

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's Access to Information and Privacy Office respectfully acknowledges that it is situated on the unceded traditional territories of the xʷməθkʷəy̓əm (Musqueam), Sk̓w̓x̓wú7mesh (Squamish), and səliwətał (Tseil-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 lead in best practices for managing information, upholding information access, and protecting personal information using B.C.'s Freedom of Information and Protection of Privacy Act (FIPPA). 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 (FOI) requests under Part 2 of FIPPA, including proactive releases
- All aspects of the City's privacy and personal information protection obligations under Part 3 of FIPPA
- 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 2023, and how we keep evolving. The annual report is a resource to be shared with those in our field and members of the public who are interested in what we do. Our approach focuses on raising awareness and creating positive connections with colleagues, community members, and business partners. Detailed metrics and commentary are provided in the following pages.

Significant 2023 Milestones

The following data is considered items of note in 2023.

Access to Information – FOI Requests

21 days* – the average response time for FOI requests in 2023

- A minor decrease from 2022 (23 days), and a significant 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 zero days (OIPC Review = six files, Abandoned or Withdrawn Files = 167 files, Transferred Files = 32 files).*

20 per cent – increase in the number of formal FOI requests received, compared to 2022

- This is the second consecutive year to see an increase in formal FOI intake volume over the previous year and resulted in a record number of FOI requests received (807).¹

16 per cent – percentage of FOI requests from the media

- A one per cent decrease from 2022. Despite the percentage decrease, the actual number of media requests increased from 112 in 2022 to 130 in 2023 (due to a 20 per cent increase in number of FOI requests).

\$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

39 – total number of Privacy Impact Assessments (PIAs) received

- A 20 per cent decrease from 2022.

266 – total number of external and internal privacy inquiries (reviews and consultations) received

- A 22 per cent increase from 2022 which indicates greater awareness regarding privacy matters likely due to the increase in routine ATIP training promoted across the organization.

¹ It is worth noting that the FOI Office moved requests for data about underground storage tanks (UST) into the routine “fee for service” request queue (ATIP received approximately 30 requests per year prior to 2020). Requests relating to records for investigative purposes have also been removed from the standard FOI process as of 2023.

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

- A 35 per cent decrease from 2022, no trend has been noted.

105 – law enforcement requests received

- A 218 per cent increase since 2022 (33 law enforcement requests) when this metric started being captured. This metric indicates a shift in process whereby investigative requests by public bodies are handled separately from the FOI stream for efficiency.

Records Management

14.1 terabytes (TB) – of records stored in VanDocs, the City’s Electronic Document and Records Management System (EDRMS) at the end of 2023. This is an increase of 1.6 TB or 12 per cent from 2022.

4.20 million – total number of electronic documents in VanDocs in 2023. This is a 3.2 per cent increase from 2022. The average growth rate for the past five years is 5.1 per cent.

125,398 – total number of electronic documents transferred from VanDocs to City of Vancouver Archives as part of the annual records disposition process.

297,243 – total number of electronic documents removed from VanDocs as part of the annual records disposition process. In destroying these electronic records, we saved 70.424 gigabytes of data storage (a cost savings of \$845). We also destroyed 513 boxes of paper records stored in Iron Mountain, which resulted in an annual storage savings of \$1,385.

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 team 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.

2023 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 highlighting how the City makes information available to the public through proactive release processes (includes completed FOI request packages, City Manager emails and memos sent to Mayor and Council, calendars of elected officials, and ATIP annual reports), routinely available information on a fee for service basis, and datasets on the City's Open Data Portal.

FOI Case Management System – An evaluation committee took part in evaluating the various shortlisted vendors with the intent to identify a singular vendor who could provide the City with an FOI case management system. Ultimately, none of the vendors were able to provide all aspects of the case management system that the City required, and the RFP was collapsed until further notice.

Law Enforcement Requests - requests for records for investigative purposes from other public bodies under s.33(3)(d) of FIPPA have been removed and placed into a separate, non-FOI stream for efficiency and accuracy. A separate stream allows for increased protection and handling of sensitive, confidential and personal information. Please see Table 6 under the "Privacy Management Program" heading for more information.

2023 Access to Information - Service Metrics

After a record high number of requests in 2019, the City experienced a steady decrease in formal FOI requests received over the next two years, with nine and five per cent decreases, respectively. In 2022, the trend reversed with a minor increase of three per cent from the previous year. In 2023 we saw a drastic increase of 20 percent over 2022, with a new record high number, surpassing 2019. The statistics relating to Applicant Type (see Table 4) have remained consistent over recent years, which seems to suggest the increase in formal FOI requests received can be attributed to a greater awareness of the service, new initiatives, new Council, and no FOI application fee.

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

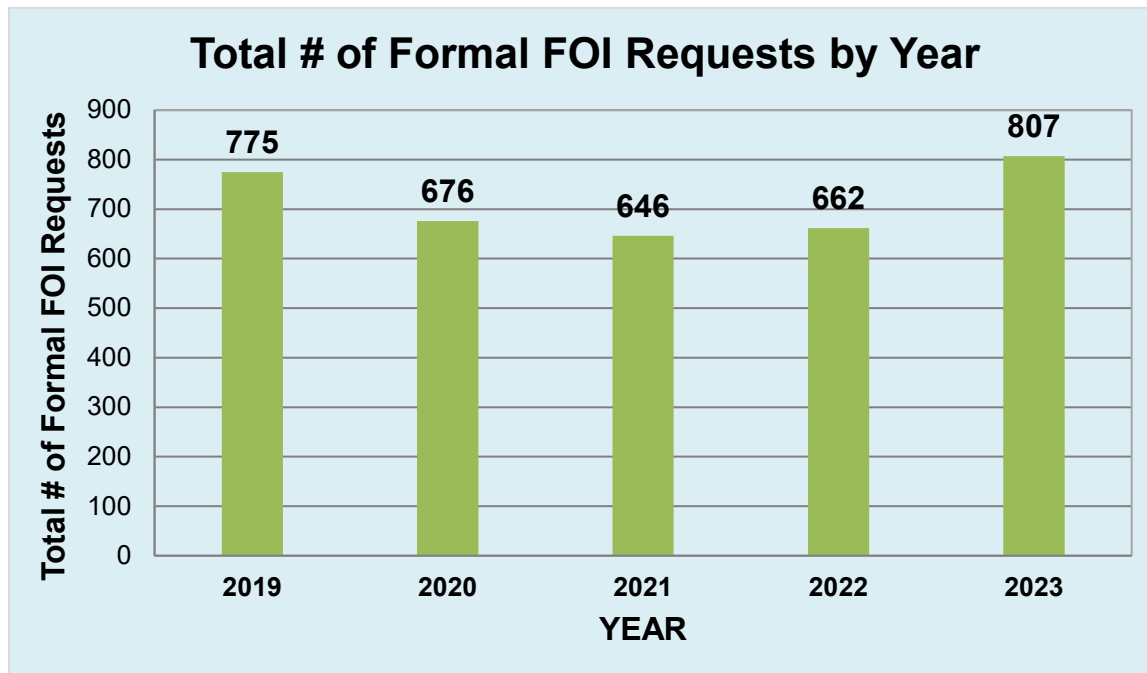
Note: In 2020 the decision was made to move routine requests for underground storage tank data, previously handled as FOI requests, to a fee for service queue. In 2020, 16 requests were made for underground storage tank data, 22 requests in 2021, 14 requests in 2022, and 12 in 2023.

TABLE 1: Total Number of Formal FOI Requests by Year (2019-2023)

Year	2019	2020	2021	2022	2023
Total # of FOI requests	775	676	646	662	807
% Increase from previous year*	17%	- 9%	- 5%	3%	20%

**Percentages are rounded to the closest whole number*

FIGURE 1: Total Number of Formal FOI Requests by Year, 2019-2023



B.C. Public Bodies (Municipalities and Regional Districts) – 2023 Comparative FOI Request Metrics

A survey of B.C. public bodies was conducted in 2024 to gather 2023 data. The results of the 2023 comparative FOI metrics are provided in Table 2 below with the permission of the participant public bodies.

TABLE 2: 2023 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	503	79	95
City of Burnaby	164	6	93
City of Chilliwack	98	1	100
City of Coquitlam	193	49	96
City of Delta	163	14	97
City of Kelowna	109	8	94
City of Langley	59	7	93
City of Maple Ridge	131	20	93
City of New Westminster	71	26	93
City of North Vancouver	76	4	98
City of Port Moody	46	12	76
City of Surrey	544	7	97
City of Vancouver	807	152	79
City of White Rock	54	3	96
Districts			
Fraser Valley Regional	72	31	98
Hope	55	0	100
North Vancouver	205	15	97
Tofino	6	0	83
<p>*As per FIPPA, 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. 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). 			
<p>Note: Township of Langley, City of Port Coquitlam, City of Victoria, and Municipality of Whistler could not provide information at the time of the request.</p>			

City of Vancouver – Comparative FOI Request Metrics (2019 to 2023)

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	2019	2020	2021	2022	2023
FOI requests logged	775	676	646	662	807
Total pages released	34,012	54,712	31,379	34,425	33,241
Average response time*	18	23	28	23	21
Number of OIPC reviews**	23	26	17	23	17
OIPC reviews as %	3.00%	3.85%	2.60%	3.47%	2.11%

*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), 2019 to 2023

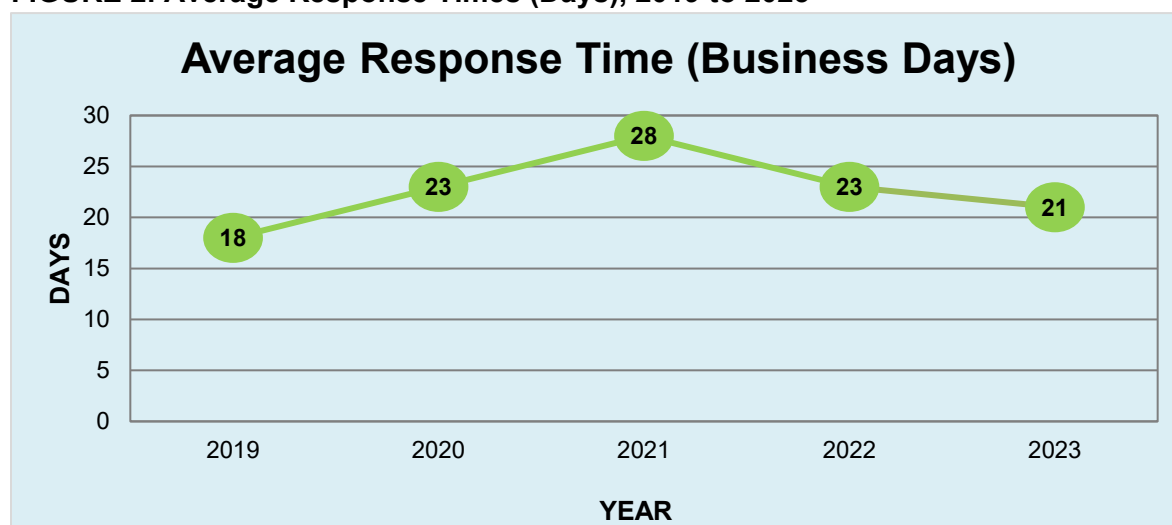
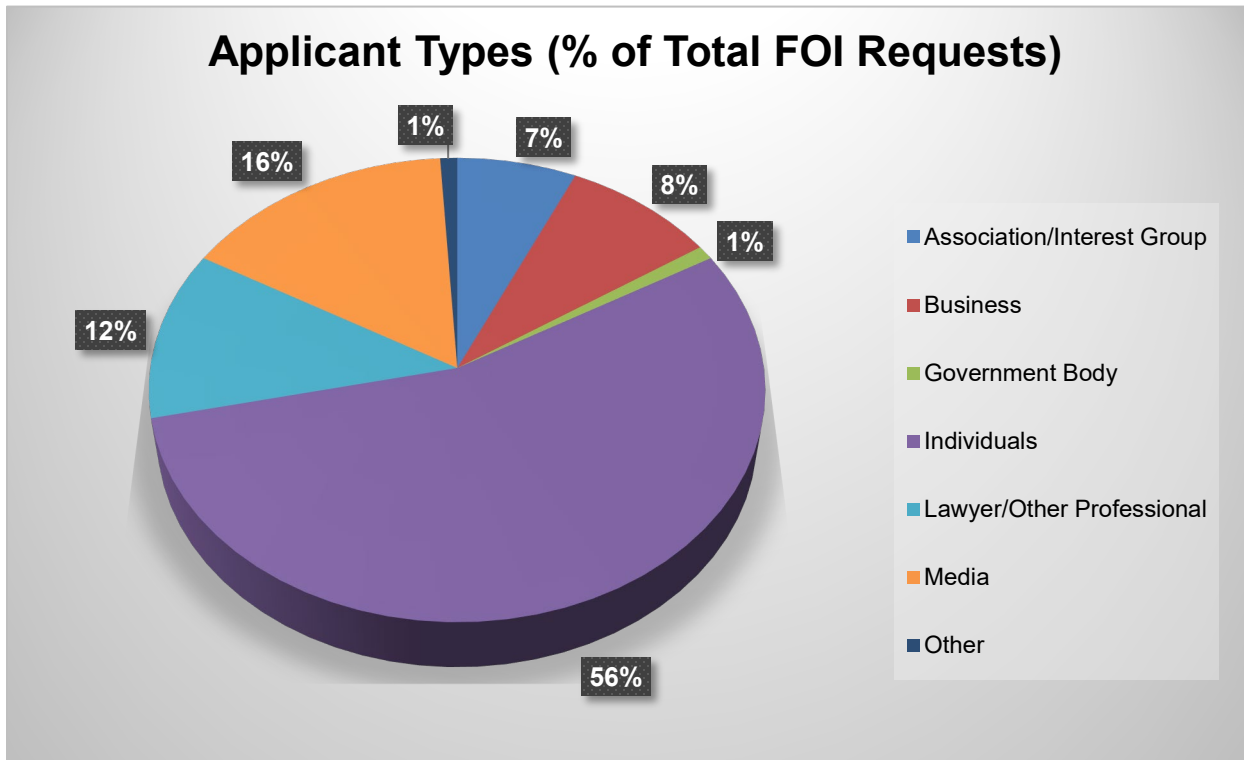


TABLE 4: Applicant Types, 2019 to 2023

Applicant types	2019	2020	2021	2022	2023
Total number of FOI files	775	676	646	662	807
Total number					
Association/interest group	35	25	36	26	55
Business	130	66	80	57	71
Government body	10	7	16	14	4
Individuals	356	369	346	356	448
Lawyer/other professional	115	119	84	93	95
Media	118	77	67	112	130
Other	11	13	17	4	4
Total percentage*					
Association/interest group	5%	4%	6%	4%	7%
Business	17%	10%	12%	8%	9%
Government body	1%	1%	2%	2%	1%
Individuals	46%	54%	54%	54%	56%
Lawyer/other professional	15%	18%	13%	14%	12%
Media	15%	11%	10%	17%	16%
Other	1%	2%	3%	1%	1%

*Percentages may not total 100 as they are rounded to the closest whole number.

FIGURE 3: 2023 Applicant Types (% of Total FOI Requests)



FOI Proactive Releases

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

The goal is to provide material that expands the understanding of a topic where there is more fulsome information publicly available while ensuring personal, sensitive and 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 (e.g. 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 would not enhance or add any information to what has already been made public.
- File has to do with a sensitive or confidential matter (e.g. 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, 2019 to 2023

	2019	2020	2021	2022	2023
FOI requests proactively released*	329	249	269	361	322

*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 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.

2023 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 fifth year in a row, received 33 nominations. This event aims to recognize the work carried out by the 275 designated departmental records coordinators who promote good record keeping in their individual work areas.

Records at Work – Recognized Records at Work month again through a series of targeted communications posted to the City's intranet, including a contest and a case study featuring a department's successful implementation of records management principles and best practices.

CRIM Community of Practice newsletter – The CRIM Community of Practice newsletter is an internal publication (started 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 DRCs and posted on the City's intranet for all City staff. In addition, over 20 Knowledge Base articles and “How Do I” guidelines were published as part of a program to provide staff with continuing support and education on records management best practices.

Outreach and education – Delivered presentations on records management principles, retention and disposition process, and VanDocs best practices to DRCs and specific departments. Collaborated with Learning Support Specialists to update the VanDocs for the DRC course, and to publish the final three modules of the e-learning self-serve course, *VanDocs Essentials*. Developed a training roadmap for 2024 enhancements to VanDocs training.

M365 records governance – Presented a business case to Technology Services on the business need for integration between VanDocs (OpenText Content Manager) and M365. Consequently, the Technical Support team initiated work to enable integration between these systems. This work will continue in conjunction with the planned 2024 VanDocs upgrade.

Records disposition – Streamlined the annual disposition review process to integrate the approval and disposition of both electronic and paper records. Better coordination and improved workflow resulted in time and labour efficiencies.

Transferred all eligible digital archival records from VanDocs to the City of Vancouver Archives custody. This is the first year that the process of extracting and transferring electronic records as archival information packages was successfully completed.

2023 Corporate Records Management – Service Metrics

351 – staff attended VanDocs instructor-led training (Foundation and DRC) in 2023. Instructor-led courses continued to be delivered online with success.

887 – visits to the new *VanDocs Essentials* e-learning modules in 2023.

4.20 million – documents in VanDocs (3.2 per cent increase from 2022). The average number of new documents added for the past five years is 339,431 while the average annual net growth is 200,500 (five per cent).

2,662 – technology help calls were resolved (a marginal 0.63 per cent decrease over 2022 total calls) in 2023.

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 annual number of privacy impact assessments (PIAs) received, the number of closed-circuit television (CCTV) applications and amendments, as well as inquiries from the public and internal staff.

2023 Privacy Program – Highlights

Data Privacy Week – In January 2023, ATIP recognized Data Privacy Week by running an awareness campaign to educate staff about the obligation to complete privacy impact assessments. FIPPA now mandates the completion of PIAs for any initiative that may involve personal information, so the campaign aimed to reinforce awareness of this obligation and offer pointers for their successful completion.

Law enforcement requests – ATIP drafted a procedure and piloted a new program to streamline the process for law enforcement record requests received by the City. The process has not only provided an efficient means of handling these critical requests, but also ensures that these record releases are compliant with FIPPA. The new process proved highly successful, with ATIP receiving 105 enforcement requests in 2023.

Privacy training – 2023 saw the development of new and improved content for the online ATIP staff training as well as the development of crew talks for operational and frontline employees. As privacy is a critical component of this training, new content was developed to highlight recently introduced FIPPA requirements, such as mandatory PIAs and privacy breach offences and reporting.

Privacy incident protocol – ATIP continued work to formalize its privacy incident protocol in 2023. 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 Q2 2024, incorporates direction around FIPPA's new privacy breach notification requirements and forms a critical component of the City's larger privacy management program.

Policy reviews – ATIP completed its update of the City's Privacy Policy, incorporating components that reflect new FIPPA amendments. ATIP also began its extensive review to update the CCTV Systems Policy and Procedures. The CCTV Policy and Procedure updates are slated to be finalized in 2024.

Privacy – Service Metrics

Privacy Impact Assessments

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 people), 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 6 and Figure 4 below show all four distinct privacy activities and a comparison to previous years.

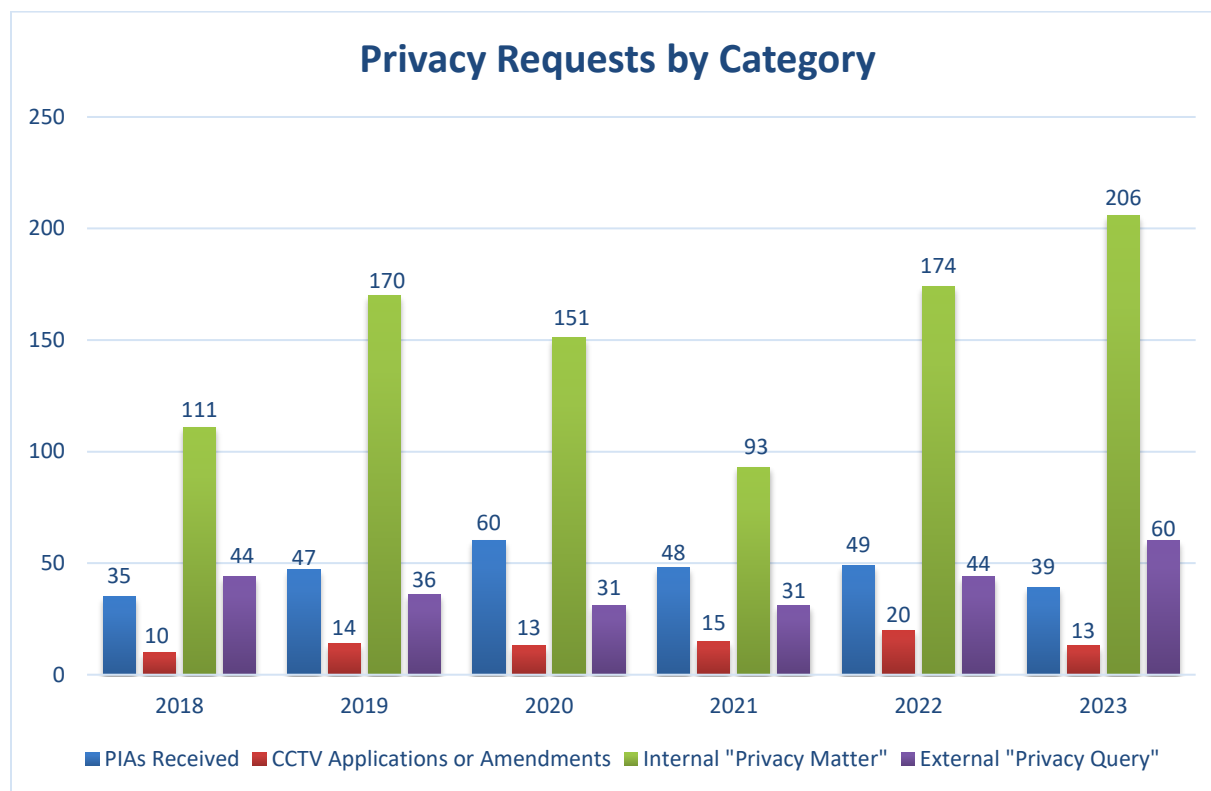
TABLE 6 – Privacy Activities, 2019 to 2023

Privacy activities	2019	2020	2021	2022	2023
Privacy impact assessments received	47	60**	48*	49	39
CCTV applications or amendments	14	13	15	20	13
Internal inquiries (internal privacy matters)	170	151	93	174	206
External inquiries (external privacy queries)	36	31	31	44	60
Enforcement requests (requests for information under s.33(3)(d) of FIPPA)	N/A	N/A	N/A	33	105

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

**50 PIAs and 10 addendums

FIGURE 4: Number of Privacy Requests by Category, 2018-2023



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 (2022/2023), 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 proof of residence. For example, some countries require people eligible for a pension from their country, who reside in Vancouver on a permanent basis, to provide proof of residence each year in order to continue to collect their pension.

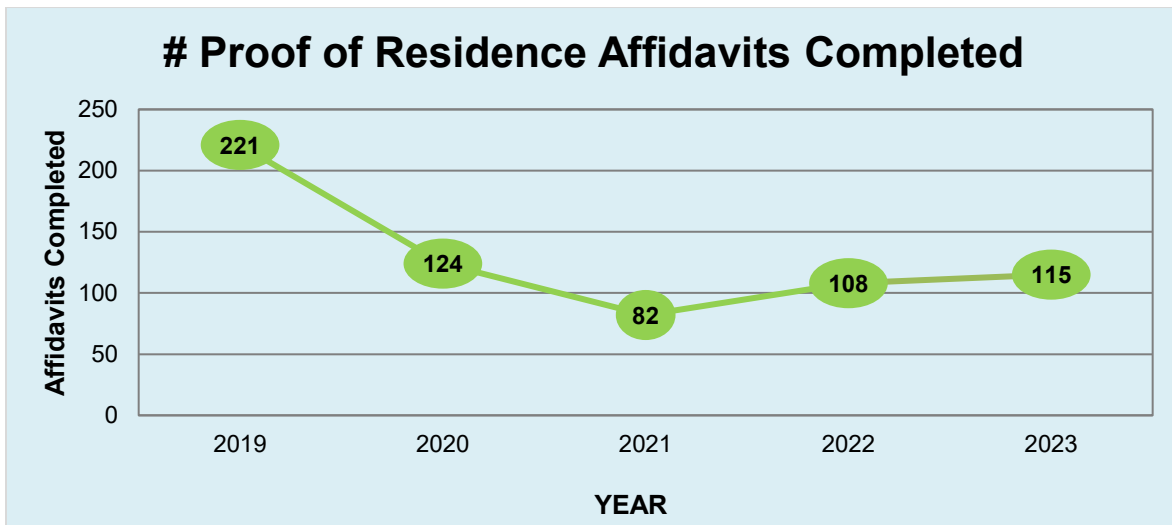
The service is free to Vancouver residents. Most of the people using the service are seniors who might otherwise have to pay a fee to a notary public to obtain the same documents.

A total of 115 applications were processed in 2023. We were able to 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 or pension organization allows their forms to be completed digitally.

TABLE 6: Proof of Residence Affidavits Completed, 2019 to 2023

Year	Proof of residence affidavits completed
2019	221
2020	124
2021	82
2022	108
2023	115

FIGURE 5: 2019 to 2023, Proof of Residence Affidavits Completed



Opportunities

Looking back at 2022

In 2022, ATIP developed and strengthened a series of training opportunities across the organization that included successfully piloting a virtual quarterly training session (via Webex) on FOI, privacy and corporate records management. This training was promoted and strengthened by 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). Other ATIP opportunities included refreshing and updating FOI and privacy public-facing content, successfully off-boarding former and onboarding new elected officials, issuing an FOI case management system RFP, setting up a process to update the City's personal information bank (PIB), developing a privacy framework plan, and exploring ways to develop and implement governance tools to ensure records are properly managed in M365.

2023 in review

In 2023, ATIP's focus was to explore opportunities to identify continuous improvement. ATIP extensively updated the organization's online training module in FOI, privacy and corporate records and information management for staff who have computer access as well as for those employees without access to the City network. ATIP updated the privacy policy and created a plan to develop and expand further policies and procedures to reinforce accountability and continuity. Projects included evaluating vendors for a future FOI case management system; streamlining a robust privacy breach protocol using continuous process improvement (CPI) methodology; and exploring how M365 integrates with the organization's existing EDRMS, as well as further strategizing records governance opportunities.

Looking ahead at 2024

In 2024, we will continue working on projects started in 2023, which include: exploring vendors for a future FOI case management system that integrates with the City's enterprise framework; honing the City's privacy breach protocol by implementing tabletop exercises; and exploring how M365 integrates with VanDocs, the City's existing EDRMS. This year, there will be a strong emphasis on reviewing and updating ATIP policies and procedures; working with CPI to streamline the PIA program to ensure robust compliance with FIPPA; and exploring artificial intelligence (AI) privacy risks in the public sector. We are also improving how we coordinate with Indigenous governing bodies to ensure the City is being respectful, fair and transparent when reviewing records for access to information requests. Our work on new campaigns to create further FOI, records and privacy awareness and understanding for staff throughout the organization continues.

Looking forward to sharing highlights and reviewing how things evolved in 2024.

Stay tuned and warm regards,

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



vancouver.ca/freedom-of-information

The City of Vancouver acknowledges that it is situated on the unceded traditional territories of the xʷməθkʷəy̓əm (Musqueam), Sk̓w̓x̓wú7mesh (Squamish), and səliłwətaʔ (Tsleil-Waututh) Nations.