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From: Pridmore, Kerry CITZ:EX
Sent: May 28, 2021 3:52 PM
To: Brouwer, Shauna CITZ:EX
Cc: Ritchie, CJ CITZ:EX; Cook, Jeannette CITZ:EX
Subject: IM117 Training - Political and Admin Staff
Attachments: 2021 IM Refresh Training - APR6.pptx

Hi Shauna – just wanted to make you aware that I am virtually delivering the IM117 training to all political staff June 4th and administrative staff June 11th over at the legislature.

This is normal practice and we are often asked to also do this for Ministers or sessions for new political appointments. Just flagging as FYI. Materials are attached and match the refreshed course.

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Information Management: IM 117 Refresh

CIRMO | 2021



Ministry of
Citizens' Services



How can CIRMO help?



Government Records Service (GRS)

- IMA
- ARCS & ORCS
- RM standards and guides
- EDRMS projects
- Offsite records storage
- Digital archives
- RM training



Privacy, Compliance and Training (PCT)

- FOIPPA, PIPA
- PMAP
- Review and comment on PIAs
- Information management training
- Investigate information incidents



Information Access Operations (IAO)

- Manages government FOI process
- Reviews and severs records
- Liaison between applicant and ministry.

Records Management



Government Information

Recorded information created or received by a government body in connection with government

Government Record

Includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by any means whether graphic, electronic, mechanical or otherwise.

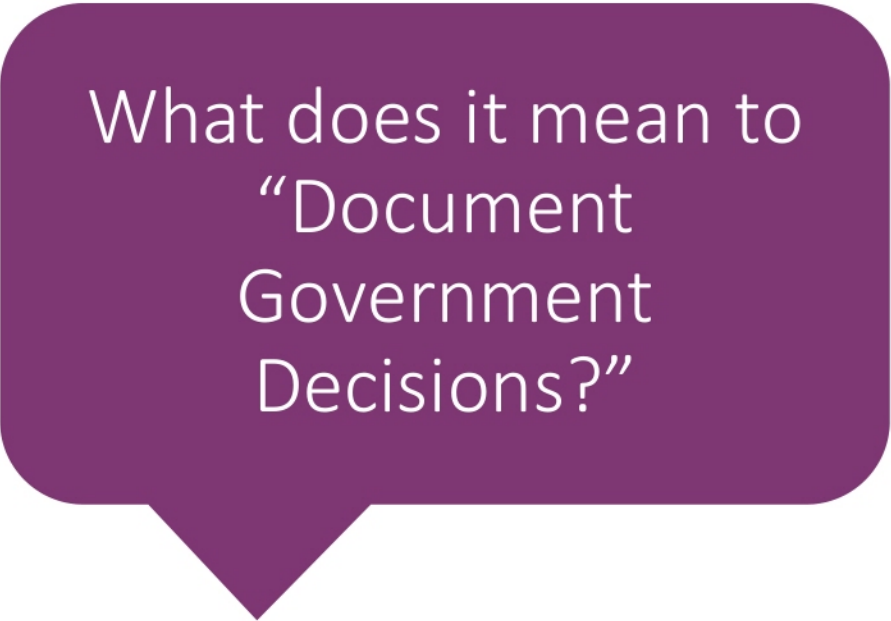
Types of Records

Three main types of records in Minister's Offices:

1. **MLA** (non-government – e.g. constituency, caucus, etc.)
2. **Personal** (non-government)
3. **Government information** (Ministry business, Cabinet, administrative, etc.)

Information Management Act Requirements

The head of a government body is responsible for ensuring that
an appropriate system is in place
within the government body for
creating and maintaining government information
that is
an adequate record
of that government body's decisions.



What does it mean to
“Document
Government
Decisions?”

Which decisions to document?

Consider:

- 1. Evolution of government programs**
- 2. Protection of legal or financial rights or obligations**
- 3. Facilitation of accountability**

tran·si·to·ry

\ 'tran(t)-sə-ˌtôr-ē , 'tran-zə- tôr-ē \

Examples of transitory information:

- Simple messages reflecting commonplace interactions (e.g. a request to call someone)
- A handwritten note made while listening to a voicemail, and then copied into an email
- A non-substantive draft of a document in which changes were made to formatting, grammar and minor wording

Creating and Managing Email

Do	Don't
Regularly file email that is material to business operations and decisions in the office recordkeeping system	Rely solely on email and similar technologies when making important decisions, and if you do use email, ensure that the email adequately documents a decision and make sure to file it
Use separate email threads for different subjects	Create unnecessary email and email attachments
Use meaningful and concise subject lines	File transitory emails
Regularly dispose of transitory email and utilize Outlook tools and features to help (e.g., the “clean up conversation” tool)	Use your personal or legislative email accounts for government business
Keep personal use of your government email account to a minimum	Triple delete emails

Records Management: Key Practices

In a Minister's Office good records management means:

- ✓ **Managing cabinet records, non-cabinet government information and MLA/personal records separately**
- ✓ **Working closely with your DMO** to document which office is retaining which records
- ✓ **Making use of shared drives** or other common record-keeping systems (i.e. not keeping everything in Outlook)
- ✓ **Regularly disposing of transitory information** (so long as it is not subject to an active FOI request)

Cleaning up email before vacation

The correct option is B):

1. Review their project email and files
2. Delete duplicate information
3. Identify final email chains that contain the complete record
4. Save them in the team's shared project file, including any substantive notes and drafts or final documents

For more records management advice...

- **CIRMO is here to help** you and your team manage your records appropriately.
- Some relevant guides available on the website gov.bc.ca/recordsmanagement:
 - [Best Practices when leaving a Minister's Office](#)
 - [Managing Minister's Office Records](#)
 - [Managing Records During an Election](#)
 - [MLAs Guide to Government Information Management Requirements](#)

Access to Information




Access to
any record

Limited
exceptions

Strong records
management
practices support
access to
information

What can the applicant ask for?

- General requests vs. Personal requests
- The applicant can ask for any recorded information in the custody or under the control of a ministry.
- Employees have the duty to assist the applicant to make the request.
- Requests are often worded for “any and all recorded information”

A photograph of two hikers on a steep, rocky mountain trail. One hiker, wearing a yellow jacket and a white helmet, is standing and reaching out to assist another hiker who is crouching or falling. The second hiker is wearing a red jacket and a red beanie. They are both wearing backpacks. The background shows a blue sky with white clouds and a rugged mountain landscape.

Duty to Assist What does this mean?

- Positive duty in law to ensure that requests are responded to “openly, accurately and completely.”

The five stages of a FOI request

The graphic below illustrates the five steps FOI requests may go through.

Intake

IAO assists applicants in refining their FOI requests so that the requests meet legislated requirements and are as clearly defined and specific as possible.

Search

The ministry performs and documents an adequate records search and harms assessment, requests transfer(s) and/or provides information necessary to support fee estimation.

Review

IAO conducts consultations, takes time extensions where required and permitted, and reviews and analyzes information to make disclosure recommendations.

Approve

The ministry facilitates the approval of the disclosure recommendations. Note that in some instances, ministries have delegated this approval to IAO.

Release

IAO releases the records package to the applicant and publishes to Open Information, where applicable.

The FOI Process

Types of exceptions to disclosure:

1. Mandatory exceptions
2. Discretionary exceptions

Calendars

- Your calendar is a record subject to FOI Requests
- Be aware of attachments embedded within calendar entries
- Be current, clear, concise and accurate
- Mark only personal (e.g. dentist appt) or confidential (HR related) appointments as private

Proactive Disclosure

BRITISH COLUMBIA

Search

Menu

Search Within Open Information Resources

All of the services you need to access open information

Search

Before you start

Overview

Search

Contact

Before you start

Click the Search button to quickly find proactively shared information, such as:

- Details from B.C.'s catalogue of public information
- Documents related to information releases
- Government travel expenses
- Current and previous FOI requests

Hello, I am your **COVID-19** Digital Assistant!
Click or tap to ask a general question about

FOI Process or Open Information?

The correct answer is B)
Direct the citizen to Open Information as that information is
proactively released

Privacy



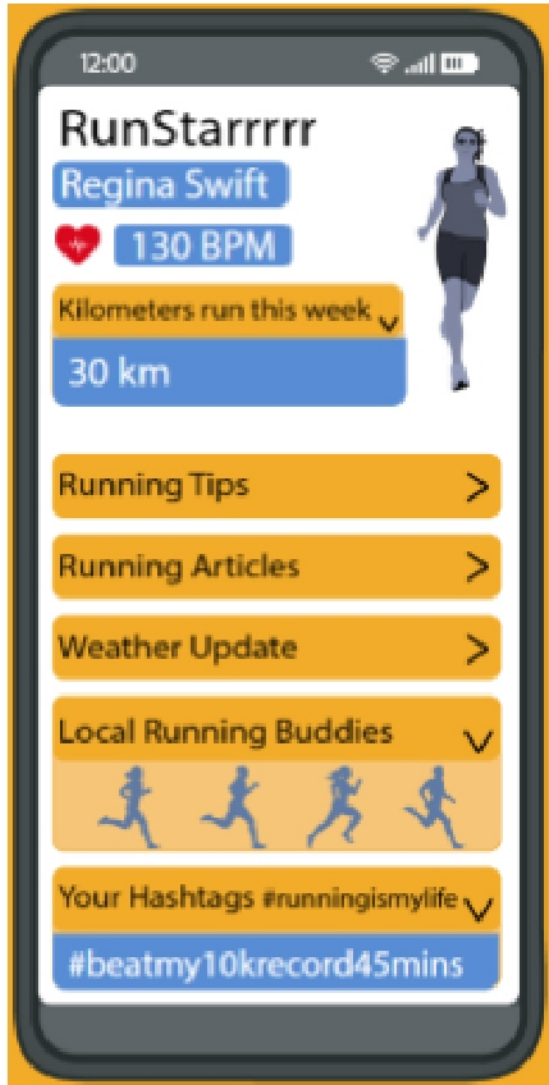
Personal Information:
Recorded information about an identifiable
individual other than “contact information”

What is Privacy?

Your co-worker is working on a fitness app.

Which of these data elements may be treated as personal information?

- Profile photo
- Name
- Heart Rate
- Total km ran this week
- Local running buddies
- Your hashtags





Privacy Principles at Work

Need to know
or nice to
know?



Securing Personal Information

- Storage & Access must be in Canada
- Reasonable security arrangements
 - Appropriate and proportional
- Protect personal information throughout its lifecycle
- Safeguards should include:
 - Physical measures
 - Technological measures
 - Policies/Procedures or contractual measures

Information incidents

Any government employee who discovers an actual or suspected privacy breach or other information incident must report it immediately (24x7x365)

Steps:

1. Employee notifies supervisor
2. Central reporting to OCIO via a (toll-free) dedicated phone line.
 - 250-387-7000 (toll-free: 1-866-660-0811)
 - Select option 3
3. Notification
 - CIRMO notifies designated business representatives (e.g. Ministry CIO)

Contact Information

BC Privacy and Access Helpline

250-356-1851

Privacy.Helpline@gov.bc.ca

BC Government Records Service Hotline

250-387-3387

GRS@gov.bc.ca

IM Policy guidance

IM.ITpolicy@gov.bc.ca

Quiz Component

Access to Information

You've received an FOI request. You only need to search your outlook account.

- A. True
- B. False

Records Management

**What should you do with old email in your Outlook account?
Choose the best response.**

- A. Delete any email relating to closed matters.
- B. Hold on to old email indefinitely, just in case someone asks about it.
- C. Determine which email is transitory and should be deleted, and which email must be filed.

Privacy

As a public servant you may access personal information for reasons that are not related to your employment if you have good intentions.

1. True
2. False



CIRMO

CSD

ES

ICT

OCIO

PSD

RPD

SBC

Year	Bill	Section	Recommendation	s.12; s.13
2010	M 211 (2010)	1	<p>Repeal and replace the definition of "public body" in Schedule 1 with "local public body" means:</p> <ul style="list-style-type: none"> (a) a local government body, (b) a health care body, (b.1) a social service body, (c) an educational body, (d) a governing body of a profession or occupation, if the governing body is designated in, or added by regulation to, Schedule 3, (e) a designated quasi-public body, (f) any board, committee, commission, panel, agency or corporation that is created or owned by a body referred to in paragraphs (f.1) to (f.12) and all the members or officers of which are appointed or chosen by or under the authority of that body, (f.1) a municipality, (f.2) a regional district, (f.3) an improvement district as defined in the Local Government Act, (f.4) a local area as defined in the Local Services Act, (f.5) a greater board as defined in the Community Charter or any incorporated board that provides similar services and is incorporated by letters patent, (f.6) a board of variance established under section 899 of the Local Government Act or section 572 of the Vancouver Charter, (f.7) the trust council, the executive committee, a local trust committee and the trust fund board, as these are defined in the Islands Trust Act, (f.8) the Okanagan Basin Water Board, (f.9) a water users' community as defined in the Water Act, (f.10) the Okanagan-Kootenay Sterile Insect Release Board, (f.11) a municipal police board established under section 23 of the Police Act, (f.12) a library board as defined in the Library Act, 	
2010	M 211 (2010)	2	<p>Schedule 2 of FOIPPA is amended by adding the following "public bodies" and corresponding "heads of public bodies":</p> <p>Public Body: Translink Head: Chair</p> <p>Public Body: Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games Head: Chair</p> <p>Public Body: Health Care and Care Facility Review Board Head: Chair</p>	
2010	M 211 (2010)	3	<p>Part 3 of FOIPPA is amended by adding the following section:</p> <p>The Privacy Commissioner will review and approve schemes for the routine disclosure of electronic records.</p>	

Year	Bill	Section	Recommendation
2010	M 211 (2010)	4	<p>Section 1 of the FOIPPA Reg. 229/2005, is amended by striking out paragraphs (g) and (f) as indicated below.</p> <p>1 The following committees are designated under section 12 (5) of the Freedom of Information and Protection of Privacy Act:</p> <p>(a) Agenda and Priorities Committee; (b) Treasury Board; (c) Legislative Review Committee; (d) Environment and Land Use Committee; (e) the following Government Caucus Committees: (i) Natural Resources and Economy; (ii) Social Development; (f) Repealed. [B.C. Reg. 241/2007.] (g) <i>Cabinet Committee on Climate Action and Clean Energy</i>; (h) <i>Cabinet Committee on New Relationship Coordination</i>.</p>
2010	M 211 (2010)	5	<p>Section 2 of FOIPPA is amended by:</p> <p>(a) adding the following subsections:</p> <p>(1) (f) providing for the Office of the Information and Privacy Commissioner to review and approve all data sharing initiatives, (1) (g) requiring that any infringement of a personal right to privacy must be considered in proportion to the public interest that is achieved,</p>

Year	Bill	Section	Recommendation
			<p>(1) (h) recognizing a positive "duty to document" key prescribed government decisions on the part of public bodies, and any other body to which this Act applies,</p> <p>(1) (i) requiring that where public bodies can reasonably release electronic records, the records are released in an electronic form,</p> <p>(1) (j) requiring public bodies to create accessible electronic reading rooms, within a reasonable period of time, for the general public to routinely access information,</p> <p>(1) (k) requiring public bodies to consult with the Office of the Information and Privacy Commissioner regarding privacy impact assessments at the conceptual, design and implementation phases of an online electronic project.</p>
2010	M 211 (2010)	6	<p>Section 3 of FOIPPA is amended by:</p> <p>(a) repealing subsection (1) and replacing it with "This Act applies to all records in the custody or under the control of a public body, or in the custody of a service provider under a contract with a public body, and includes court administration records, but does not apply to the following:"</p>
2010	M 211 (2010)	7	<p>Section 4 of FOIPPA is amended by:</p> <p>(a) repealing subsection (1) and replacing it with A person who makes a request under section 5 has a right of access to any record in the custody or under the control of a public body, including a record of containing personal information about the applicant. A person making a formal access request may remain anonymous throughout the entire process.</p> <p>(b) adding the following subsection: (4) A formal access request is not required for accessing personal information.</p>
2010	M 211 (2010)	8	<p>Section 10 of FOIPPA is amended by:</p> <p>(a) repealing subsection (1) and replacing it with The head of a public body may extend the time for responding to a request for up to 15 days if one or more of the following apply:</p>

Year	Bill	Section	Recommendation
2010	M 211 (2010)	9	<p>Section 11 of FOIPPA is amended by repealing subsection (1) and replacing it with:</p> <p>(1) Within 10 days after a request for access to a record is received by a public body, the head of the public body may transfer the request and, if necessary, the record to another public body if (a) the head of the public body is satisfied that the request meets the requirements of the section 5 (1) and</p>
2010	M 211 (2010)	10	<p>Section 12 of the Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996, c. 165, is amended by</p> <p>(a) repealing subsection (1) and replacing it with:</p> <p>(1) The head of a public body may refuse to disclose to an applicant information that would reveal the substance of deliberations of the Executive Council or any of its committees, including any advice, recommendations, policy considerations or draft legislation or regulations submitted or prepared for submission and directly considered by the Executive Council or any of its committees.</p> <p>(b) repealing subsection (2) (a) and replacing it with:</p> <p>(2) (a) information in a record that has been in existence for 10 or more years,</p>
2010	M 211 (2010)	11	<p>Section 13 of FOIPPA is amended by:</p> <p>(a) adding "if that information would reveal a suggested course of action for acceptance or rejection in making a decision or formulating a policy." at the end of subsection (1),</p> <p>(b) adding "or analysis of factual material," to the end of subsection 13</p> <p>(2) (a),</p> <p>(c) adding the following subsections:</p> <p>(2) (a.1) any background explanations or analysis for consideration in making a decision or formulating a policy,</p> <p>(2) (a.2) a professional, scientific, technical or investigative opinion or report</p> <p>(2) (o) internal ministerial audits, .</p>
2010	M 211 (2010)	12	<p>Section 14 of the FOIPPA is amended by repealing it and replacing it with:</p> <p>(1) The head of a public body may refuse to disclose to an applicant information that is subject to solicitor client privilege.</p> <p>(2) Subsection (1) is subject to an examination of the records being</p>

Year	Bill	Section	Recommendation
			withheld and ruling on the validity of the non-disclosure by the Commissioner of Privacy.
2010	M 211 (2010)	13	<p>Section 22 of FOIPPA is amended by:</p> <p>(a) adding the following to subsection (2):</p> <p>(2) (i) the subject of the personal information request has been dead for over 20 years.</p>
2010	M 211 (2010)	14	<p>FOIPPA is amended by repealing section 25 and replacing it with the following:</p> <p>25 (1) Whether or not a request for access is made, the head of a public body must, without delay, disclose to the public, to an affected group of people or to an applicant, all information</p> <p>(a) about a risk of significant harm to the environment, or to the health or safety of the public or a group of people, or</p> <p>(b) about a risk of harm to a vulnerable group, or</p> <p>(c) relating to a topic of recent public debate, or</p> <p>(d) the disclosure of which may yield public benefit, or</p> <p>(e) the disclosure of which is, for any other reason, clearly in the public interest.</p> <p>(2) Subsection (1) applies despite any other provision of this Act.</p> <p>(3) Before disclosing information under subsection (1), the head or a public body must mail a notice of disclosure in the prescribed form</p> <p>(a) to the last known address of the third party, and</p> <p>(b) to the commissioner.</p> <p>(4) If it is not practicable to comply with subsection (3), the head of the public body must mail a notice of disclosure in the prescribed form</p> <p>(a) to the last known address of the third party, and</p> <p>(b) to the commissioner.</p>

Year	Bill	Section	Recommendation
2010	M 211 (2010)	15	<p>Section 42 of FOIPPA is amended by:</p> <p>(a) deleting the word "and" from the end of clause (i),</p> <p>(b) adding the following clause:</p> <p>(1) (k) conduct investigations and audits to ensure compliance with the Document Disposal Act and</p> <p>(1) (l) require public bodies to release statistical information related to the processing of freedom of information requests.</p> <p>(c) adding the following subsection</p> <p>(2) The Offence Act applies to this section.</p>
2010	M 211 (2010)	16	<p>Section 44 of FOIPPA is amended by:</p> <p>(a) adding the following subsections:</p> <p>(1)(c) produce for the Commissioner any record that is being withheld on the grounds that the records are subject to solicitor client privilege.</p> <p>(2)(d) produce and release to the Commissioner any statistical information related to the processing of freedom of information requests.</p>
2010	M 211 (2010)	17	<p>Section 59 of FOIPPA is amended by</p> <p>(a) striking subsection (2) and replacing it with:</p> <p>(2) If an application for judicial review is brought before the end of the period referred to in subsection (1) or set out in an order given under section 54.1, the order of the commissioner is stayed for 60 days from the date the application is brought.</p> <p>(b) adding the following subsection:</p> <p>(3) A court may abridge or extend or impose conditions on a stay of the order of the Commissioner under subsection (2)</p>

Year	Bill	Section	Recommendation
2010	M 211 (2010)	18	<p>Section 71 of FOIPPA is amended by:</p> <p>(a) adding the following subsection:</p> <p>(4) Subsection (2) does not apply to an individual making a request for personal information.</p>
2010	M 211 (2010)	19	<p>Section 75 of FOIPPA is repealed and replaced by the following:</p> <p>75 (1) The head of a public body may require an applicant who makes a request under section 5 to pay to the public body fees of a reasonable amount for the following services:</p> <p>(a) locating, retrieving and producing the record;</p> <p>(b) preparing the record for disclosure;</p> <p>(c) shipping and handling the record;</p> <p>(d) providing a copy of the record.</p> <p>(2) An applicant must not be required under subsection (1) to pay a fee for</p> <p>(a) the first 3 hours time spent locating and retrieving a record, or</p> <p>(b) time spent severing information from a record.</p> <p>(3) Subsection (1) does not apply to a request for the applicant's own personal information.</p> <p>(4) If an applicant is required to pay a fee for services under subsection (1), the head of the public body</p> <p>(a) must give the applicant a written estimate of the total fee before providing the service, and</p> <p>(b) may require the applicant to pay a deposit of a reasonable amount, to be set by the head of the public body.</p> <p>(5) If the head of a public body receives an applicant's written request to be excused from paying all or part of the fees for services, the head may excuse the applicant if, in the head's opinion.</p> <p>(a) the applicant cannot afford the payment or for any other reason it is fair to excuse payment,</p> <p>or and must excuse the applicant if</p> <p>(b) the record relates to a matter of public interest as described in section 25, including the environment, public health or safety or</p>

Year	Bill	Section	Recommendation
			<p>(c) the request is subject to excessive delay.</p> <p>(5.1) The head of a public body must respond under subsection (5) in writing and within 20 days after receiving the request.</p> <p>(5.2) The applicant may request a waiver of the fees in their initial request for the information.</p> <p>(6) The fees that prescribed categories of applicants are required to pay for services under subsection (1) may differ from the fees other applicants are required to pay for them, but may not be greater than the actual costs of the services.</p>
2015	M 210 (2015)	1	<p>The definition of "day" in Schedule 1 of FOIPPA is repealed and replaced with the following:</p> <p>"day" means a consecutive 24-hour period;</p>
2015	M 210 (2015)	2	<p>The definition of "local public body" in Schedule 1 of FOIPPA is amended by adding the following paragraph:</p> <p>"local public body" means</p> <p>(e) a designated quasi-public body</p>
2015	M 210 (2015)	3	<p>The definition of "public body" in Schedule 1 of FOIPPA is repealed and replaced with the following:</p>

Year	Bill	Section	Recommendation
			<p>"public body" means</p> <ul style="list-style-type: none"> (a) a ministry of the government of British Columbia; (b) an agency, board, commission, corporation, office or other body designated in, or added by regulation to, Schedule 2; (c) a local public body; or (d) a subsidiary of a body enumerated in subsection (a) to (c) <p>but does not include</p> <ul style="list-style-type: none"> (e) the office of a person who is a member or officer of the Legislative Assembly, or (f) the Court of Appeal, Supreme Court or Provincial Court;
2015	M 210 (2015)	4	<p>Schedule 1 of FOIPPA is amended by adding the following definition:</p> <p>"transitory record" means records of temporary usefulness needed only for a limited time in order to complete a routine action or prepare an ongoing record, and does not include records that a public body uses to control, support or document the delivery of government programs, carry out operations of public bodies, document decisions of public bodies or account for the activities of public bodies;</p>
2015	M 210 (2015)	5	<p>FOIPPA is amended as follows:</p> <ul style="list-style-type: none"> (a) adding the following paragraph to section 2 (1): (f) recognizing a positive duty to document key government actions, deliberations, and decisions on the part of public bodies, and any other body to which this Act applies, <p>(b) adding the following subsections to section 2:</p> <ul style="list-style-type: none"> (1.1) No person shall, with intent to deny a right of access under this Act fail to create a record in relation with section 2 (1) (f); (1.2) The head of a public body shall ensure that all relevant records related to real or apprehended litigation, audit, investigation, court or archival order, or special organizational requirement are created and maintained.

Year	Bill	Section	Recommendation
2015	M 210 (2015)	6	<p>Section 3 of FOIPPA is amended by:</p> <p>(a) repealing subsection (1) and replacing it with:</p> <p>This Act applies to all records in the custody or under the control of a public body, including records in the custody of a service provider under a contract with a public body, and includes court administration records, but does not apply to the following:</p>
2015	M 210 (2015)	7	<p>Section 12 of FOIPPA is amended by repealing subsection (1) and replacing it with:</p> <p>12 (1) (a) The head of a public body may refuse to disclose to an applicant information that would reveal the substance of deliberations of the Executive Council or any of its committees, including any advice, recommendations, policy considerations or draft legislation or regulations submitted or prepared for submission and directly considered by the Executive Council or any of its committees.</p> <p>(b) If the head of a public body refuses to disclose to an applicant information that would reveal the substance of deliberations indicated in subsection (1) (a), then the head of the public body must provide a written justification to the applicant reviewable by the Commissioner.</p>
2015	M 210 (2015)	8	<p>Section 13 of the Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996, c. 165, is amended by:</p> <p>(a) adding "if that information would reveal a suggested course of action for acceptance or rejection in making a decision or formulating a policy." at the end of subsection (1),</p> <p>(b) adding the following subsections:</p> <p>(2) (a.1) any background explanations or analysis for consideration in making a decision or formulating a policy,</p> <p>(2) (a.2) a professional, scientific, technical or investigative opinion or report</p> <p>(2) (o) internal ministerial audits</p>
2015	M 210 (2015)	9	<p>FOIPP is amended by repealing section 25 (1) and replacing it with the following:</p>

Year	Bill	Section	Recommendation
			<p>25 (1) Whether or not a request for access is made, the head of a public body must disclose to the public, to an affected group of people or to an applicant, all information</p> <p>(a) about a risk of significant harm to the environment,</p> <p>(b) or to the health or safety of the public or a group of people, or</p> <p>(c) about a risk of harm to a vulnerable group, or</p> <p>(d) the disclosure of which, for any other reason, the public interest outweighs the purpose of the exemptions under sections 13, 16, 17, 21, and 22.</p>
2015	M 210 (2015)	10	<p>Section 42 (1) of FOIPPA is amended by adding the following paragraphs:</p> <p>(k) review and approve schemes for the disclosure of electronic records from all public bodies</p> <p>(l) exercise power and jurisdiction over all transitory records and may review schemes for the disposal of such records.</p>
2015	M 210 (2015)	11	<p>Section 71 of FOIPPA is amended by adding the following subsections:</p> <p>(1.3) The head of a public body must proactively disclose calendars of Executive Council members, senior ministerial staff, and senior executive officials on a monthly basis.</p> <p>(1.4) The calendar disclosure must include</p> <p>(a) the time of meeting;</p> <p>(b) the subject and purpose of meeting; and</p> <p>(c) all meeting attendees and the name of organization each attendee represents.</p>

Year	Bill	Section	Recommendation
2015	M 210 (2015)	12	<p>Section 75 (5) of FOIPPA is repealed and replaced by the following:</p> <p>(5) If the head of a public body receives an applicant's written request to be excused from paying all or part of the fees for services, the head may excuse the applicant if, in the head's opinion,</p> <p>(a) the applicant cannot afford the payment or for any other reason it is fair to excuse payment,</p> <p>and must excuse the applicant if</p> <p>(b) the record relates to a matter of public interest as described in section 25, or</p> <p>(c) the request is subject to excessive delay.</p>
2015	M 210 (2015)	13	<p>FOIPPA is amended by adding the following subsection:</p> <p>75 (5.2) the applicant may request a waiver of the fees in their initial request for the information.</p>
2016	M 207 (2016) M 214 (2017)	1	<p>Schedule 1 of FOIPPA is amended by adding the following definition:</p> <p>"government information" means recorded information created or received by a government body in connection with government business, including</p> <p>(a) information that must be held by the government body by law,</p> <p>(b) information that documents a decision by a government body respecting a course of action that directly affects a person or the operations of the government body,</p> <p>(c) information that documents or supports the government body's organization, policies, procedures, transactions or operations,</p> <p>(d) information created or received by a government body that has archival value, and</p> <p>(e) information relating to matters of court administration assigned to the Attorney General or government by law,</p> <p>but does not include</p> <p>(f) constituency information held in the office of a minister,</p> <p>(g) court information, or</p> <p>(h) information stored in or recorded on a judicial administration record;</p>
2016	M 207 (2016) M 214 (2017)	2	<p>Part 2 of FOIPPA, is amended by adding the following section</p>

Year	Bill	Section	Recommendation
			<p>11.1 (1) Every public body and service provider must create and maintain full and accurate records of government information, including the records of any matter that is contracted out to an independent contractor.</p> <p>(2) Every public body must maintain in an accessible form, so as to be able to be used for subsequent reference, all government information that are in its control, until their disposal is authorized by or under this Act or required by or under another Act.</p>
2016	M 207 (2016) M 214 (2017)	3	<p>Section 42(1) is amended by:</p> <p>(a) deleting the word "and" from the end of paragraph (i),</p> <p>(b) adding the following paragraphs:</p> <p>(k) investigate or review matters or allegations of unauthorized destruction of records or government information,</p> <p>(l) conduct investigations and audits to ensure compliance with the Document Disposal Act, and when it comes into force the Information Management Act, and</p> <p>(m) require public bodies to release statistical information related to the processing of freedom of information requests.</p>
2016	M 207 (2016) M 214 (2017)	4	Section 73 is repealed.

Year	Bill	Section	Recommendation
2016	M 207 (2016) M 214 (2017)	5	<p>Section 74 is amended by:</p> <p>(a) repealing subsection (2) and (3) substituting the following:</p> <p>(2) A person who contravenes subsection (1) commits an offence and is liable to a fine of up to \$50,000.</p> <p>(3) A person who, without proper authorization, disposes of, destroys, or hides government information commits an offence and is liable to a fine of up to \$50,000.</p>
2017	M 214 (2017)	1	<p>Schedule 1 of FOIPPA is amended by adding the following definition:</p> <p>"government information" means recorded information created or received by a government body in connection with government business, including</p> <p>(a) information that must be held by the government body by law,</p> <p>(b) information that documents a decision by a government body respecting a course of action that directly affects a person or the operations of the government body,</p> <p>(c) information that documents or supports the government body's organization, policies, procedures, transactions or operations,</p>

Year	Bill	Section	Recommendation
			<p>(d) information created or received by a government body that has archival value, and</p> <p>(e) information relating to matters of court administration assigned to the Attorney General or government by law,</p> <p>but does not include</p> <p>(f) constituency information held in the office of a minister,</p> <p>(g) court information, or</p> <p>(h) information stored in or recorded on a judicial administration record;</p>
2017	M 214 (2017)	2	<p>The following section is added:</p> <p>11.1 (1) Every public body and service provider must create and maintain full and accurate records of government information, including the records of any matter that is contracted out to an independent contractor.</p> <p>(2) Every public body must maintain in an accessible form, so as to be able to be used for subsequent reference, all government information that are in its control, until their disposal is authorized by or under this Act or required by or under another Act.</p>
2017	M 214 (2017)	3	<p>Section 42(1) is amended by:</p> <p>(a) deleting the word "and" from the end of paragraph (i),</p> <p>(b) adding the following paragraphs:</p> <p>(k) investigate or review matters or allegations of unauthorized destruction of records or government information,</p> <p>(l) conduct investigations and audits to ensure compliance with the Document Disposal Act, and when it comes into force the Information Management Act, and</p> <p>(m) require public bodies to release statistical information related to the processing of freedom of information requests.</p>
2017	M 214 (2017)	4	Section 73 is repealed.
2017	M 214 (2017)	5	<p>Section 74 is amended by:</p> <p>(a) repealing subsection (2) and (3) substituting the following:</p> <p>(2) A person who contravenes subsection (1) commits an offence and is liable to a fine of up to \$50,000.</p> <p>(3) A person who, without proper authorization, disposes of, destroys, or hides government information commits an offence and is liable to a fine of up to \$50,000.</p>

Recommendations – Information Privacy Commissioner

s.12; s.13

Year	Recommendation
2013	F13-05: Public Body Disclosure of Information Under Section 25 of the Freedom of Information and Protection of Privacy Act - Government should amend s. 25(1)(b) of FOIPPA to remove the requirement of temporal urgency so that there is a mandatory obligation for public bodies to disclose all information that is clearly in the public interest to disclose.
2014	F14-01: Use of Police Information Checks in British Columbia (Apr. 15, 2014) - Government should legislatively mandate that non-conviction information cannot be used in record checks outside of the vulnerable sector.
2014	F14-01: Use of Police Information Checks in British Columbia (Apr. 15, 2014) - Government should legislatively mandate that the centralized office in place under the CRRA should conduct all vulnerable sector checks in British Columbia. The current process for mandatory checks under the CRRA for provincially-funded employers would remain the same. Where an employer or volunteer agency that is not currently subject to the CRRA chooses to require a prospective employee or volunteer in the vulnerable sector to undergo a record check, it would be conducted in the same manner as set out by the CRRA.
2014	Open Letter to Minister: I recommend that the Associations be added as public bodies under FIPPA. Under FIPPA, a “public body” means a Ministry of the Government of British Columbia, an agency, board, commission, corporation, office or other body designated in, or added by regulation to, Schedule 2. It appears to me that the only option available is for the Associations to be added to Schedule 2.
2015	F15-03 Access Denied: Record Retention and Disposal Practices of the Government of British Columbia: Government should legislate independent oversight of information management requirements, such as the destruction of records, including sanctions when those requirements are not met.
2016	IPC#1-SC2016: Add to Part 2 of FIPPA a duty for public bodies to document key actions and decisions based on the definition of “government information” in the Information Management Act.

Year	Recommendation
2016	<p>IPC#2-SC2016: Section 13(1) of FIPPA should be amended to clarify the following:</p> <ul style="list-style-type: none"> • “advice” and “recommendations” are similar and often interchangeably used terms, rather than sweeping and separate concepts; • “advice” or “recommendations” set out suggested actions for acceptance or rejection during a deliberative process; • the “advice” or “recommendations” does not apply to the facts upon which the advice or recommendation is based; and • the “advice” or “recommendations” does not apply to factual, investigative, or background material, for the assessment or analysis of such material, or for professional or technical opinions.
2016	<p>IPC#3-SC2016: Amend FIPPA to move paragraph (n) of the definition of “local government body” into the definition of “public body” in Schedule I, so that entities such as subsidiaries of educational bodies and the BCACP fall within the scope of FIPPA.</p>
2016	<p>IPC#4-SC2016: Amend ss. 71 and 71.1 of FIPPA to require the publication of any categories of records that are established by the head of a public body or the Minister and made available to the public without an access request. This list should include links to relevant information or records.</p>
2016	<p>IPC#5-SC2016: Amend FIPPA to require public bodies to ensure that the name and type of applicant is only disclosed to the individual at the public body that receives an access request on behalf of that public body, while providing for limited exceptions where the applicant is requesting their own personal information or where the name of the applicant is necessary to respond to the request.</p>
2016	<p>IPC#6-SC2016: Add an exception to s. 33.1(1) that states that a public body may disclose personal information inside or outside of Canada, if the information is contained in a non-statutory investigation or fact-finding report commissioned by a public body, where the head of the public body concludes the public interest in disclosure outweighs the privacy interests of any person whose personal information is contained in the report.</p>

Year	Recommendation
2016	<p>IPC#7-SC2016: Add to FIPPA a requirement that public bodies have a privacy management program that:</p> <ul style="list-style-type: none"> • designates one or more individuals to be responsible for ensuring that the public body complies with FIPPA; • is tailored to the structure, scale, volume, and sensitivity of the personal information collected by the public body; • includes policies and practices that are developed and followed so that the public body can meet its obligations under FIPPA, and makes policies publicly available; • includes privacy training for employees of the public body; • has a process to respond to complaints that may arise respecting the application of FIPPA; and • is regularly monitored and updated.
2016	<p>IPC#8-SC2016: Add to Part 3 of FIPPA a breach notification and reporting framework which includes:</p> <ul style="list-style-type: none"> • A definition of a privacy breach: includes the loss of, unauthorized access to or unauthorized collection, use, disclosure or disposal of personal information. • A requirement to notify individuals when their personal information is affected by a known or suspected breach, if the breach could reasonably be expected to cause significant harm to the individual. • A requirement that a public body report to the Commissioner any breach involving personal information under the custody or control of that public body, if the breach or suspected breach could reasonably be expected to cause harm to an individual and/or involves a large number of individuals; • A timing requirement that process of notification and reporting must begin without unreasonable delay once a breach is discovered; • Authority for the Commissioner to order notification to an individual affected by a breach; and • A requirement that public bodies document privacy breaches and decisions about notification and reporting.

Year	Recommendation
2016	IPC#9-SC2016: Add a de-identification requirement to s. 33.2(l) of FIPPA for any personal information that is disclosed for the purposes of planning or evaluating a program or activity of a public body.
2016	IPC#10-SC2016: That FIPPA be amended to limit the exemption in s. 3(1)(e) to Part 2 of FIPPA.
2016	IPC#11-SC2016: Add to s. 29 of FIPPA a requirement that public bodies correct personal information when an individual requests that his or her personal information be corrected if the public body is satisfied on reasonable grounds that the request made should be implemented.
2016	<p>IPC#12-SC2016: Amend s. 42 of FIPPA to expand the Commissioner's oversight by granting the Commissioner the jurisdiction to review matters or allegations of unauthorized destruction of records.</p> <p>The Commissioner should have jurisdiction over the unauthorized destruction of records as set out in:</p> <ul style="list-style-type: none"> • any enactment of British Columbia, or • set out in a bylaw, resolution or other legal instrument by which a local public body acts or, if a local public body does not have a bylaw, resolution or other legal instrument setting out rules related to the destruction of records, as authorized by the governing body of a local public body. <p>The oversight over unauthorized destruction should come with complementary offences and penalties under FIPPA.</p>
2016	IPC#13-SC2016: Amend the definition for "data-linking" in Schedule I of FIPPA to define data-linking as the linking or combining of data sets where the purpose of linking or combining the information is different from the original purpose for which the information in at least one of the data sets that was originally obtained or compiled, and any purposes consistent with that original purpose.
2016	IPC#14-SC2016: Repeal s. 36.1(2) of FIPPA to remove the exemption of the health care sector from the data-linking oversight provisions of the Act.

Year	Recommendation
2016	IPC#15-SC2016: Penalties for offences committed by individuals under FIPPA should be raised to be up to a maximum of \$50,000 for both general and privacy offences.
2016	IPC#16-SC2016: Add a privacy protection offence to s. 74.1 that makes it an offence to collect, use, or disclosure personal information in contravention of Part 3 of FIPPA.
2016	IPC#17-SC2016: Amend Part 6 of FIPPA to require government to list provisions in statutes that prevail over FIPPA in a schedule to the Act, and amend s. 80 of FIPPA to include a review of those provisions as part of the statutory review of the Act.
2016	IPC#18-SC2016: Amend s. 56 of FIPPA to permit the Commissioner to extend the 90 day time limit to review requests in a manner that is consistent with s. 50(8) of PIPA.
2016	IPC#19-SC2016: Amend parts 4 and 5 of FIPPA to combine the complaint process and the review and inquiry process into a unitary process for the Commissioner to investigate, review, mediate, inquire into and make orders about complaints respecting decisions under FIPPA or other allegations of non compliance with FIPPA.
2016	IPC#-SC2016: Government should enact new comprehensive health information privacy legislation at the earliest opportunity.
2016	IPC#21-SC2016: Amend section 80 (1) of FIPPA to change the review cycle from 6 years to every 3-4 years.
2016	IPC#22-SC2016: Expand the Criteria in 76.1 to allow the minister greater latitude in designating an entity as a "public body" when it serves the accountability purpose in FOIPPA.

Year	Recommendation
2017	<p>IPC#1 - 2017: Breach notification — A provision should be added to FIPPA and PIPA requiring public bodies and organizations to notify the OIPC in the event of a privacy breach. The framework proposed to the legislative review committees was developed with input from our office’s breach investigations, audits, and with the objective of harmonizing our legislation with the breach notification regimes in Alberta, the federal Personal Information Protection and Electronic Documents Act (PIPEDA), and the EU’s General Data Protection Regulation (GDPR).</p> <p>Mandatory breach notification will be necessary in order for PIPA to continue to be “substantially similar” to PIPEDA, and will also be needed in order for BC to be considered “adequate” in relation to the GDPR.</p>
2017	<p>IPC#2 - 2017: Partial Duplicate: Offence provisions and monetary penalties for “snooping” — A provision should be added to FIPPA making it an offence to collect, use, or disclose personal information in contravention of Part 3 of that Act, and providing for monetary penalties for that offence.</p>
2017	<p>IPC#3 - 2017: Partial Duplicate: Oversight over duty to document — Our office has been calling for a duty to document since 2013. That duty was partially implemented by government in 2017 when it amended the Information Management Act to enable the Chief Records Officer to issue directives setting out what constitutes “an adequate record of [a] government body’s decisions.”</p> <p>This requirement to create and maintain an adequate record of decisions falls short of our office’s recommendations for a duty to document in that it does not provide for independent oversight over that duty.</p> <p>FIPPA should be amended to provide our office with oversight over the requirement to document key decisions and actions of government, and to provide our office with the authority to order public bodies to comply with that obligation.</p>
2017	<p>IPC#4 - 2017: Oversight and penalties for wilful unauthorized destruction of records - A provision should be added to FIPPA to make it an offence to wilfully destroy records in contravention of any enactment of British Columbia, or where those records are responsive to an access to information request under FIPPA.</p>

Year	Recommendation
2017	<p>IPC#5 - 2017: Correct the definition for data-linking - Amendments to FIPPA in 2011 provided for OIPC oversight of data-linking initiatives undertaken by public bodies. These additional authorities enable personal information that was collected for one purpose to be disclosed to a different public body and be used for a different purpose. This change in use carries an inherent privacy risk that was intended to be mitigated by mandatory privacy impact assessments being provided to our office.</p> <p>However, the definition for “data-linking initiative” that was enacted in FIPPA is so narrow that very few initiatives meet the definition, and the objectives of the original amendments are not being achieved.</p> <p>The OIPC and government have agreed on a revised definition and these changes are only awaiting addition to the legislative agenda. However, it was not a priority for the previous government. Government should move forward with these amendments.</p>
2017	<p>IPC#6 - 2017: Expand the policy of deemed sign-off for access requests - Our timeliness reports have found that delays in responding to access requests frequently occur at the sign-off stage, when an access response waits for a ministry to sign-off on the reviewed and redacted records prior to release.</p> <p>The Ministry of Finance issued a directive in May 2016 that implemented a presumptive sign-off policy, deeming a response to an access request to have been signed-off once it had waited five days. However, the effect of this policy has been very limited because it applies only to access requests for records in minister’s offices.</p> <p>This policy should be expanded to cover all requests, to move responses more quickly through the sign-off stage.</p>

Year	Recommendation
2017	<p>IPC#7 - 2017: Oversight over subsidiary corporations of public bodies - Some subsidiary corporations and other agencies created by public bodies are not covered under FIPPA, which creates an accountability gap for those entities. FIPPA should be amended to make subsidiary corporations created by public bodies subject to that Act. The legislative review committees in 2009 and 2016 have both recommended this change but government has made little progress beyond consultation with public bodies.</p> <p>The 2016 Committee recommended to “[e]xtend the application of FIPPA to any board, committee, commissioner, panel, agency or corporation created or owned by a public body and all the members or officers of which are appointed or chosen by or under the authority of that public body.”</p>
2017	<p>IPC#8 - 2017: Clarify that settlement privilege is not an exception to access — Section 14 of FIPPA allows the head of a public body to refuse to disclose information in an access request where that information is subject to solicitor client privilege.</p> <p>FIPPA should be amended to expressly state that the exceptions to access provided for in Part 2 are the only exceptions to access, and apply despite any other privilege of the law of evidence.</p>
2017	<p>IPC#9 - 2017: Draft amendment to clarify that s. 47 of FIPPA does not apply to privileged information. We may want to consider a limitation of delegation powers by IPC on matters respecting the reviewing of s. 14 records (s. 49)</p>
2018	<p>IPC#1-2018 (email): A provision should be added to both FOIPPA and PIPA requiring public bodies and organizations to notify the OIPC in the event of a privacy breach which involves a "real risk of significant harm to an individual".</p>
2018	<p>IPC#2-2018 (email): FOIPPA should be amended to make subsidiary corporations created by public bodies subject to the Act.</p>
2018	<p>IPC#3-2018 (email): A provision should be added to FOIPPA to make it an offence to wilfully destroy records in contravention of any enactment of British Columbia, or where those records are responsive to an access to information request under FOIPPA.</p>

Year	Recommendation
2018	IPC#4- 2018 (email): A provision should be added to FOIPPA making it an offence to collect, use or disclose personal information in contravention of Part 3 of the Act and providing monetary penalties for that offence. This the OIPC felt would address the issue of "snooping" or unauthorized access.
2018	IPC#5-2018 (email): Expand the presumptive sign-off policy, originally directed by the Minister of Finance in May 2016, to cover all requests, not just those in Ministers' offices.
2018	IPC#6-2018 (email): Government should move forward with the revised definition of data-linking as agreed upon by the IPC and the previous government.
2018	IPC#7-2018 (email): Amend FOIPPA to expressly state that the exceptions to access provided for in Part 2 are the only exceptions to access, and apply despite any other privilege of the law of evidence. According to OIPC this would exclude "settlement privilege" from being interpreted as captured under s. 14.
2018	IPC#8-2018 (email): Amend Parts 4 and 5 of FOIPPA to combine the complaint, review and inquiry process into a unitary process for the IPC to investigate, review, mediate, inquire into and make orders about complaints respecting decisions under FOIPPA or other allegations of non-compliance with FOIPPA.
2018	IPC#9-2018 (email): Amend FOIPPA to delete the redundant section 30.1 (c) as it is already covered under 30.1 (b)
2018	IPC#10-2018 (email): Amend FOIPPA to clarify that part 3 of FOIPPA applies to records in s. 3 (1) (a)- (k).
2018	IPC#11-2018 (email): Amend FOIPPA to provide for mandatory document destruction provision similar to PIPA, requiring public bodies to destroy personal information when it no longer serves a business or legal purpose.
2018	IPC#12-2018 (email): Amend FOIPPA to add a requirement that, if a public body is satisfied on reasonable grounds that a correction of personal information should be made, then the public body must implement the correction.
2018	IPC#13-2018 (email): Introduce a requirement for non-ministry public bodies to complete PIAs for programs that involve personal information.

Year	Recommendation
2018	IPC#14-2018 (email): Introduce a requirement in section 8 in FOIPPA for a public body to respond to an applicant in writing.
2018	IPC#15-2018 (email): Amend Section 45 of FOIPPA so that it protects individuals who made statements or gave answers during an audit.
2018	IPC#16-2018 (email): Add an exception to s. 33.1(1) that states that a public body may disclose personal information inside or outside of Canada, if the information is contained in a non-statutory investigation or fact-finding report commissioned by a public body, where the head of the public body concludes the public interest in disclosure outweighs the privacy interests of any person whose personal information is contained in the report.
2018	IPC#17-2018 (email): Amend FOIPPA in order to provide the OIPC with the authority to disclose information to the public, enabling them to use s. 47 (2).
2018	IPC#18-2018 (email): Amend FOIPPA to make section 12 a discretionary exception or defining "substance of deliberations" and / or "background explanations or analysis" to allow more information to be released under this section.
2018	IPC#19-2018 (email): Clarify that the Commissioner cannot disclose privileged records. FIPPA should be amended to clarify that the Commissioner cannot disclose to the Attorney General evidence of an offence that was acquired through the Commissioner's review of records that are subject to solicitor client privilege.
2019	Order F19-04: Past orders on the issue of deleted emails concluded that the section 6(1) duty does not extend to retrieving deleted records from backup tapes. [...] The findings are still applicable here.

Dispositions – Special Committees (2010) and (2016)

s.12; s.13

Year	Recommendation
2010	RECOMMENDATION 01: Add a new section 2(3) to acknowledge that information technology plays an important role in achieving the dual purposes of the Act by facilitating the routine disclosure of general information as well as enhancing safeguards for privacy protection.
2010	RECOMMENDATION 02: Add a new section 2(4) to require that for an infringement of the right to privacy to be lawful, it must be proportional to the public interest that is achieved.
2010	RECOMMENDATION 03: Include the British Columbia Society for the Prevention of Cruelty to Animals by using definition (b) of <i>public body</i> in Schedule 1 that makes provision for adding an “other body” by regulation to Schedule 2; and add the proviso that access rights pertain only to those records that relate to this Society’s statutory powers.
2010	RECOMMENDATION 04: Expand the definition of “public body” in Schedule 1 to include any corporation that is created or owned by a public body, including an educational body.
2010	RECOMMENDATION 05: Amend Section 3 to clarify that records created by or in the custody of a service-provider under contract to a public body are under the control of the public body on whose behalf the contractor provides services.
2010	RECOMMENDATION 06: Amend section 3(1)(e) by replacing “employees” with “faculty members and teaching support staff” of a post-secondary educational body.
2010	RECOMMENDATION 07: Add a new section at the beginning of Part 2 of the Act requiring public bodies - at least at the provincial government level - to adopt schemes approved by the Information and Privacy Commissioner for the routine proactive disclosure of electronic records, and to have them operational within a reasonable period of time.
2010	RECOMMENDATION 08: Amend section 13(2) to require the head of a public body to release on a routine and timely basis the information listed in paragraphs (a) to (n) to the public.

Year	Recommendation
2010	RECOMMENDATION 09: Amend section 9(2) of the Act to require that public bodies provide electronic copies of records to applicants, where the records can reasonably be reproduced in electronic form.
2010	RECOMMENDATION 10: Amend section 4(1) to establish that an applicant who makes a formal access request has the right to anonymity throughout the entire process.
2010	RECOMMENDATION 11: Amend sections 5 and 9 to allow applicants a right of access to original records if reasonable.
2010	RECOMMENDATION 12: Amend section 11 to reduce the time allowed for file transfers to ten business days.
2010	RECOMMENDATION 13: Make section 14 a mandatory exception, by changing “may refuse” to “must refuse” except when the public body is the client and can choose to waive privilege, or, if the client is a third party, the client agrees to waive privilege.
2010	RECOMMENDATION 14: Amend section 14 of the Act to state that decisions on the privileged status of materials when FOI requests are made must be referred to the Supreme Court of British Columbia.
2010	RECOMMENDATION 15: Amend section 20(3) to provide for immediate release of all requested records if 90 days have elapsed since receiving the applicant’s request; and to provide that an access request may be refused if the information will be published according to a statutory schedule.
2010	RECOMMENDATION 16: Amend section 22(2) to state that the personal information of an individual who has been dead for over 20 years is a relevant consideration in determining whether the disclosure of the deceased’s personal information would be an unreasonable invasion of personal privacy.

Year	Recommendation
2010	RECOMMENDATION 17: Amend section 22(3)(h), as follows: “The disclosure could reasonably be expected to reveal the substance of a personal recommendation, or evaluation, character reference, or personnel evaluation, that was supplied in confidence by a third party, or, to reveal the identity of the third party who supplied the reference in confidence.” A corresponding amendment would be required to repeal section 22(5).
2010	RECOMMENDATION 18: Amend section 22(4)(i) by adding “degree, diploma or certificate” granted to the third party by a public body.
2010	RECOMMENDATION 19: Review section 25(1) in light of the Supreme Court of Canada decision, <i>Grant v. Torstar Corp.</i>
2010	RECOMMENDATION 20: Amend the Act to allow an individual to consent to the collection, use and disclosure of their personal information by a public body (similar to the <i>Personal Information Protection Act</i>).
2010	RECOMMENDATION 21: Amend the Act to include language confirming a broader approach to research so that applied research into issues, facts, trends, etc for the purpose of program planning and/or evaluation can be undertaken, provided that only de-identified data are used.
2010	RECOMMENDATION 22: Consider holding public consultations on data sharing initiatives.
2010	RECOMMENDATION 23: Appoint a Government Chief Privacy Officer.
2010	RECOMMENDATION 24: Amend the Act to require that data sharing projects for the purpose of research must be subject to ethics review by an arm’s length stewardship committee.
2010	RECOMMENDATION 25: Add a requirement in the Act that privacy impact assessments must be completed at the conceptual, design and implementation phases of an electronic record project. This requirement should apply to health authorities as well as government ministries.

Year	Recommendation
2010	RECOMMENDATION 26: Amend the Act to reflect the approach taken in the <i>Personal Information Protection Act</i> with respect to the collection of employee personal information.
2010	RECOMMENDATION 27: Re-examine the protocols regarding sharing health information with immediate family members.
2010	RECOMMENDATION 28: Amend section 35 of the Act to permit a health care body to disclose de-identified personal health information without the individual's consent for legitimate research purposes.
2010	RECOMMENDATION 29: Amend section 42 to explicitly give the Commissioner the power to require public bodies to submit statistical and other information related to their processing of freedom-of-information requests, in a form and manner that the Commissioner considers appropriate.
2010	RECOMMENDATION 30: Combine the complaint process and the review and inquiry process - referred to in sections 42(2) and 52(1) respectively - into a unitary process for the Commissioner to investigate, mediate, inquire into and make orders about complaints respecting decisions under the Act and other allegations of non-compliance with the Act.
2010	RECOMMENDATION 31: Amend section 56 to permit the Commissioner to extend the 90-day time limit to review access requests in a manner that is consistent with section 50(8) of the <i>Personal Information Protection Act</i> .
2010	RECOMMENDATION 32: Amend section 59(2) and add a new section 59(3) to inhibit abuse of the judicial review process by time-limiting the automatic stay of the Commissioner's order.

Year	Recommendation
2010	RECOMMENDATION 33: Amend section 66 of the Act to include local government bodies in order that local governments have the option of appointing the Chair of the Board or the Mayor of the municipality as the head of the public body with the ability to delegate the duties, power or function to staff.
2010	RECOMMENDATION 34: Amend section 71 to require public bodies to make available to an individual his or her own personal information free of charge and without an access request, but subject to any access exceptions under the Act.
2010	RECOMMENDATION 35: Review the Schedule of Maximum Fees with an emphasis on meeting the original objectives of the legislation and use the criterion of reasonableness throughout the whole process.
2016	RECOMMENDATION 01 (A): Amend FOIPPA and initiate proactive disclosure strategies to reflect the principle that information that is in the public interest should be proactively disclosed, subject to certain limited and discretionary exceptions that are necessary for good governance and to protect personal information. Among other things, this could be accomplished by strengthening s. 25(1) to remove the requirement of temporal urgency.
2016	RECOMMENDATION 01 (B): Amend FOIPPA and initiate proactive disclosure strategies to reflect the principle that information that is in the public interest should be proactively disclosed, subject to certain limited and discretionary exceptions that are necessary for good governance and to protect personal information. Among other things, this could be accomplished by establishing a publication scheme that would apply to all public bodies, that includes, among other things, mandatory proactive disclosure of those records listed in s. 13(2)(a) to (n).
2016	RECOMMENDATION 01 (C): Amend FOIPPA and initiate proactive disclosure strategies to reflect the principle that information that is in the public interest should be proactively disclosed, subject to certain limited and discretionary exceptions that are necessary for good governance and to protect personal information. Among other things, this could be accomplished by: c) developing a system within government to proactively disclose the calendar information of ministers and senior officials that would be disclosed in response to an access request.
2016	RECOMMENDATION 02: Add a duty to document to FOIPPA.

Year	Recommendation
2016	RECOMMENDATION 06: Extend the application of FOIPPA to any board, committee, commissioner, panel, agency or corporation created or owned by a public body and all the members or officers of which are appointed or chosen by or under the authority of that public body
2016	RECOMMENDATION 07: Consider designating all publicly-funded health care organizations as public bodies under FOIPPA.
2016	RECOMMENDATION 08: Reduce the timeline in which a public body must respond to an access request from 30 business days to 30 calendar days.
2016	RECOMMENDATION 09: Review other timelines established in FOIPPA with a view to reducing them in order to promote the efficiency and timeliness of the FOI process.
2016	RECOMMENDATION 10: Amend section 4(1) of FOIPPA to establish that an applicant who makes a formal access request has the right to anonymity.
2016	<p>RECOMMENDATION 11: Add to Part 3 of FOIPPA a breach notification and reporting framework which includes:</p> <ul style="list-style-type: none"> • A definition of a privacy breach: includes the loss of, unauthorized access to or unauthorized collection, use, disclosure or disposal of personal information. • A requirement to notify individuals when their personal information is affected by a known or suspected breach, if the breach could reasonably be expected to cause significant harm to the individual. • A requirement that a public body report to the Commissioner any breach involving personal information under the custody or control of that public body, if the breach or suspected breach could reasonably be expected to cause harm to an individual and/or involves a large number of individuals; • A timing requirement that process of notification and reporting must begin without unreasonable delay once a breach is discovered; • Authority for the Commissioner to order notification to an individual affected by a breach; and • A requirement that public bodies document privacy breaches and decisions about notification and reporting.

Year	Recommendation
2016	RECOMMENDATION 12: Amend s. 6 of FOIPPA to add a specific requirement for public bodies to make the contact information of the person responsible for ensuring compliance available to the public.
2016	RECOMMENDATION 13: Amend s. 12 of FOIPPA to permit the Cabinet Secretary to disclose to an applicant information that would reveal the substance of deliberations of the Executive Council or any of its committees where the Cabinet Secretary is satisfied that the public interest in the disclosure of the information outweighs the reason for the exception.
2016	RECOMMENDATION 15: Amend s. 13(1) of FOIPPA to clarify that the discretionary exception for “advice” or “recommendations” does not extend to facts upon which they are based; or for factual, investigative or background material; or for the assessment or analysis of such material; or for professional or technical opinions.
2016	RECOMMENDATION 16: Amend s. 14 of FOIPPA to make it a mandatory exception unless the public body is the client and can choose to waive privilege, or if the client is a third party, the client agrees to waive privilege.
2016	RECOMMENDATION 17: Consider whether an explicit reference to investigations that are within the mandate of a professional regulatory body should be added to the definition of “law enforcement” in Schedule 1 so that a professional regulatory body may refuse to disclose information that may harm an investigation.
2016	RECOMMENDATION 18: Review the Schedule of Fees with a view to ensuring that fees are not a barrier to individuals’ right of access, and that they provide reasonable compensation for substantial costs incurred by public bodies in responding to complex requests.
2016	RECOMMENDATION 19: Amend s. 75 of FOIPPA to provide an automatic fee waiver for applicants when a public body has failed to meet the statutory timeline for responding to access requests.
2016	RECOMMENDATION 21: Make fee waivers available as a matter of course, without the applicant having to make a specific request, when there is significant public interest in disclosure.

Year	Recommendation
2016	<p>RECOMMENDATION 22: Add to FOIPPA a requirement that public bodies have a privacy management program that:</p> <ul style="list-style-type: none"> • designates one or more individuals to be responsible for ensuring that the public body complies with FOIPPA; • is tailored to the structure, scale, volume, and sensitivity of the personal information collected by the public body; • includes policies and practices that are developed and followed so that the public body can meet its obligations under FOIPPA, and makes policies publicly available; • includes privacy training for employees of the public body; • has a process to respond to complaints that may arise respecting the application of FOIPPA; and • is regularly monitored and updated.
2016	<p>RECOMMENDATION 23: Amend FOIPPA to permit a public body to not notify the employee that it is collecting their personal information, either indirectly or directly, for the purpose of managing or terminating the employment relationship, where it is reasonable to expect that doing so would compromise (a) the availability or the accuracy of the information, or (b) an investigation or a proceeding related to the employment of the employee.</p>
2016	<p>RECOMMENDATION 24: Amend s. 33.1(1) to permit public bodies to post non-statutory investigation or fact-finding reports on-line where the public interest in disclosure outweighs the privacy interests.</p>
2016	<p>RECOMMENDATION 25: Amend s. 33.2(l) of FOIPPA to permit only de-identified personal information to be disclosed for the purposes of planning or evaluating a program or activity of a public body.</p>
2016	<p>RECOMMENDATION 26: Amend s. 69 of FOIPPA to clarify and strengthen requirements with respect to privacy impact assessments.</p>

Year	Recommendation
2016	RECOMMENDATION 27: Amend s. 42 of FOIPPA to expand the Information and Privacy Commissioner's oversight by granting the Commissioner the jurisdiction to review matters or allegations of unauthorized destruction of records within public bodies.
2016	RECOMMENDATION 28: Amend the definition for "data-linking" in Schedule 1 of FOIPPA to define data-linking as the linking or combining of datasets where the purpose of linking or combining the information is different from the original purpose for which the information in at least one of the datasets that was originally obtained or compiled, and any purposes consistent with that original purpose.
2016	RECOMMENDATION 30: Amend Parts 4 and 5 of FOIPPA to combine the complaint process and the review and inquiry process into a unitary process for the Commissioner to investigate, review, mediate, inquire into and make orders about complaints respecting decisions under FOIPPA or other allegations of non-compliance with FOIPPA.
2016	RECOMMENDATION 31: Amend FOIPPA to make the alteration, concealment, or destruction of records with the intention of denying access rights under FOIPPA an offence under FOIPPA. (Duplicate)
2016	RECOMMENDATION 32: Amend s. 74.1 of FOIPPA to make the unauthorized collection, use, and disclosure of personal information in contravention of Part 3 of FOIPPA an offence under FOIPPA.
2016	RECOMMENDATION 33: Increase the maximum amount of fines for general offences from \$5000 to \$10,000 and increase the amount of fines for privacy offences committed by individuals to up to \$25,000.
2016	RECOMMENDATION 34: Institute a fine of up to \$10,000 for the offence of destroying, altering, or concealing a record with the intention of denying access rights under FOIPPA. (Duplicate)
2016	RECOMMENDATION 35: Amend FOIPPA to require public bodies to correct personal information at the request of an individual the information is about if there are reasonable grounds for the public body to do so.