

Access to Information & Privacy

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



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Land Acknowledgement

The City of Vancouver acknowledges that it is situated on the unceded traditional territories of the xʷməθkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish), and səliłwətał (Tsleil-Waututh) Nations.

Introduction

The Access to Information and Privacy (ATIP) annual report provides consistent and comparable data on our City service areas, so that our team can assess challenges, find solutions and create opportunities to uphold information access, best practices for management of information, and protection of personal information. Access to information – also referred to as Freedom of Information (FOI) – metrics have been gathered from various public sector municipalities in B.C. The purpose of these metrics are to be collaborative and promote the important work we do, as well as evaluate how we can continually improve and evolve going forward.

Who we are

ATIP is a division under the City Clerk's Office. Our team oversees management of information, FOI and protection of privacy by adhering to legal and regulatory requirements. We are focused on promoting trust, openness, transparency and fairness.

What we do

ATIP manages*:

- Formal access to information through FOI requests
- All aspects of the City's privacy and personal information protection obligations under the Freedom of Information and Protection of Privacy Act (FIPPA) of B.C.
- Corporate records and information management
- Ombudsperson's complaints and early resolution files for the Vancouver Board of Parks and Recreation, Vancouver Public Library (VPL), Board of Variance, and the Pacific National Exhibition (PNE)

**Delegated to administer FOI, privacy, and records and information management for the Vancouver Board of Parks and Recreation (Park Board)*

Purpose

This report is an annual review of our team's successes and how our service area compares to other municipal public bodies in B.C. Our intent is to showcase what we do, what we have delivered in 2022, and how we want to keep evolving. The annual report is to be used as a resource and/or reference to be shared with those in our field and publicly to those interested in what we do. Our approach is about raising awareness and creating positive connections with colleagues, citizens, and business partners.

Detailed metrics and commentary are provided in the following pages.

Significant 2022 Milestones

The following data is considered items of note in 2022.

Access to Information – FOI Requests

23 Days* – the average response time for FOI requests in 2022

- A decrease from 2021, which was the highest average at 28 days.

**Metric is corrected for the following outliers: FOI files under review at the Office of the Information and Privacy Commissioner (“OIPC”), large files that require an additional OIPC extension under s.10(2) of FIPPA. Files that have been transferred to another public body, abandoned or withdrawn are calculated as 0 days (Outliers = 10 files, Abandoned or Withdrawn Files = 118 files, Transferred Files = 48).*

3 per cent – increase in the number of formal FOI requests received, compared to 2021

- This is the first year since 2019 to see an increase in formal FOI intake volume, with both 2020 and 2021 having seen consecutive years of decline. This trend may indicate a gradual return to pre-COVID-19 intake numbers. It remains worth noting that the FOI Office moved requests for underground storage tank (UST) data into the routine “fee for service” request queue, which has contributed to the lower annual intake when compared to previous years (ATIP received approximately 30 requests per year prior to 2020). Requests having to do with investigations have also been removed as of 2022.

17 per cent – percentage of FOI requests from the press/media

- A seven per cent increase from 2021. This metric is the highest percentage since 2017 (22 per cent), likely attributed to 2022 being an election year.

\$0 – amount received for FOI Application Fees

- Regarding the passing of Freedom of Information and Protection of Privacy Amendment Act, 2021 (Bill 22) on November 25, 2021, the City continues to observe the right to [not issue an FOI application fee of \\$10](#).

Protection of Privacy

49 – Privacy Impact Assessments (PIAs) received

- This is very similar to last year’s number of 48, indicating that the City’s PIA program is maturing and reaching a steady-state.

218 – privacy reviews and consultations received

- This is a 76 per cent increase from 2021. This increase is largely due to a change in the way privacy reviews and consultations were tracked and classified in 2022.

20 – closed-circuit television (CCTV) applications or amendments received

- A 33 per cent increase compared to 2021. This is the largest number of CCTV applications and/or amendments received in a given year.

Records Management

12.5 terabytes (TB) – of records stored in the City’s Electronic Document and Records Management System (EDRMS) in 2022. This is an increase of 1.7 TB from 2021. The storage growth in the EDRMS was reduced by 204 gigabytes (GB) as a result of applying records retention schedules.

319,159 – total number of documents added to EDRMS in 2022. This number is comparable with 2021 figures.

270,301 – total number of documents destroyed from EDRMS as a result of applying records retention schedules in 2022. This is a 64 per cent increase from 2021.

4.07 million – total number of documents in EDRMS in 2022. This is a 4.8% increase from 2021.

Access to Information

Public access to City records that are not available to the public for free or on a fee for service basis are handled through the FOI process. FIPPA allows applicants to request records from the City of Vancouver and Park Board that are not routinely available on a fee for service basis or free of charge. The City's FOI office has a robust and fully documented process for responding to access to information requests for records. Records are reviewed for exceptions and exemptions under FIPPA prior to public release.

2022 Access to Information – Highlights

Right to Know Week (RTKW) – recognized across Canada every year in September, it aims to raise Canadian's awareness of their right to access government information and to promote Freedom of Information as an essential right in a democracy. This year the ATIP team marked RTKW by sharing internal articles with staff that promoted an information compliance culture at the City and by holding a RTKW Contest.

RFP Issued for FOI Case Management System - an RFP was posted to locate a vendor to create a system to improve request administration efficiency. An FOI case management system will allow for easy and accurate reporting and have a public interface for easier public access.

Law Enforcement Requests - requests for records for investigative purposes from other public bodies under s.33 of FIPPA have been removed and placed into a separate, non-FOI stream. A separate stream allows for increased protection and handling of sensitive, confidential and personal information. In 2022, the City received 33 law enforcement requests for information.

2022 Access to Information - Service Metrics

From 2018 to 2019, the City experienced a steady increase in the number of formal FOI requests received. Conversely, 2020 to 2021 saw a steady decrease in formal FOI requests received, with the City experiencing nine and five per cent decreases, respectively. In 2022, the recent trend reversed with a minor increase of three per cent from the previous year.

Table 1 and Figure 1 on the following page provide this information in numeric and graphic form.

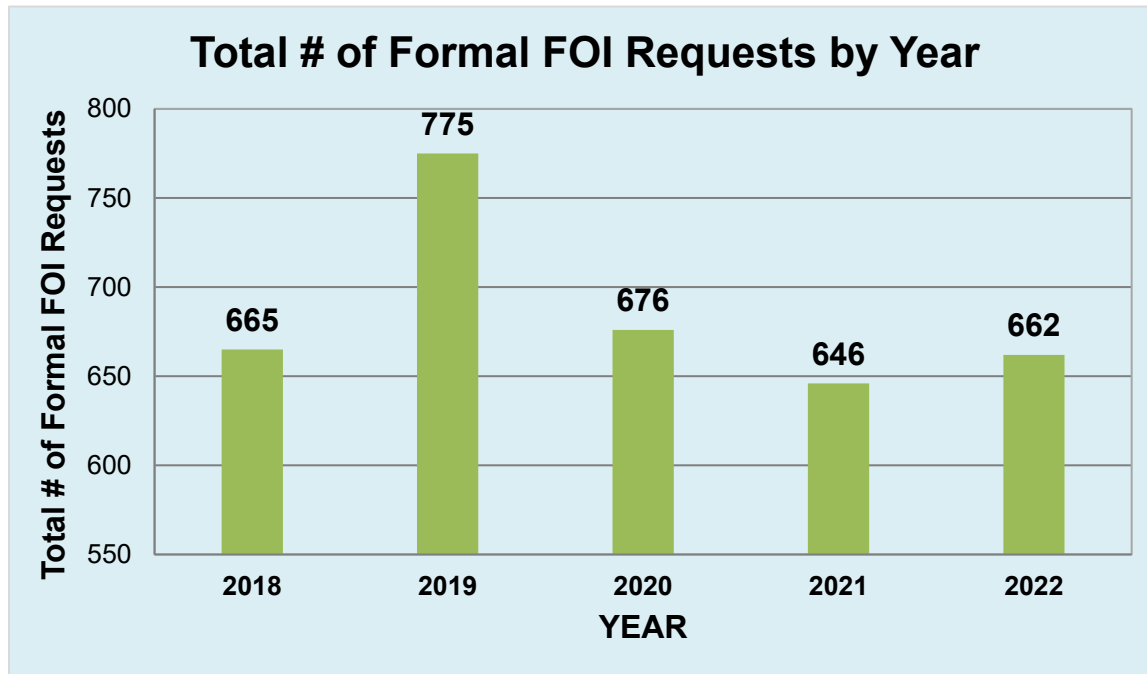
The reduced number of formal FOI requests in 2020 reflects the low number of requests received early in the year when the COVID-19 pandemic had its greatest impact, as well as a decision to move routine requests for underground storage tank data, previously handled as FOI requests, to a fee for service queue. In 2020, 16 requests were made for underground storage tank data, 22 requests in 2021, and 14 requests in 2022.

TABLE 1: Total Number of Formal FOI Requests by Year (2018-2022)

Year	2018	2019	2020	2021	2022
Total # of FOI requests	665	775	676	646	662
% Increase from previous year*	24%	17%	- 9%	- 5%	3%

**Percentages are rounded to the closest whole number*

FIGURE 1: Total Number of Formal FOI Requests by Year (2018-2022)



B.C. Public Bodies (Municipalities and Regional Districts) - 2022 Comparative FOI Request Metrics

A survey of B.C. public bodies was conducted in 2023. The 2022 comparative FOI metrics are provided in Table 2 below with the permission of the participant public bodies.

TABLE 2: 2022 Freedom of Information Requests – B.C. Public Bodies (Municipalities and Regional Districts)

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	516	13	97
City of Burnaby	126	27	93
City of Chilliwack	192	5	100
City of Coquitlam	149	39	90
City of Delta	104	10	98
City of Kelowna	107	3	85
City of Langley	32	2	75
City of Maple Ridge	65	1	94
City of Port Coquitlam	44	2	84
City of Port Moody	28	8	82
City of Surrey	553	4	98
City of Vancouver	662	117	76
City of Victoria	156	7	80
City of White Rock	27	0	80
District of Hope	33	0	100
District of North Van	208	8	79
FVRD	73	41	97
Whistler	30	6	7

*As per FIPPA, the initial 30 business day response deadlines can be extended for several reasons and remain in statutory compliance, most commonly:

1. request requires clarification, s.10(1)(a); and/or
2. a large number of records must be searched and compiled, s.10(1)(b); and/or
3. the records require other public body or third party consults, s.10(1)(c).

Note: City of New Westminster, City of North Vancouver, Township of Langley and District of Tofino could not provide information at the time of the request.

City of Vancouver – Comparative FOI Request Metrics (2018 to 2022)

The following metrics give an idea of the FOI work that is conducted for the year. Tables 3 and 4 provide detailed metrics whereas Figures 2 and 3 provide visual images to present the information proportionally.

TABLE 3: Foundation Metrics

FOI Activities	2018	2019	2020	2021	2022
FOI requests logged	665	775	676	646	662
Total pages released	36,685	34,012	54,712	31,379	34,425
Average response time*	22	18	23	28	23
Number of OIPC reviews**	22	23	26	17	23
OIPC reviews as %	3.30%	3.00%	3.85%	2.60%	3.47%

*Number of business days

**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 FOI request. Third parties can also request a review if the City is unable to withhold their business information under s.21(1) of FIPPA.

FIGURE 2: Average Response Times (Days), 2018 to 2022

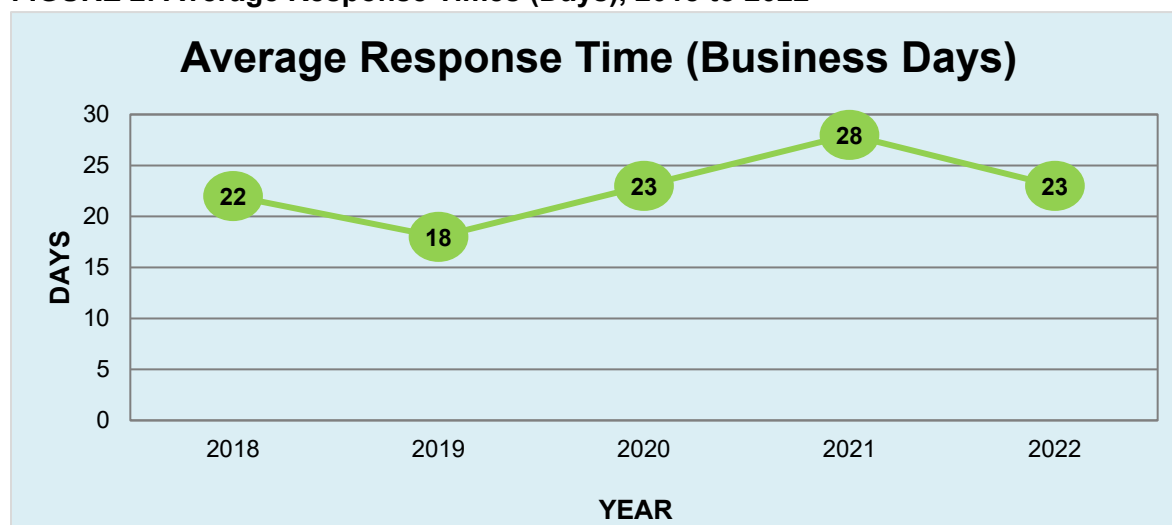
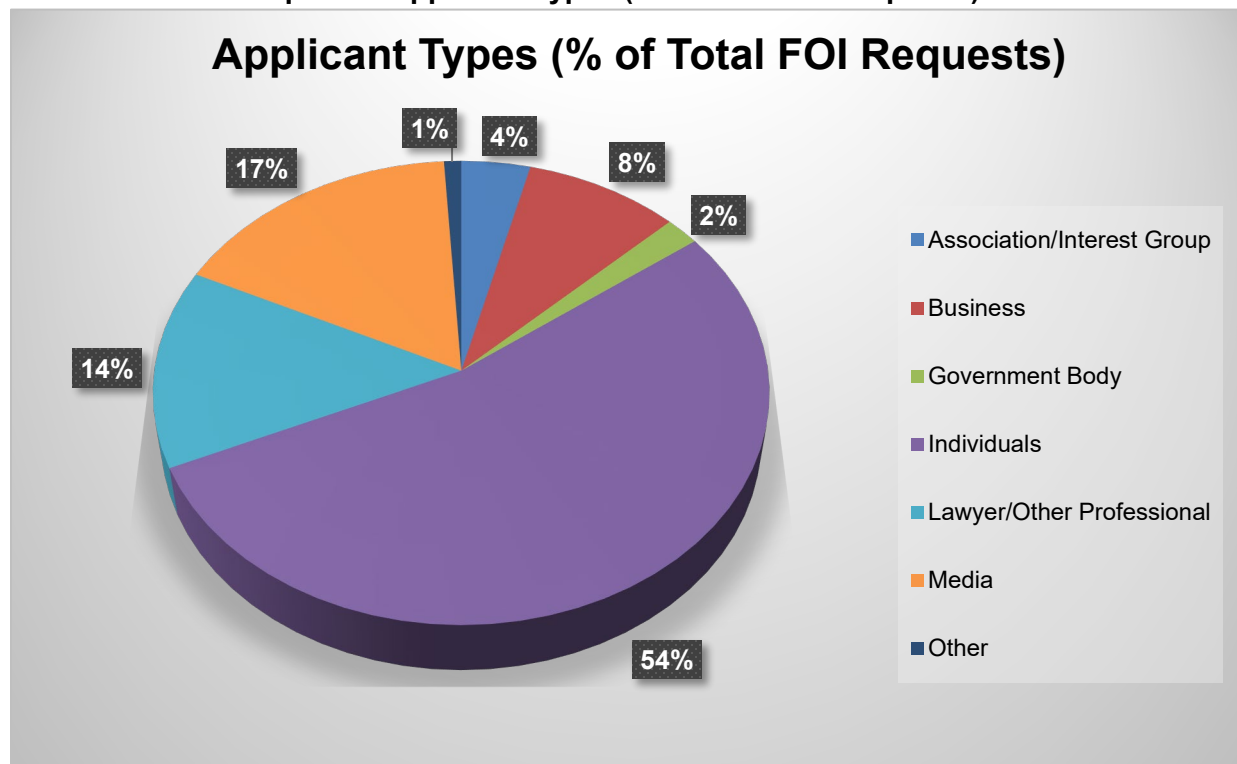


TABLE 4: Applicant Types, 2018 to 2022

Applicant Types	2018	2019	2020	2021	2022
Total number of FOI files	665	775	676	646	662
Total Number					
Association/Interest Group	34	35	25	36	26
Business	96	130	66	80	57
Government Body	7	10	7	16	14
Individuals	342	356	369	346	356
Lawyer/Other Professional	69	115	119	84	93
Media	103	118	77	67	112
Other	14	11	13	17	4
Total Percentage*					
Association/Interest Group	5%	5%	4%	6%	4%
Business	14%	17%	10%	12%	8%
Government Body	2%	1%	1%	2%	2%
Individuals	52%	46%	54%	54%	54%
Lawyer/Other Professional	10%	15%	18%	13%	14%
Media	15%	15%	11%	10%	17%
Other	2%	1%	2%	3%	1%

**Percentages are rounded to the closest whole number*

FIGURE 3: 2022 Requester/Applicant Types (% of Total FOI Requests)



FOI Proactive Releases (new)

ATIP has been at the forefront of proactive publishing of completed FOI requests since 2016 (vancouver.ca/your-government/freedom-of-information); however, only a percentage of FOI response packages are posted publicly. As per the website, FOI packages that contain personal information, confidential City information, and/or confidential third party information are not published.

The goal is to provide material that expands the understanding of a topic where there is more fulsome information publicly available while ensuring no personal, sensitive or confidential information is protected.

To be more specific, the following responsive record packages are not posted:

Personal information:

- Requested records have to do with, for example, a residential address, parking tickets, 3-1-1 phone recording, an employee personnel matter, attendance at a community centre or an animal control file (i.e. dog bite).

Third party or City confidential information:

- Information in an FOI record package that is actively under review at the Office of the Information and Privacy Commissioner (OIPC).
- Information that has a high level of sensitivity or confidentiality of a matter at present day and currently adds no value (would not enhance or add any information to what has already been made public).
- File has to do with a sensitive or confidential matter (i.e. involving an investigation).

Also not released:

- Transferred files (to other public bodies).
- Abandoned or withdrawn files (these are files where an applicant has not paid a fee or clarified a request).

TABLE 5: Proactive FOI Releases, 2018 to 2022

	2018	2019	2020	2021	2022
FOI requests proactively released*	361	329	249	269	361

*Number is the total amount released in that year and does not mean that the file was from that year. For example, a file from 2021 can be released in 2022 or 2023 depending on whether the request was extended or under review at the OIPC.

Corporate Records and Information Management (CRIM)

The Access to Information and Privacy division of the City Clerk's Office administers the Corporate Records and Information Management (CRIM) program. Record keeping at the City is governed by the Vancouver Charter, the Records Management By-law No. 9067, and the Records and Information Management Policy (ADMIN-009), and applies to all departments and all records. CRIM is responsible for developing, maintaining and implementing records management policies, standards, guidelines and best practices. In addition to providing advice, guidance and training to departments, CRIM is responsible for VanRIMS (the City's retention policy), VanDocs (the City's EDRMS), off-site storage and records disposition.

2022 Corporate Records Management – Highlights

“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. The DRC Superstar contest, held for the fourth year in a row, received 40 nominations.

Records @ Work – Recognized *Records @ Work* month again through a series of weekly themed articles posted on the City's staff intranet. Weekly communications featured amendments to the Freedom of Information and Protection of Privacy Act (Bill 22); preventing and mitigating privacy incidents and breaches; and a guided tour of the City of Vancouver Archives. In addition, CRIM organized the second annual City-wide “TRIM Challenge” (Toss, Recycle, Information Manage) to encourage City staff to purge obsolete, dated, and transitory records from network file shares, and to file records into VanDocs. The “winning” department purged 200 GB of outdated documents from their network file share resulting in a 25 per cent storage savings.

CRIM Community of Practice newsletter – The CRIM Community of Practice newsletter is an internal publication (commenced in 2020) that outlines best practices, tips and resources on timely records management topics specific to City policy, systems and practices. Four newsletters were distributed to the Departmental Records Coordinators and posted on the City's intranet for all City staff.

Outreach and education – Delivered four presentations on records management principles, retention and disposition process, and VanDocs best practices to Departmental Records Coordinators and specific departments.

VanDocs upgrade – Completed upgrade to version CM10.0 of the City's EDRMS, VanDocs. Upgrade work included updates to the “VanDocs How Do I?” guidelines, training and course materials.

M365 records governance – Collaborated with M365 project team to define a governance framework consisting of retention and deletion policies within the M365 environment. These retention and deletion policies are to be applied to email housed in Exchange Online and documents stored in MS Teams and SharePoint sites. Investigated capabilities of integration between VanDocs (Content Manager 10.0) and MS Teams and SharePoint. Worked with VanDocs support team to scope requirements and develop a plan to support integration.

Compliance auditing – Collaboration with Internal Audit to develop audit framework and a process for auditing departmental adherence to the Corporate Records Management Policy.

2022 Corporate Records Management – Service Metrics

138 – staff attended VanDocs instructor-led training (Foundation and DRC) in 2022. Instructor-led courses continued to be delivered online with success.

279 – staff completed self-guided online VanDocs training in 2022.

601 – visits to the new *VanDocs Essentials* e-Learning modules in 2022.

4.07 million – documents in VanDocs (4.8% increase from 2021). The average number of new documents added for the past five years is 339,431 while the average annual net growth is 200,500 (7.47 per cent).

2,679 – technology help calls were resolved (an increase of over 8.55 per cent from 2021 call volumes) in 2022.

Privacy Management Program

Privacy metrics have been documented since 2018 when the City of Vancouver implemented a dedicated Privacy Analyst position. Our current core privacy metrics are the number of Privacy Impact Assessments received for the year and the number of closed-circuit television (CCTV) applications and amendments.

2022 Privacy Program – Highlights

Personal information bank (PIB) directory – The Privacy Office is working collaboratively with the Corporate Records and Information Management Office to create a process to update the PIB directory by incorporating an extra step in the PIA process to further identify the location of personal information held by the public body.

Data Privacy Week – In May 2022, ATIP recognized Data Privacy Awareness Week by running an awareness campaign to highlight recent amendments to FIPPA. The first-time campaign focused on two of the main privacy-focused amendments: privacy breaches and privacy impact assessments. While privacy breach reporting and the completion of privacy impact assessments were mandatory across the City prior to FIPPA's amendments, these legislative updates provided the perfect opportunity to remind staff about our privacy obligations.

Privacy framework plan – In light of another new FIPPA requirement – the requirement to develop a privacy management program – ATIP initiated a project to formalize the City's overall privacy management framework, aligning the City's program with new directions issued by the B.C. government. The project is scheduled for completion in 2023 and aims to meet and exceed government directions.

Privacy incident protocol – ATIP also began work to formalize its privacy incident protocol in 2022. ATIP engaged a process improvement specialist to develop a first-class protocol that would educate and direct staff through all stages of privacy breach investigations and remediation. The protocol, which is scheduled for completion in 2023, incorporates direction around FIPPA's new privacy breach notification requirements and also forms a critical component of the City's larger privacy management program.

Privacy – Service Metrics

Privacy Impact Assessments (PIAs)

A PIA is a legally required assessment that determines if a program or initiative meets the privacy protection provisions in Part 3 of FIPPA. PIAs are required for any initiative that collects, uses, discloses, stores or destroys personal information. CCTV applications and amendments, which assess the privacy compliance of CCTV installations, are also deemed to be PIAs.

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.

Internal and External Inquiries

In addition to collecting metrics on PIAs and CCTV applications, we also collect data on internal consultations (privacy matters) with staff and external (non-staff) inquiries (privacy queries) received. Table 5 and Figure 4 below show all four distinct privacy activities and a comparison to previous years.

TABLE 6 - 2018 to 2022

Privacy Activities	2018	2019	2020	2021	2022
Privacy Impact Assessments (PIAs) received	35	47	60**	48*	49
CCTV applications or amendments	10	14	13	15	20
Internal inquiries (privacy matters)	111	170	151	93	174
External inquiries (privacy queries)***	44****	36	31	31	44

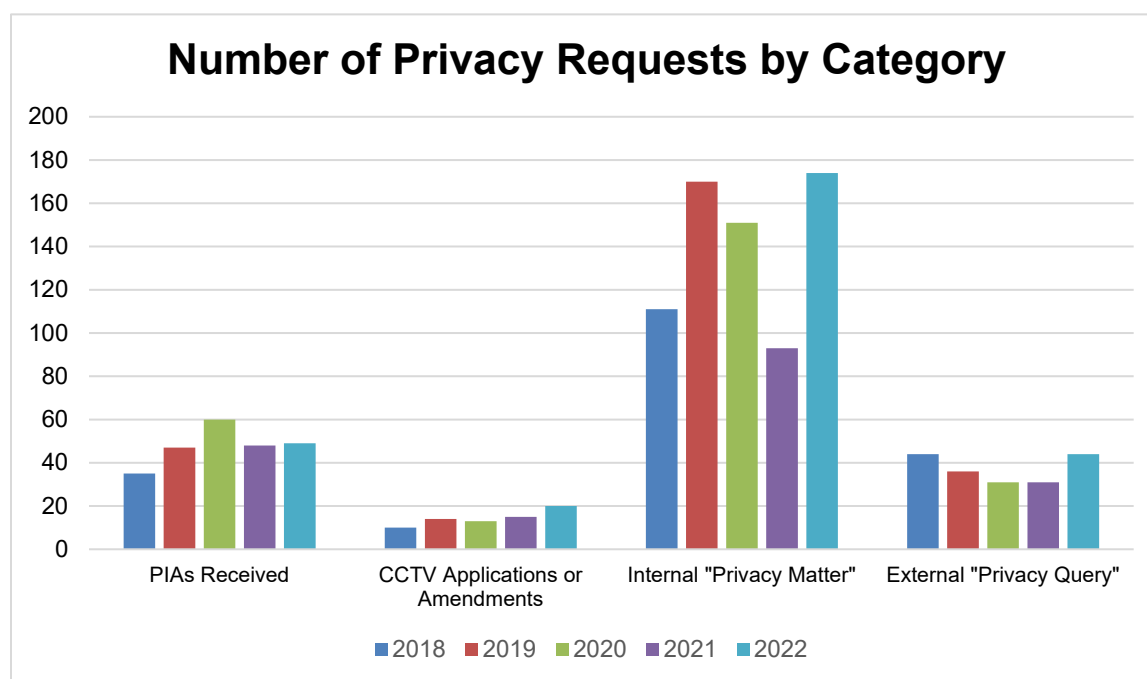
*32 PIAs and 16 addendums (an addendum is an additional, secondary PIA that is complementary to the primary PIA)

**50 PIAs and 10 addendums

***Includes external questions, comments and feedback (as of 2019, this number excludes privacy incidents)

****Number includes privacy incidents

FIGURE 4: Number of Privacy Requests by Category (2018-2022)



Ombudsperson 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 (2021/2022), please visit their website at bcombudsperson.ca/annual-reports/.

Proof of Residence

Two staff members of our division are Commissioners for Affidavits for B.C. 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, Austria, and France 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 Vancouver residents. Most of the people using the service are seniors who might otherwise have to pay a fee to a Notary Public to obtain the same documents. The

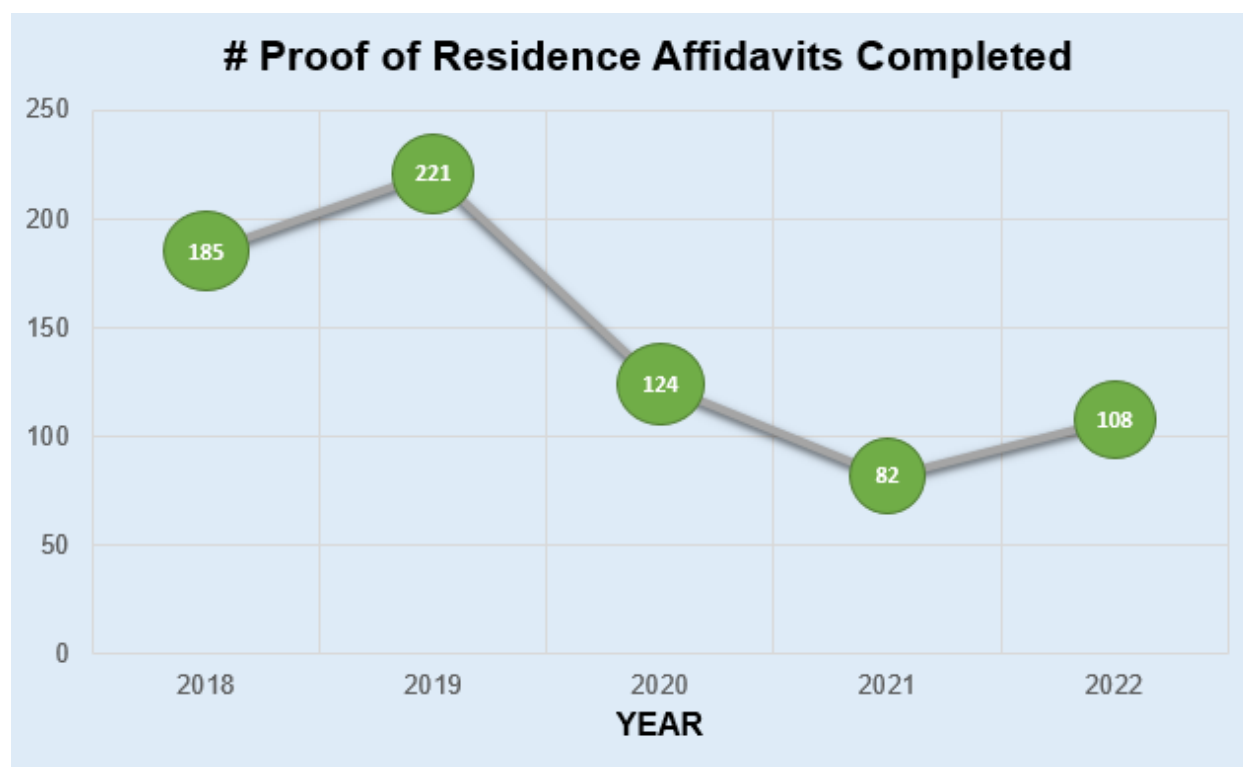
seniors using the service come every year and we get to know them personally.

A total of 108 applications were processed in 2022. Due to the easing of previous COVID-19 restrictions, we were able to once again assist residents requiring statutory declarations (including first-time visitors) in person, as well as continue to remotely assist residents who have already been processed in our system in previous years and whose government organization allows their forms to be completed digitally.

TABLE 6: Proof of Residence Affidavits Completed – 2018 to 2022

Year	Proof of Residence Affidavits Completed
2018	185
2019	221
2020	124
2021	82
2022	108

FIGURE 5: 2018 to 2022, Proof of Residence Affidavits Completed



Opportunities

Looking back at 2021

In 2021, Bill 22 (updates to FIPPA) was first introduced and a detailed review was required in adapting to extensive changes to the FIPPA legislation. Key changes included new PIA requirements, additional protections for Indigenous entities and practices, mandatory breach notification, and the requirement that a public body establish a privacy management program – these are areas where the City was already in compliance. Changes to the City’s information landscape also included the soft introduction to M365 by providing opportunities to communicate and collaborate using a new enterprise tool. New systems such as the M365 (Teams) requires records management expertise to ensure proper information governance is embedded in the new landscape as well as a privacy lens to ensure personal and sensitive information is being handled appropriately.

2022 in review

In 2022, ATIP took steps to promote and educate staff on the new updates to FIPPA as well as reinforce existing legislative compliance. As a way to generate further outreach across the organization, ATIP built a three-part information awareness campaign throughout the year by acknowledging Records and Information Management Month (April), Data Privacy Week (May) and Right to Know Week (September). Awareness of the importance of information compliance has been reinforced by building a program that offers virtual quarterly training (via Webex) on FOI, Privacy and Corporate Records Management across the organization. Other ATIP opportunities include refreshing and updating FOI and Privacy public-facing content, successfully off-boarding and onboarding elected officials, issuing an FOI case management system RFP, setting up a process to update the City’s personal information bank (PIB), development of a privacy framework plan, and exploring ways to develop and implement governance tools to ensure records are properly managed in M365.

Looking ahead at 2023

Our focus of 2023 is on continuous improvement. ATIP will be advancing and updating online training opportunities in FOI, Privacy and Corporate Records and Information Management for staff who have computer access as well as for those employees without City issued devices. ATIP policies and procedures are being reviewed to ensure they are current and relevant as well as to assess if there are gaps that need to be filled. Ongoing projects include: evaluating vendors for a future FOI case management system; streamlining a robust privacy breach protocol using continuous process improvement (CPI) methodology; and looking into how M365 integrates with the organization’s existing EDRMS, as well as further strategizing records governance opportunities.

Looking forward to sharing highlights and reviewing how things evolved in 2023.

Stay tuned and warm regards,

Cobi Falconer, Director, Access to Information and Privacy, and the ATIP team