

Access to Information & Privacy

2020 ANNUAL REPORT



Access to Information and Privacy (ATIP) Division
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, (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 and the Vancouver Board of Parks and Recreation.

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 Corporate Records Management.

Executive Summary

As has been noted many times, 2020 was a year like no other. The impact of the COVID 19 pandemic began to filter into Canadian jurisdictions in mid February and by mid March it was felt Canada wide. All levels of government moved to remote work, some nimbly, some not so much, and private businesses shut down storefronts and moved to online business models if at all possible.

The City of Vancouver's Access to Information and Privacy Division, (ATIP), moved to fully remote work mid-March of 2020 and the transition was relatively uneventful. This was a definite surprise. Prior to 2020, remote work arrangements approved after the City implemented a flexible work program in 2017, specifically excluded the option for ATIP. This was in large part because significant aspects of our work involve confidential information and there were a number of concerns regarding the secure handling of records and data in a remote work environment.

Overall the transition to remote work had varying impacts on ATIP's service areas. FOI average response times were slightly slower compared to 2019 and the overall volume of requests were 9% lower. However, the more accurate measurement of FOI workload, the number of pages released, increased by 20,000 pages from 2019 signifying a higher workload for FOI staff overall. The FOI Office also moved requests for Underground Storage Tank (UST) data into the routine 'fee for service' request queue, resulting in a reduction of 16 FOI requests for the year).

The Privacy Office workload increased substantially because of the many new technology initiatives implemented to support and enhance remote management of necessary City services. Requirements for Privacy Impact Assessments in particular drove this increase in privacy work. A new Privacy Policy was approved and relevant material to provide privacy reference information, forms and instructions for City staff was added to the ATIP intranet web pages.

As a safety precaution, the in-person statutory declarations for 'proof of residence' service had to be put on hold completely. First, because there is no process that can be legally implemented to handle the statutory declarations remotely, and secondly, because a majority of the citizens who use this service are seniors that are in the higher risk health groups for COVID infections. ATIP will reinstate this in-person service as soon as the Public Health Orders are lifted and in-person services allowed.

Detailed metrics and commentary are provided in the following pages.

Significant 2020 milestones

23 Days*: The average response time for FOI requests in 2020.

- ❖ An increase from 2019, which had our best response time ever, but similar to response times for 2018 and 2017.

* Metric is corrected for outliers: extremely large requests that can require a year or more to complete and abandoned/withdrawn requests.

- 9%: Decrease in the number of formal FOI requests received in 2020, compared to 2019.

- ❖ This is the first year the formal FOI Intake volume has decreased since we began tracing metrics in 2008.
- ❖ However, this is a simplistic measurement that doesn't fully represent the work associated with each request. The number of pages reviewed and released is more indicative of the yearly workload. In 2020, we released 20,000 more pages than we did in 2019.

11%: Percentage of FOI requests from Media.

- ❖ A 4% reduction from 2019. Metric is consistent with other large Canadian municipalities.

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

- ❖ This is a 22% increase from 2019. 50% of the PIAs were related to the WebEx meeting platform implemented to facilitate remote work.

182: Privacy Reviews and Consultations completed.

- ❖ This is an 11.6 % reduction from 2019 and reflective of the increase in City-wide privacy training and awareness with the approval of the Privacy Policy and website presence.

9.55 TB: EDRMS Records Storage at Year End.

- ❖ This is an increase of 1.4 Terabytes, (TB), from 2019. Moderate growth of this number over time is a good indicator of the success of the City's transition from dependence on paper records to electronic document and records management.

162,373: 2020 Net electronic document growth.

- ❖ The net electronic document growth is being tracked to better understand the trends associated with retention of electronic records. In 2018, the net growth was 436,836 documents, and in 2019 the net growth was 234,638. In 2020, 145,819 electronic records were destroyed - in accordance with approved records retention schedules - resulting in a lower net growth rate than previous years.

3.74 million: Documents in VanDocs.

- ❖ This is a 4.5% increase from 2019

Service Metrics

Public Access to City of Vancouver Records

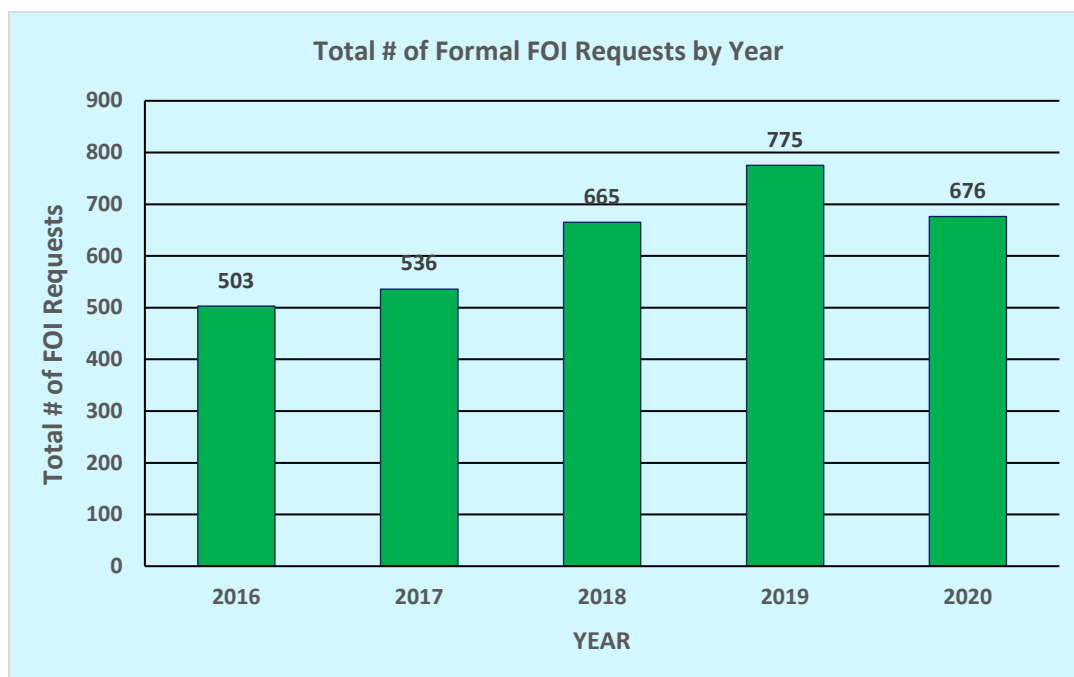
Public access to City of Vancouver records, not available to the public free or on a fee for service basis, are handled through the access to information or FOI process. From 2016 to 2019, the City experienced a steady increase in the number of formal FOI requests received. This was not the case in 2020 where the total number of formal FOI requests was 9% less than 2019. The reduction reflects a reduced number of requests early in the year when the pandemic had its greatest impact, as well as a decision to move routine requests for underground storage tank data, previously handled as FOI requests, to a fee for service queue. Table 1 and Figure 1 below provide this information in numeric and graphic form.

TABLE 1: Total number of formal FOI requests by year (2016- 2020)

Year	2020	2019	2018	2017	2016
Total # of FOI Requests	676	775	665	536	503
% Increase from previous year*	- 9%	17%	24%	6%	17%

* Percentages are rounded to the closest whole number

FIGURE 1: Total number of formal FOI requests by Year



Lower Mainland plus Cities of Victoria and Kelowna - 2020 Comparative FOI Request Metrics

A survey of BC public bodies was conducted in 2021. The 2020 comparative FOI metrics are provided in **Table 2** below with the permission of the participant public bodies.

TABLE 2: 2020 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**	222	86	100%
City of Burnaby	136	10	94%
City of Chilliwack	20	5	100%
City of Coquitlam	138	26	98%
City of Delta	76	20	97%
City of Kelowna	66	2	85%
City of Langley	46	0	76%
City of New Westminister	88	2	82%
City of Port Coquitlam	82	2	100%
City of Port Moody	39	11	85%
City of Surrey	552	36	90%
City of Vancouver	676	100	84%
City of Victoria	172	10	73%
City of White Rock	57	0	88%
District of Hope	42	12	100%
District of Tofino	12	2	75%
Fraser Valley Regional District	53	22	94%

*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 (2016 to 2020)

In addition to tracking simple metrics such as the total number of FOI requests for the year and average response time for completed files, the City records more definitive metrics. For example, the total number of pages of records released is the best indicator of overall workload for the FOI group. **Tables 3 and 4** provide some of the detailed metrics collected by year. The associated Figures display 2020 proportional information.

City of Vancouver Detailed FOI Response Metrics, 2016 to 2020

TABLE 3: Foundation Metrics

Year	2020	2019	2018	2017	2016
Total Formal FOI Requests	676	775	665	536	503
Total Number of Pages of Records Released	54,712	34,012	36,685	60,473	58,184
Average Response Time (Business Days)	23	18	22	23	20
Number of OIPC Reviews*	26	23	22	23	14
OIPC Reviews as % of Total Requests	3.85%	3.00%	3.30%	4.20%	2.70%

* **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), 2016 to 2020

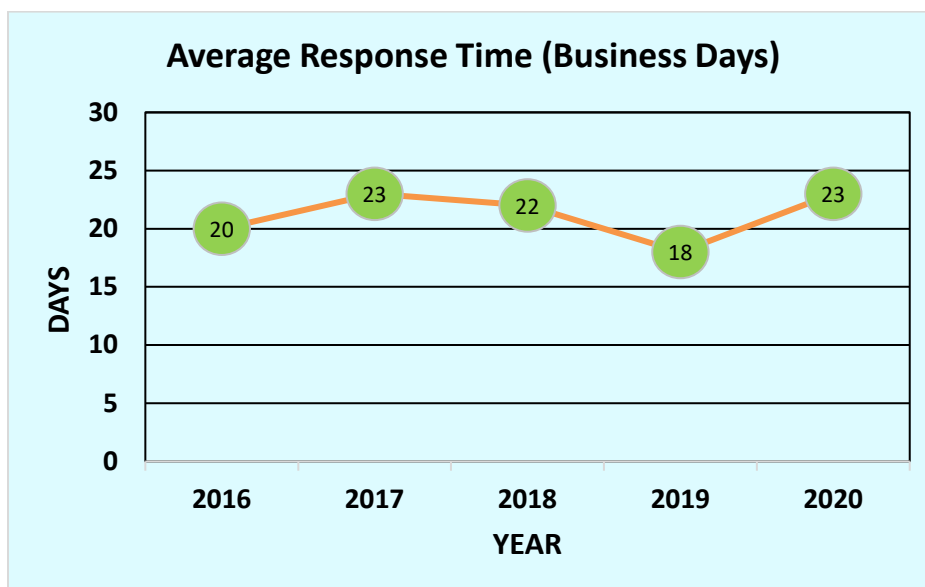
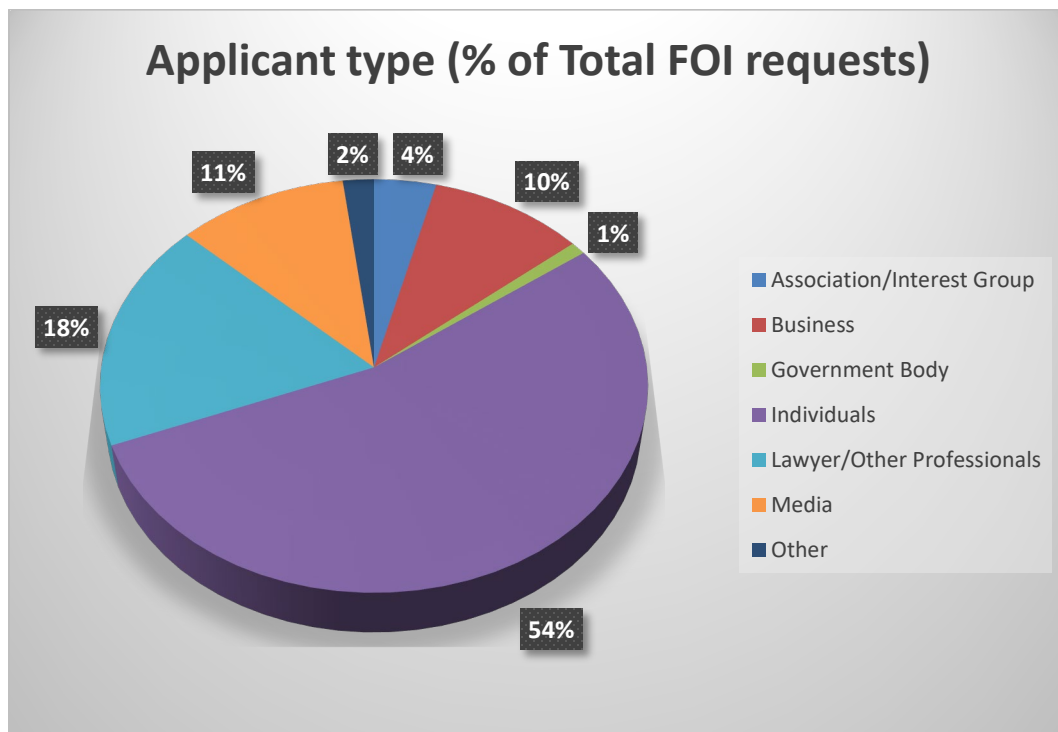


TABLE 4: Requestor / Applicant Types, 2016 to 2020

Year	2020	2019	2018	2017	2016
Requestor Types (#/Total)	676	775	665	536	503
Association/Interest Group	25	35	34	35	16
Business	66	130	96	45	46
Government Body	7	10	7	8	5
Individuals	369	356	342	243	249
Lawyer/Other Professional	119	115	69	84	66
Media	77	118	103	120	115
Other	13	11	14	1	6
Requestor Types (%/Total)*					
Association/Interest Group	4%	5%	5%	7%	3%
Business	10%	17%	14%	8%	9%
Government Body	1%	1%	2%	1%	1%
Individuals	54%	46%	52%	45%	50%
Lawyer/Other Professionals	18%	15%	10%	16%	13%
Media	11%	15%	15%	22%	23%
Other	2%	1%	2%	1%	1%

* Percentages are rounded to the closest whole number

Figure 3: 2020 Requester/Applicant Types (% of Total FOI Requests)



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 (2020/2021), please visit their website at: https://bcombudsperson.ca/assets/media/OMB-AR-2020-2021_web-1.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.

2020 Corporate Records Management Highlights

Records @ Work – One other casualty of the pandemic was the annual Records @ Work in-person Open House. In 2020, the Access to Information and Privacy group scaled back its annual staff Records @ Work campaign to a series of weekly communications on Records Management, Freedom of Information, Privacy and Archives topics. 2020 Records @ Work activities also introduced the first “TRIM” the H-drive competition to encourage staff to 1) clean up network drives of redundant, obsolete and transitory information and 2) file business records into VanDocs, the City’s electronic document and records management system.

“DRC Superstar” recognition program – Departmental Records Coordinators (DRCs) are designated contacts in each business unit who support implementation and adherence to records management policy and procedures. In 2019, the first annual “DRC Superstar” recognition program was launched, which aimed to recognize, raise the profile of, and retain DRCs. The pilot of this program was very successful and therefore continued in 2020.

RIM Community of Practice newsletter – Introduced in May of 2020, the RIM Community of Practice newsletter is an internal monthly publication that outlines best practices, tips and resources on timely records management topics specific to City policy, systems and practices. The newsletter is distributed to the DRC community and is posted on City Wire for access by all City staff.

Service Metrics

153 – Number of staff that attended VanDocs instructor-led training (Foundation and DRC). The IT Learning Support Staff (LSS), adapted both VanDocs courses to be delivered on-line via WebEx, the City’s meeting management system.

390 – Number of staff that completed self-guided online VanDocs training.

3.74 million – Number of documents in VanDocs (4.5% growth from 2019). The average growth rate for the past four years is 4.9%.

2098 – Number of help calls that were resolved (a decrease from 2019 as a result of the transition to remote work and temporary staff lay-offs).

Privacy

Beginning In 2018 when the City of Vancouver implemented a dedicated Privacy Analyst position, 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 and 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 2020, 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.

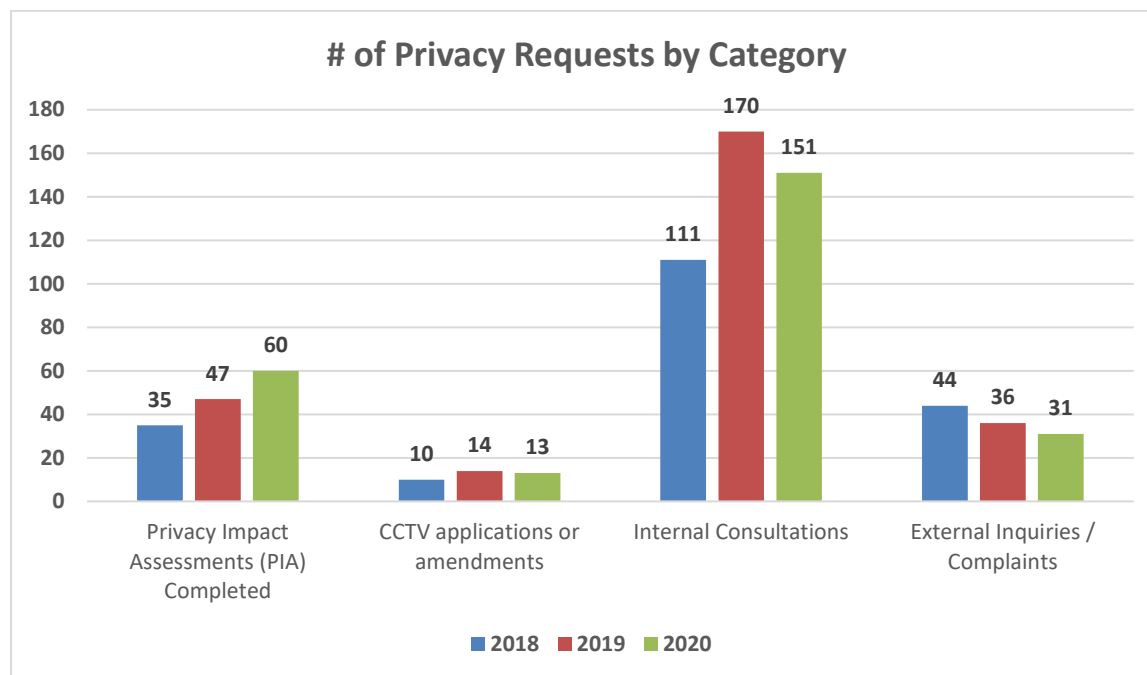
In addition to collecting metrics on PIAs and CCTV applications, we also collect data on internal consultations with staff and external inquiries received. Table 5 and Figure 4 below show all four distinct Privacy activities and it’s comparison to the previous years. The total number of PIA’s completed in 2020 increased substantially, while most other metrics were slightly reduced or similar to previous years.

Table 5: Privacy Service Metrics - 2018 to 2020

Year	2020	2019	2018
Privacy Impact Assessments (PIA’s) completed	60*	47	35
CCTV Applications or amendments	13	14	10
Internal Consultations	151	170	111
External Inquiries/Complaints	31	36	44

* 50 PIAs and 10 Addendums

Figure 4: # of Privacy Requests by Category (2018-2020)



2020 Privacy Highlights

Privacy Policy – The City’s Privacy Policy was approved in March after several months of work composing and editing the final version. This is a foundation document for the City’s Privacy Program, second in importance only to the privacy provisions in Part 3 of the *Freedom of Information and Protection of Privacy Act*.

WebEx Online Meeting Platform PIA – The WebEx platform was deployed City-wide for virtual meetings in May of 2020. The WebEx platform was chosen to fit privacy requirements and because the City was able to deploy the platform quickly. The development of a main platform PIA to document all technology threat risk assessments as well as the privacy and records management assessments was key to better situational deployment. The Privacy Office worked closely with Technology Services Reviewers to expedite the PIA so City Council and Committee meetings could resume when the Ministerial Order was issued allowing virtual meetings.

Development of a PIA ‘Addendum’ Template - For subsequent deployments of platform systems like WebEx in order to document individual use of the platform and ensure compliance with privacy requirements while expediting the approvals process for situation-specific deployments.

Development and publication of Privacy Information Pages, City Intranet – Provided a one-stop resource for City staff for information on the City’s privacy programs, including forms and directions for completion for PIA’s, CCTV Applications, the Privacy Policy and related privacy matters. This is another main building block in the City’s Privacy Program.

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.

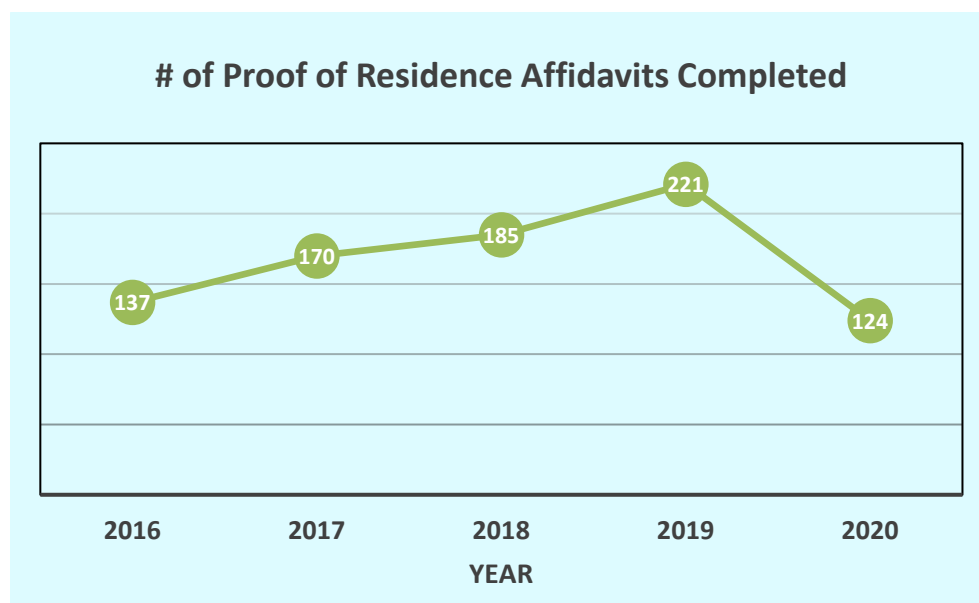
The service is free to City of Vancouver residents. Most of the citizens using the service are seniors who might otherwise have to pay a fee to a Notary Public to obtain the same documents. The seniors using the service come every year and we get to know them personally.

Unfortunately COVID restrictions and the inability to complete an Affidavit remotely stopped this service as of mid-March 2020. ATIP will reinstate this process when face-to-face service is once again possible. The service has grown slightly each year, except for 2020, as shown below in **Table 4** and **Figure 4**.

TABLE 4: Proof of Residence Affidavits Completed – 2016 to 2020

Year	Proof of Residence Affidavits Completed
2016	137
2017	170
2018	185
2019	221
2020	124

FIGURE 4: 2016 to 2020, Proof of Residence Affidavits Completed



Conclusion

ATIP's main work this year centered on review and recommendations of different programs and services related to business continuation and adaptations in response to the COVID 19 pandemic.

The initial move to remote work for City staff had its own challenges; once these were addressed and staff deployment was well underway city-wide, ATIP had to pivot and consider public-facing privacy matters so that the business of government could also be deployed remotely.

Throughout the initial deployment time frame, many new, unique situations had to be reviewed and considered within very tight timelines. I'm very proud to say that ATIP staff exceeded expectations in all aspects of this extensively integrated work, particularly with our partners in Technology Services. Together we built several strong integrated teams that have become the gold standard for Privacy and Security Threat Risk Assessments of new programs and applications.

Along with all of the above, the statutory responsibilities of the Division regarding FOI matters had to be maintained. Statutory deadlines for FOI requests were met and normal day-to-day decisions regarding document disclosures, answering queries and requesting clarifications continued with only a slight dip in average response times.

In a year, like no other, with many diverse and unique challenges, ATIP brought innovation and intelligence to the work of the Division and continued to build their reputation at the City as collaborative partners.

Respectfully submitted,

Barbara Van Fraassen

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