

File No.: 04-1000-20-2024-416

August 22, 2024

s.22(1)

Dear s.22(1)

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

I am responding to your request dated July 9, 2024 under the *Freedom of Information and Protection of Privacy Act (the Act)* for:

**Record of the policies and procedure manual for Insurance, Claims, and Loss Control in the Risk Management department, relating specifically to the decision making processes for approving or denying claims, in use between January 1, 2021 and July 9, 2024.**

All responsive records are attached.

Under section 52 of the Act, and within 30 business days of receipt of this letter, you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your FOI request by writing to: Office of the Information & Privacy Commissioner, [info@oipc.bc.ca](mailto:info@oipc.bc.ca) or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number (2024-416); 2) a copy of this letter; 3) a copy of your original request; and 4) detailed reasons why you are seeking the review.

Yours truly,

[Signed by Cobi Falconer]

**Cobi Falconer, MAS, MLIS, CIPP/C**  
**Director, Access to Information & Privacy**

If you have any questions, please email us at [foi@vancouver.ca](mailto:foi@vancouver.ca) and we will respond to you as soon as possible. You may also contact 3-1-1 (604-873-7000) if you require accommodation or do not have access to email.

Encl. (Response package)

:pm

## PURPOSE

To investigate, determine legal liability and administer third party liability (public) claims against the City as outlined in Section 294(2) of the *Vancouver Charter*.

## PROCESS OWNER

This process is owned and managed by the **Manager, Public Claims Services** in Finance, Risk and Supply Chain Management.

## WHAT IS A CLAIM?

A claim is a request for compensation from the City where the claimant believes the City is responsible for causing injuries and/or damages to them.

A lawsuit is a claim for damages filed through the courts for a decision to be rendered by the courts.

The Public Claims Team handles claims received and hands the claim to Legal Services once an action is commenced through the courts.

## TYPES OF CLAIMS

There are generally three types of third party liability claims made against the City. A single claim may include multiple claim types.

### BODILY INJURY

Where the claimant alleges physical or psychological injuries, including medical or rehabilitation expenses.

### PROPERTY DAMAGE

Where the claimant alleges damage to property such as, but not limited to, a house, vehicle, personal property as a result of action or inaction by the City.

### ECONOMIC LOSS

Where the claimant alleges financial loss or incurred costs, such as loss of business revenue or opportunity.

## SCOPE

This document outlines the administrative process for handling third party liability claims against the City of Vancouver, the Vancouver Board of Parks and Recreation, the Vancouver Public Library Board, the Vancouver Police Board and Vancouver Police Department.

## RELATED PROCESSES OUT OF SCOPE

The below processes are related but are not detailed in this process document:

- 1. INCIDENT RESPONSE AND REMEDIATION:** when an incident related to a City asset, service or program occurs, the response and/or potential remediation is owned by the business unit responsible for the asset, service or program.
- 2. CLAIMS NOT INCLUDED IN THIRD PARTY LIABILITY CLAIMS HANDLING:** claims for first party property damage (Property Insurance) and City-licensed vehicles (ICBC insurance) are owned by the Insurance and Loss Prevention Team in FRS, and WorkSafe BC claims are not included.
- 3. LITIGATION AND ALLEGED EXCESSIVE FORCE BY VPD:** claims filed through the courts and claims where the allegation of use excessive force are handled by Legal Services.
- 4. ACCOUNTING:** the finance process and issuing payments for expenses and claim settlements is owned by Accounting Operations in Finance, Risk and Supply Chain Management.
- 5. CLAIMS RELATED EXPENSES:** the services for experts, medical records, etc. on litigated claims are procured by Legal Services and processed for payment by the Public Claims Team. The claims management software, Claims Enterprise (formerly iVOS), is the central repository for all claims data and financial information.
- 6. CLAIMS REPORTING AND ANALYSIS:** reporting, trend analysis and lessons learned documentation of claims related data.

## ROLES AND FUNCTIONS

The key roles referenced in this document include:

### OFFICE SUPPORT CLERK III (OSC 3)

The OSC 3 provides customer service and administrative support to the Public Claims Services team.

### SENIOR LIABILITY ANALYST (SLA)

The SLA is responsible for investigating all claims in an objective manner and determining legal liability. Where compensation is to be considered, evaluating damages and negotiating settlement on behalf of the City. Where the claim is to be denied, provides a full rationale outlining the City's position.

### MANAGER, PUBLIC CLAIMS SERVICES

The Manager is responsible for overseeing the claims process to ensure investigations are carried out fully, administers the claims management software (Claims Enterprise), handles claims escalated from the SLA, assigning claim files to SLA, approving payments, and being the single point of contact for Legal Services on claims in litigation.

### CLAIMANT

The person or entity (i.e. business, strata) and/or their representative involved in the incident giving rise to the loss where they are seeking compensation from the City.

### CITY CLERK'S OFFICE

The *Vancouver Charter* requires that notice in writing must be filed with (received by) the City Clerk within two months of the incident date. The City Clerk's Department is responsible for routing the notice to the Public Claims Services and Legal Services teams.

### COV DEPARTMENTS

Business groups across the City are responsible for responding to incidents and carrying out remediation where required. Departments are responsible for providing business information and other support as required to the Public Claims Services and/or Legal Services teams.

## PROCESS STAGES

There are **three stages in the administrative process** mapped in this document:

### 1. INTAKE

The steps for the OSC 3 to process the claim and incident information, for the City Clerk's Department to accept and deliver the written notice of the claim and for the Manager to assign the claim to an SLA.

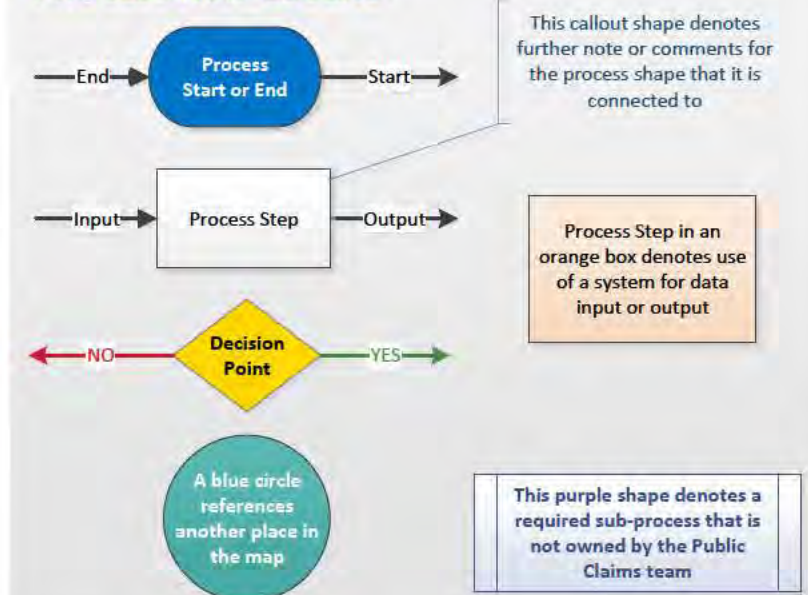
### 2. INVESTIGATE AND DETERMINE

The steps that the SLA takes to conduct an investigation before and after the written notice is received, and steps involved in determining liability and compensation.

### 3. PAYMENT AND CLOSE FILE

The steps required by the SLA, Manager, and OSC 3 to provide claim settlement funds to the claimant where applicable, and steps involved to closing a claim file.

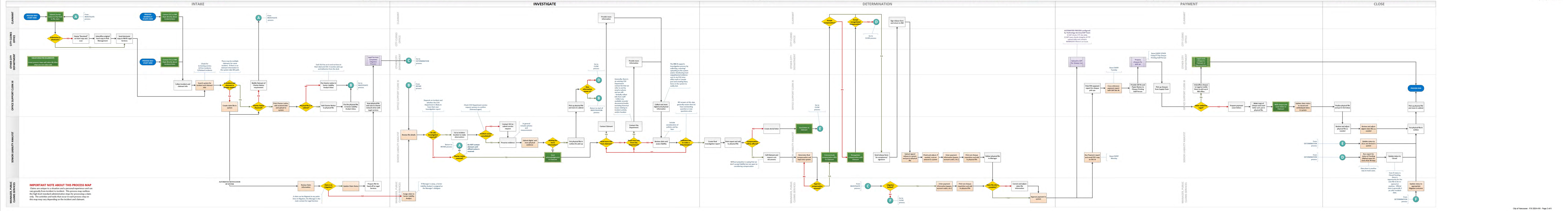
## PROCESS MAP LEGEND

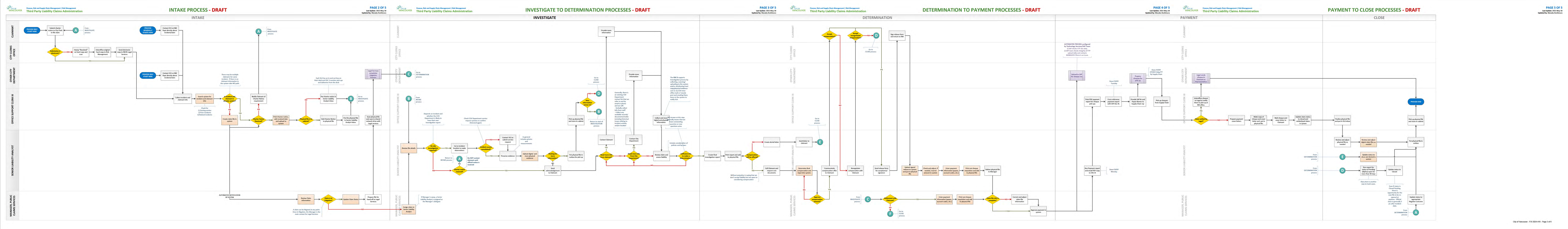


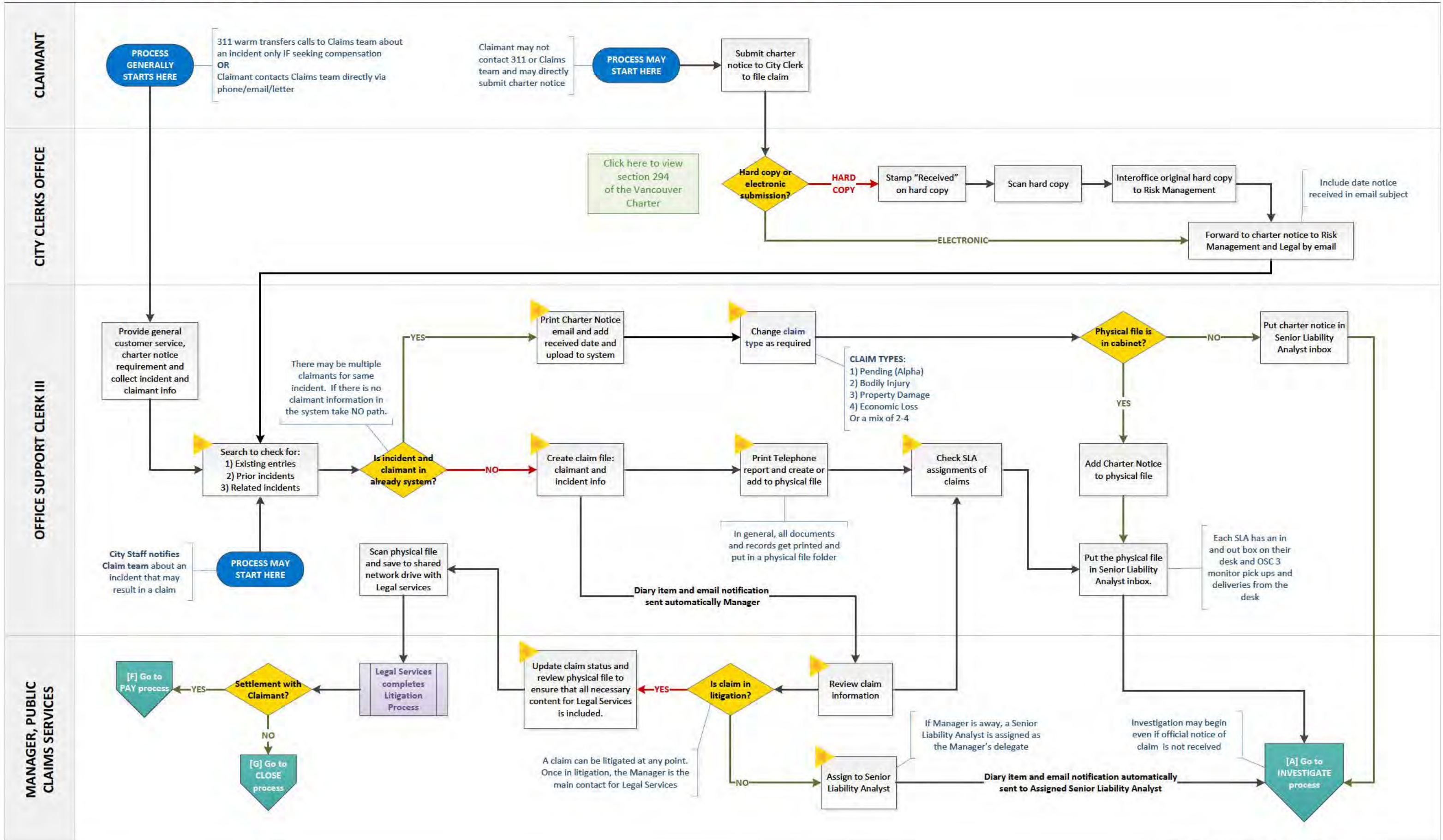
## PROCESS HELP & SUPPORT

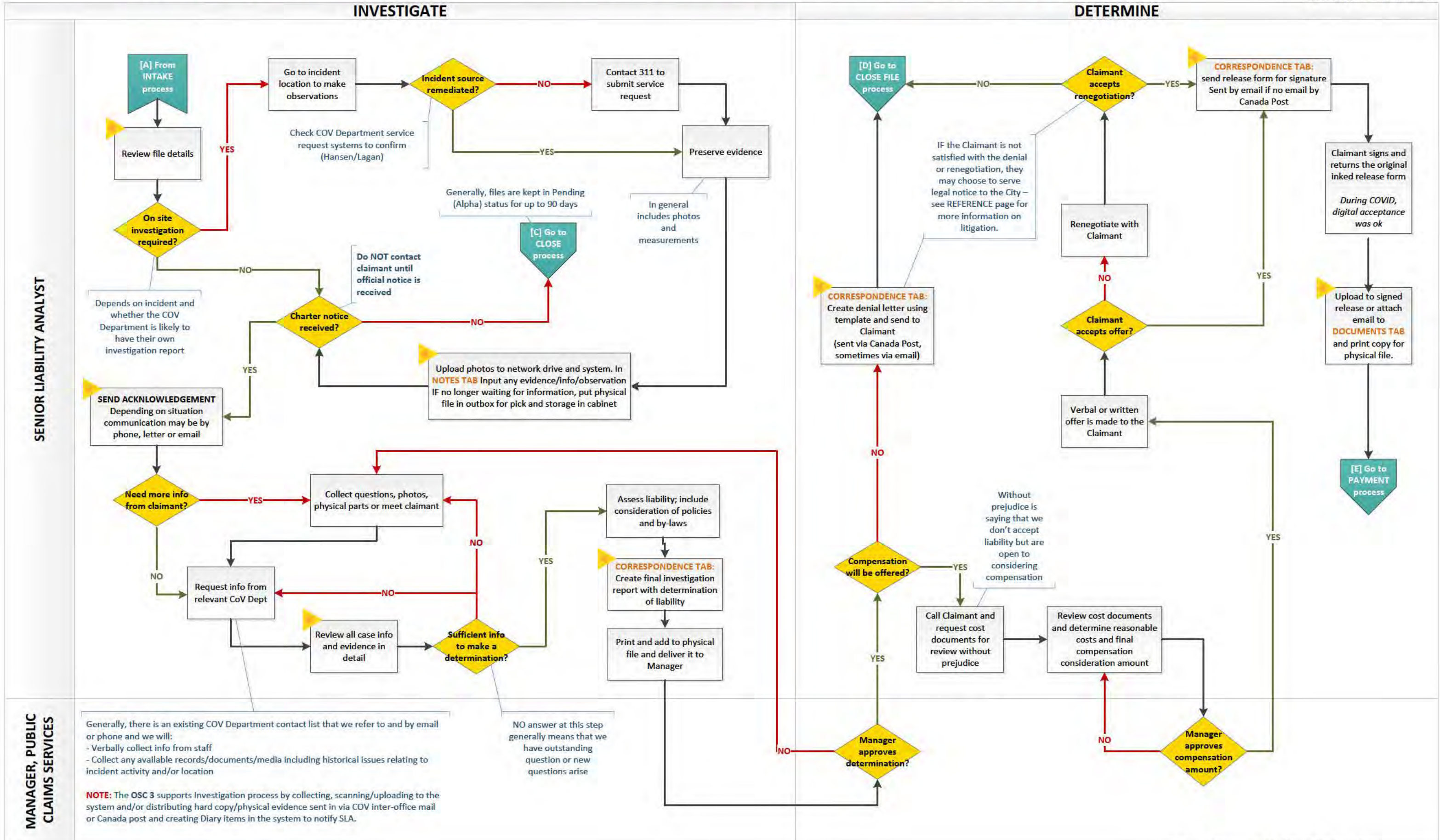
Click here to email:

[claimsinfo@vancouver.ca](mailto:claimsinfo@vancouver.ca)









SENIOR LIABILITY ANALYST

MANAGER, PUBLIC CLAIMS SERVICES

Generally, there is an existing COV Department contact list that we refer to and by email or phone and we will:  
- Verbally collect info from staff  
- Collect any available records/documents/media including historical issues relating to incident activity and/or location

**NOTE:** The OSC 3 supports Investigation process by collecting, scanning/uploading to the system and/or distributing hard copy/physical evidence sent in via COV inter-office mail or Canada post and creating Diary items in the system to notify SLA.

NO answer at this step generally means that we have outstanding question or new questions arise

Without prejudice is saying that we don't accept liability but are open to considering compensation

# PAYMENT & CLOSE FILE PROCESS - DRAFT

