

INFORMATION NOTE

Advice to Minister

DATE: September 13, 2019

CLIFF#: 112046

ISSUE: Annual report on the administration of the *Freedom of Information and Protection of Privacy Act*

BACKGROUND:

Section 68 of the *Freedom of Information and Protection of Privacy Act* (the Act) requires the Minister responsible for the Act to prepare an annual report on its administration and lay the report before the Legislative Assembly as soon as possible.

The report has historically been made available on the government website at <http://www2.gov.bc.ca/gov/content/governments/about-the-bc-government/open-government/open-information/freedom-of-information/performance-measures-statistics>.

The report provides a number of metrics that illustrate how government is meeting its duties under the Act, including:

- Privacy breaches reported.
- Proactive disclosures of information made by government.
- Freedom of Information (FOI) requests received.
- FOI requests closed.
- On-time performance for FOI.
- Privacy and Access Helpline requests.

The report also highlights a number of areas of progress and accomplishments in the areas of accountability and transparency, enhancing the culture of privacy and service improvements to FOI.

DISCUSSION:

A report has been prepared on the administration of the Act for the 2017/18 and 2018/19 fiscal years.

The report makes a number of findings:

- Ministries continue to receive an increasing number of FOI requests:
 - In the 2017/18 fiscal year, ministries received 10,471 total requests.
 - In the 2018/19 fiscal year ministries experienced another significant increase in the number of general requests received, with a new record-setting high of 12,255.
- Response times are decreasing:
 - In the 2017/18 fiscal year, 90 percent of requests were responded to within legislated timelines. The average number of processing days per request dropped to 39 days from 46 days in the prior fiscal year.
 - In the 2018/19 fiscal year, 89 percent of requests were responded to within legislated timelines, and the average number of processing days per request increased to 41 days.

- The public service is facing new challenges:
 - There has been an increase in the number of FOI requests that target information associated with individual government employees, requesting information regarding things like internet browser histories, applications downloaded on mobile devices and screenshots of computer desktops.
 - These requests can often be challenging to analyze because there are privacy considerations associated with disclosing information that could reveal the employee's personal information or the personal information of others.
- The fees collected from FOI applicants remain very low:
 - Of the 4,494 general requests closed by ministries in the 2017/18 fiscal year, fees were only collected for 157. The average fee per request was \$6.00.
 - Of the 7,222 general requests closed in the 2018/19 fiscal year, fees were collected for 151. The average fee per request was \$5.00.
 - According to a review of FOI costs conducted by Deloitte Canada in 2017/18, the estimated annual cost to government of FOI is \$28 million, making the average cost of processing a single FOI request approximately \$3,000.
- We continue to build a strong culture of privacy protection:
 - Over 90 percent of reported privacy breaches were assessed as having little or no risk of harm in 2017/18 and 2018/19.
 - As of the 2018/19 fiscal year, 13 Ministry Privacy Officers have been designated accountability for privacy within each ministry or sector.

NEXT STEPS:

The House will resume sitting on October 7, 2019. The Minister's Office should work with the Government House Leader to schedule the tabling of the report and to ensure the Minister is provided with the correct script/parliamentary procedures for taking leave to submit the report.

Attachment(s): *Freedom of Information and Protection of Privacy Act* Annual Report
Letter of Transmittal

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Report on the Administration of the Freedom of Information and Protection of Privacy Act



2017/18 & 2018/19

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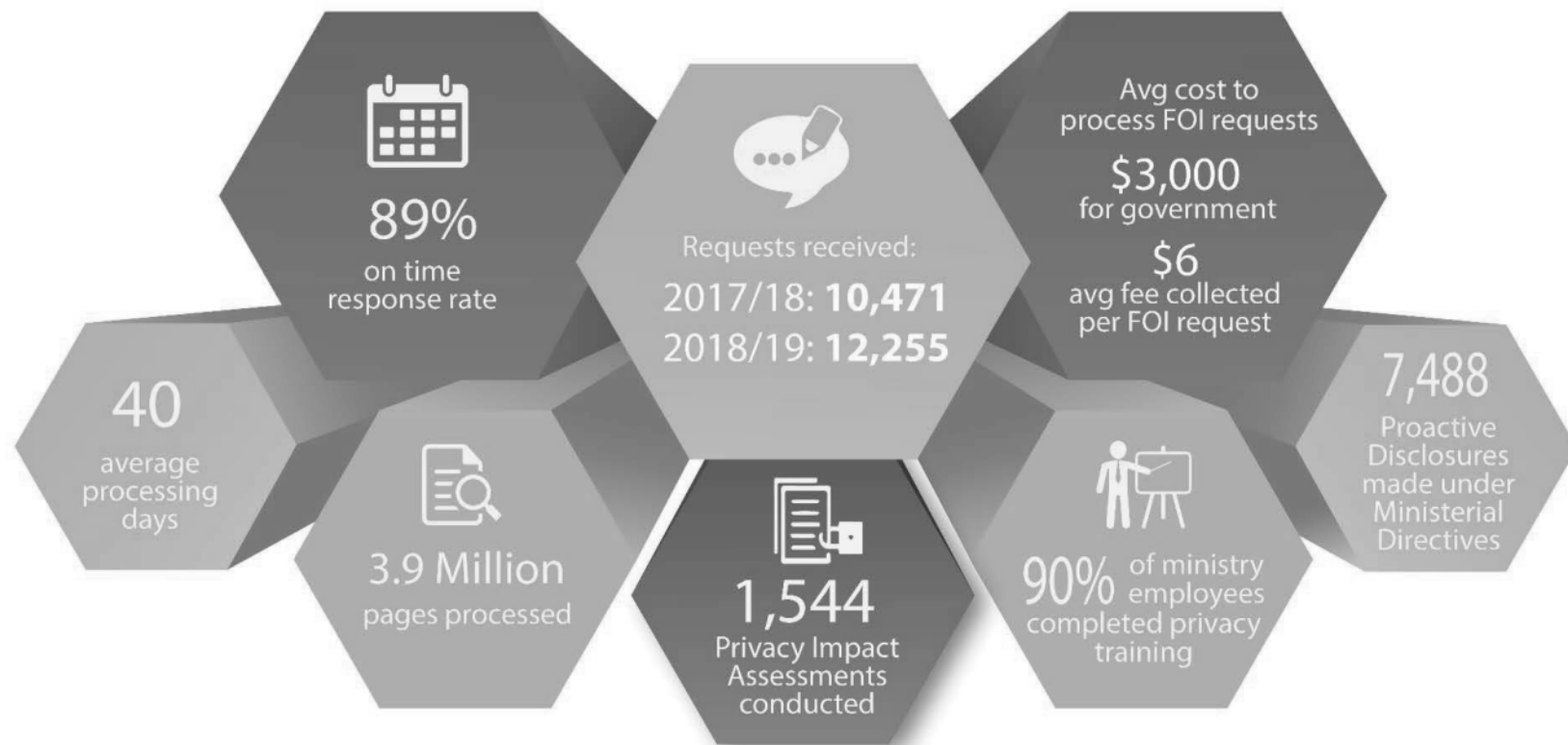
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At a Glance



Access to Information

BC established itself as a leader in freedom of information and privacy protection when FOIPPA was enacted in 1993. FOIPPA makes provincial public bodies open and accountable by establishing the public's right to access information. FOIPPA gives any person the right to request information about themselves (personal requests) and about government business (general requests) from more than 2,900 public bodies. FOIPPA also sets a requirement for public bodies to make information available to the public through proactive disclosure — providing access to information that people want, without the need for a formal FOI request.

Premier John Horgan provided a mandate to the Minister of Citizens' Services to make substantive progress on the following priorities:

- Improve access to information rules to provide greater public accountability
- Improve response and processing times for freedom of information requests

Over the course of the two fiscal years described by this report, work has been underway to examine the processes, policies, regulation and legislation related to access to information, in order to improve services for the people of BC. The aim is to make improvements to the FOI system that are necessary to meet the continued high demand for quality access to information services and to address emerging challenges related to advancing technology and high volumes of complex FOI requests.

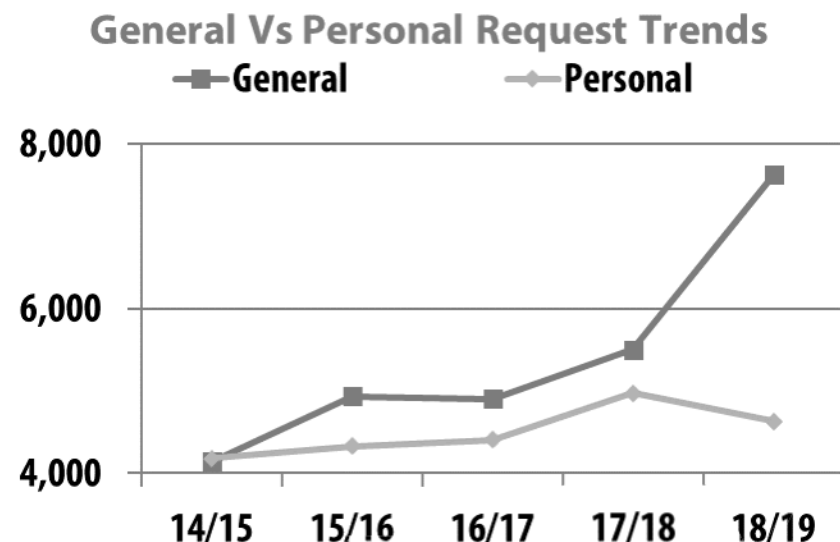
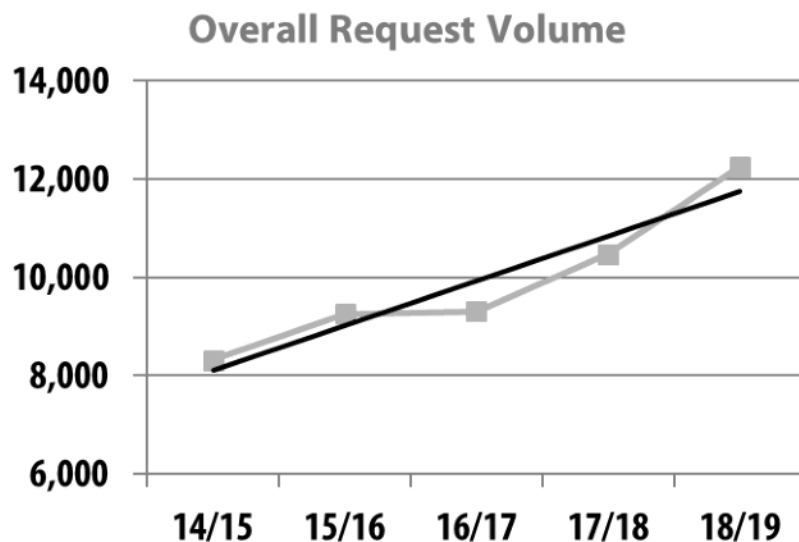
The Volume of FOI Requests is Trending Upwards

Ministries continue to receive an increasing number of FOI requests.

BC has an active and informed stakeholder community that makes more requests per capita than in the three prairie provinces (AB, SK, MB) combined. These requests come from a variety of sources; however, applicants can be broadly categorized in three areas:

- individuals (or their representatives) seeking their own personal information
- political parties, public agencies, interest groups, and researchers working for them
- academic researchers, and commercial applicants such as members of the media and businesses.

As indicated in the chart below, the volume of requests fluctuates year over year. However, there is a clear trend upwards, and government continues to process an increasing number of general requests, which also continue to grow in breadth and complexity.



Response Times are Decreasing

In the 2017/18 fiscal year, ministries responded to 90% of requests on time.

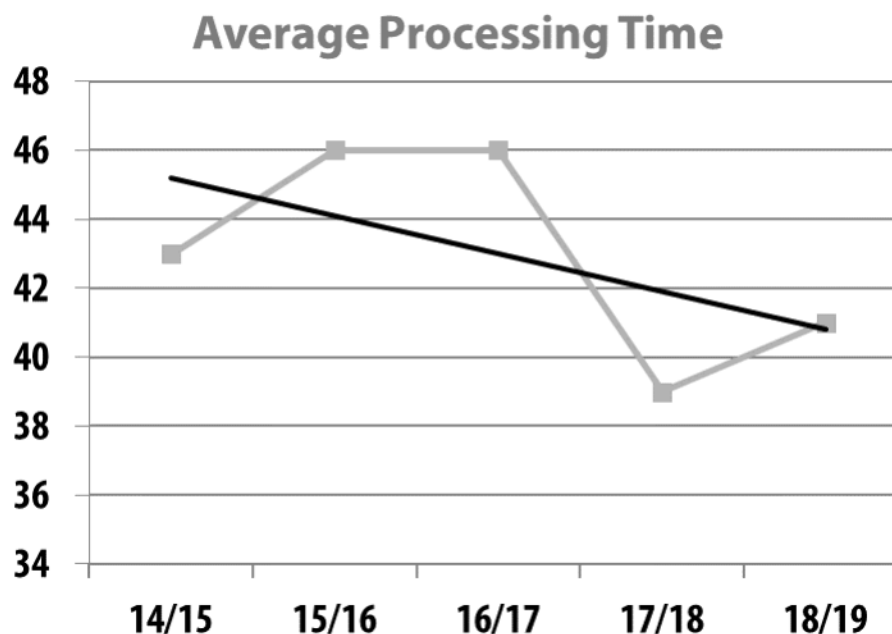
In the 2018/19 fiscal year, 89% of requests were responded to on time.

The volume of requests has reached levels not seen in over a decade. In the 2017/18 fiscal year, 10,471 requests were received. In the 2018/19 fiscal year, 12,255 requests were received.

Despite this increase, on-time response volumes have generally improved, and the average processing time for requests has decreased.

In the 2017/18 fiscal year, 90 percent of requests were responded to within legislated timelines. The average number of processing days per request dropped to 39 days from 46 days in the prior fiscal year.

In the 2018/19 fiscal year, 89 percent of requests were responded to within legislated timelines, and the average number of processing days per request increased to 41 days.



Timeliness is trending the right direction despite a general shift in the complexity of requests, with three factors contributing to this increase:

1. Requests for information are becoming increasingly broader, capturing a wider range and volume of records.
2. There is increase in the number of requests made to multiple ministries concurrently.
3. Systematic and repetitious requests are growing in frequency.

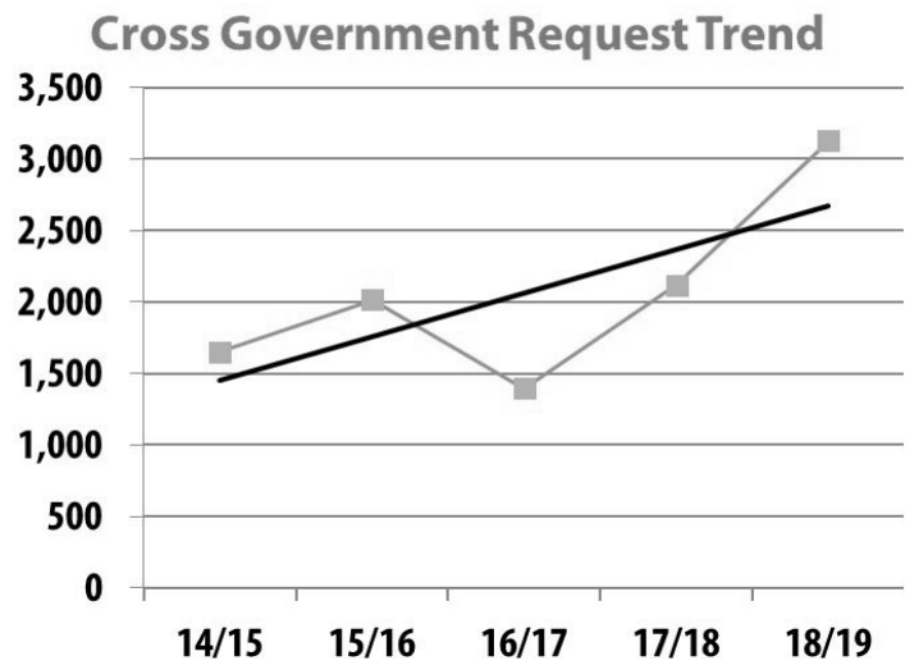
The Public Service is Facing New Challenges

The public-sector information landscape continues to change dramatically. The rapid pace of innovation and growth in digital communication and data storage capacity means that more records are being created than ever before.

Applicants have begun to submit requests for new types of information, such as system tracking logs, which are by-products of some of the IT systems that government uses to conduct its day-to-day business. This information is produced in massive quantities, and in some cases, it can contain highly sensitive information — including personal information — which must be protected. In the past two fiscal years, there has been an increase in broad and repetitious requests for this type of information, resulting in thousands of lines of data being reviewed for disclosure.

There has also been an increase in the number of FOI requests that target information associated with individual government employees, requesting information regarding things like internet browser histories, applications downloaded on mobile devices and screenshots of computer desktops. These requests can often be challenging to analyze because there are privacy considerations associated with disclosing information that could reveal the employee's personal information or the personal information of others.

Adding to the complexity of these requests is the fact that they are often made to multiple ministries simultaneously. A single "cross-government" request (an FOI request made to four or more ministries) can amount to hundreds of hours of search and processing time across multiple ministries.



In addition to the increased workload, these cross-government requests also lead to increases in the number of times government provides “no responsive records” responses to applicants. Despite government’s efforts to reduce the overall number of FOI responses that yield no records, these repetitious cross-government requests have led to an increase in the number of “no responsive records”, because of thousands of requests being directed to ministries that do not hold records about the matter in question. In the 2016/17 fiscal year, 848 requests resulted in no responsive records being located. In the 2017/18 fiscal year, 1,225 requests resulted in no responsive records, and in the 2018/19 fiscal year, that number increased to 1,803.

These new challenges are creating a strain on the FOI system, as public servants react to these new trends, while ensuring effective and timely FOI services are provided to all British Columbians.

The Fees Collected from FOI Applicants Remain Very Low

FOIPPA permits public bodies to collect fees for some services related to processing general requests for access to information. Fees for FOI services are not intended to be a deterrent or barrier to access; they are intended to provide a means of modest cost recovery and should provide an incentive for applicants to submit clear and focused requests and consider to which public body they wish to direct their request, in order to effectively target the records that they are interested in.

Recent analysis indicates that the majority of FOI request responses are provided without a fee and that the volume of fees collected by government for FOI represents only a small fraction of the costs associated with administering the system.

Of the 4,494 general requests closed by ministries in the 2017/18 fiscal year, fees were only collected for 157. The average fee per request was \$6. Of the 7,222 general requests closed in the 2018/19 fiscal year, fees were collected for 151. The average fee per request was \$5. According to a review of FOI costs conducted by Deloitte Canada in 2017/18, the estimated annual cost to government of FOI is \$28 million, making the average cost of processing a single FOI request approximately \$3,000. These estimates factor in direct costs (e.g. labour), indirect costs (e.g. IT and facilities), and the cost of legal services.

Ministries collected approximately \$60,000 in fees for FOI in the 2017/18 fiscal year, and \$63,000 in the 2018/19 fiscal year. This accounts for approximately 0.2 percent of the total estimated annual cost of government's FOI system.

Government is Committed to Enhancing Proactive Disclosure

One of the ways government is demonstrating its commitment to transparency and accountability is through the continued enhancement of its proactive disclosure initiative. Proactive disclosure is any release of government information to the public without requiring a formal FOI request. Proactive disclosure can reduce the volume of overly broad FOI requests that may occur when a person is seeking information but is unsure whether it exists or where. The practice of disclosing information on a routine basis can strengthen underlying principles of accountability and transparency, making it easier for British Columbians to participate in the political process and engage with government on topics of interest to them.

Categories of Records Established by Public Bodies for Proactive Disclosure

Section 71 of FOIPPA states that the head of a public body must establish categories of records in their custody or control that are made available to the public without a request for access. While these disclosures are typically made via the internet, these disclosures can also include the release of information in other formats. Ministries disclose a great deal of information outside of the FOI process. For example, disclosures are routinely made through:

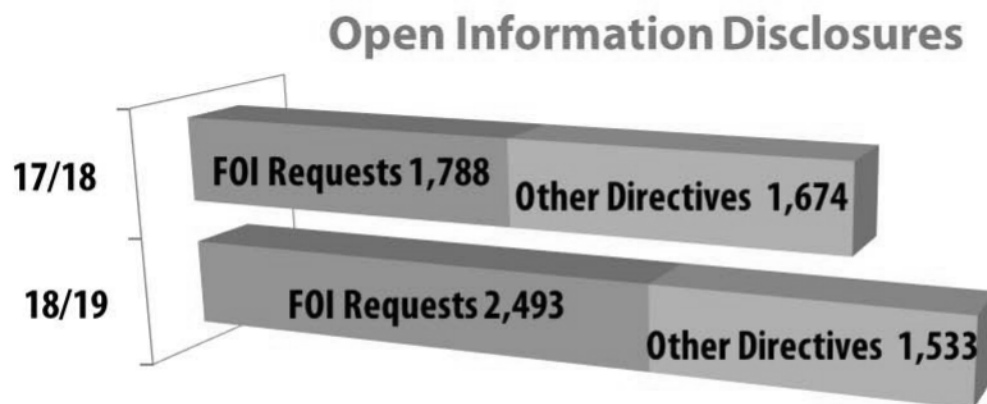
- Online repositories and interactive tools such as Drive BC, [BC Data Catalogue](#), a variety of web applications and services that provide access to [geographic data](#), the [BC Economic Atlas](#), [Open Information](#), and [OrgBook BC](#)
- www.gov.bc.ca
- A variety of social media channels

Categories of Records Established by the Minister Responsible for FOIPPA

Section 71.1 of FOIPPA provides the Minister responsible for the Act with the authority to establish categories of records in the custody or under the control of one or more ministries that must be made available to the public without a request for access. Where a proactive disclosure category is established, ministries must follow any [directions](#) issued by the Minister relating to the disclosure of the information.

Records in these categories are published to government's Open Information website or the BC Data Catalogue. As part of this corporate proactive disclosure initiative, the Ministry of Citizens' Services continues to conduct analysis of the FOI requests received by government, to identify trends and establish new categories of records to be disclosed under potential future directives. Since the directives were issued in 2016, 7,488 disclosures have been made.

In 2018, in response to stakeholder feedback, the Minister rescinded and replaced two of these directives, to make adjustments to the information being disclosed to better protect the integrity of media applicants' rights to access information in the pursuit of journalistic endeavours.



Protecting Privacy

Awareness Leads to Action on Privacy Breaches

Over 90% of reported privacy breaches were assessed as having little or no risk of harm in fiscal years 2017/18 and 2018/19.

As awareness of privacy management principles increases, so too does action taken by employees in identifying areas of non-compliance and reporting potential privacy breaches. A privacy breach is the collection, storage, access, use or disclosure of personal information that is not authorized by Part 3 of FOIPPA. It is important to recognize that not all privacy breaches are the same.

In the 2017/18 fiscal year, there was an increase in the number of actual or suspected privacy breaches and complaints reported to investigators, from 1,671 in the 2016/17 fiscal year to 1,803 in the 2017/18 fiscal year. In the 2018/19 fiscal year, there was a further increase in the number of actual or suspected privacy breaches and complaints reported to investigators, from 1,803 in the 2017/18 fiscal year to 2,013 in the 2018/19 fiscal year.

Not all reports and complaints are found to involve actual privacy breaches, which is why investigations are conducted to assess each possible privacy breach and complaint and to ensure government respond appropriately.

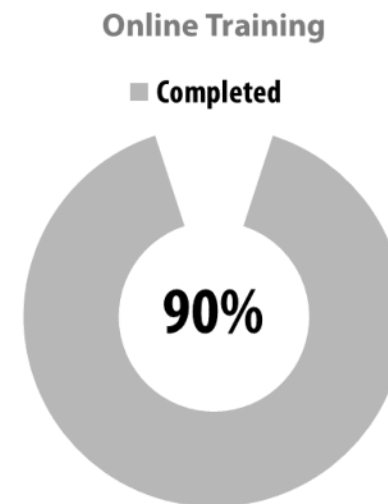
All actual or suspected privacy breaches and complaints are classified according to the risk of potential harm, the sensitivity of the information involved, and the type of investigative or other actions needed to respond to contain and resolve the incident. In each case, investigators classify the incident on a five-tier system based on several variables, including threat, risk and harm.

In fiscal years 2017/18 and 2018/19, no actual or suspected privacy breaches were identified as being at the top of the five-tier system, which represents the greatest risk of harm. Additionally, a significant majority of actual or suspected privacy breaches and complaints reported (93 percent in the 2017/18 fiscal year and 95 percent in the 2018/19 fiscal year) represented little to no risk of harm to impacted individuals.

Building Privacy Requirements into Government Programs

The Privacy Impact Assessment (PIA) is an important tool used by public bodies to determine whether a current or proposed enactment, system, project, program or activity meets the privacy requirements in FOIPPA. Ministries are required by law to conduct these assessments in accordance with the directions of the Minister responsible for the Act and must submit the PIA for review and comment by a privacy expert in the Ministry of Citizens' Services during the development stage of the initiative.

The PIA process is vital in ensuring that government employees are aware of their responsibilities respecting the proper handling of personal information. This process assists ministries in ensuring that any initiative that involves the collection, use or disclosure of personal information is carried out safely, securely and in accordance with the law. In the 2017/18 and 2018/19 fiscal years, there was a continuation of an upward trend in the number of PIAs conducted by ministries.



Building a Strong Culture of Privacy Protection

As of the 2018/19 fiscal year, 13 Ministry Privacy Officers (MPOs) have been designated accountability for privacy within each ministry or sector. These individuals and their staff have the necessary knowledge and experience with ministry portfolios, combined with privacy expertise to support privacy being built-in to new initiatives.

Training and awareness are also vital to ensuring that all government employees are aware of their responsibilities when it comes to managing the personal information in their care.

Privacy experts conduct in-person, online and webinar training sessions for thousands of ministry employees and public servants across the broader public sector annually. In addition, all ministry employees are required to complete a mandatory, online information management training course, which must be refreshed every two years. This course includes modules on privacy, access to information,

proactive disclosure, records management and information security. At the end of the 2018/19 fiscal year, 90 percent of all ministry employees had completed the course. This number fluctuates continuously, as new employees enter the public service and current employees leave or retire.

Confirming Common Programs

Any time a public body intends to collect, use or disclose personal information, it must ensure that it has an appropriate authority under FOIPPA. The Act provides specific authority for central agencies to exchange information with their partners to provide centralized services. These are known as “common programs”. In order to rely on these authorities, a central agency or other shared service must first be confirmed as a “common program” through either a common program agreement or an Order issued by the minister responsible for FOIPPA.

In 2017, the Minister of Citizens’ Services signed four Ministerial Orders confirming four central agencies — the Corporate Information and Records Management Office (CIRMO), Government Communications and Public Engagement (GCPE), the Office of the Chief Information Officer (OCIO) and BC Mail Plus (BCMP) — as common or integrated programs under FOIPPA. These were the first such Ministerial Orders signed by a Minister responsible for FOIPPA. Common programs are subject to additional oversight by the Information and Privacy Commissioner.

Looking Forward

Responding to the 2018 Public Engagement

The Ministry of Citizens' Services continues to seek input from the public on how government can strengthen access to information and privacy, two fundamental rights that are important to the people of BC.

In the spring of 2018, an online public engagement was initiated. Stakeholder organizations, subject matter experts and interested members of the public were invited to provide written submissions to government or participate in an online dialogue focused on a series of topics related to access to information and privacy. These topics included:

- The FOI process
- Protecting your privacy
- Getting access to the information you want
- Fees for FOI requests
- Reporting privacy breaches
- Offences and penalties in FOIPPA

Government heard from several individuals, organizations and experts, who provided valuable input on how government can do a better job providing public access to information and protecting privacy. In addition to recommendations for process and service improvements, the ministry also received numerous recommendations for changes to FOIPPA itself, which has not been substantially amended since 2011.

Following a thorough review of the submissions, government released its "[What We Heard](#)" report in February 2019, which summarized the key themes from the input received during the engagement. The input received from the online engagement will inform future improvements to government's access and privacy systems as well as the law that governs them.

Improving the FOI System

In addition to the engagement, a user-centred “Service Design” assessment of government’s FOI operations was also conducted in 2018. This involved engaging with the people who utilize access to information services to understand users’ needs and explore opportunities for improvement. As a result, a roadmap was developed for improvements to several aspects of the FOI system, such as increased education and awareness for FOI applicants, improvements to the FOI Request Form, and changes to internal policies and processes. The goal of these projects is to re-focus activities on assisting people and improving service delivery by leveraging small improvements that will have the greatest impacts on the quality of services provided to British Columbians.

Increasing Proactive Disclosures

In addition, government continues to look for opportunities to increase proactive disclosures. New Ministerial Directives, which will expand the categories of records routinely released, are anticipated in the coming year. The Ministry of Citizens’ Services also continues to encourage ministries to make proactive disclosures to the public by identifying and establishing new categories of records within their own unique information holdings.

Introducing the British Columbia Information Privacy Certificate Program (BCIP)

The newly introduced British Columbia Information Privacy Certificate Program (BCIP) offers comprehensive privacy training designed specifically for the provincial public sector. It is for employees committed to protecting privacy and those preparing for a career in information privacy. Since the program was launched in April 2018, 311 public service employees have initiated this comprehensive privacy program.



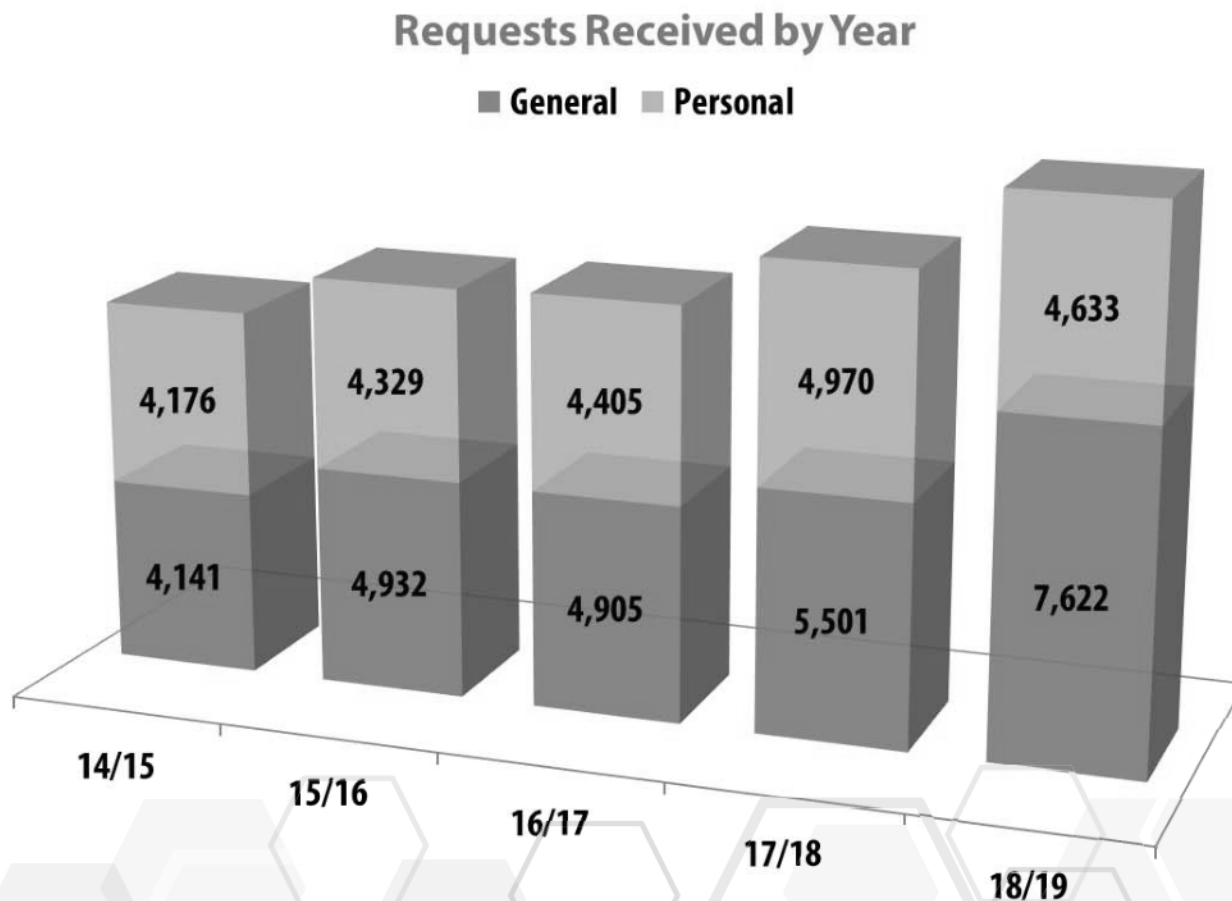
FOIPPA by the Numbers

2017/18 – 2018/19

Freedom of Information

FOI Requests Received by Year

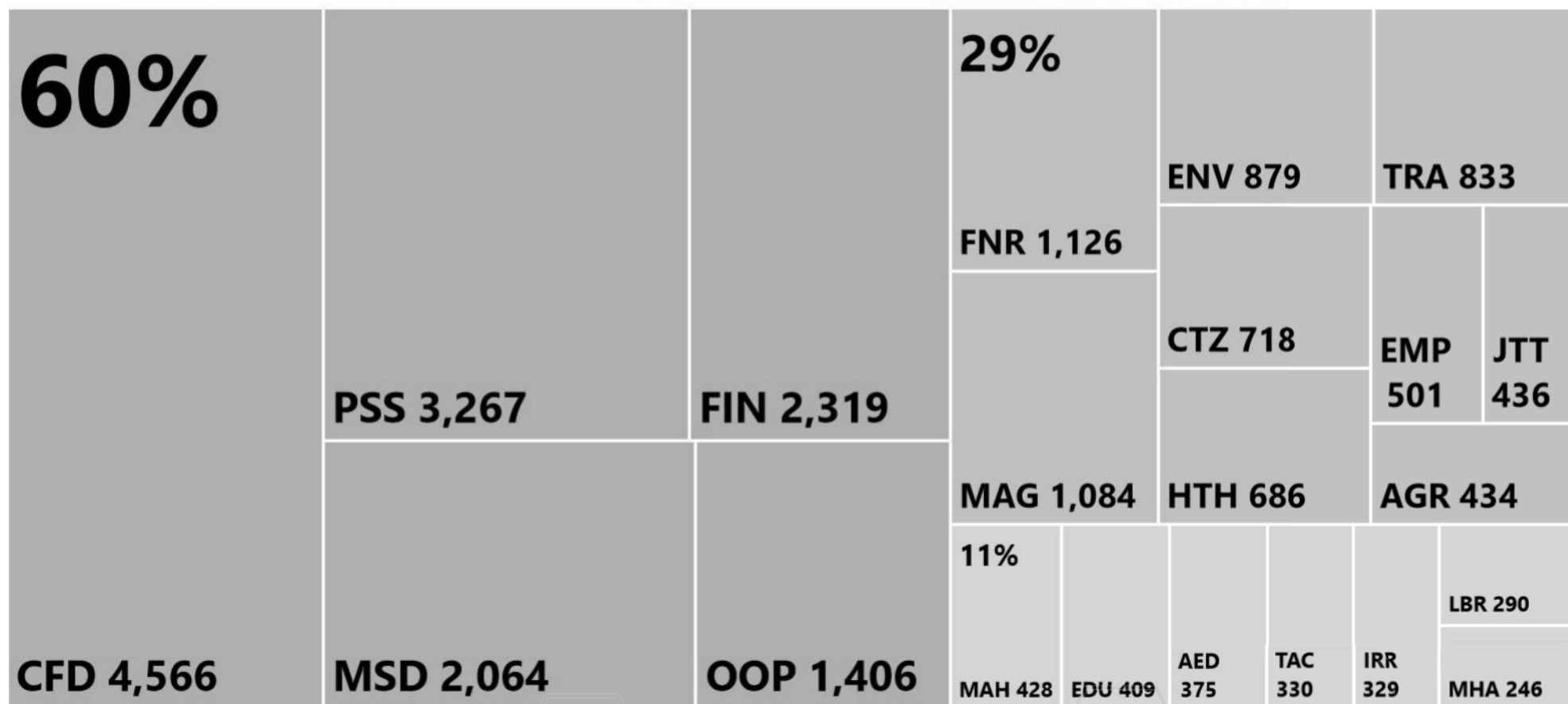
FOI requests are separated into two main types: personal requests — when an individual requests their own personal information held by government — and general requests, which are requests for all other government information. In the 2017/18 fiscal year, government received 10,471 total requests, encompassing increases in both personal and general requests. In the 2018/19 fiscal year, government received a total of 12,255 requests, which is the highest volume in over a decade. This volume is attributed to a significant increase in the number of general requests received, up 2,121 from the previous fiscal year, while the total number of personal requests actually decreased.



FOI Requests by Ministry

60 percent of all FOI requests made to ministries are directed towards just five: Children and Family Development, Public Safety and Solicitor General, Finance, Social Development and Poverty Reduction, and the Office of the Premier.

Total General and Personal Requests Received by Ministry 2017/18 and 2018/19



Approximately 70 percent of all personal requests made to ministries are directed towards two ministries: Children and Family Development and Public Safety and Solicitor General. Just under 30 percent of requests are divided between Social Development and Poverty Reduction, Finance, Attorney General and Health. The other 15 ministries receive just two percent of the total personal requests.

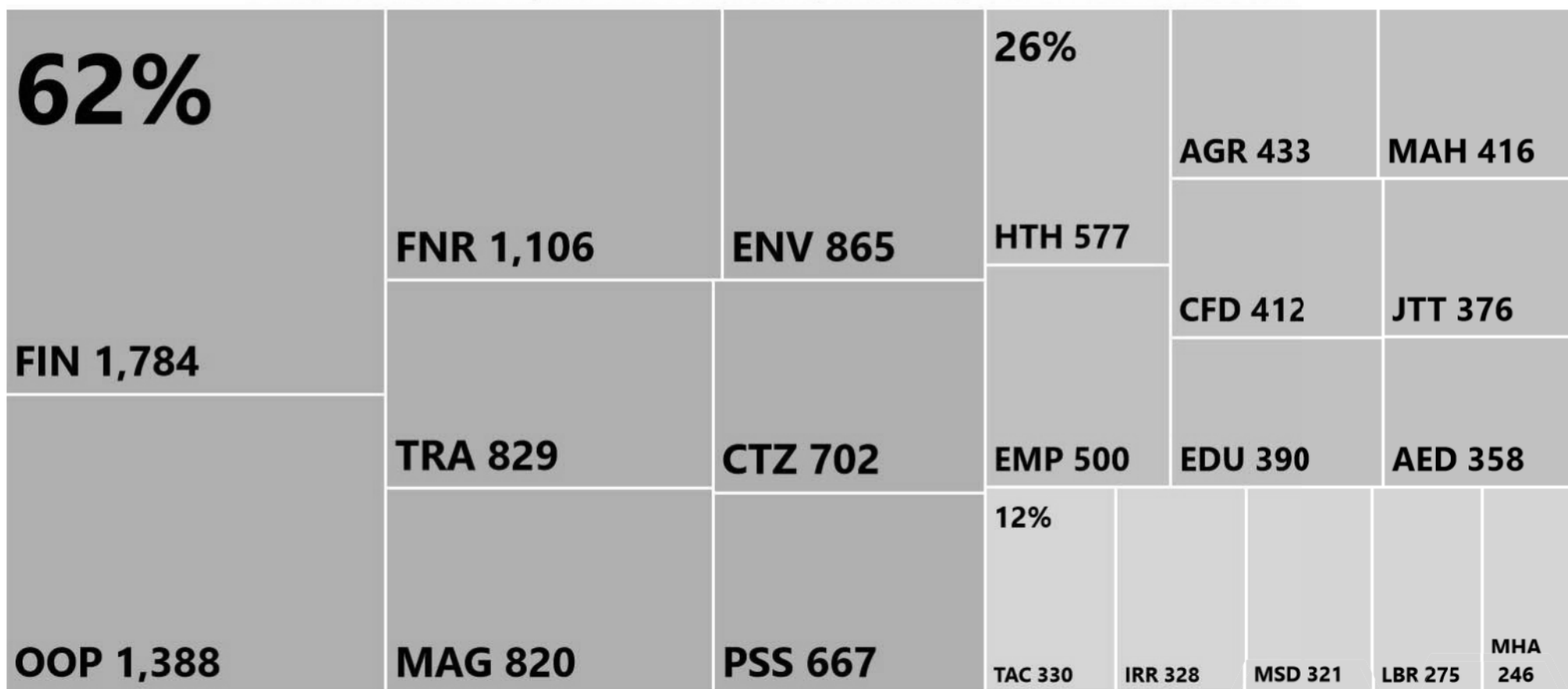
Total Personal Requests Received by Ministry 2017/18 and 2018/19



NOTE: The remaining 15 ministries receive just two percent of the total personal requests.

Approximately 62 percent of all general requests are directed to eight ministries: Finance; the Office of the Premier; Forests, Lands, Natural Resource Operations and Rural Development; Environment and Climate Change Strategy; Transportation and Infrastructure; Attorney General; Citizens' Services; and Public Safety and Solicitor General.

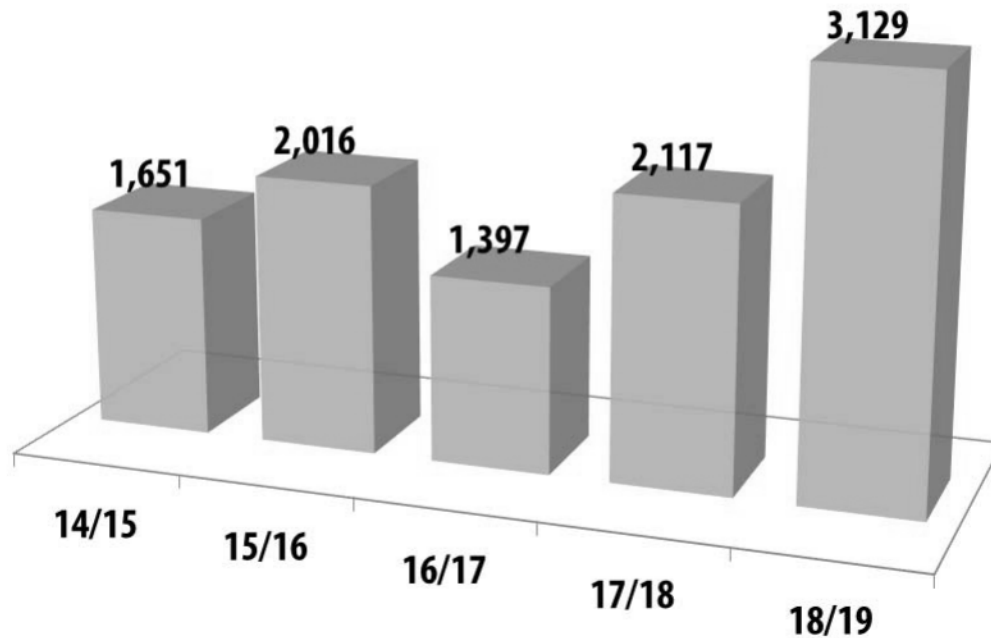
Total General Requests Received by Ministry 2017/18 and 2018/19



Cross-Government Requests

Any time a request is made to four or more ministries, it is considered a “cross-government” request. As detailed earlier in the report, this leads to an impact on timeliness as ministries must coordinate their response to ensure consistency.

Cross Government Requests



FOI Requests by Applicant Type

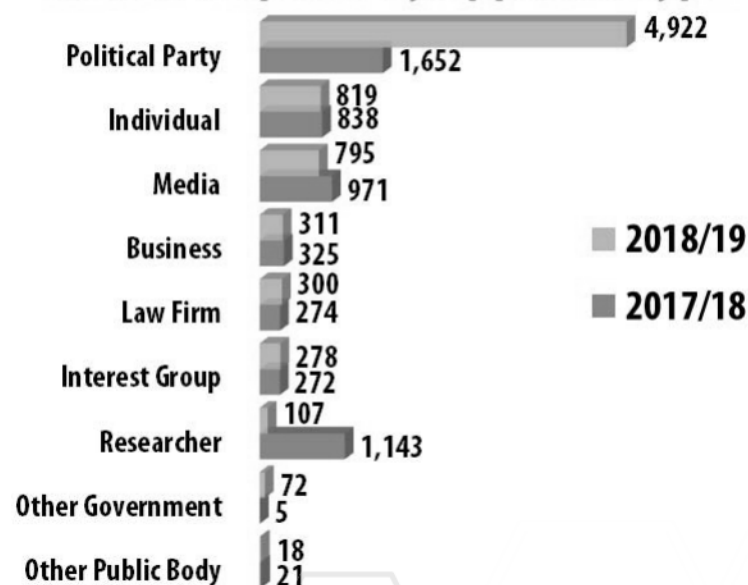
Identifying requests by applicant type helps provide information about who is making FOI requests. The World Justice Project Open Government Index, which measures government openness based on the general public's experiences and perceptions in 102 countries, advocates for separating and analyzing requests based on demographic information.

Currently, British Columbia tracks and reports on nine different applicant types, which can overlap and are subject to different interpretations. For example: "Researcher" may be an academic researcher or another person who states that the purpose of their request is related to research, "Law Firm" reflects requests from firms on behalf of clients (personal and business) as well as their own business interests, and "Individual" can refer to a person making a request for either personal or general information without identifying as an organization.

Personal Requests by Applicant Type

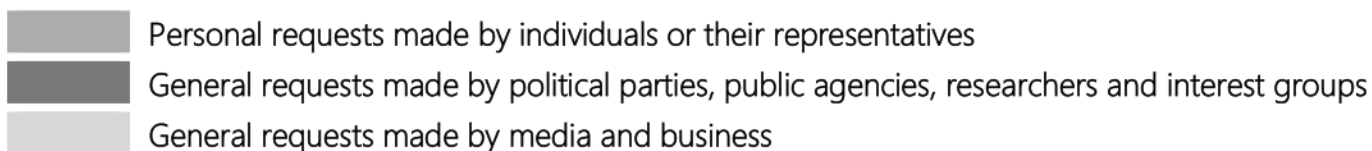


General Requests by Applicant Type

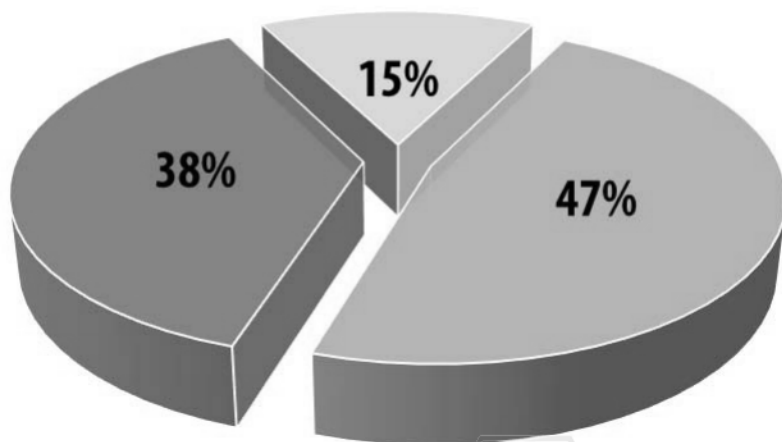


Types of FOI Applicants and Types of FOI Requests

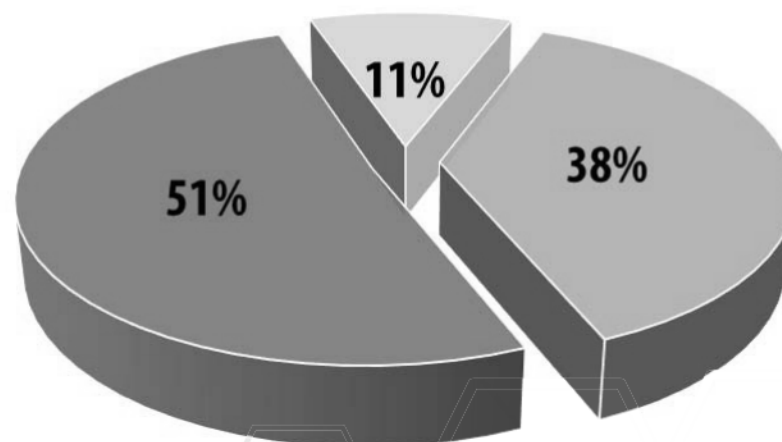
By analyzing the types of applicants alongside the types of FOI requests government receives, it becomes apparent that there are three large stakeholder groups that are the most active users of the FOI system. These are individuals and their representatives requesting personal information; political parties, agencies, interest groups and researchers requesting government information; and media and businesses making general requests for commercial purposes. In the 2018/19 fiscal year, there was a significant shift in the percentage of general requests made by political parties, public agencies, researchers and interest groups.



Request Percentage 2017/18

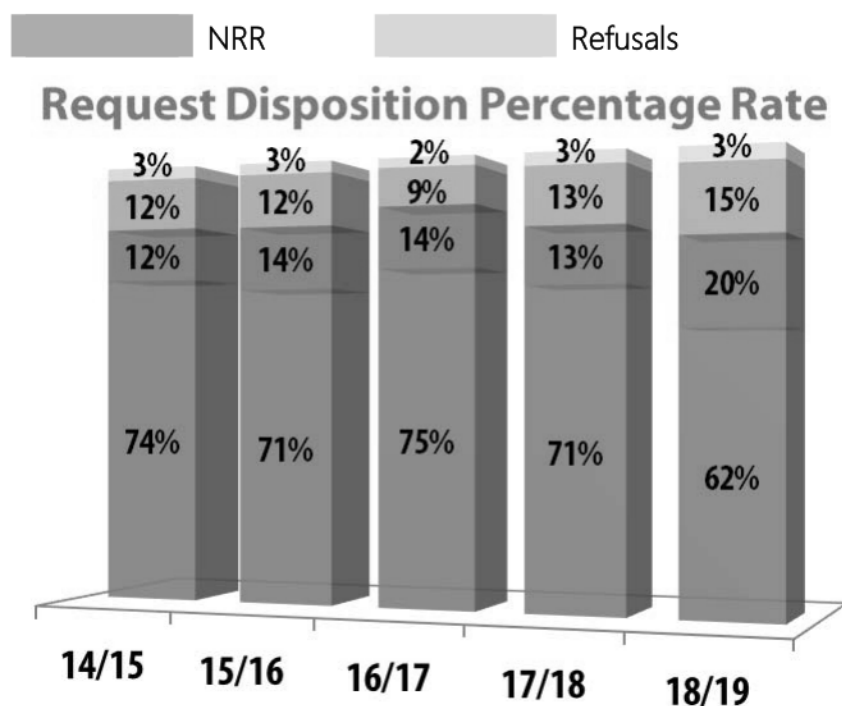
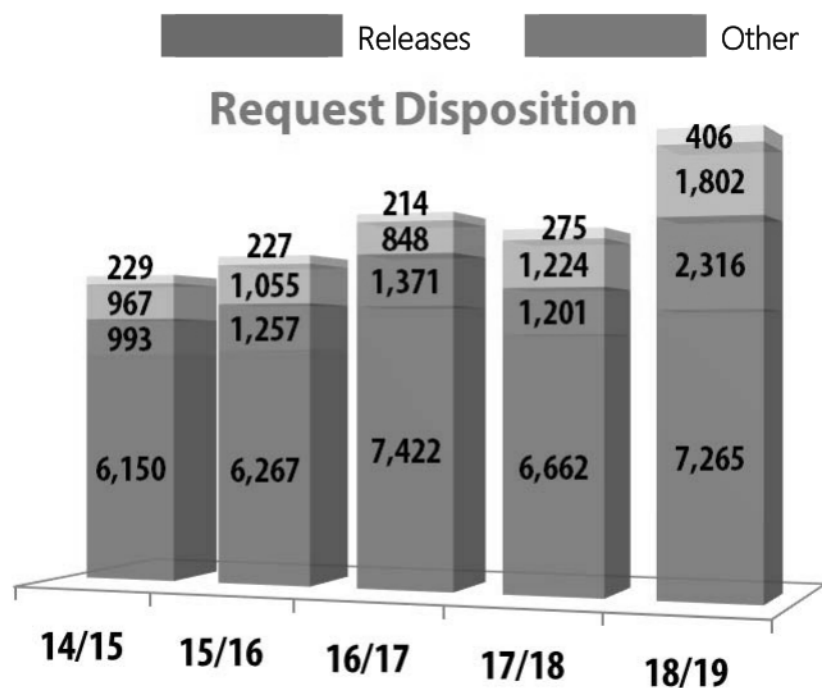


Request Percentage 2018/19

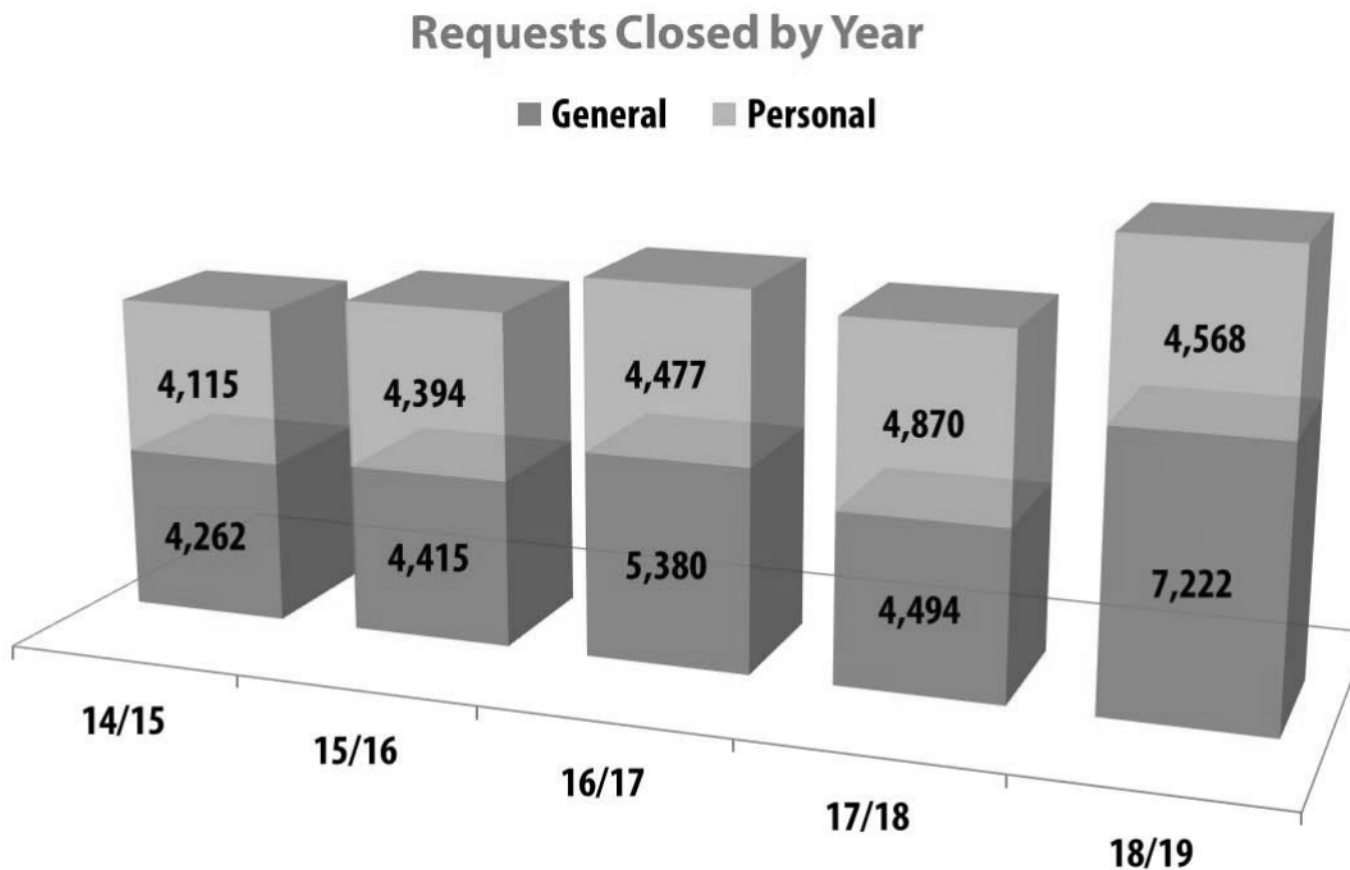


Request Dispositions: Released, Refused, Other

Releases - Identifies the extent to which information formally requested under FOI laws is released to an applicant. This includes FOI responses where ministries respond by: providing full disclosure; providing partial disclosure; indicating that records may be routinely releasable; indicating records are in another ministry or organization; transferring the request; or deferring access under s. 20 of FOIPPA (where the information is to be publicly released within 60 days).

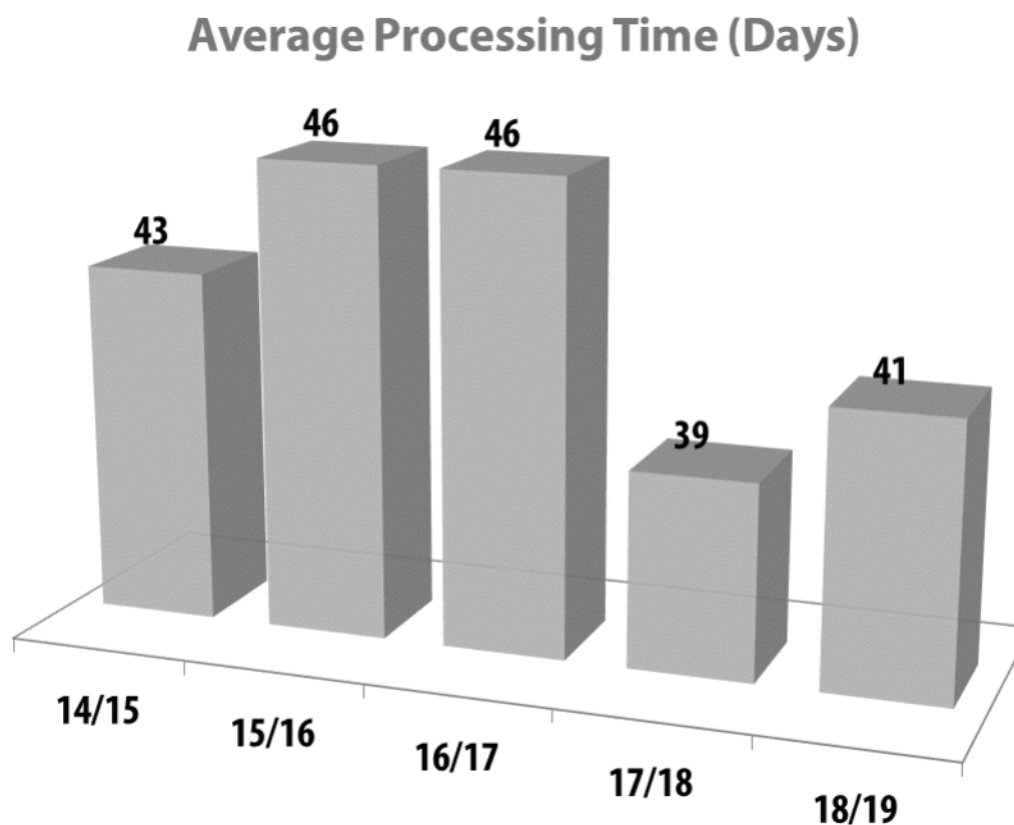


FOI Requests Closed by Year



Updates on closed requests are posted publicly in the BC Data Catalogue on a quarterly basis.

FOIPPA states that a public body must respond to an applicant who makes a formal FOI request no later than 30 business days after receiving a request, unless the time limit is extended per section 10 of the Act. Section 10 permits a public body to extend a request by up to 30 days under a limited set of circumstances. If a public body requires more time, they may request an additional extension from the Office of the Information and Privacy Commissioner (OIPC). This means that requests which are processed beyond 30 days may still be within the timeframe allowed under the Act. The average number of days to process requests is trending downward. This can be attributed to ongoing business improvements to make the processing of all requests more efficient.



Fees for Access to Information

In 2016/2017, the Province recovered roughly \$62,000 in fees from 5,380 general FOI requests closed in that year. In the 2017/18 fiscal year, the Province collected approximately \$60,000.00 in fees from 4,494 general FOI requests closed. In the 2018/19 fiscal year, the Province collected approximately \$63,000.00 in fees from 7,222 general FOI requests closed.

	2014/15	2015/16	2016/17	2017/18	2018/19
Total Number of FOI Requests Closed	8,377	8,809	9,857	9,364	11,790
Total Number of General Requests Closed	4,262	4,415	5,380	4,494	7,222
Number of Requests Where Fees Paid	158	176	188	157	151
Sum of Fees Paid (nearest thousand)	\$50,000	\$61,000	\$62,000	\$60,000	\$63,000
Percent of General Requests Where Fees Paid	3.71%	4.15%	3.49%	3.49%	2.08%
Average Fee per FOI Request	\$6	\$7	\$6	\$6	\$5

Protection of Privacy

Number of Privacy Impact Assessments Conducted

The Privacy Impact Assessment (PIA) is a process used to evaluate and manage privacy impacts and to ensure compliance with privacy protection obligations in FOIPPA. Conducting a PIA is a legislative requirement. Ministries must conduct a PIA when developing or changing an enactment, system, project, program or activity. A PIA must still be conducted even if it is determined that there is no personal information being collected, used or disclosed.

PIAs fall into one of the following broad categories: Legislative or Regulatory PIAs (LPIA/RPIA), which are conducted whenever government develops new or makes changes to current legislation or regulations, or Operational PIAs, which are conducted on any new system, project, program or activity. The steady increase in PIAs can be attributed to government's increase in privacy awareness.

	2015/16	2016/17	2017/18	2018/19
Total PIA	674	654	648	896
Operational PIA	526	513	503	695
LPIA/RPIA	148	141	145	201

Investigating & Responding to Possible Privacy Breaches

Within ministries, the Information Incident Management process requires that any employee who becomes aware of an actual or suspected information incident, including privacy breaches or complaints, reports the incident to the Ministry of Citizens' Services. Investigators assess each report and determine whether an investigation is warranted. An investigation may not be conducted if the incident is outside of the Ministry's investigative mandate or jurisdiction, or if it can be quickly determined that no violation of FOIPPA has occurred. Where an investigation is conducted, investigators seek to determine whether a violation of FOIPPA has occurred and, if so, what factors may have contributed to the incident or privacy breach.

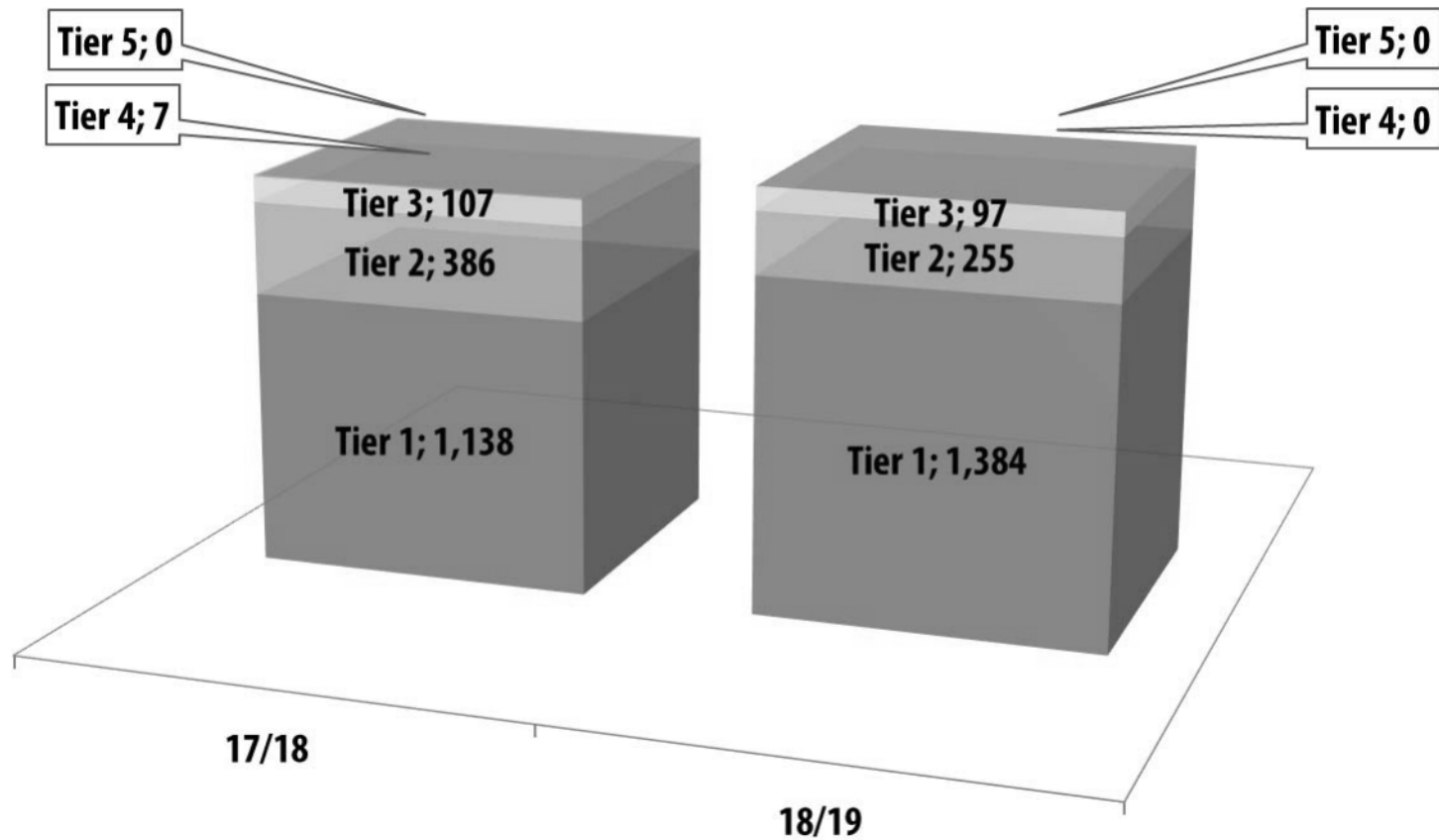
Volume and Tiers of Possible Privacy Breaches

	2014/15	2015/16	2016/17	2017/18	2018/19
Reported (Privacy Breaches and Complaints)	1,319	1,353	1,671	1,803	2,013
Investigations Conducted	1,130	1,107	1,445	1,638	1,736
Violations Occurred	956	987	1,301	1,528	1,615

Not all privacy breaches represent the same level of risk of harm to impacted individuals. Investigators assess and categorize each incident using a five-tier system, in which the assigned tier reflects the potential risk of harm, the sensitivity of the information involved, and the type of investigative and/or other activities needed to respond. The tier assignment considers several factors including:

- The number and type of elements of personal information involved
- The number and type of impacted individuals (i.e. whether impacted individuals are part of a vulnerable population)
- What happened to the personal information involved (i.e. if the privacy breach involved an unauthorized disclosure, to whom the information was disclosed and how)
- Whether the personal information involved has been recovered or contained
- The context surrounding the violation and the complexity of factors that may have contributed to the privacy breach

Privacy Breach Volume by Tier



Volume of Complaints Received

An individual can make a complaint about the handling of their personal information by government and is entitled to receive a response to such a complaint. Government investigates privacy complaints to determine whether they can be substantiated and, where they are substantiated, issues recommendations to program areas as to how to strengthen their information management practices and prevent similar privacy breaches from occurring in the future.

	2014/15	2015/16	2016/17	2017/18	2018/19
Complaints Reported	63	62	89	69	62
Complaints Substantiated	23	26	47	44	43

Volume of Required Notifications to Impacted Individuals

Notification of impacted individuals is one of the primary methods of mitigating risks associated with privacy breaches. For example, where a privacy breach could create a risk that an individual could fall victim to identity theft or fraud, notification provides that individual with an opportunity to take preventative measures, such as changing account passwords and monitoring bank statements. When the Ministry investigates a privacy breach, investigators work with ministries to complete a harm assessment and makes a notification recommendation based on this harm assessment. In particular, the investigators assess whether a privacy breach could put impacted individuals at risk for identity theft or fraud, harm, humiliation or damage to reputation, damage to business or employment prospects, or physical harm. These factors are assessed in context to determine whether there is an actual risk of harm to impacted individuals. Ministries are then responsible for making the decision as to whether to notify impacted individuals based on the Ministry's harm assessment and notification recommendation, as well as its knowledge of its clients and its operational environment.

	2014/15	2015/16	2016/17	2017/18	2018/19
Instances Where Notification Required	145	167	119	113	87

Engagement with the Office of the Information and Privacy Commissioner

Government regularly engages with the OIPC to promote transparency and accountability in investigations into privacy breaches. Since 2015/16, government has provided summary information about all privacy breaches to the OIPC monthly and proactively reports serious privacy breaches to the OIPC within a few business days of becoming aware of the issue. This engagement gives the OIPC an opportunity to determine whether it should open its own file to review any of government's investigations.

	2015/16	2016/17	2017/18	2018/19
Files Sent to OIPC	1,353	1,671	1,803	2,013
Proactive Reporting to OIPC	15	22	10	5
OIPC Files Opened	23	37	20	20

Data Tables

	Requests Received by Year			Requests Closed by Year		
	General	Personal	Received	General	Personal	Closed
14/15	4,141	4,176	8,317	4,262	4,115	8,377
15/16	4,932	4,329	9,261	4,415	4,394	8,809
16/17	4,905	4,405	9,310	5,380	4,477	9,857
17/18	5,501	4,970	10,471	4,494	4,870	9,364
18/19	7,622	4,633	12,255	7,222	4,568	11,790

Note: Data also used to create trend lines for Overall Request Volume and General vs. Personal Request trends.

Personal Information Requests by Applicant Type*									
	Individual	Political Party	Law Firm	Researcher	Media	Interest Group	Business	Other Public Body	Other Government
14/15	3,096		1,036			9	5	8	2
15/16	3,106	1	1,173	1	1	7	30	4	6
16/17	3,266		1,034			48	23	10	10
17/18	3,666	1	1,185	2	2	77	8	14	15
18/19	3,607		913		5	81	7	11	9

General Information Requests by Applicant Type*

	Individual	Political Party	Law Firm	Researcher	Media	Interest Group	Business	Other Public Body	Other Government
14/15	752	1,998	266	64	656	168	201	14	6
15/16	808	2,379	341	48	756	244	318	30	8
16/17	1,308	1,279	298	123	1,264	374	227	22	10
17/18	838	1,652	274	1,143	971	272	325	21	5
18/19	819	4,922	300	107	795	278	311	18	72

*Data also used to calculate Request Percentage 2017/18 and 2018/19.

Open Information Disclosures

	FOI Requests	Other Directives	Total
17/18	1,788	1,674	3,462
18/19	2,493	1,533	4,026

Privacy Breach Volume by

Tier

	17/18	18/19
Tier	#	#
1	1,138	1,384
2	386	255
3	107	97
4	7	0
5	0	0

	14/15	15/16	16/17	17/18	18/19
Cross-Government Requests	1,651	2,016	1,397	2,117	3,129
Average Processing Time (Days)	43	46	46	39	41
On Time Trend Line	79%	74%	80%	90%	89%

Note: Data used to create both bar and trendline charts.

Combined Requests Received by Ministry 2017/18 and 2018/19

Ministry	Abbr.	General	Personal	Total
Children and Family Development	CFD	412	4,154	4,566
Public Safety and Solicitor General	PSS	667	2,600	3,267
Finance	FIN	1,784	535	2,319
Social Development and Poverty Reduction	MSD	321	1,743	2,064
Office of the Premier	OOP	1,388	18	1,406
Forests, Lands, Natural Resource Operations and Rural Development	FNR	1,106	20	1,126
Attorney General	MAG	820	264	1,084
Environment and Climate Change Strategy	ENV	865	14	879
Transportation and Infrastructure	TRA	829	4	833
Citizens' Services	CTZ	702	16	718
Health	HTH	577	109	686
Energy, Mines and Petroleum Resources	EMP	500	1	501
Jobs, Trade and Technology	JTT	376	60	436
Agriculture	AGR	433	1	434
Municipal Affairs and Housing	MAH	416	12	428
Education	EDU	390	19	409
Advanced Education, Skills and Training	AED	358	17	375
Tourism, Arts and Culture	TAC	330		330
Indigenous Relations and Reconciliation	IRR	328	1	329
Labour	LBR	275	15	290
Mental Health and Addictions	MHA	246		246
TOTAL		13,123	9,603	22,726

** Data used for Total, General and Personal Requests Received by Ministry 2017/18 and 2018/19.

Disposition Refusals ***

	Access Denied	Refuse to Confirm or Deny
14/15	229	
15/16	224	3
16/17	206	8
17/18	255	20
18/19	327	79

Disposition Other ***

	Abandoned	Withdrawn	Correction	Cancelled	Outside the scope of the act	No Response Records Exist /Located
14/15	571	299		86	37	967
15/16	841	336		45	35	1,055
16/17	659	641	1	54	16	848
17/18	637	516	1	38	9	1,224
18/19	898	1,375		35	8	1,802

	Disposition Releases***					
	Full disclosure	Partial Disclosure	Routinely Releasable	Access Denied – Section 20	Records in another min/org	Transferred
14/15	966	4,904	64	2	84	130
15/16	1,013	4,958	69	3	80	144
16/17	1,678	5,317	67	14	139	207
17/18	1,273	5,011	51	10	104	213
18/19	1,291	5,567	46	7	213	141

*** Data used to calculate Request Disposition, and Request Disposition Percentage Rates.



Ministry of
Citizens' Services

LETTER OF TRANSMITTAL

I am pleased to present to the Legislative Assembly of British Columbia a report on the *Administration of the Freedom of Information and Protection of Privacy Act* (FOIPPA) for the 2017/18 and 2018/19 fiscal years.

In doing so, I want to acknowledge the hardworking people across the public service whose dedication and commitment to access to information and the protection of privacy are key to ensuring this government provides high quality and timely service to British Columbians.

s.13

Minister of Citizens' Services

INFORMATION NOTE

Advice to Minister Robinson

DATE: March 3, 2020

CLIFF#: 112213

ISSUE: s.12; s.13

BACKGROUND:

The 911 service in BC operates as a decentralized system managed by local governments and provided by the municipality, a regional district or through contracts with emergency communications companies such as Emergency Communications for British Columbia (E-Comm); the Province has no role in the 911 service.

The 9-1-1 service does not serve all BC residents. There are approximately 16,000 people without 9-1-1 service living in the Northern Rockies Regional Municipality, Central Coast Regional District, northern areas in the Kitimat-Stikine Regional District, the Stikine region, as well as the Skeena-Queen Charlotte Regional District outside Prince Rupert and Port Edward.

Challenges with the current 9-1-1 system include a lack of mandatory provincial safety standards, no backup facility outside the coastal seismic zone, for some regions a reliance on outdated technology and lack of formal coordination with other Provinces and jurisdictions.

BC is one of two provinces that do not have provincial funding or oversight to ensure consistency of 9-1-1 services and safety of its citizens. The other provinces collect a call levy on wireless services and some on wireline services. In BC funding is dependent on local governments raising funds through property taxes and 9-1-1 landline levies to operate or contract Public Safety Access Point functions. The province funds dispatch services operated by BC Emergency Health Services and the provincial RCMP Operational Communications Centers.

Canada and the United States are in the process of upgrading the 9-1-1 system to an Internet based service infrastructure (NG9-1-1). In addition to calling 9-1-1 from a phone, the public will be able to transmit text, images, video and data to the 9-1-1 center. The CRTC has directed telecommunications service providers (TELUS in BC) to decommission their legacy 9-1-1 network services by June 30, 2023 thus requiring PSAPs in BC to have completed their NG 9-1-1 upgrades by that date in order to continue to provide services to BC residents.

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s.12; s.13

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Withheld pursuant to/removed as

s.13; s.17

s.13; s.17

Recent TELUS Alberta announcement:

\$16B investment and 5,000 net new jobs over 5-years, 2019 – 2023.

<https://www.telus.com/en/about/news-and-events/media-releases/telus-investing-16-billion-in-alberta-connecting-more-homes-and-businesses-to-fibre-and-preparing-for-the-future-of-5g>

BRIEFING NOTE

New Government Office in the Westhills Community, City of Langford, BC

Briefing Note

Background:

- *The Province has leased commercial office space in Westhills, a community in Langford, BC, which will become a shared workspace for provincial government employees. The office is located on the second floor at 1311 Lakepoint Way.*
- *The new 10,500 square foot space will provide shared and flexible workspace for about 100 BC public servants at any one time. It will offer an alternative for public servants who live in the Westshore community and who often spend hours each day commuting to and from work in downtown Victoria.*
- *Once completed, the space will be a modern work environment that will feature a variety of open and enclosed work and collaboration areas shared by a variety of staff from different ministries.*
- *This concept is called ShareSpace and will be available to ministries on a subscription basis. Another similar work space is scheduled to open in Spring 2020 at Capital Park 2 behind the Legislature.*
- *This concept follows existing space planning model already used across government called Leading Workplace Strategies (LWS), which integrates space, technology and design planning to support a fully mobile workforce.*

BRIEFING NOTE

New Government Office in the Westhills Community, City of Langford, BC

- *The estimated date for readiness is late fall 2020. RPD is working with the landlord and the construction team to ensure that they meet this timeline, with the potential for earlier occupancy.*

Discussion:

- *About 20 percent of the BC Public Service employees working in Victoria live outside of Victoria and many of these are in the western communities, comprised of Sooke, the Highlands, Metchosin, Colwood, Langford and View Royal. This means about 2,000 people are currently spending about 1-2 hours a day commuting to and from work.*
- *This project will cost approximately \$2.2 million and is being funded through Citizens' Services existing capital budget. The construction cost and the lease rates for this property is comparable to similar projects being delivered by the Ministry in other urban areas of the Province.*
- *For years, Langford Mayor Stewart Young and public servants have been asking for a workspace they could use closer to home.*
- *It is expected that demand for these limited spaces will be high among public servants. For that reason, ministry Facility Management Units (FMUs) will manage the allocated workspaces for their employees.*
- *CITZ is working with our colleagues in the PSA and the FMUs to manage staff expectations and provide updates on the progress of Westhills and future projects.*

BRIEFING NOTE

New Government Office in the Westhills Community, City of Langford, BC

- *The Real Property Division (RPD), CITZ, is actively working with ministry clients to assess space demand and the requirement of more office space in the Western Communities. Based on these inputs and funding availability, more office spaces in the Western Communities will be created.*
- *The decision to lease space in Langford was the result of a Request for Leased Space (RFLS) posted on BC Bid. Requirements included 10,000 usable square feet of office space in the Westshore, a minimum of 50 parking stalls, and target occupancy of Fall 2019-Summer 2020, with preferred location within the following boundaries:*
 - *Industrial Way (the City of Langford Northern boundary) in the North*
 - *Ocean Boulevard in the East*
 - *The City of Colwood Southern Boundary in the South*
 - *Westshore Parkway in the West*
- *Based on the concept of Westshore employees not having to drive into town/traffic delays and the locations where the employees are currently residing, the preferred location was designated as outside of View Royal.*
- *Langford and the Westhills property provided the best space in a location that worked for the most staff in the western communities.*
- *Future locations may be in other municipalities provided they meet procurement requirements and location needs of employees.*

BRIEFING NOTE

New Government Office in the Westhills Community, City of Langford, BC

Summary:

- *The 10,500 square foot Westhills leased space is the first of what is expected to be several locations in the western communities to allow government staff to work closer to their homes and families.*
- *This project also supports the CleanBC Government Building plan and is another example of this government working to make life more affordable for the people of British Columbia.*

Quick Facts:

- *Highway 1 and Highway 14 are the major provincial arteries serving the West Shore.*
- *The northern section of Highway 1, known as the Malahat, carries approximately 25,000 vehicles per day. This increases to more than 85,000 vehicles per day on Highway 1 west of McKenzie Avenue.*
- *Approximately 16,000 vehicles per day travel Highway 14 between Sooke and Langford.*
- *Colliers International recently released its third-quarter Greater Victoria office market report, which shows that the region's vacancy rate has dropped to 5%, down from 8.2% in the first half of 2018.*
- *While new office spaces are under construction in the downtown core, there is currently a lack of options for occupancy in the near future.*



BRIEFING NOTE

New Government Office in the Westhills Community, City of Langford, BC

- *That is one of the reasons the Province is looking for space in the Westshore and other areas.*

Contact: Sunny Dhaliwal, Assistant Deputy Minister, Real Property Division, Ministry of Citizens' Services
(250) 380-8311

Lorne DeLarge, Executive Director, Accommodation Management Branch, Real Property Division,
Ministry of Citizens' Services (250) 508-8709

INFORMATION NOTE

Advice to Deputy Minister Kot

DATE: November 12, 2019

CLIFF#: 112287

ISSUE: Release of the re-designed BC Government Contact Us Page.

BACKGROUND:

Service BC, through the Service BC Contact Centre, is positioned to offer a multi-channel service experience by presenting new service channels, including SMS Text, webchat and co-browse. Service BC is currently piloting these channels, beginning with a SMS Text beta release on October 24, 2019, to be followed by webchat and co-browse in the future. The BC Government's Contact Us page (Attachment 1) may be confused with an error page and does not reflect the new channels Service BC will be offering.

DISCUSSION:

The Contact Us page is what citizens view as the "all of government" contact information. It generates approximately 246,385 hits per year and acts as the common landing page for BC Government webpages.

In partnership with CITZ Government Digital Experience branch and MAXIMUS Inc., Service BC re-designed the look and feel of the government Contact Us webpage. The new page reflects responsive design principles including: designing for mobile devices, making forms and buttons responsive and optimizing typography (using plain language, enhancing fonts and ensuring content is clear and easy to understand).

The re-design includes all available channels and incorporates accessibility (telephone device for the deaf) and the Service BC Contact Centre availability in 140 different languages. It also allows Service BC to easily include additional service channels as they become available, giving the Contact Us page a modern feel and look, as government continues to evolve along with citizens' expectations. "Related Contacts" is also shown on the Contact Us page. This information is maintained on the page however, it has been reordered.

On October 24, 2019, Service BC will deploy SMS Text as a beta release on the re-designed Contact Us page. The new Contact Us webpage and the launch of SMS Text as a channel will be coordinated to deploy concurrently. Should citizen demand exceed contact centre capacity, a roll-back strategy is in place. (Information Note: 112185)

SUMMARY:



Service BC will release the new Contact Us page on October 24, 2019 and will report pilot results as they are available through regularly scheduled Service BC ADM/DM Division Update meetings.

Attachment(s): Attachment 1 – Current State Contact Us Page; Attachment 2 – New Contact Us Page;
Attachment 3 – New Look of Government's Contact Us Page on Mobile Device

Contact: Jon Burbee, Executive Director, Strategic Services Branch, (250) 213-7439

Attachment 1 – Current State Contact Us Page

<https://www2.gov.bc.ca/contactus>



[Home](#) >

Contact Us

General Enquiries

Can't find what you are looking for? Have a question about a program or service?

Contact us Monday through Friday, 7:30am to 5pm Pacific Time.

Victoria: [250-387-6121](tel:250-387-6121)
Vancouver: [604-660-2421](tel:604-660-2421)
Elsewhere in B.C.: [1-800-663-7867](tel:1-800-663-7867)
Outside B.C.: [604-660-2421](tel:604-660-2421)

Telephone Device for the Deaf (TDD)

Vancouver: [604-775-0303](tel:604-775-0303)
Elsewhere in B.C.: [1-800-661-8773](tel:1-800-661-8773)


Submit your comment online

***Don't provide personal information. Comments will be sent to 'servicebc@gov.bc.ca'**

Enter your email address if you would like a reply:

The information on this form is collected under the authority of [Sections 26\(c\) and 27\(1\)\(c\)](#) of the Freedom of Information and Protection of Privacy Act to help us assess and respond to your enquiry. Questions about the collection of information can be directed to government's [Privacy Office](#).

☐ I consent



Enter the text in the box or what you hear using the Play Audio button:

[Play Audio](#) [Try another image](#)


Submit Feedback


Related Contacts


- [Email the Premier](#)
- [Contact your MLA](#)
- [BC Government Staff Directory](#)
- [Freedom of Information requests or questions](#)
- [Key Contact List](#)

Attachment 2 – New Look of Government’s Contact Us Page

<https://www2.qa.gov.bc.ca/gov/content/home/get-help-with-government-services>

 **BRITISH COLUMBIA**




 Menu

[Home](#) >

Get help with government services

Service BC can guide you through Government of British Columbia programs and services.


Contact us Monday through Friday, 7:30am to 5:00pm PST, (except B.C. statutory holidays)



Quick question? Get a quick answer. *(beta)*

Text us: [604 660-2421](tel:6046602421)

Standard message and data rates may apply.




Complex question?

Call us toll-free: [1 800 663-7867](tel:18006637867)


Victoria: [250 387-6121](tel:2503876121)
Vancouver: [604 660-2421](tel:6046602421)
Outside B.C.: [1 604 660-2421](tel:16046602421)

Available in 140 languages.




Telephone Device for the Deaf (TDD)

Vancouver: [604 775-0303](tel:6047750303)
Across B.C.: [1 800 661-8773](tel:18006618773)



General question?

Email us



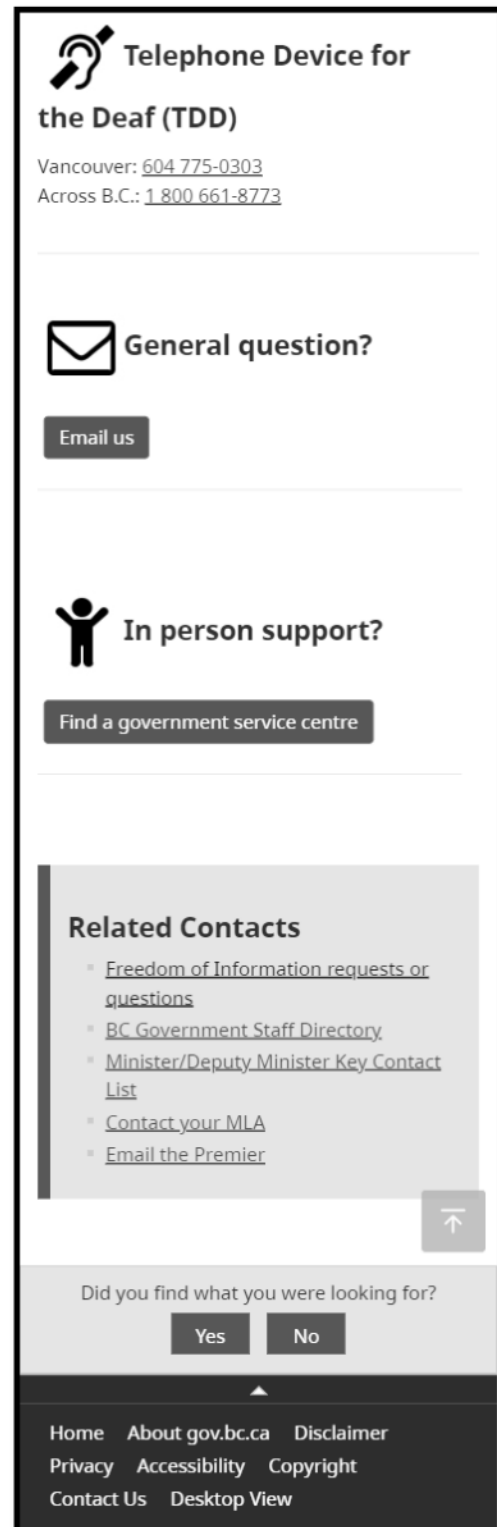
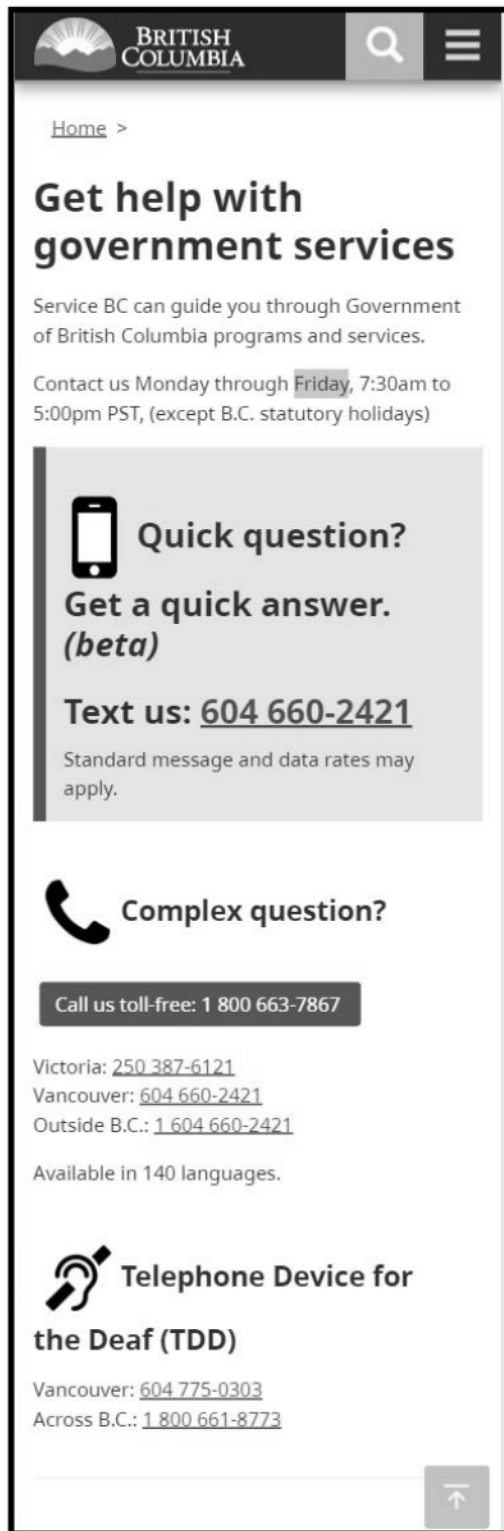
In person support?

Find a government service centre

Related Contacts

- [Freedom of Information requests or questions](#)
- [BC Government Staff Directory](#)
- [Minister/Deputy Minister Key Contact List](#)
- [Contact your MLA](#)
- [Email the Premier](#)

Attachment 3 – New Look of Government’s Contact Us Page on Mobile Device



INFORMATION NOTE

Advice to Deputy Minister

DATE: November 13, 2019

CLIFF#: 112303

ISSUE: Concerns Expressed by Ministry of Health on Alignment of Ministry of Health Acts with *Freedom of Information and Protection of Privacy Act* (FOIPPA) Amendments

BACKGROUND:

- The Ministry of Health's *Pharmaceutical Services Act* and *E-Health (Personal Health Information Access and Protection of Privacy) Act* (the "Health Acts") govern the information management of personal (health) information in certain circumstances.
- The Health Acts reference and limit personal information disclosures to a selection of the disclosure authorities in section 33.1 (1) (disclosure inside or outside Canada) of FOIPPA.
- On October 31, the Ministry of Citizens' Services received Royal Assent for amendments adding new provisions to FOIPPA section 33.1 (1) to permit the limited disclosure of personal information, including metadata, outside of Canada. The amendments ensure that BC's public sector can continue to use modern digital services while maintaining strong privacy protections.
- The new FOIPPA disclosure authorities will not apply to data holdings subject to the Health Acts unless the Health Acts are amended.
- As a result, the Ministry of Health has expressed concern to the Ministry of Citizens' Services with respect to oversight of the need for consequential amendments. Ministries were provided high level information on the intent of the FOIPPA changes as the process unfolded.

DISCUSSION:

- The problem relates to data holdings including pharmaceutical data, client registry and provincial lab services data. The *Medicare Protection Act* is also impacted through a reference to the *E-Health Act*, therefore Medical Services Plan (MSP) data holdings (e.g. MSP Claims) will also continue to be constrained by the original data residency provisions of FOIPPA.
- The Ministry of Health staff has also advised that such amendments are needed with respect to the development of a Request for Proposal relating to an upcoming large procurement in early 2020.
- Ministry of Health representatives have indicated that they are considering preparing a Request for Legislation concerning a decision to include amendments to the Health Acts to enable the new FOIPPA disclosure authorities.

NEXT STEPS:

- Ministry of Citizens' Services staff are in contact with staff at the Ministry of Health and have offered assistance if required.

Contact: Kerry Pridmore, Assistant Deputy Minister, 778-698-1591

INFORMATION NOTE

Advice to Minister Robinson

DATE: November 14, 2019

CLIFF#: 112307

ISSUE: Consumer Protection Strategy on Cell Phones

BACKGROUND:

In the 2019 Throne speech, the government said it “will take action to improve billing transparency, beginning with a consultation and legislative review” and “give consumers the tools they need to get the least expensive possible service and encourage the federal government to deliver more affordable cellphone options for people.”

MLA D’Eith led an engagement process that included an online public survey completed by 15,549 individuals and 16 stakeholder meetings. The results revealed consumer frustration with lack of affordability and choice when it comes to wireless services. Specific contract, billing and point-of-sale issues were raised, many of which were identified in previous reports and surveys.

Telecommunications are federally regulated

In Canada, telecommunications is the responsibility of the federal government and is regulated by the Canadian Radio-television and Telecommunications Commission (CRTC). The CRTC is governed by the Telecommunications Act. In 2013, the CRTC established the national Wireless Code, a mandatory code of conduct for providers of retail mobile wireless voice and data services. The Wireless Code provides rights for individual and small business customers regarding wireless service contracts.

Consumer protection and contracts are the responsibility of Provincial governments.

The Ministry of Public Safety and Solicitor General (PSSG) is responsible for BC’s main consumer protection legislation, the *Business Practices and Consumer Protection Act*.^{s.13}

s.13

PSSG to release “Cell Phone Billing Transparency: What we heard” report on November 19, 2019.

- The report summarizes feedback from more than 15,000 British Columbians on questions related to Cellular Contracts and Billing experiences.
- The findings are aligned with federal and other jurisdiction issues raised such as:
 - Cellular bills are not easy to understand
 - Cellular contracts are not shared appropriately, and are not clear
 - Most respondents had issues with unexpected data and other charges on their bill
- The majority of respondents have disputed a cellular bill (62%)
 - Some types of unexpected charges included: 411, 911/emergency services, activation fees, insurance, and other fees
- 79% of respondents felt they did not get good value from their cell phone service
- 86% felt their cell phone cost was too high
- Most respondents were not familiar with the federal Wireless Code or options to escalate issues to Commission for Complaints

PSSG will start a legislative review and review options to enhance consumer protection around cell phone contracts and billing. PSSG has also indicated that they will be pursuing advocacy options including forwarding the report to CRTC for consideration in pending and future proceedings.

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DISCUSSION:

s.12; s.13

s.12; s.13; s.17

CONCLUSION and NEXT STEPS:

s.12; s.13

Contact: Susan Stanford, ADM ICT 250 580-7459
Roman Mateyko, ED ICT 250 744-8559

INFORMATION NOTE

Advice to Minister Robinson

DATE: November 25, 2019

CLIFF#: 112321

ISSUE: Jill Tipping, BC Tech Association

BACKGROUND:

- Jill Tipping serves as the President and CEO of the BC Tech Association, the leading industry association for technology-based companies in British Columbia. She has held this role since 2017.
- Ms. Tipping is a recognized leader in BC's technology industry. She serves as a board member for the Government of Canada's Vancouver-based Digital Technology Supercluster and the Vancouver Economic Commission. In early November 2019, she was listed by VanMag as one of Vancouver's 50 most influential people, together with Sue Paish of the Digital Technology Supercluster. Ms. Tipping previously held executive roles in the technology industry, including most recently as the Vice President of Operations and Chief Financial Officer of Schneider Electric Solar.
- The BC Tech Association is a member-funded, not-for-profit organization based in Vancouver. It was founded in 1993 and, as of autumn 2019, reports that it has over 400 member organizations. Key initiatives include its annual Technology Impact Awards, an event series, and diverse programming to support the technology sector, e.g., to scale and access global markets.
- Officials from the Ministry of Citizens' Services meet regularly with staff from the BC Tech Association, particularly with regards to digital government efforts.

DISCUSSION:

The BC Tech Association is an important partner for the Government of BC. The technology industry in BC includes over 10,000 companies involving roughly 114,000 workers. A 2018 KPMG report estimates the size of the industry to be roughly \$17 billion, or 7% of provincial GDP.

Topics that may be of interest to Ms. Tipping include:

- **Women in technology** – Ms. Tipping is a vocal advocate for women in technology. Of note, the BC Tech Association has convened a gathering of leading thinkers, including Government of BC officials, on how best to include more women in the technology industry.
 - You may wish to congratulate Ms. Tipping for her leadership in advancing inclusion in the technology industry, expressing support for her efforts. You could also note that roughly 40% of provincial officials working on information management and technology are women, and that the Government of BC shares her commitment to inclusion.

- **Digital government** – Ms. Tipping has been briefed in the past on efforts to embrace digital government. A digital government is a government that uses modern technology, as well as the culture and practices of the modern age, to deliver services that are deserving of citizens' trust.
 - If raised, you may wish to express that work is underway to advance digital government across the Government of BC. Updates are expected to be posted on digital.gov.bc.ca as they become available.
- **Opportunities for technology companies to access government contracts** – Around the world, government procurement of technology is a major enabler for the technology industry. However, procurement processes have often been lengthy and cumbersome, thereby favouring a small number of large technology companies. Governments are increasingly exploring new ways to buy technology, a move that is generally welcomed by the technology industry.
 - You may wish to highlight progress within the Government of BC to modernize procurement. In 2018, the Ministry of Citizen Services launched Sprint With Us, a new procurement tool that makes it simpler and faster for technology companies to do business with government. To date, the program has issued 13 opportunities with a total value of \$9.9 million. A second program, Code With Us, focuses on small, modular contracts for the technology sector. To date, 70 opportunities with a total value of \$1.4 million have been issued under the program.
- **Government of British Columbia funding** – In August 2019, the Government of Canada announced an investment of \$2.25 M in the BC Tech Association. These funds are earmarked for scaling BC technology companies and supporting the association's Hub space, which supports technology start-ups.
 - If raised, you may wish to express enthusiasm for the BC Tech Association's efforts and reassert the Government of BC's interest in ongoing collaboration.

NEXT STEPS:

- Officials from the Ministry of Citizens' Services would be pleased to continue to engage with the BC Tech Association on priority topics.

Attachment(s): Appendix A Jill Tipping Bio

Contact: Jaimie Boyd, Chief Digital Officer, 250-888-3354

Appendix A: Meeting Attendee Biography: Jill Tipping, President & CEO of BC Tech Association



Current Professional and Board Member roles:

- President & CEO of BC Tech
- Board member, Digital Technology Supercluster (BC)
- Board member, Vancouver Economic Commission
- Board Member, Vancouver Symphony Orchestra

Background:

- Jill Tipping has spent her entire career in the tech industry and is a passionate advocate for it.
- Previous work experience includes:
 - Board Chair, BC Tech (2 years)
 - Vice President, Finance, Solar Business; Schneider Electric (5 years)
 - Director, Business Planning; Xantrex Technology, A Schneider Electric Company (3 years)
 - Director, Deloitte (11 years)
- Her education includes a Masters of Arts in History, International Relations; Certified Professional Accounting, and a Masters of Business.
- She places emphasis on strengthening connections through collaboration and multi-sector participation for innovation and growth (an ecosystem approach).

Key Points of Mutual Interest or Relationship to Mandate:

- Jill is determined to make BC a top ten start-up ecosystem worldwide, with a vision at BC Tech *"To make BC the best place to grow a tech company."*
- She defines BC Tech's role as "identifying critical gaps and problems in the ecosystem and focusing resources and attention on those."
- Priorities are to:
 - strengthen the ecosystem,
 - increase the number of homegrown anchors,
 - tackle the talent gap, and
 - pay attention to the global context.
- Jill believes the BC economy will become a clean and sustainable global success story, enabled through tech.

Other Points of Interest

- Jill has a daughter

Contact Information for Jill Tipping:

- Elaine Rosario, Executive Assistant, erosario@wearebctech.com, T: 604.691.2395

INFORMATION NOTE

Advice to Deputy Minister

DATE: November 26, 2019

CLIFF#: 112343

ISSUE: CRTC Broadband Fund Second Intake

BACKGROUND:

As part of FY 2018/19 Supplementary Estimates¹, the Province committed \$50 million to Phase 3 of the Connecting British Columbia program. The historic commitment was announced with Budget 2019. Program funding has been granted to Northern Development Initiative Trust, acting as both fund and program administrator. A new intake (Phase 3) to start funding new applications is expected to open in early December 2019.

Provincial dollars allocated to Phase 3 can be leveraged from multiple sources, including the Canadian Radio-television and Telecommunications Commission (CRTC), federal government such as Innovation, Science and Industry and, private capital investments from telecommunications service providers and from other sources such as trusts and local governments.

On November 13, 2019, the CRTC issued a second call for applications² to begin the competitive process to evaluate and select projects.

- Up to \$750 million is available over the first five years, from 2019 to 2023. \$100 million in the first year, increased by \$25 million annually to a cap of \$200 million.
- The CRTC Broadband Fund is not considered to be government funding as the proceeds of the Fund are collected from Canadian telecommunication service providers with more than \$10 million revenue.
- For the CRTC Broadband Fund projects are more desirable if funds are leveraged from other sources, including provincial funding. Funds from the provincially funded Connecting British Columbia program will be used to offset the CRTC Broadband Fund contribution.

In addition to the CRTC Broadband Fund, Canada is anticipated to launch a new Universal Broadband Fund (UBF) in early 2020 as well as a new intake of the Investing in Canada Program, Rural and Northern Component (ICIP RNC), a program administered through a federal and provincial memorandum of understanding.

DISCUSSION:

The CRTC Broadband Fund is one of several national programs that could complement the Connecting British Columbia program. Each program has a slightly different focus.

There are some main differences between the CRTC Broadband Fund and the Connecting British Columbia program. Multiple intakes are anticipated over the five-year program and the funding criteria may be adjusted for each intake. For example, the Fund's first call was for satellite projects only.

¹ Supplementary Estimates p.1: <https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/government-finances/bc-budget/supplementary-estimates/2018-19-supplementary-estimates.pdf>

² CRTC Broadband Fund – Second call for applications. <https://crtc.gc.ca/eng/archive/2019/2019-372.htm>

The second call is a better opportunity for BC because it includes funding for transport³, last-mile⁴, cellular and satellite. The CRTC has allocated \$100 million nationally for year one of its program. If the fund is divided by population, BC would expect \$13.5 million. There are other differences noted below:

Eligible Applicants - At least one of the applicants must be eligible to operate as a Canadian carrier, which means partnering with a large telecommunications company like Bell, Shaw, Rogers, or TELUS.

Project Eligibility – In the CRTC program, eligible areas for funding in BC are widely dispersed and based on a 25Km² hexagons that identify underserved areas with communities that cannot get 50/10 Mbps target speed. An important distinction from other fed programs is if even one home in a 25Km² area of a community has access to 50/10 Mbps the entire community is not eligible for CRTC funding. The program targets small population centres with fewer than 30,000 residents.

Internet Speed – The CRTC came up with 50/10 Mbps minimum target speed, which the Province has adopted as its minimum target speed. In order to accommodate some areas of Canada that have transport infrastructure that cannot supply 50/10 Mbps today (e.g., satellite dependent communities), the CRTC adjusted its minimum target speed down to 25/5 Mbps for those communities. The provincially funded Connecting British Columbia program will continue to have a 50/10 Mbps minimum target speed, so that a request for funding from both programs will have to achieve a minimum target of 50/10 Mbps.

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NEXT STEPS:

The Province is working with Northern Development Initiative Trust to open a new intake of the Connecting British Columbia program in early December 2019.

Attachment(s): ATT-1 CRTC Program Comparison Matrix

Contact: Susan Stanford, Assistant Deputy Minister, 778 698-2349

³ Transport Infrastructure: Sometimes referred to as backhaul – a network connection that transports data traffic regionally or to the door step of a community.

⁴ Last-Mile Infrastructure: Sometimes referred to as local infrastructure - the components used within a community to connect homes and businesses to the internet service provider's point-of-presence. This may include fibre optic lines, cables, digital subscriber line equipment, cable modems, wireless radios, etc.

A Comparison of the CRTC Broadband Fund and Connecting British Columbia Program November xx, 2019

Subject	CRTC Broadband Fund 2nd Call	Connecting British Columbia Phase 3	Implications
Funding Amount	\$750M available over five years, 2019 - 2023	\$50M available in December 2019.	Federal government has committed to multi-year funding. The Province is required to return to treasury board for additional funds when \$50M is allocated.
Deadline	Application deadline is March 27, 2020. Future intakes are also anticipated.	Multiple intakes until funds are fully allocated.	Provincial program is designed to leverage other funding programs and private sector funds as they become available.
General Approach	Extensive with several application documents. Follows CRTC Rules of Practice and Procedure. Decisions posted and subject to interventions.	Provincial program is open to leverage CRTC Broadband fund and other sources of funding until fully allocated by Northern Development.	Provincial program is flexible and designed to leverage multiple funding opportunities over time.
Project Types	<ul style="list-style-type: none"> • Transport Infrastructure • Last-mile Infrastructure • Mobile Wireless (cellular) • Satellite 	Mobile (cellular builds) and satellite infrastructure not eligible.	Provincial program does not fund cellular builds. However, it can fund broadband infrastructure that support future cellular builds.
Applicant Eligibility	<p>Minimum of 3-year experience operating broadband infrastructure required for both last-mile and transport</p> <p>Requires the applicant to be a Canadian carrier (as defined in the <i>Telecommunications Act</i>) with a minimum of 3-year experience operating broadband infrastructure required for both last-mile and transport.</p>	<p>Minimum of 3-year experience operating broadband infrastructure required for both last-mile and transport funding. No requirement to be a Canadian carrier.</p> <p>For transport projects along highways, the applicant must be able to provide future cellular services or partner with a cellular provider to ensure cellular is made available along the route in the future.</p>	<p>Under Phase 3, the funding criteria helps ensure future benefits from public funding of transport builds.</p> <p>The requirement to accommodate for future cellular services can be waived if the local government / regional district submits a letter of support for the application, acknowledging that future cellular expansion may be negatively impacted.</p>
Pre-screen	No pre-screen required.	Pre-screen required- requires applicants to submit a single page application.	A pre-screen will avoid cases where an applicant invests time and resources submitting a full application only to be turned down because they didn't meet minimum criteria.

A Comparison of the CRTC Broadband Fund and Connecting British Columbia Program
November xx, 2019

			Will ensure applicants meet minimum program criteria before submitting the full application.
Application Intakes	<p>The first call for applications for Yukon, Northwest Territories and Nunavut and all satellite-dependent communities in Canada closed on October 3, 2019.</p> <p>The second call is open for applications for all types of eligible projects in all eligible geographic areas across Canada.</p>	<p>Multiple application intakes: Successive in-take periods planned.</p> <p>Each intake to be 3-month long: 2-month window for accepting applications and a month-long reviewing process.</p>	<p>With regular in-take periods under Phase 3, applications can be compared with each other before funding decision is made.</p> <p>Helps set expectations on timing of funding decisions.</p>
Funding Target	<p>Funding is to offset the portion of the proposed project costs that contribute to a negative business case. Contributions for other sources will be deducted from the CRTC contribution to cover this portion of project costs.</p>	<p>Contribution will cover a max of 50% eligible costs</p> <p>Provincial program contribution to last mile projects have a baseline of \$250K per eligible community.</p>	<p>Under Phase 3 the \$250k/community baseline for last-mile projects is to ensure equitable distribution of funds across projects to help ensure \$50 million will benefit 200 rural communities.</p>
Minimum service speeds	<p>CRTC target speed is 50/10 Mbps, however for last-mile projects will accept applications providing minimum speeds of 25/5 Mbps.</p>	<p>Only applications meeting or exceeding 50/10 Mbps speeds will be considered.</p>	<p>Provincial program’s requirement aligns with CRTC’s basic speed target.</p> <p>Applicants applying for funding from both programs (CRTC and Connecting British Columbia), are required to meet the 50/10 Mbps criteria in order to secure funding under Phase 3.</p>
Legal Framework	<p>Follows unique set of administrative law procedures for a tribunal independent of government</p>	<p>Funding decisions are made by Northern Development.</p>	<p>Northern Development has ability to provide conditional letters of funding support with limited turn-around time.</p>
Eligible Areas	<p>If at least one household has access to broadband at 50/10Mbps in the community, the entire community is ineligible for last mile funding.</p>	<p>Eligible communities for funding are based on a federal government list that includes communities that generally underserved.</p>	<p>Provincial program includes more communities that are eligible for funding than the CRTC Broadband fund.</p>

MEETING NOTE

Advice to Minister Robinson

MEETING DATE: December 4, 2019

CLIFF#: 112346

ISSUE: Meeting with Nicole Foster, Head of Amazon Web Services Public Policy Canada

BACKGROUND:

Amazon Web Services (AWS) is a global market leader for cloud infrastructure (storage) and solutions (software applications). Access to cloud services supports traditional information technology (IT) functions such as data storage as well as modern capabilities such as data analytics and artificial intelligence.

AWS operates data centres in both Montreal and Toronto, and these are compliant with the *Freedom of Information and Protection of Privacy Act*. Recent amendments to the legislation were not necessary for use of AWS – their services have been compliant for some time. AWS enables customers in British Columbia to secure, store, and process their data within the Canadian border; the company states its commitment to enabling BC public sector customers to adopt cloud computing with confidence, while maintaining compliance with privacy legislation.

In British Columbia, organizations such as Vancouver International Airport, British Columbia Institute of Technology and BC Hydro are using AWS.

AWS is expanding its presence in British Columbia. In July 2019, AWS announced the launch of a Cloud Innovation Centre (CIC) at the University of British Columbia. The CIC is the first of its kind in Canada, and supports student teams tackling real-world issues and challenges, where application of novel and emerging technology or computing approaches are essential.

AWS has an expanding number of cloud services that aim to address current and future needs of government and the overall public sector, and it is expected that the company may speak about these new products.

DISCUSSION:

Cloud computing represents a fundamental shift in the delivery of IT services. Adopting cloud computing will help the BC government respond to increasing demand for digital services and timely access to emerging technologies. This should improve government's ability to build digital services quickly to meet citizens' needs.

Adoption of cloud is progressing across the BC government and the broad public sector. Growth of cloud adoption in government is expected over the next few years as program areas explore business solutions, and cloud storage and solutions become the new norm in the market.

The Office of the Chief Information Office (OCIO) is leading the BC Cloud Initiative to allow government to maximize the benefits of cloud, and to manage and mitigate any potential risks of its adoption.

In addition, in October 2019, the *Freedom of Information and Protection of Privacy Act* was amended to authorize public bodies to disclose personal information inside and outside Canada for processing that is automated and temporary. This amendment allows the use of cloud-based functionality (e.g. spell check) of the tools that public servants used every day such as Word, Outlook and Google Analytics.

The OCIO will continue to move forward with the development of a cloud roadmap. It is expected that, as part of the roadmap and once British Columbia has identified the most suitable cloud service model for its needs, there will be a competitive procurement process to select the most appropriate cloud vendor(s). Data security and privacy protection is of paramount importance to cloud adoption in British Columbia.

PROPOSED RESPONSE:

- CITZ appreciates Amazon's contribution to the BC technology and innovation ecosystem.
- We appreciate the opportunity to discuss the benefits that innovative technology services such as cloud could mean for government and for British Columbians.
- We understand the significant potential that cloud has in allowing us to provide better services to British Columbians.
- We see cloud as an important enabler of our digital transformation and, as such, will continue to explore the options that would allow us to expand cloud adoption in British Columbia.
- CITZ is leading the development and implementation of a corporate approach for cloud and will continue to work with Amazon where it is appropriate.
- Our commitment to protect private information and enhance data security will always be paramount and we look forward to understanding better how we can partner with Amazon to achieve these goals.

Attachment(s): Appendix A - Bio

Contact: Hayden Lansdell, Phone # 250-415-0118

APPENDIX A

BIO



Nicole Foster, Head of AWS Public Policy (Canada) at Amazon

Nicole leads the company's public policy efforts in support of the Amazon Web Services (AWS) business in Canada, including the federal and provincial levels of government. In this role, she focuses on issues such as cloud computing, cyber security, data protection, government procurement and acquisition issues, and renewable energy policy.

Prior to joining Amazon in 2018, Nicole led the Toronto office for Global Public Affairs, providing senior public affairs counsel to a diverse range of clients, including both the private and not-for-profit organizations. Nicole worked with clients in a variety of sectors including natural resources, health, infrastructure, retail, consumer and gaming.

Nicole has been a long-time and passionate advocate for women in politics and has been active in numerous political campaigns and events. She is an active volunteer and serves as a board member for a variety of committees and associations. She has a Bachelor of Arts in Art and Culture Studies with an extended minor in Political Science from Simon Fraser University.

INFORMATION NOTE

Advice to Deputy Minister

CLIFF#: 112351

DATE: November 26, 2019

ISSUE: Executive Vehicle Leases – Monthly Lease Amount

BACKGROUND:

The current monthly lease amount permitted for Executive (DMs and Associate DMs) vehicles is \$625 per month (excluding taxes) and cannot be topped up with personal contributions.

DISCUSSION:

The monthly amount was set for Executive Vehicle Leases in 2008 as a Treasury Board (TB) order. Executives are only authorized to lease hybrid, plug-in hybrid or electric vehicles. Given the new technology and high production costs, the costs to lease many of the vehicles available exceed the current rates. Executives have expressed concerns that they are unable to lease zero emission vehicles under the current directive.

Three options are being discussed with the PSA (policy owners):

1. Raise the monthly amount – we need to understand the process to change it and we need to define the appropriate amount to change it to.
2. Allow executives to purchase/lease the vehicle under their own name and only collect the current amount as compensation (\$625) – if this route is chosen it lowers the risk for the province, though it may not be seen as an employee friendly policy by the Deputies and assuring compliance may be difficult. We will need to understand the process to make this change (policy and leasing instructions).
3. Find a way to pilot a new monthly compensatory amount – similar to number one above, we will need to understand the process to change it and we need to define the appropriate amount to change it to, even for a trial.

PSB is putting together a working group to resolve this concern.

NEXT STEPS:

Executive Vehicle Lease Program	
Timing	Action Taken / To be Taken
August 2019	Obtained support from PSD Executives to approach TB to review the monthly amount. Completed.
October 2019	Gathering list of stakeholders who own the policy/legislation and engaged TB. Completed.
November 2019	Meet stakeholders to understand steps that need to be taken to update Executive Vehicle Lease Program (Is there a connection to Legislation?).
December 2019 to January 2020	Conduct market research to determine new monthly amount for Executive Vehicle Leases – Calculate with TB.
February 2020 to March 2020	Implement pilot using new monthly lease amount if legislation needs to be changed. Work on plan to update legislation.