Access to Information and Privacy
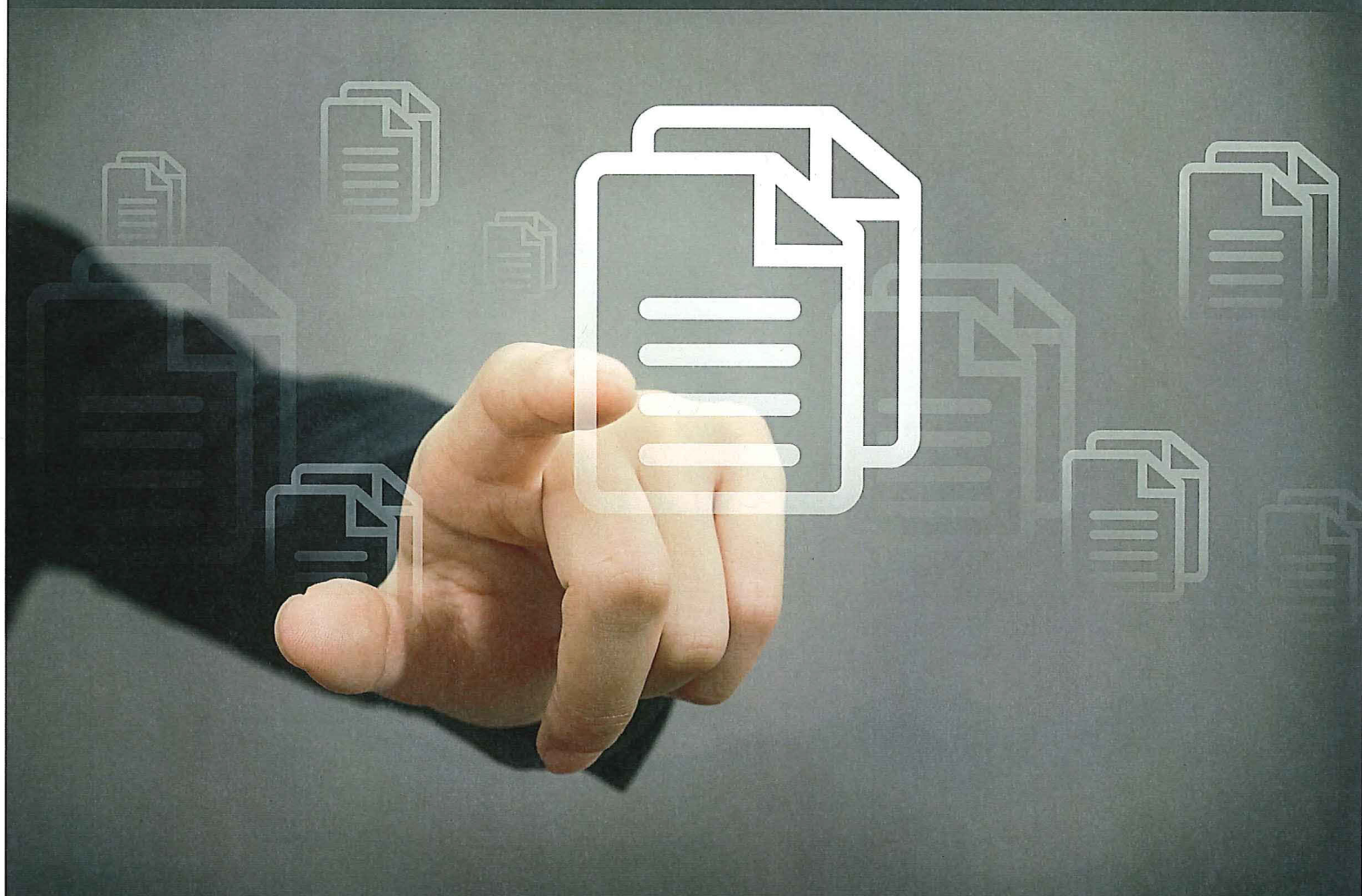
2016 Annual Report

Access to Information and Privacy (ATIP) Group
City Clerk's Department, City of Vancouver

CITY OF
VANCOUVER

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Introduction

The Access to Information and Privacy Group, (ATIP), at the City of Vancouver is responsible for processing all formal access to information requests under the *Freedom of Information and Protection of Privacy Act* of British Columbia, in addition to Ombudsperson's complaints and early resolution files, privacy complaints, corporate records management and all associated matters on behalf of the City of Vancouver.

The City of Vancouver's ATIP Office is the second busiest municipal office in Canada, with only the City of Toronto recording a higher intake of formal FOI requests each year. Responsible for Corporate Records Management and Access to Information and Privacy, the collaborative group are well known throughout the organization. Some of the group's significant 2016 milestones:

January 2, the City began publicly posting the response packages for all completed FOI requests that do not contain confidential personal or City and/or third party business information.

February 24, By-law No. 11451, the first City amendment to the By-law to provide for the administration of the Freedom of Information and Protection of Privacy Act for the City of Vancouver since 2005 was approved by City Council.

April 7, Records @ Work event, hosted and managed by the Records and Information Management ATIP section for all City staff. The 80+ attendees, from across the organization, viewed and listened to informal presentations by Records and Information Management staff along with the City of Vancouver Archives and City of Vancouver's Engineering and Planning Department Records Officers.

June 23, the Audit and Compliance branch of the Office of the Information and Privacy Commissioner completed a process review of the City of Vancouver's FOI processes and made 12 recommendations for improvement. Changes and updates to processes were implemented to address the recommendations by year end.

September 15, the FOI Office moved from a hybrid paper/paperless model to paperless.

November 21, the date the total number of formal FOI requests received in 2016, equaled the total number of formal FOI requests received in 2015, (434).

In addition to the above date-related milestones, when comparing 2016 to previous years, there were some other interesting trends:

- ❖ 17%: increase in the number of formal FOI requests received in 2016 compared to 2015.
- ❖ In 2016 FOI processed the largest number of responsive record packages with 1000 to 35,000 pages of records, 9 in total, the largest since we began recording page metrics.
- ❖ The average response time for all files in 2016 was 20 days; this is the fastest average response time for the years of 2012 to 2016.
- ❖ 23%: Lowest percentage of Media requests compared to previous years.
- ❖ 3: Highest number of new proactive datasets reviewed and approved for Open Data based on FOI request volumes for the years 2012 to 2016.

Executive Summary

The purpose of this annual report is to promote corporate and public awareness of the City's work in Access to Information and Privacy and Corporate Records Management. The annual report provides a snapshot of the year's work, summarizing the accomplishments and challenges of 2016.

The focus of the 2016 report is access to information or FOI requests as they are commonly known. FOI matters have a high degree of public interest in contrast to some of the other equally important, more internally focused work the group does such as corporate records management. FOI requests and the access to information process promote municipal government transparency through the management of public accessibility to City records and information not available through any other means.

Since 2012, the City has been tracking a core set of metrics to quantify the City's FOI work and measure the success, or identify service gaps, of new initiatives and programs focused on improving response times and public understanding of government processes. The report is comparative and contextual, providing metrics and information for the years 2012 to 2016, inclusive, where they are available.

2016 was a banner year for the City's transparency initiatives. This year, the City began posting copies of the response packages for all completed FOI requests that do not contain personal information or confidential City or third party information. Response packages are posted on a monthly basis with a minimum 30 day time lag between the time of the disclosure to the requestor and the posting. In total 258 response packages were posted, which represents 51% of total number of requests for the year.

The City also posted 5 new Open Data, datasets, including Staff Remuneration and Expense Reports, for the years 2008 to 2015, for all employees who earn more than $ 75,000 per year and Parking Ticket data for the years 2010 to 2016. Three of these datasets were recommended for proactive public disclosure by ATIP because there were a higher than normal number of FOI requests for the information. Datasets are reviewed for privacy concerns and become part of the proactive Open Data or other routine publication program if the information in the records does not have privacy implications.

Now you might intuit the continuous improvement focus and increased public disclosure initiatives would reduce the number of formal FOI requests, but in fact that does not seem to be the case. In 2016, the City received 503 formal FOI requests; a 17% increase from 2015 and the highest number of requests ever received by the City. What does seem to have changed with the new public disclosure initiatives is requestor demographics; media requests decreased, while requests from the general public increased.

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

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. For the past five years, (2012-2016), the City has experienced a slow, but steady increase in the number of formal FOI requests received, with 2016 displaying the largest increase compared to the previous five years. Table 1 and Figure 1 below provide this information in numeric and graphic form.

TABLE 1: Total number of formal FOI requests by year (2012- 2016)

Year	2012	2013	2014	2015	2016
Total # of FOI Requests	355	377	386	431	503
% Increase from previous year*	- 13% **	6%	2%	12%	17%

* Percentages are rounded to the closest whole number
** The negative number is anomalous to the trend - the large number of high profile events in 2011: the June Stanley Cup riot, October Occupy Movement and a Municipal Election, generated an unusually high number of FOI requests, which in turn skewed the 2012 year over year % increase metric for 2012.

FIGURE 1: Total number of formal FOI requests by Year
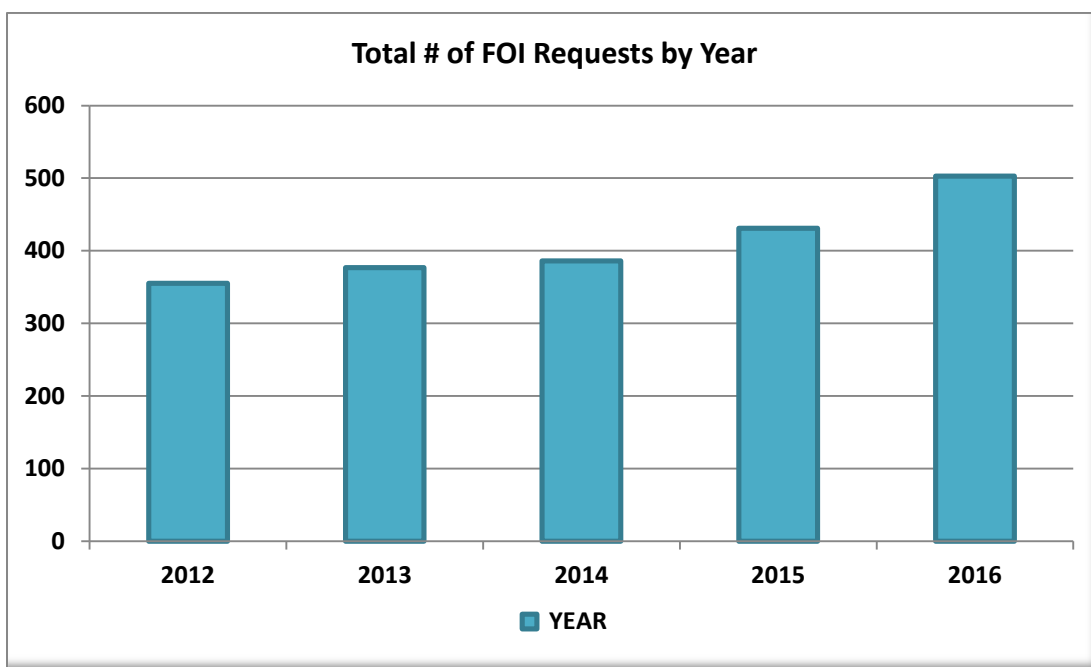
Lower Mainland Comparison – 2016 FOI Request Metrics

The Lower Mainland of British Columbia is an unofficial term historically used to describe a loosely defined area containing a number of municipalities and regional districts that have shared history and governance issues. This relationship allows for comparisons of some service delivery measures of service such as Access to Information/FOI.

An informal survey of FOI metrics for Lower Mainland Municipal Organizations was conducted in March of 2017. The results are provided in Table 2 below.

TABLE 2: 2016 Freedom of Information Requests - Lower Mainland Survey Results

Municipality or Regional District	Number of formal FOI requests processed	Percentage of requests completed within Statutory Deadlines	Percentage of requests completed within 30 business days*
City of Abbotsford	716**	100%	90%
City of Burnaby	267	100%	99%
City of Langley	37	100%	99%
City of Maple Ridge	69	100%	99%
City of New Westminster	65	100%	100%
City of Port Moody	37	100%	100%
City of Port Coquitlam	48	100%	100%
City of Vancouver	503	100%	86%
Township of Langley	171	100%	99%
District of North Vancouver	186	100%	100%
District of Tofino	14	100%	100%

* 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 the District of North Vancouver, Port Coquitlam and the Township of Langley.			
** The City of Abbotsford experienced a large increase in requests for property records over the past year related to marijuana operations.			

City of Vancouver – Comparative FOI Request Metrics – 2012 to 2016

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 4 and 5 provide some of the detailed metrics collected by year. The associated Figures display 2016 proportional information. All metrics refer to completed requests.

City of Vancouver Detailed FOI Response Metrics, 2012 to 2016

TABLE 3: Foundation Metrics

| Description	2012	2013	2014	2015	2016
Total Formal FOI Requests	355	377	386	431	503
Total Number of Pages of Records Released	36,035	44,230	36,081	21,509	58,184
Average Response Time (Business Days)	25	28	42	27	20
Number of OIPC Reviews*	10	36	33	19	14

* NOTE: FOI 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, 2012 to 2016
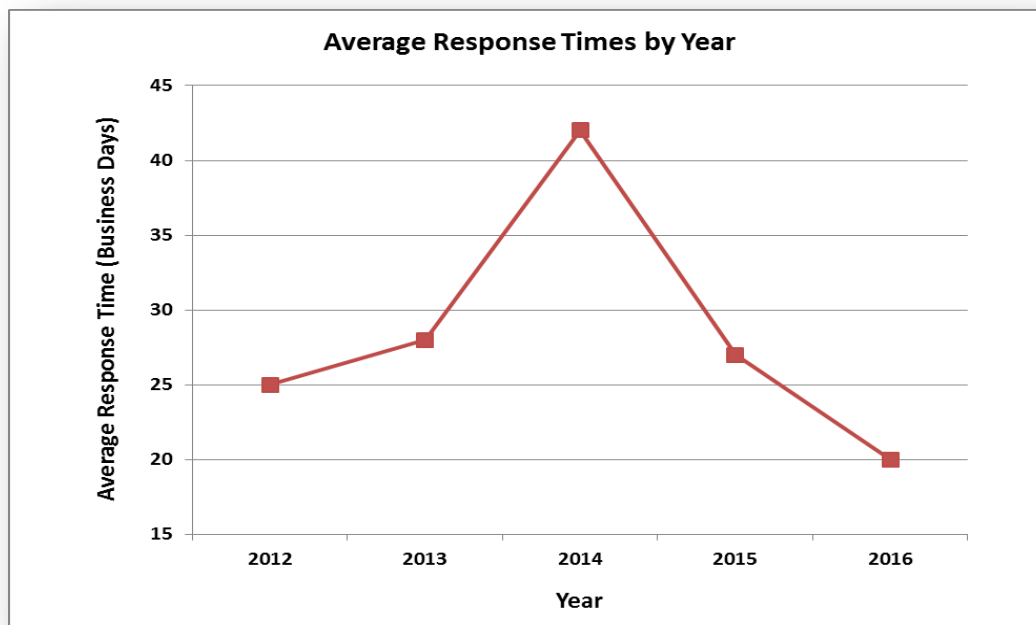
TABLE 4: Requestor / Applicant Types, 2012 to 2016

Year	2016	2015	2014	2013	2012
Requestor Types (#/Total)	503	431	386	377	355
Association/Interest Group	16	19	3	9	10
Business	46	39	18	17	14
Government Body	5	3	0	1	3
Individuals	249	173	136	140	167
Lawyer/Other Professional	66	42	47	39	41
Media	115	156	173	164	116
Other	6	2	8	7	4
Requestor Types (% of Total)					
Association/Interest Group	3%	4%	1%	2%	3%
Business	9%	8%	5%	5%	4%
Government Body	1%	1%	0%	0%	0%
Individuals	50%	40%	35%	37%	47%
Lawyer/Other Professionals	13%	10%	12%	10%	12%
Media	23%	36%	45%	44%	33%
Other	1%	1%	2%	2%	1%

FIGURE 3: Requestor / Applicant Types, 2012 to 2016
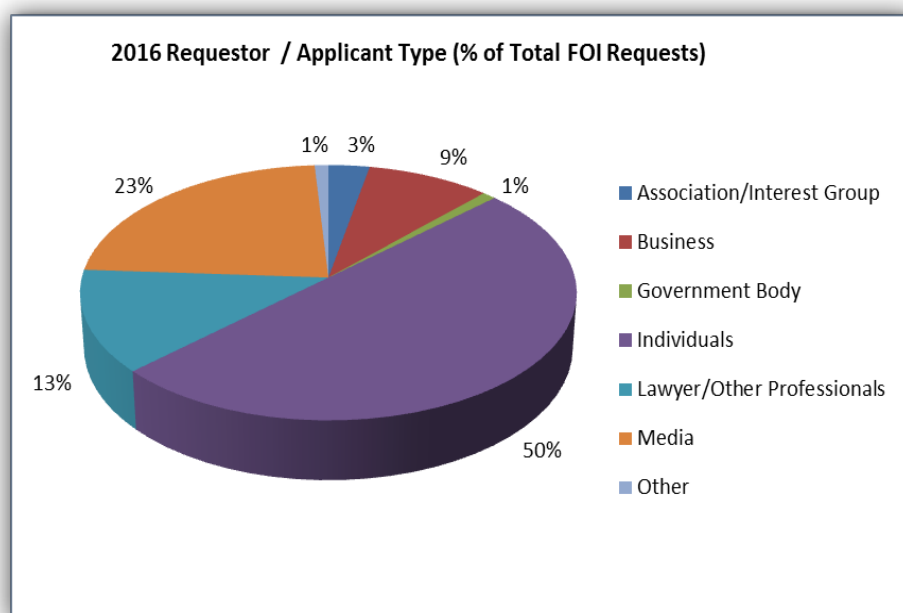
Corporate Records and Information Management (RIM)

Due to ongoing dedicated work by the Corporate Records Management unit, the City continues to see positive changes in corporate culture with respect to information management and record keeping. The transition from managing paper records to managing electronic records is ongoing. Management of electronic records provides increasing efficiencies of process and an extremely robust level of security for confidential records. The evolution from paper to electronic records is also driving changes to roles and responsibilities for RIM staff as the requirements of the work require an ever increasing technical skillset.

The RIM unit provides a range of services to guide and support diverse clients in meeting their current and evolving paper and electronic records management obligations including:

❖ Providing Tier 1 and Tier 2 system support for the City's Electronic Records and Document Management System (ERDMS): VanDocs;

❖ Training City staff on VanDocs and corporate records management principles;

❖ Maintaining the City's Records Management Policy and the Corporate Records Classification Scheme and associated Corporate Records By-law;

❖ Management of 1100+ Record Classifications and associated record retention schedules;

❖ Management of record dispositions;

❖ Providing expertise in the design, development, implementation, monitoring and evaluation of records and RIM policies, standards and best practices.

The City-wide nature of Records and Information Management means the scope of the work being performed by the RIM unit is considerable. For example:

❖ Electronically, there are over 2.5 million electronic records held in VanDocs;

❖ 156 City staff attended training courses on the records management databases and the fundamentals of records classification in 2016;

❖ Over 1400 boxes were sent to commercial off-site storage in 2015; in 2016, 1837 boxes were transferred to offsite storage;

❖ In 2015, approximately 768 files and 341 boxes were ordered from commercial off-site storage for City staff to consult, an average of 14 files and 7 boxes requested per week;

❖ In 2016, approximately 745 files and 1410 boxes were ordered from commercial off-site storage for City staff to consult, an average of 14 files and 23 boxes requested per week;

❖ 2136 Tier 1 and Tier 2 technical support calls were processed (e.g. metadata and security access control updates and organization changes by the VanDocs business team).

In 2016, the City's Records Management By-law and Policy were independently reviewed by an external Records Management Consulting firm. The objective of the review was to provide insight into the current state of the City's record retention schedule development; stakeholder validation, endorsement, and approval processes; RIM review and approval processes, as well as to compare the current state with best practices for a rigorous records retention schedule approval process. City current state was measured against five comparator municipalities.

In general, while some areas for improvement were noted, the City's documentation and processes stand up very well when compared with benchmarks.

Robust corporate records management ensures records detailing decision-making are retained and preserved in a secure and accessible manner. Having records classified and structured improves transparency. Transparency improves the public's confidence in government and its satisfaction with Council processes. Organized information also streamlines the release of information to citizens, for example, improving processes such as proactive disclosure and Freedom of Information requests.

Open Data

While Open Data is not under the direction of the Access to Information and Privacy group, both groups are integral to the City's proactive disclosure program and work collaboratively where their interests intersect.

The City's Open Data program provides free 24/7 public service to browse and download datasets from the Open Data Catalog for any lawful purpose.

Observations for the past five years from the Open Data Program:

- ❖ More people are interested to know more about Open Data and to use available datasets as one of the available resources.
    - o For example, start-ups using datasets to enhance their business offerings, researchers use available datasets to do in-depth analysis on pressing City issues, and university students use datasets to do term projects.
    - o The program has been invited to speak at several local events to increase public awareness and to provide support to local developer and civic tech communities.
- ❖ With the proactive disclosure of Staff Remuneration and Expenses reports and Council Voting datasets, program has received a number of positive responses from the public and Media in respects to increasing government accountability and transparency.
- ❖ Positive changes in corporate culture with respect to data management and data literacy.
- ❖ Over the next few years the program expects to see:
    - o An increase in demand for more datasets to be made available and to accommodate people with various data literacy levels to understand the published data easier.
        - ▪ For example, visualization and narrative data stories.
    - o To continue to align with ATIP approach to provide citizens with access to government information to improve transparency and public service delivery.
    - o A dramatic increase in the number of connected devices that generate data which will create potential for a variety of value added data services.

Privacy

As *big data*, the *internet of things* and *mobile technology* grow and become items of routine access and use by the City, so do the demands for data security, data protection and privacy-centric programs. The opportunity for gaining enhanced transparency and public outreach at a reduced cost for government through the use of new technology, must always be balanced with the City's need to meet our access and privacy obligations under *FIPPA*.

In addition to fulfilling access requests, the City must ensure the rules of the legislation are followed through good privacy practices. The ATIP group provides leadership, guidance and practical support to all City departments, working in a collaborative manner to balance the needs of the organization, while ensuring the continued security and appropriate use of personal information is in compliance with the Act.

Conclusion

This report details some of the 2016 successes of the ATIP group along with corresponding challenges. In 2016, the City experienced a 17% increase in the number of formal FOI requests while reducing the average response time for all requests by 7 days. But, in order to understand how remarkable that is, we have to put that statement in context. This reduction in response time was accomplished in a year that was notable for a large increase in the volume of work and a corresponding increase in the number of large complex, cross-departmental FOI requests.

The information access and privacy landscape continues to change with the advent of new technology and services. As a municipal government, with limited resources, the City is constantly exploring ways to utilize new technology in order to increase service to the public while reducing service overhead. The ATIP group continues to expand our collaborative, centralized business model, building a dynamic and responsive workgroup to serve current and future needs of the organization. In that vein, I would like to thank the Open Data team for providing the summary of their 2016 accomplishments and challenges, (page 8), to include with the report. Many technology innovations include a broad ability to collect personal information, but privacy legislation is firm that the City can only collect the minimum amount of personal information it requires in order to provide a program or service. This juxtaposition of business need and technological innovation able to meet those needs has brought the privacy role of the ATIP group into more prominence within the organization. As a result, more City programs are incorporating 'privacy by design' into their new programs and services.

The foundation of a strong Records and Information Management program in conjunction with a collaborative access to information and privacy process model, ensure the City's obligations and responsibilities under the *Freedom of Information and Protection of Privacy Act* of British Columbia are fulfilled.

Respectfully submitted,

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City Clerk's Department
City of Vancouver