam.			
** 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 (2015 to 2019)

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 2019 proportional information. All metrics refer to completed FOI requests.

City of Vancouver Detailed FOI Response Metrics, 2015 to 2019

TABLE 3: Foundation Metrics

Year	2019	2018	2017	2016	2015
Total Formal FOI Requests	775	665	536	503	431
Total Number of Pages of Records Released	34,012	36,685	60,473	58,184	21,509
Average Response Time (Business Days)	18	22	23	20	27
Number of OIPC Reviews*	23	22	23	14	19
OIPC Reviews as % of Total Requests	3.00%	3.30%	4.20%	2.70%	4.40%

* **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.
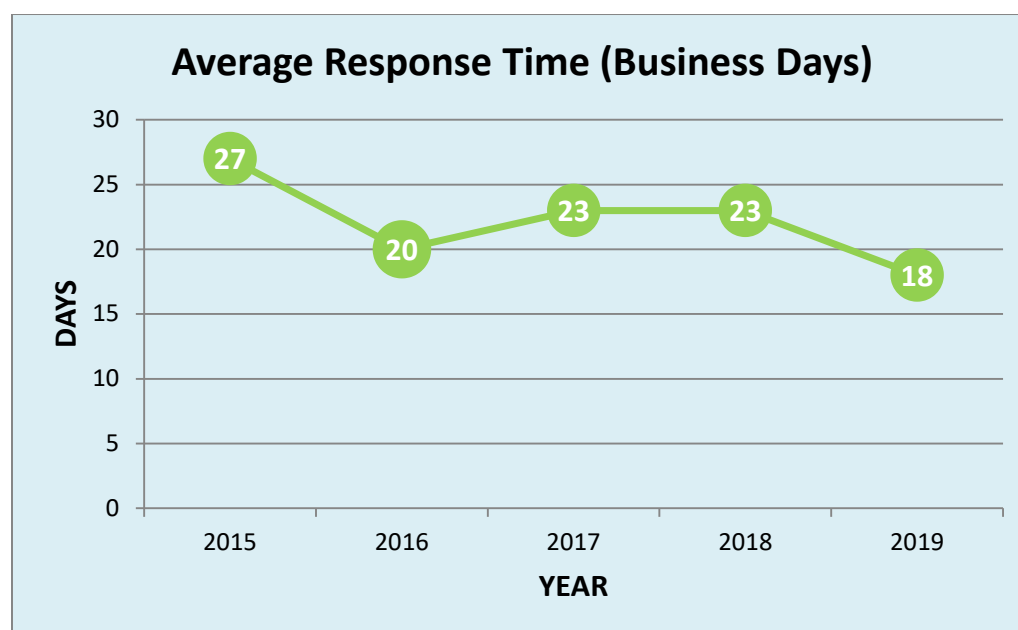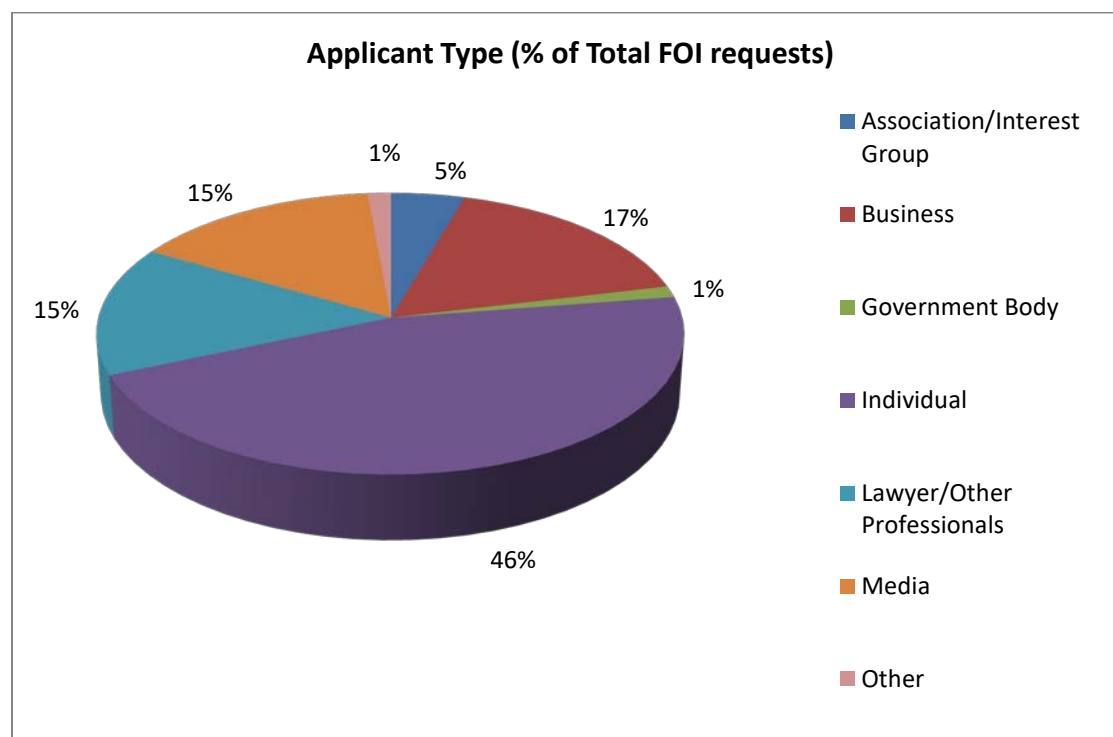
FIGURE 2: Average Response Times (Days), 2015 to 2019

Average Response Time (Business Days)

TABLE 4: Requestor / Applicant Types, 2015 to 2019

Year	2019	2018	2017	2016	2015
Requestor Types (#/Total)	**775**	665	536	503	434
Association/Interest Group	**35**	34	35	16	19
Business	**130**	96	45	46	39
Government Body	**10**	7	8	5	3
Individuals	**356**	342	243	249	173
Lawyer/Other Professional	**115**	69	84	66	42
Media	**118**	103	120	115	156
Other	**11**	14	1	6	2
Requestor Types (%/Total)*					
Association/Interest Group	**5%**	5%	7%	3%	4%
Business	**17%**	14%	8%	9%	8%
Government Body	**1%**	2%	1%	1%	1%
Individuals	**46%**	52%	45%	50%	40%
Lawyer/Other Professionals	**15%**	10%	16%	13%	10%
Media	**15%**	15%	22%	23%	36%
Other	**1%**	2%	1%	1%	1%

* Percentages are rounded to the closest whole number

Figure 3: 2019 Requester/Applicant Types (% of Total FOI Requests)

Applicant Type (% of Total FOI requests)

- Association/Interest Group
- Business
- Government Body
- Individual
- Lawyer/Other Professionals
- Media
- Other

1%
5%
15%
17%
1%
15%
46%

Ombudspersons Complaints

The Provincial Ombudsperson is legislated to handle 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. The Ombudsperson publishes an Annual Report, providing a detailed summary of the work of the Office for the previous year.

For the Ombudsperson's detailed Annual Report (2018/2019), please visit their website at: https://bcombudsperson.ca/assets/media/OMBD-AR-2018-2019-web.pdf

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**.**

2019 Corporate Records Management Highlights

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. In 2019, Corporate Records Management resources for new and existing employees on City Wire, the City's intranet, were reviewed and updated for easier navigation.

Records @ Work – This one-day awareness campaign showcases ATIP's expertise in Records Management, Access to Information, Privacy Protections and Personal Information handling, providing an opportunity for all staff to connect, learn and ask questions. 2019 **Records @ Work** activities included a contest to "TRIM" department shared file drives and an E-mail best practices panel.

VanDocs Upgrade – VanDocs the City's electronic records and document management system, (EDRMS), was successfully upgraded to version 9.3. In addition to functional testing, upgrade associated work included developing and updating communication, training and support materials, and a second patch upgrade. VanDocs is scheduled to be upgraded on a yearly basis to ensure robustness and scalability. System upgrades are a collaborative effort between the Corporate Records Management Team and Technology Services.

"**DRC Superstar" Recognition Program**– Departmental Records Coordinators (DRCs) are designated contacts in each business unit who ensure records management procedures are implemented and Policy compliance is maintained. In 2019, the first annual "DRC Superstar" recognition program was launched to recognize, raise the profile of, and retain DRCs. The pilot was very successful.

Service Metrics

299 – Number of staff that attended VanDocs in-class training (Foundation and DRC). In collaboration with IT Learning Support Staff (LSS), the VanDocs training curriculum was updated.

694 – Number of staff that took self-guided online VanDocs training. In collaboration with Learning Support Staff (LSS), we are currently developing, reviewing and approving course content, learning objectives and technical steps for a newly updated and enhanced VanDocs eLearning course. It is anticipated that this course will be available by 2020 year end.

3.6 million – Number of documents in VanDocs (9% growth rate compared to 2018). The average growth rate for the past four years is 8.25%.

3061 – Number of help calls that were resolved (a slight increase of 0.4% over 2018).

Privacy

In 2018, we began to collect two significant metrics as a measurement of our Privacy work; 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.

Privacy Impact Assessments (PIAs)

A privacy impact assessment is conducted for all new or substantially changed City programs and services that may collect, use, disclose, store and destroy personal information. In 2019, ATIP further refined the specific PIA template form and process that business units must complete to show how they comply with all aspects of privacy legislation. PIAs demonstrate how City programs comply with both FIPPA and the City's Privacy Policy.

CCTV Applications

These are a specific type of PIA that solely review City owned and managed camera installations. A CCTV application reviews whether the camera installation has the ability to capture personal information (such as imagery or video of persons), and if it does, records how the personal information is collected, recorded, stored, used, disclosed and destroyed. CCTV Applications demonstrate compliance with FIPPA and the City's CCTV Systems Policy and Procedures.

In addition to collecting metrics on PIAs and CCTV applications, we also collect data on internal consultations with staff and external inquiries received. Table 5 and Figure 4 below show all four distinct Privacy activities and their comparison to the previous year. All of the metrics for 2019 have increased from the previous year, except for the external inquiries and/or complaints.

Table 5: Privacy Service Metrics

Year	2019	2018
Privacy Impact Assessments (PIA's) completed	47	35
CCTV Applications or amendments	14	10
Internal Consultations	170	111
External Inquiries/Complaints	36	44

Figure 4: # of Privacy Requests by Category (2018-2019)
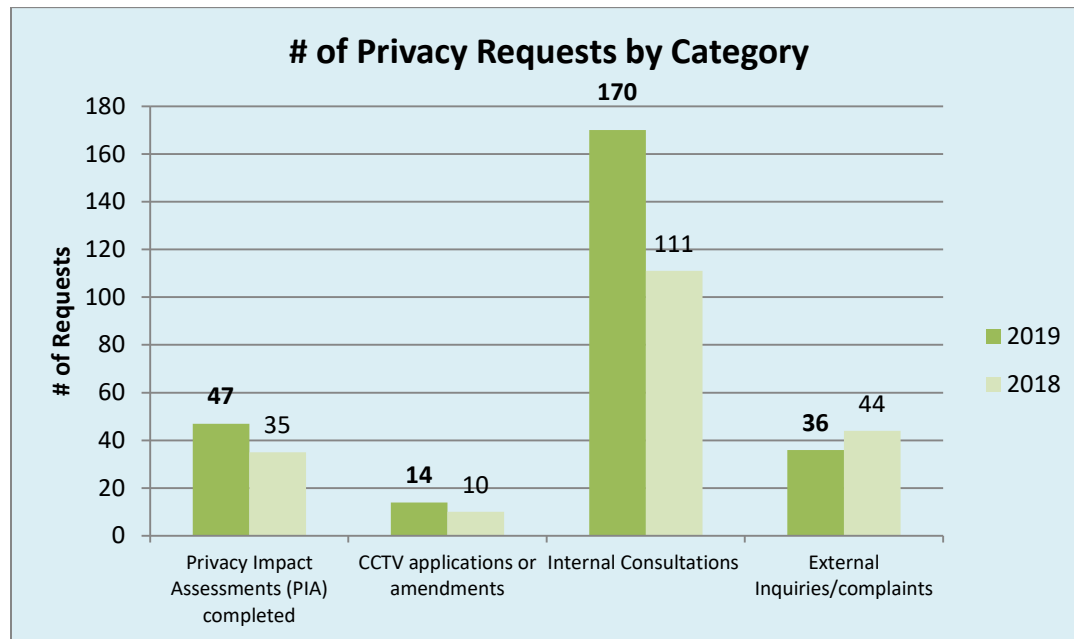
2019 Privacy Highlights

Smart City Challenge – This initiative required a privacy-centric approach, together with the City of Surrey and the Office of the Information and Privacy Commissioner, (the OIPC), ATIP developed and jointly wrote the Privacy Impact Assessment that was integral to the City of Surrey and City of Vancouver's joint submission to Infrastructure Canada's Smart Cities Challenge.

ACATS Program - Participated in a Technical Working Group for Transport Canada's Advanced Connectivity & Automation in the Transportation System (ACATS) Program.

Tenant Relocation Policy Program - Assisted in developing a privacy-compliant process for the Tenant Relocation Policy Program, including submission of the PIA to the OIPC.

Hackathon Event - Privacy review and consultation supporting the City's Active Transportation Division's second annual Decode Congestion event in November. Hackers spend two full days working in teams coding collaboratively to create digital solutions to solve specific transportation problems.

VanMap - Collaborated on a review and refresh of the City's VanMap application, including the development of privacy-compliant processes and creation of new privacy notifications.

Enhanced Reliability Clearance (ERC) Process Review – ERC's are required by City staff and contractors that have access to Vancouver Police Department (VPD) information or who must access VPD premises. The ATIP Division is the liaison with the VPD Security Division, responsible for processing ERC applications for City staff and contractors. In 2019 the ERC process was reviewed in conjunction with Human Resources and Business Planning and Project Support (BPPS) with the goal to streamline the process and make it more efficient and secure.

Proof of Residence

Two staff members of our Division are Commissioners for 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 a fee to a Notary Public to obtain the same documents. The seniors using the service come every year and we get to know them personally. The service has grown slightly each year as shown below in **Table 4** and **Figure 4**.

TABLE 4: Proof of Residence Affidavits Completed – 2015 to 2019

Year	Proof of Residence Affidavits Completed
2015	130
2016	137
2017	170
2018	185
2019	**221**

FIGURE 4: 2015 to 2019, Proof of Residence Affidavits Completed
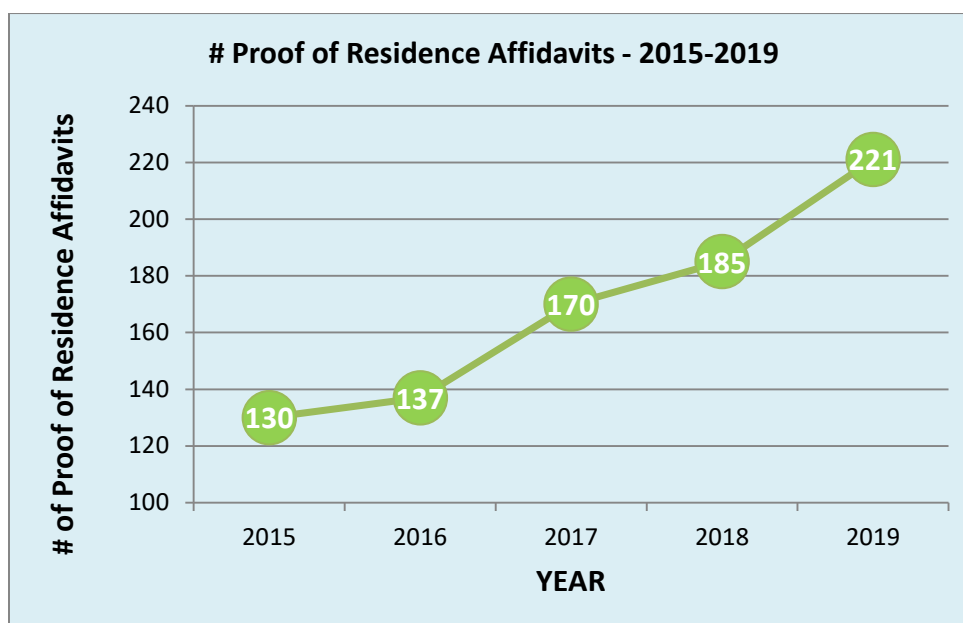
Conclusion

When ATIP began publishing a public-facing annual report, the goal was to 'tell our own story', to provide a yearly review of core ATIP programs and services, with consistent comparative key metrics, as a factual reference for citizens, staff and management. The report is an accurate source of information covering the main scope of our work.
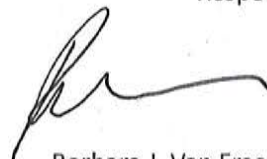
The primary narratives for our 2019 work were adaptability and creativity. ATIP's privacy work in particular required a constant learning environment because of the intersection between privacy matters and new, ever-evolving technology. Our privacy foundation materials continued to progress with focused work on core templates and procedures. However, not all of this was hard work, along the way ATIP staff took advantage of unique and fun experiences such as the opportunity to take a ride in an autonomous vehicle during the "Ride with ELA" pilot program.

FOI matters continue to be our Division's 'attention hog' they get the most media and public attention and continue to have the largest year over year growth in workload requiring resource support. In order to better manage resource allocation and ensure public access to frequently requested records, over the past five years ATIP has added a number of record sets to our proactive release program. In 2019 we continued to grow the program, adding City Councillors' Calendars to the list of records released on a monthly basis without requiring a formal FOI request.

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 2019 in conjunction with another 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.

In 2019, ATIP continued to mature our collaborative, centralized business model, responding to new City-wide challenges with creative solutions that are firmly grounded in the legislation and regulatory requirements. Overall, 2019 was an extremely busy and successful year for the ATIP Division.

Respectfully submitted,

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