



# FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY BYLAW

PARK BOARD  
COMMITTEE MEETING  
May 16, 2016



## 1. Legislation

- *Freedom of Information and Protection of Privacy Act (FIPPA)*; and
- Vancouver Park Board Freedom of Information and Protection of Privacy By-law

## 2. Access to Information – Park Board

- FOI Request Processing
- Metrics

## 3. Freedom of Information and Protection of Privacy By-law

- Purpose of the By-law
- Proposed Changes



# Legislation





### **Access to Information and Privacy at the Vancouver Park Board is governed by:**

1. The Freedom of Information and Protection of Privacy Act of British Columbia, (the Act or FIPPA); and
2. The Vancouver Park Board Freedom of Information and Protection of Privacy Bylaw.

## **The Freedom of Information and Protection of Privacy Act (the Act or FIPPA)**

The purposes of the Act are to make public bodies more accountable to the public and to protect personal privacy by:

- giving the public a right of access to records;
- giving individuals a right of access to, and a right to request correction of, personal information, about themselves;
- specifying limited exceptions to the rights of access;
- preventing the unauthorized collection, use or disclosure of personal information by public bodies; and
- providing for an independent review of decisions made under this Act.

The Act provides public access to “**Records.**”

In Schedule 1 of the Act a “**Record**” is defined as:

- Books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records.
- Records may be further defined in FOI terms as transitory or permanent.

## **FOI “Speak” – Common Terms**

**Applicant** – the requestor.

**Sever or Redact** – common term is ‘black out’; Redact is used interchangeably with ‘sever’.

**Review** – read a record line-by-line and make decisions regarding severing or release of information.

**Head Review** – review and sign off by the FOI Head (Park Board GM).

**Public Release** – all records are considered publicly released once they are provided to an applicant.

**Statutory Deadlines** – the Act specifies the required timeline for the FOI request response.

## **Vancouver Park Board Freedom of Information and Protection of Privacy Bylaw**

- Section 66 of FIPPA requires a local public body to designate a Head for the purposes of FIPPA by Bylaw; and
- To set fees within the prescribed limits of the FIPPA Regulation.
- The Vancouver Park Board's Freedom of Information and Protection of Privacy Bylaw designates the Park Board General Manager as the FOI Head;
- Schedule 1 of the Bylaw details the Fee Schedule.





# Access to Information



## Access to Information FOI Request procedure:

- Requests are electronically tracked from receipt to response; process documents such as email requests for records to department FOI designates are stored in the FOI file folder.
- FOI Intake reviews each request when it's received and corresponds with the applicant if the request requires clarification, narrowing of scope or any other broader understanding in order to begin the request.
- FOI designate conducts responsive record searches; all staff and/or Park Board members who may have responsive records are contacted.
- Open requests are reviewed daily to ensure statutory deadlines are met and ensure timely processing.
- Access to Information requests are completed within statutory deadlines.

## 2011 to 2015 Vancouver Park Board – FOI Request Summary

Year	Media	Legal	Individual	Total
2011	4	0	9	13
2012	9	6	12	27
2013	6	3	5	14
2014	4	4	8	16
2015	6	4	12	22





# Vancouver Park Board Freedom of Information and Protection of Privacy By-law



## History

- October 1982 – Original City of Vancouver Bylaw was approved
- Preceded the Provincial Legislation by ten years
- 1992 - *The Freedom of Information and Protection of Privacy Act of British Columbia*, (the Act or *FIPPA*), was passed by the Legislature
- Did not apply to Local Public Bodies, i.e. Vancouver Park Board until amended in 1994
- Park Board's existing FOI By-law was adopted by the Park Board in 1994 and last updated in 2003

### **Purpose of the Vancouver Park Board Freedom of Information and Protection of Privacy Bylaw**

- Section 66 of FIPPA requires a local public body to designate a Head for the purposes of FIPPA by Bylaw; and
- To set fees within the prescribed limits of the FIPPA Regulation.
- The Vancouver Park Board's Freedom of Information and Protection of Privacy By-law designates the Park Board General Manager as the FOI Head;
- Schedule 1 of the Bylaw details the Fee Schedule.



## Summary of By-law Changes:

- 1. That the by-law be revised to remove all sections that are set out in the governing provincial legislation:**
  - Existing by-law contains a number of sections listing the duties of the Head
  - The duties of the Head are contained in the provincial statute
  - Listing the duties of the Head in the by-law is unnecessary and of no legislative effect
- 2. That the FOI fee schedule of the bylaw be updated to reflect current technology**
  - Existing Fee Schedule contains outdated references to technology, i.e. a fee for copying a record to a floppy disk

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