Information Access and Privacy

Stakeholder Consultation Overview

April – August 2021

BRITISH COLUMBIA | Ministry of Citizens' Services

Executive Summary

British Columbia's Freedom of Information and Protection of Privacy Act (FOIPPA) balances government's accountability to the public through access to information with a person's right to privacy.

The COVID-19 pandemic has shifted how government does business, with technology being used more than ever to provide safe and convenient services to people. The Ministry of Citizens' Services undertook engagement through spring and summer 2021 with a variety of stakeholders to understand how the pandemic and other shifts in society have impacted how people view government information access and privacy.

Through a combination of roundtable meetings and presentations to stakeholder groups, the ministry heard from representatives of the over 2,900 public bodies covered by FOIPPA on improvements that could be made to better support their operations while also maintaining government's commitment to increase access to information. In addition, public surveys were hosted to gain insight on how the public's perception of information access and protection of privacy may have changed since the last survey in 2018; especially in light of government expanding many services online in the last year.

Engagement and consultation focussed on two key themes:

- Service modernization
- Privacy enhancement

By gathering input from a wide range of individuals, businesses, Indigenous partners, and stakeholders, government will be well positioned to understand what is important to people as it considers ways to improve how people's information is protected while keeping the B.C. public sector accountable.

Background

The Freedom of Information and Protection of Privacy Act (FOIPPA) was introduced in 1993 and keeps government accountable to the public and protects the privacy of British Columbians.

British Columbia has long been a leader in Canada with respect to privacy protection and access to information; however, FOIPPA has fallen out of step with similar statutes in other jurisdictions. Apart from the minor amendments made in 2019, the Act has not been substantially updated since 2011. As a result, it has been outpaced by considerable advancements in technology, significant changes in the way people access government services and evolving privacy protection expectations.

The Ministry of Citizens' Services is looking at opportunities to:

- Enable service modernization across the public sector, which will allow government to provide better services to British Columbians.
- Enhance public-sector privacy protections.
- Demonstrate the Province's commitment to diversity, inclusion, reconciliation and equity.

There are a large number of stakeholders who have an interest in FOIPPA, including the over 2,900 public bodies covered by the Act as well as professional associations, special interest groups, Indigenous partners, the Office of the Information and Privacy Commissioner (OIPC) and the public.

From 2017 to 2019, there was substantial engagement completed on the topic of information access and privacy to understand stakeholder concerns and priority issue identification. Feedback from these stakeholder sessions, as well as recommendations from Special Committees of the Legislative Assembly that reviewed FOIPPA, and the OIPC, has informed opportunities to improve the way people's information is protected while keeping the Province accountable. These opportunities were presented to stakeholders through recent consultation.

Consultation Overview

Building on the productive 2017-2019 consultations, the ministry re-engaged with many of the same stakeholder groups to confirm their previous input and present policy options based on their feedback – including gaining an understanding of potential organizational impacts from the changes. Engagement was undertaken between April and August 2021 with B.C broader public sector bodies, government ministries, Indigenous partners, the technology sector, and the general public.

Public sector feedback was received through roundtable meetings and presentations to representatives in key sectors of the broader public sector (such as post-secondary institutions, crown corporations and health authorities) as well as government ministries.

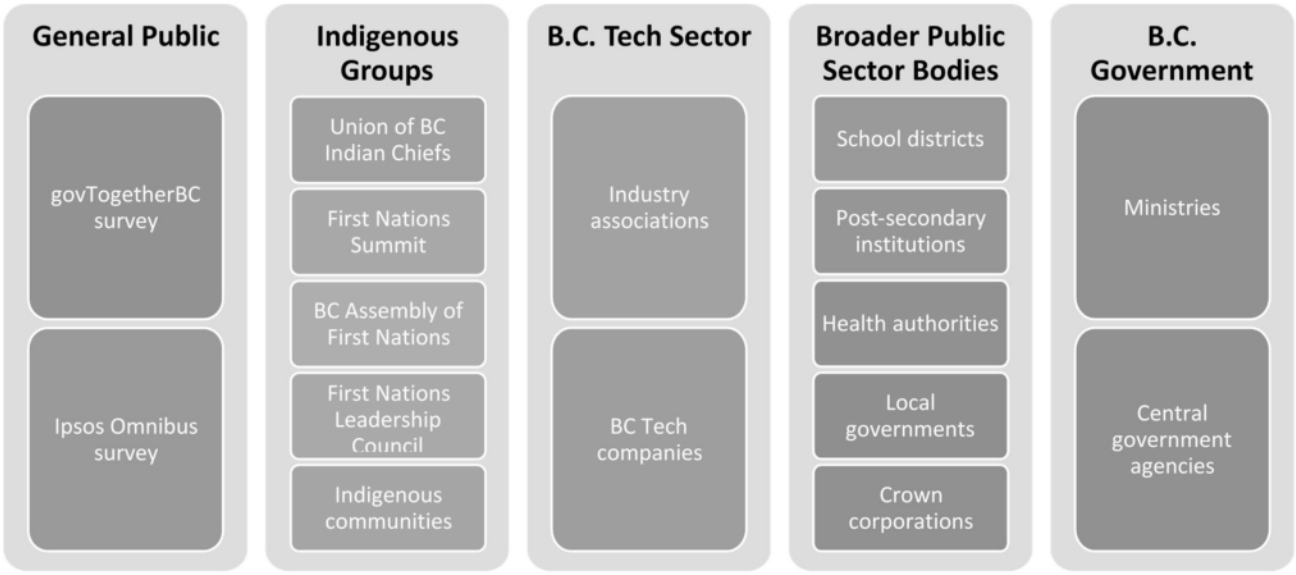
For the general public, a survey was hosted on govTogetherBC which followed-up on a similar survey from spring 2018. The purpose of the survey was to understand if people's thoughts on access to government information and the protection of privacy has changed since that time – especially with the expansion of many government services online during the pandemic. The questions focused on how individuals access government information, data protection, the Freedom of Information (FOI) process, reporting privacy breaches, and offences and penalties. Over 1,700 individuals responded to the survey between June 15 and July 15. [Survey content and results can be found in Appendix 1]

To ensure a broad representation of respondents, a similar survey was conducted by Ipsos Omnibus with 800 adult British Columbians throughout the province. [Survey content and results can be found in Appendix 2]

In addition, special focus was placed on engaging with Indigenous partners to better understand how reconciliation efforts can be supported through improving access to information and privacy rules. This work is still underway and has included meetings with Indigenous organizations, discussions with Treaty First Nations representatives as well as a questionnaire that was sent to over 200 First Nations leaders in communities throughout the province.

Summary of Participants

[See Appendix 3 for detail on sessions and participating organizations.]



Findings

Theme 1: Service Modernization

Current state

British Columbians are very active when it comes to using the Freedom of Information (FOI) process – the B.C. government receives more FOI requests every year than most other jurisdictions in Canada. While many general FOI requests (requests that are not for an individuals' own personal information) ensure that high-value government information is shared with the public, others are overly broad and directed at multiple public bodies. These requests do not typically result in responsive records and as such, do not increase transparency. Responding to these broad requests impacts the capacity for public bodies to effectively serve all FOI applicants and has the potential to negatively impact day-to-day operations.

In 2004, FOIPPA was updated to keep British Columbians' personal information in Canada; however, these changes have prevented the B.C. public sector from using modern tools and new or innovative technology to provide services to British Columbians. It has been almost twenty years since these requirements were implemented, and people's expectations have changed. British Columbians expect more and better online

services from the public sector – especially during public emergencies such as the COVID-19 pandemic. As well, technology has also evolved considerably since 2004, with many enhancements to the ways personal data can be protected.

To ensure government can continue providing services during the pandemic, a ministerial order was issued to enable the use of online tools such as virtual classrooms, health services, voter registration and others. People see benefit to these digital tools and government is considering how to continue improving online tools and technologies to help people access public services in the future.

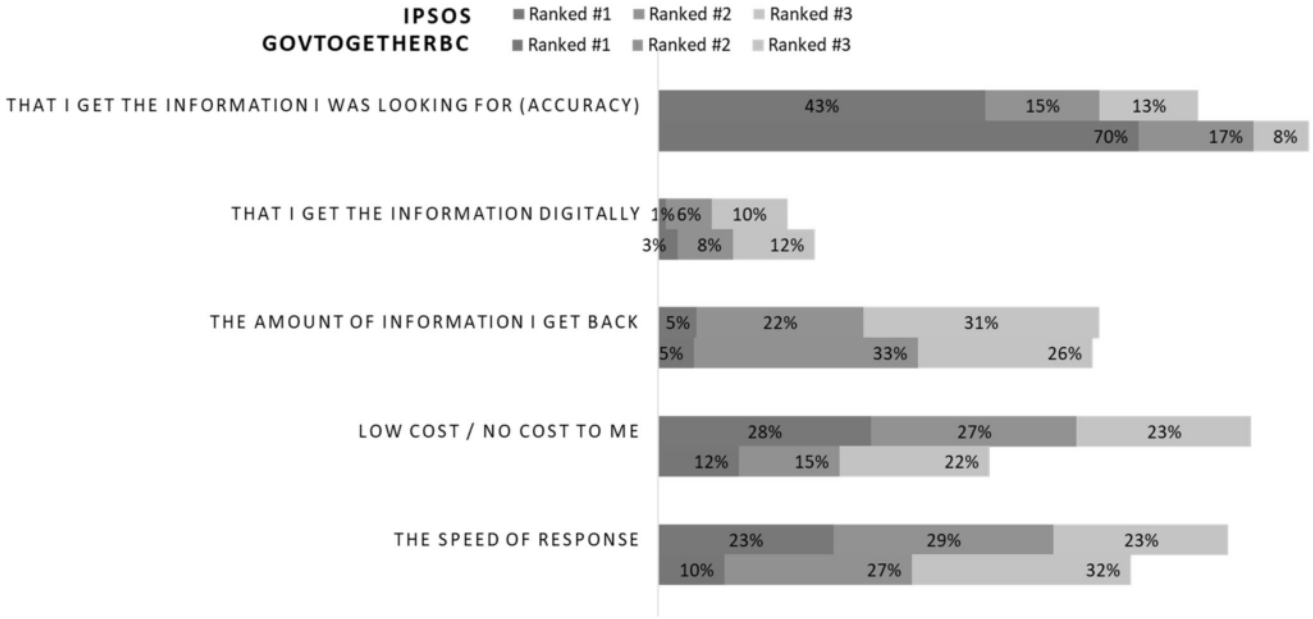
Response from stakeholders

Through consultations with public bodies, the ministry learned that the impact of increased FOI requests in the past several years have been felt across the public sector. In the health sector, there has been a substantial increase of requests during the COVID-19 pandemic which is straining the capacity of an already busy health care system. Staff of local governments are balancing the day-to-day functions of running a municipality with responding to an increasing number of FOI requests, which is causing significant operational challenges. Discussions focussed on opportunities to improve the FOI process.

While public sector comments focussed on operational impacts related to FOI requests, the results of both the govTogetherBC and Ipsos surveys highlighted that the accuracy of the information the public receives from government through the FOI processes is paramount. The low/no cost and speed of response were secondary.

> *"If I am seeking information, the most important thing is that the information is accurate. There's no point in low cost or speed if I cannot rely on that information."*
>
> - Information Access and Privacy survey respondent

Figure 1 – How would you rank these in order of importance when seeking government information or data (i.e. not your own information)?

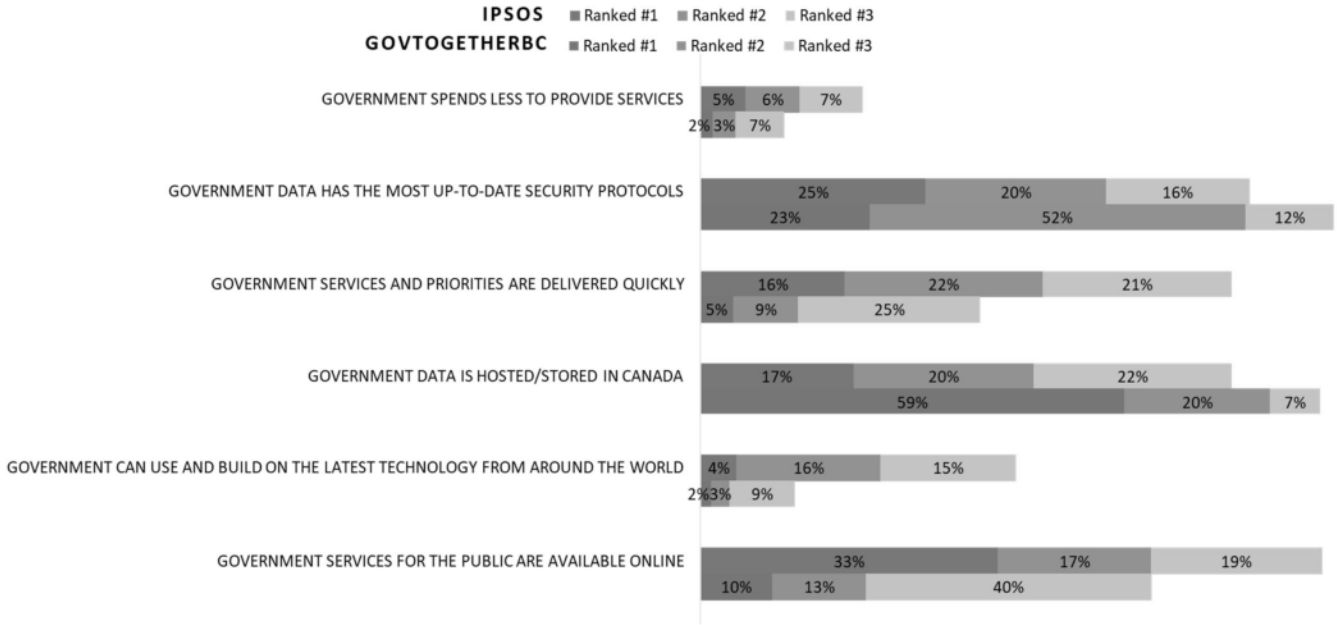


When discussing B.C.'s current requirements to keep British Columbians' personal information in Canada, most public bodies agreed that the current restrictions are slowing their ability to: provide necessary services to British Columbians, be innovative, collaborate with other jurisdictions, and compete in a world market. Health sector participants highlighted examples where cross-country and worldwide collaboration during COVID were impacted by the current restrictions. In the post-secondary sector, non-standard and out-of-date tools are being used in classrooms as instructors are unable to use the most effective tools available, which is negatively impacting post-secondary institution competitiveness. Smaller and rural organizations also highlighted a number of tools that are currently unavailable due to the restrictions and noted that developing alternatives can be cost prohibitive.

Similarly, during discussions with the B.C. tech sector, it was highlighted that being able to access modern technology (e.g., cloud computing) to support the public sector would improve service delivery. Sector representatives also noted that it would increase the competitiveness of small tech businesses by enabling them to use faster, more powerful, and often more economical international cloud technology when working with government.

While survey respondents were divided on whether or not the storage of personal information inside of Canada was important to them, there was a general consensus that government needs to be able to provide quality modernized services to citizens and needs to ensure that B.C.'s information is kept safe and secure.

Figure 2 – When thinking about accessing government services and information, what is most important to you?



> *"Data security is paramount. I trust government to ensure our most-sensitive data is being handled using world-leading information security best practices. This must be balanced with the need to provide services to the public promptly and accessibly which demands an approach to information security that scales with the potential damage of the information being improperly accessed."*
>
> *"Data is important and needs to be protected from bad actors. It would be preferable that Canadian data stays in Canada."*
>
> - Information Access and Privacy survey respondents

Theme 2: Privacy Enhancement

Current state

The B.C. public sector has one of the most rigorous privacy regimes in all of Canada. Protecting the privacy of British Columbians is a top priority for government and broader public sector bodies. As stated above, British Columbians' expectations of privacy are ever evolving. The Province is committed to continuously improving its privacy framework in response to these expectations with input from stakeholders.

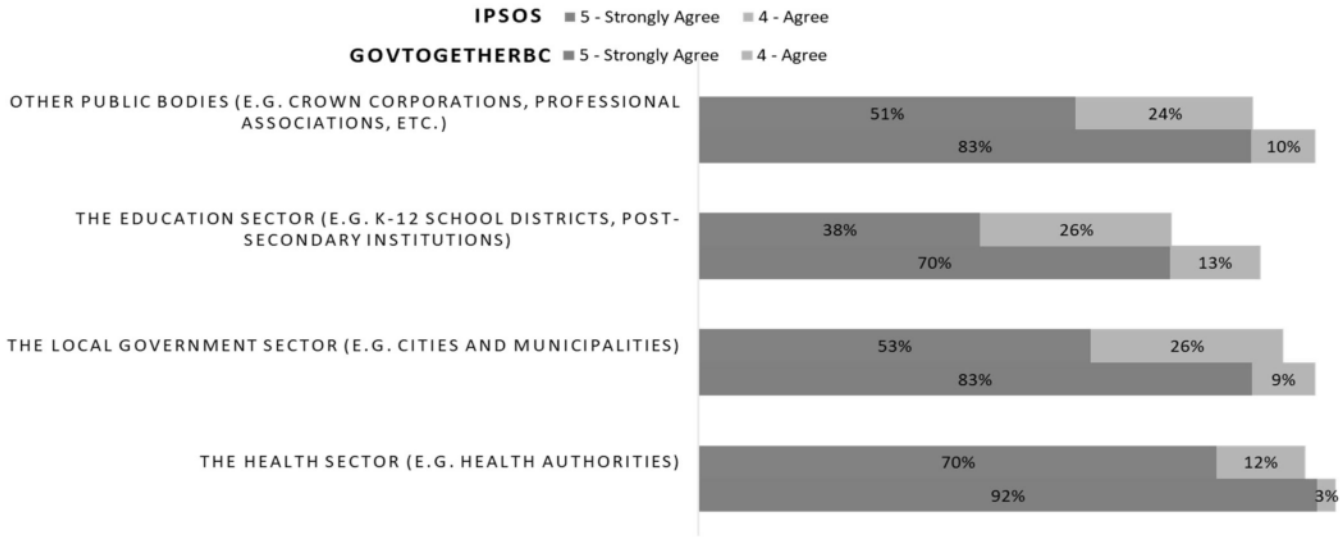
Response from stakeholders

Discussions with stakeholders focussed on opportunities to ensure B.C. remains at the forefront of privacy protection in Canada and all participants agreed that protecting the privacy of British Columbians is imperative.

In discussions with broader public sector bodies, all sectors acknowledged that while privacy-enhanced practices— such as reporting privacy breaches, conducting privacy impact assessments (PIAs), and having a framework in place to manage privacy—can often be time consuming, they are vital. Smaller public bodies have limited capacity, and participants highlighted the need for any privacy protections to be proportionate to the sensitivity of the personal information held, while also providing appropriate supports and training.

Participants in the govTogetherBC public survey and Ipsos Omnibus survey strongly indicated that they agree that broader public sector bodies should notify the affected person or the OIPC if their private information was breached. Below is a comparison of responses across both surveys.

Figure 3 – How strongly do you feel the following public bodies should be legally required to notify you and/or the Office of the Information and Privacy Commissioner if your private information is breached?

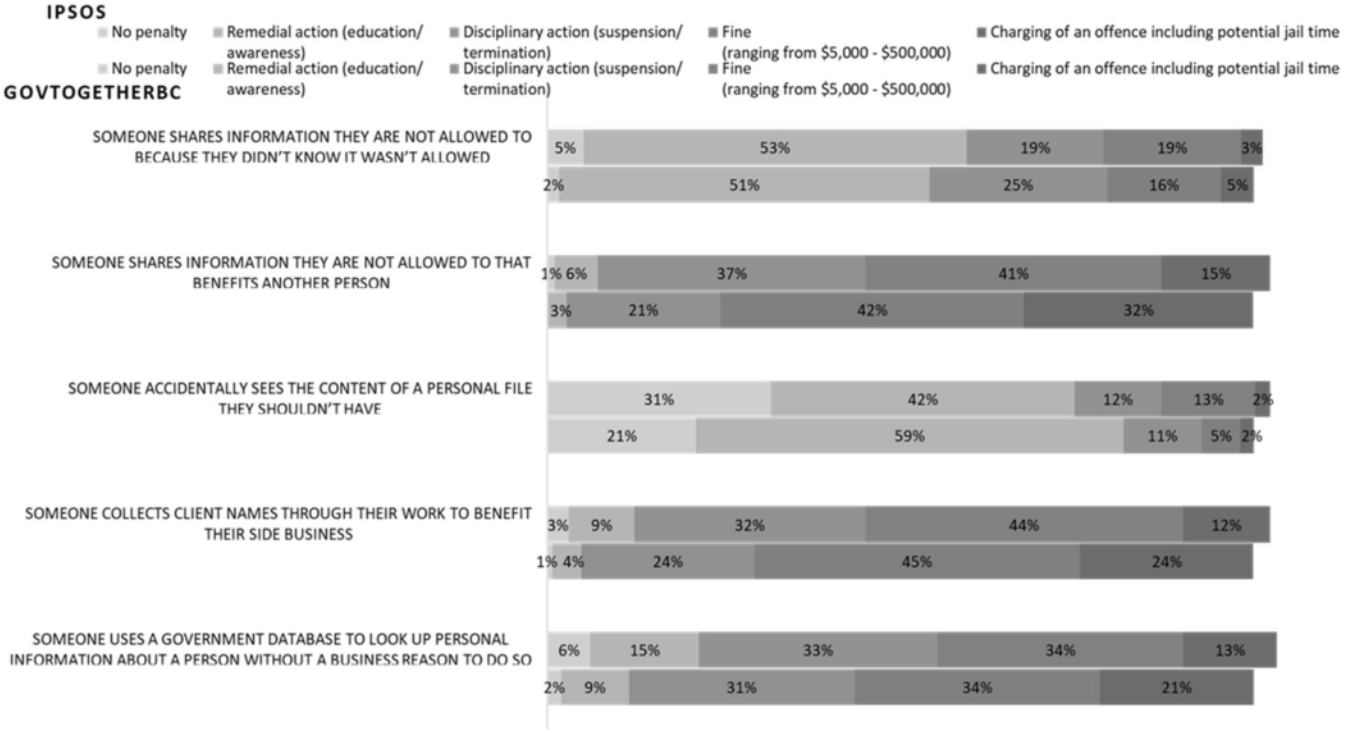


Written comments in both surveys had a common theme of "security and privacy". Respondents made it clear that ensuring that personal information is secure is critical. Several respondents noted that government should be held to higher data protection standards compared to other organizations and should have increased security protections in place to protect people's personal information.

Additionally, respondents emphasized the consequences of privacy breaches and called for a strengthening of laws relating to privacy and security. Many comments also stressed the increasing significance of personal data as the world becomes more digital.

> *"When accessing government services, people are required to provide personal information. I believe it is of utmost importance that the citizens of BC can trust that their personal information will not be compromised."*
>
> - Information Access and Privacy survey respondent

Figure 4 – For each of the scenarios below, which penalty seems most appropriate for the offence?



Conclusion

It is clear from stakeholder feedback that individuals, businesses, and public bodies in British Columbia are interested and engaged on how the Province enables transparency through access to information and protects privacy. This summary provides a snapshot of major items raised during the recent discussions and surveys on privacy and access. All feedback received will inform next steps as the ministry reviews FOIPPA.

Appendix 1: govTogetherBC survey content and results

Minister's Welcome

In Spring 2018, we asked for your ideas to improve the rules that govern both access to information and the protection of your personal information. A summary of the results can be found here.

We recognize a lot has changed since those discussions took place. The COVID-19 pandemic has shifted how government does business, with technology being used more than ever to provide safe and convenient services to people.

The Ministry of Citizens' Services wants your thoughts on access to government information and the protection of privacy. Your input will help us improve our services in the future. Thank you for taking part!

Hon. Lisa Beare
Minister of Citizens' Services

Section 1 – Accessing government information

1. Currently, what is your primary source for information from government?
    - 43.39% Government websites
    - 11.37% Newspapers
    - 6.38% Government social media channels (e.g., Facebook, Instagram, Twitter etc.)
    - 10.08% Other social media channels (e.g., Facebook, Instagram, Twitter etc.)
    - 11.65% TV
    - 16.63% Other

2. Has where you get government information changed during the pandemic?
    - 14.50% Yes
    - 84.66% No

2b. If yes, how?

[Written responses not shown to protect the privacy of respondents]

3. In the past year, which of the following have you accessed or used?
    - 55.82% Virtual doctor's appointment
    - 20.88% Video conferencing with government staff (e.g., Zoom, MS Teams, GoToMeeting, etc.)
    - 23.85% BC Services Card mobile app
    - 11.42% Virtual Schools (e.g., K-12, post-secondary)
    - 75.25% Booking an appointment online for government services (e.g., COVID vaccination, ICBC)
    - 46.98% Online laboratory test results
    - 49.55% Paying government bills online
    - 37.79% Applying for COVID-19 benefits or supports
    - 42.39% Online voter registration and/or vote-by-mail package request (Elections BC)

Section 2 – Data residency

In 2004, the Freedom of Information and Protection of Privacy Act (FOIPPA) was updated to keep British Columbians' personal information in Canada; however, these rules have left B.C. falling behind other provinces. It has also made it more difficult and often more expensive for government to use new or innovative technology.

It's been almost 20 years since these requirements were implemented. Since then, there have been big advances in technology and information security. People's expectations have also changed; they expect more and better online services from their governments today than ever before – especially during the pandemic.

To ensure government can continue providing services during the pandemic, a ministerial order was issued to enable the use of online tools such as virtual classrooms, online health services, voter registration and others. People have told us they see benefit to these digital tools and government is considering how these new and innovative technologies can help people to access services in the future.

4. When thinking about accessing government services and information, what is most important to you?
    - 9.96% Government services for the public are available online
    - 1.53% Government can use and build on the latest technology from around the world
    - 58.80% Government data is hosted/stored in Canada

4.53% Government services and priorities are delivered quickly
23.49% Government data has the most up-to-date security protocols
1.70% Government spends less to provide services

5. Provide some detail why the option(s) you chose in the previous question are so important.

   [Written responses not shown to protect the privacy of respondents]

6. How concerned are you about the following information security risks?
   - 31.41% Hackers stealing my personal information and/or committing identity theft
   - 27.57% Government using my personal information in ways I have not consented
   - 11.58% Organizations selling my personal information
   - 1.53% Accidental information loss, such as misdirected mail
   - 27.91% Unauthorized monitoring by other governments

7. When it comes to security, the more sensitive a piece of information or data is, the more strongly we should protect it. Reflecting on what is most important to you, how would you rank the sensitivity of the following personal information or data types?
   - 34.79% Health (e.g., lab results, immunization history, prescriptions)
   - 46.90% Financial (e.g., student loan balances, social insurance number, personal tax history)
   - 1.02% Employment / business (e.g., employment history, business permits, contracts)
   - 0.06% Education (e.g., GPA, exam results, evaluations from instructors)
   - 0.91% Natural resources (e.g., land use permits, water rights applications, hunting/fishing licenses)
   - 5.57% Personal demographics (e.g., gender, race, religion)
   - 4.21% Justice (e.g., court documents, offences)
   - 6.54% Social services (e.g., child protection records, income assistance, child support information)

Section 3 – The FOI Process

The Freedom of Information and Protection of Privacy Act (FOIPPA) makes public bodies more accountable by giving you the right to access most government records as well as giving individuals a right of access to, and a right to request correction of personal information about themselves. For more information about the Freedom of Information

request process, please see https://www2.gov.bc.ca/gov/content/governments/about-the-bc-government/open-government/open-information/freedom-of-information.

Government is very committed to providing this service; however, requests for government information (e.g. reports, emails, audits, etc.) costs government an average of $3,000 to process each request and only about $5 per request is recouped through fees. There is currently no fee to make an application, but you can be charged for time preparing information, making copies, for shipping, etc.

8. Which (if any) freedom of information (FOI) requests have you made?

   I have made a request for:

   14.84% My own information
   10.30% Other government information
   78.61% None of the above

9. How would you rank these in order of importance when seeking government information or data (i.e. not your own information)?

   9.69% The speed of response
   11.85% Low cost / no cost to me
   5.19% The amount of information I get back
   2.79% That I get the information digitally
   70.48% That I get the information I was looking for (accuracy)

10. Provide some detail why the option(s) you chose in the previous question are so important.

    [Written responses not shown to protect the privacy of respondents]

Section 4 – Reporting privacy breaches

Government holds a lot of information about British Columbians. While every reasonable effort is taken to keep your personal information safe and secure, privacy breaches do happen.

A privacy breach occurs when personal information is accidentally or deliberately accessed, used, or shared in a way that is not authorized by the Freedom of Information and Protection of Privacy Act (FOIPPA). If a privacy breach does occur in a government ministry, a formal breach management process is followed to ensure that the breach is quickly contained and resolved to minimize the impact as much as possible.

While many of the 2,900 public bodies covered by FOIPPA such as Crown corporations, universities, health authorities and municipalities have a similar process in place, they have no legal requirement to report privacy breaches to the Information and Privacy Commissioner or notify affected individuals.

11. How strongly do you feel the following public bodies should be legally required to notify you and/or the Office of the Information and Privacy Commissioner if your private information is breached?

	1 – Strongly Disagree	2	3	4	5 – Strongly Agree	Prefer not to answer
The health sector (e.g. health authorities)	3.30%	0.06%	0.62%	2.69%	92.44%	0.39%
The education sector (e.g. K-12 school districts and post-secondary institutions)	2.58%	2.02%	9.07%	13.49%	70.44%	1.62%
The local government sector (e.g. cities and municipalities)	2.80%	1.01%	2.97%	9.41%	82.70%	0.62%
Other public bodies (e.g. Crown corporations, professional associations, etc.)	2.97%	0.67%	3.02%	9.63%	82.59%	0.45%

Section 5 – Offences and penalties

There are penalties in place to deter anyone from breaking the access and privacy laws set out in FOIPPA. Currently, a person who misleads an Office of the Information and Privacy Commissioner investigation can be fined up to $5,000, while any individual committing a privacy protection offence could be fined up to $2,000. Service providers who break these rules can be fined up to $25,000 and corporations can face penalties of up to $500,000.

Recognizing not all offenses are worthy of large fines, government is looking at alternative penalties for FOIPPA offences.

12. For each of the scenarios below, which penalty seems most appropriate for the offense? Note: Severity of penalty increases from left to right.

	No penalty	Remedial action (education/ awareness)	Disciplinary action (suspension/ termination)	Fines less than $5,000	Fines up to $5,001 and $50,000	Fines up to $50,001 and $500,000	Charging of an offence including potential jail time
Someone uses a government database to look up personal information about a celebrity, neighbour, or family member without a business reason to do so	1.96%	9.35%	31.19%	9.97%	15.90%	8.12%	21.28%
Someone collects client names through their work to benefit their side business	0.73%	3.98%	23.96%	7.17%	24.52%	13.38%	23.96%
Someone accidentally sees the content of a personal file they shouldn't have	20.55%	59.18%	10.86%	2.30%	2.13%	0.95%	1.79%

Someone shares information they are not allowed to that benefits another person	0.11%	2.52%	21.33%	9.46%	21.00%	11.53%	31.69%
Someone shares information they are not allowed to because they didn't know it wasn't allowed.	1.62%	51.29%	24.58%	7.05%	6.16%	2.52%	4.54%

Section 6 – General

If you have any further comments about access to government information and protection of privacy, please let us know below.

[Written responses not shown to protect the privacy of respondents]

Section 7 – Tell us about yourself

To get a better understanding about who is responding to this questionnaire, please provide a bit of detail about yourself. These questions, like the other questions in this questionnaire, are optional.

13. What best describes how you are responding to this questionnaire? I am responding as a:

    2.07% Representative of a commercial or non-profit organization
    89.08% Interested member of the public
    2.35% Representative from a local government
    0.11% Representative of an Indigenous organization
    0.11% Representative of a First Nations government
    4.70% Other

14. Which region of the province do you reside in?

36.62%	Vancouver Island / Coast
44.57%	Mainland / Southwest
8.96%	Thompson / Okanagan
3.36%	Kootenay
1.51%	Cariboo
1.01%	North Coast
1.12%	Nechako
0.78%	Northeast
0.22%	I live outside of B.C.

Appendix 2: Ipsos survey results

1. In which of the following B.C. regions do you live?
   - 53% Greater (Metro) Vancouver
   - 17% Vancouver Island
   - 30% Somewhere else (North, Interior, Okanagan, Fraser Valley, Kootenays, etc.)

2. In the past year, which of the following have you accessed or used?
   - 63% Booking an appointment online for government services (e.g., COVID vaccination, ICBC)
   - 48% Virtual doctor's appointment
   - 35% Online laboratory test results
   - 35% Paying government bills online
   - 32% Applying for COVID-19 benefits or supports
   - 23% Online voter registration and/or vote-by-mail package request (Elections BC)
   - 22% BC Services Card mobile app
   - 14% Video conferencing with government staff (e.g., Zoom, MS Teams, GoToMeeting, etc.)
   - 13% Virtual Schools (e.g., K-12, post-secondary)
   - 9% None of these

3. When thinking about accessing government services and information, what is most important to you? Please rank the following elements from greatest to least importance.

   Top Rank % / Average Rank
   - 33% / 2.7 Government services for the public are available online
   - 25% / 3.0 Government data has the most up-to-date security protocols
   - 17% / 3.2 Government data is hosted/stored in Canada
   - 16% / 3.1 Government services and priorities are delivered quickly
   - 4% / 4.1 Government can use and build on the latest technology from around the world
   - 5% / 4.9 Government spends less to provide services

4. How concerned are you about the following information security risks? Please rank the following elements from greatest concern to least concern.

   Top Rank % / Average Rank

   62% / 1.8 Hackers stealing my personal information and/or committing identity theft

   15% / 2.7 Government using my personal information in ways I have not consented

   12% / 3.0 Organizations selling my personal information

   8% / 3.6 Unauthorized monitoring by other governments

   4% / 3.9 Accidental information loss, such as misdirected mail

5. When it comes to security, the more sensitive a piece of information or data is, the more strongly we should protect it. Reflecting on what is most important to you, how would you rank the sensitivity of the following personal information or data types?

   Top Rank % / Average Rank

   49% / 2.2 Financial (e.g., student loan balances, social insurance number, personal tax history)

   28% / 2.7 Health (e.g., lab results, immunization history, prescriptions)

   9% / 4.6 Social services (e.g., child protection records, income aid, child support information)

   4% / 4.9 Justice (e.g., court documents, offences)

   3% / 4.4 Employment / business (e.g., employment history, business permits, contracts)

   3% / 5.5 Personal demographics (e.g., gender, race, religion)

   2% / 5.5 Education (e.g., GPA, exam results, evaluations from instructors)

   1% / 6.2 Natural resources (e.g., land use permits, water rights applications, hunting/fishing licenses)

6. Which (if any) freedom of information (FOI) requests have you made?

   14% I have made a request for my own information

   6% I have made a request for other government information

   82% None of the above

7. How would you rank these in order of importance when seeking government information or data (i.e., not your own information)? Please rank from most important to least important.

   Top Rank % / Average Rank

   43% / 2.4 That I get the information I was looking for (accuracy)
   28% / 2.5 Low cost / no cost to me
   23% / 2.6 The speed of response
   5% / 3.2 The amount of information I get back
   1% / 4.3 That I get the information digitally

8. How strongly do you feel the following public bodies should be legally required to notify you and/or the Office of the Information and Privacy Commissioner if your private information is breached?
   (1 – Strongly Disagree → 5 Strongly Agree)

   Agree (4,5) %

   82% The health sector (e.g., health authorities)
   78% The local government sector (e.g., cities and municipalities)
   75% Other public bodies (e.g., Crown corporations, professional associations, etc.)
   64% The education sector (e.g., K-12 school districts and postsecondary institutions)

9. For each of the scenarios below, which penalty seems most appropriate for the offense? (No penalty, Remedial action (education/awareness), Disciplinary action (suspension/termination), Fine less than $5,000, Fine between $5,001 and $50,000, Fine between $50,001 and $500,000, Charging of an offence including potential jail time)

   NET Discipline / Fine /Charge %

   94% Someone shares information they are not allowed to that benefits another person
   89% Someone collects client names through their work to benefit their side business
   79% Someone uses a government database to look up personal information about a celebrity, neighbour, or family member without a business reason to do so
   42% Someone shares information they are not allowed to because they didn't know it wasn't allowed.

27% Someone accidentally sees the content of a personal file they shouldn't have

10. Do you have any other comments regarding B.C. Government Information Access and Privacy?

[Written responses not shown to protect the privacy of respondents.]

Appendix 3: Stakeholder consultation session details

Date	Method	Audience	Participating organizations
2021-05-28	ADM Roundtable	K-12 School Districts	Comox Valley School District Coquitlam School District Greater Victoria School District Maple Ridge - Pitt Meadows School District MyED BC Service Management Council Ministry of Education
2021-06-03	Minister Roundtable	Health Authorities and other representatives	Doctors of BC First Nations Health Fraser Health Island Health Northern Health Provincial Health Services Authority Vancouver Coastal Health Ministry of Health
2021-06-08	Minister Roundtable	BC Tech sector	Charitable Impact CoPilot AI Flawless Inbound Medimap Omnae Technologies Inc. Planetary Remote Sensing PressReader ReadyMode Riipen Networks Inc. SkyHive Sophos Streamline Athletes Ministry of Jobs, Economic Recovery and Innovation

2021-06-15	Stakeholder committee presentation	Ministry Privacy Officers	All government ministries
2021-06-15	Public survey on Information Access and Privacy	General public	Engagement occurred from June 15th to July 15th, 2021. 1786 responses were received.
2021-06-17	Stakeholder committee presentation	Information Security Advisory Council	All government ministries
2021-06-17	Stakeholder committee presentation	Ministry Chief Information Officers	All government ministries
2021-06-17	Minister Roundtable	Post-secondary Institutions	BC Institute of Technology College of New Caledonia Kwantlen Polytechnic University Research Universities' Council of BC University of British Columbia Thompson Rivers University University of Victoria Vancouver Community College Ministry of Advanced Education and Skills Training
2021-06-24	ADM Roundtable	Local governments	Capital Regional District City of Coquitlam City of Kamloops City of Langford City of Nanaimo City of New Westminster City of Surrey Cowichan Valley Regional District District of Fort St. James District of Highlands District of Sooke District of Tofino Local Government Management Association

			Regional District of Fraser-Fort George Regional District of Central Okanagan Regional District of East Kootenay Regional District of Kootenay Boundary Town of Qualicum Beach
2021-07-08	Stakeholder committee presentation	Broader Public Sector Chief Information Officers	Interior Health Authority BC Pension Corp Ministry of Health WorkSafeBC Ministry of Education BC Ferries ICBC Fraser Health VIHA CITZ OCIO Northern Health Authority BC Hydro TransLink BC Lottery Corporation PHSA FNHA
2021-07-21	Ipsos Omnibus survey on Information Access and Privacy	General public	Online survey of 800 adult (aged 18+) British Columbians fielded July 21 to 27, 2021.

MINISTRY OF CITIZENS' SERVICES
FOIPPA 2021 AMENDMENTS

Stakeholder Consultation Overview
April – August 2021

Executive Summary

British Columbia's Freedom of Information and Protection of Privacy Act (FOIPPA) balances government's accountability to the public through access to information with a person's right to privacy.

The COVID-19 pandemic has shifted how government does business, with technology being used more than ever to provide safe and convenient services to people. The Ministry of Citizens' Services undertook engagement through spring and summer 2021 with a wide variety of stakeholders to understand how the pandemic and other shifts in society has impacted how they view government information access and privacy.

Through a combination of roundtable meetings and presentations to stakeholder groups, the ministry heard from representatives of the over 2,900 public bodies covered by FOIPPA on improvements that could be made to better support their operations while also maintaining government's commitment to increase access to information. In addition, public surveys were hosted to understand to gain insight on how the public's perception of information access and protection of privacy may have changed since the last survey on the topic in 2018; especially in light of the pandemic shifting many of government's services online.

Engagement and consultation focussed on three key themes:

- Freedom of Information,
- Privacy protection, and
- Data residency.

[summary of feedback and next steps]

Background

British Columbia has long been a leader in Canada with respect to privacy protection and access to information; however, FOIPPA has fallen out of step with similar statutes other jurisdictions. Apart from the minor amendments made in 2019, the Act has not been substantially updated since 2011. As a result, the Act has been outpaced by considerable advancements in technology, significant changes in the way people access government services and increased expectations respecting the protection of privacy.

The Ministry of Citizens' Services is looking at opportunities to:

- Enable service modernization across the public sector, which will allow government to provide better services to British Columbians.
- Enhance public-sector privacy protections.
- Demonstrate the Province's commitment to diversity, inclusion, reconciliation and equity.
- Respond to a number of longstanding recommendations from two all-party Special Committees of the Legislative Assembly, the Office of the Information and Privacy Commissioner (OIPC), the public and other stakeholders.

There are a very large number of stakeholders who have an interest in FOIPPA including the over 2,900 public bodies covered by the act as well as Indigenous peoples, professional associations, special interest groups, the Office of the Information and Privacy Commissioner (OIPC) and the public.

In preparation for a proposed 2018/19 FOIPPA amendments package, substantial engagement was completed from 2017 to 2019 focusing on stakeholder concerns and priority issue identification. Feedback from these stakeholder sessions, as well as recommendations from FOIPPA Special Committees of the Legislative Assembly and the OIPC, has informed opportunities to improve the way people's information is protected while keeping the Province accountable. These opportunities were then presented to stakeholders in 2021 as part of consultation.

Consultation Overview

Building on the productive 2017-2019 consultations, the ministry re-engaged with the same stakeholder groups to confirm previous input and socialize opportunities for improvement to gain an understanding of potential impacts. Engagement was undertaken between April and August 2021 with public bodies, B.C. government ministries, Indigenous groups, the B.C. tech sector and the general public. Feedback was received through Minister and ADM roundtable meetings, presentations to stakeholder committees / groups, 1:1 meetings as well as a public survey.

Hosted on govTogetherBC, the public survey followed-up on a similar survey from Spring 2018 to understand if people's thoughts on access to government information and the protection of privacy has changed since that time; especially with the shift of more government business online as a result of the pandemic. The questions focused on how individuals access government information, data residency, the Freedom of Information (FOI) process, reporting privacy breaches and offences and penalties. [Survey content and results can be found in Appendix 1 and 2]

To ensure a broad representation of respondents, an Ipsos omnibus survey was undertaken with approximately 800 British Columbians across the province. These questions were the same as the govTogetherBC survey.

In addition, special focus was placed on engaging with Indigenous audiences to better understand how reconciliation efforts can be supported through improving access to information and privacy. This was completed through meetings with umbrella organizations, discussions with Treaty First Nations representatives as well as a questionnaire that was sent to over 200 First Nations leaders in communities across the province. Engagement with these audiences are ongoing.

Summary of Participants

[use below content to develop graphic showing engaged groups]

- Public bodies
    - BC Government Ministries
    - Local Government
    - K-12 School Districts
    - Post-Secondary Institutions
    - Health Authorities and other representatives
    - Crown Corporations
- BC Tech Sector
- General Public - Information Access and Privacy survey
    - Over 1700 respondents to govTogetherBC survey
    - 800 respondents to Ipsos Omnibus survey

See Appendix 3 for detail on sessions and participating organizations.

Findings

Theme 1: Freedom of Information

Current state

FOIPPA was introduced in 1993 and its original legislative intent was to provide people with a mechanism to access government records of individual or public interest with minimal exceptions. In recent years, high-frequency requesters have been making increasingly large numbers of FOI requests.

British Columbians are some of the most active when it comes to using Freedom of Information. The BC Government receives more FOI requests every year than most other jurisdictions in Canada. Many of the general FOI requests that BC receives are directed to all (or a large number of) ministries, many of which could not reasonably be expected to hold any responsive records. These overly broad requests are unreasonably interfering with public body operations and impacting capacity to effectively serve all FOI applicants and provide services to the general public.

In addition, since 1993, the advancement of modern technologies has made it easier than ever to create, retain and store records—many of which have little or no ongoing value. Recent estimates determined that government's electronic information holdings are growing at a rate of 15 per cent annually, meaning they double in size approximately every five years. As a result, high-value information can be difficult to find and retrieve, causing inefficiencies across government, including when responding to FOI requests.

Response from stakeholders

Through public body consultations, the Ministry learned that the impacts of overall increases in FOI requests over the past several years have been felt across public bodies and not just in ministries. In the health sector, responding to requests has detracted from patient care, an issue which has only been exacerbated by the COVID-19 pandemic. In the local government sector, staff are balancing the day-to-day functions of running a municipality with responding to an increasing number of FOI requests, which is causing significant operational challenges. Discussions focussed on opportunities to improve the FOI process as well as potential changes to the fee structure to address these challenges.

There was consensus among public bodies consulted that the fee structure has not kept pace with the associated costs of processing an FOI request and adjusting the structure, potentially with adding an application fee, may be an effective measure to reduce many of the frivolous/vexatious requests they receive daily. Public sector participants recognized that there is a need to ensure the fee is not a barrier to accessing information and fulfilling the spirit and intent of FOIPPA. Smaller public bodies agreed with the potential change in fees; however, did express some concern that those with fewer resources may experience an administrative burden with the addition of more process.

When asked about FOI requests, the majority of survey participants in both surveys had not made a request.

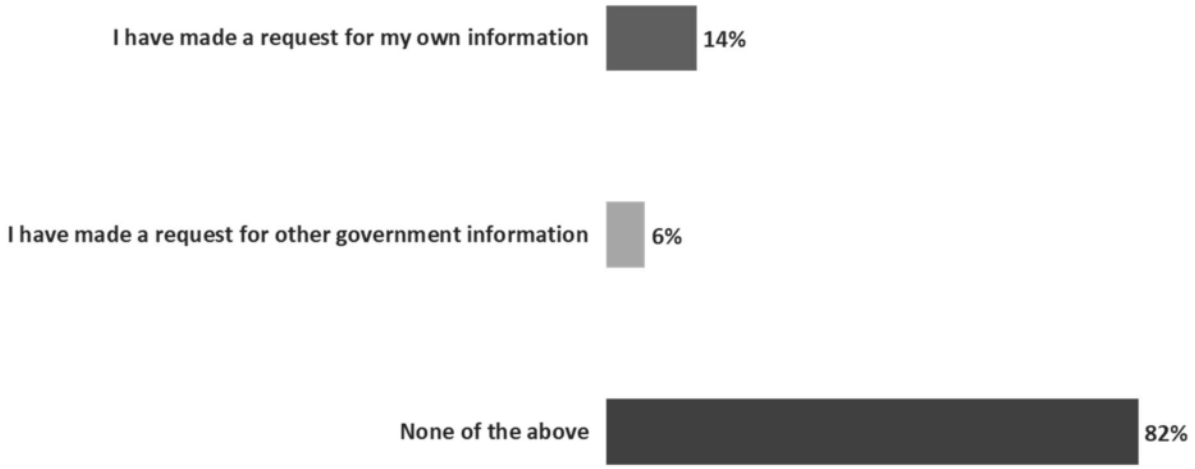


FIGURE 1 - WHICH (IF ANY) FREEDOM OF INFORMATION (FOI) REQUESTS HAVE YOU MADE?

The results of the public survey indicate a general concern with parity of access, as many participants feared that access to information held by government would be limited only to those who can afford it. It is the Ministry's objective, however, to ensure that the proposed application fee is not a barrier to access and will be a feasible cost for applicants to absorb. Despite the above-noted concerns, many survey respondents indicated their support for an application fee if it results in improved FOI services for the majority of applicants.

When asked about what is important to them when seeking government information, participants strongly indicated that when seeking government information or data, accuracy of information was most important as many respondents ranked accuracy as the first most important aspect of seeking government data. In contrast, few respondents ranked accuracy as unimportant.

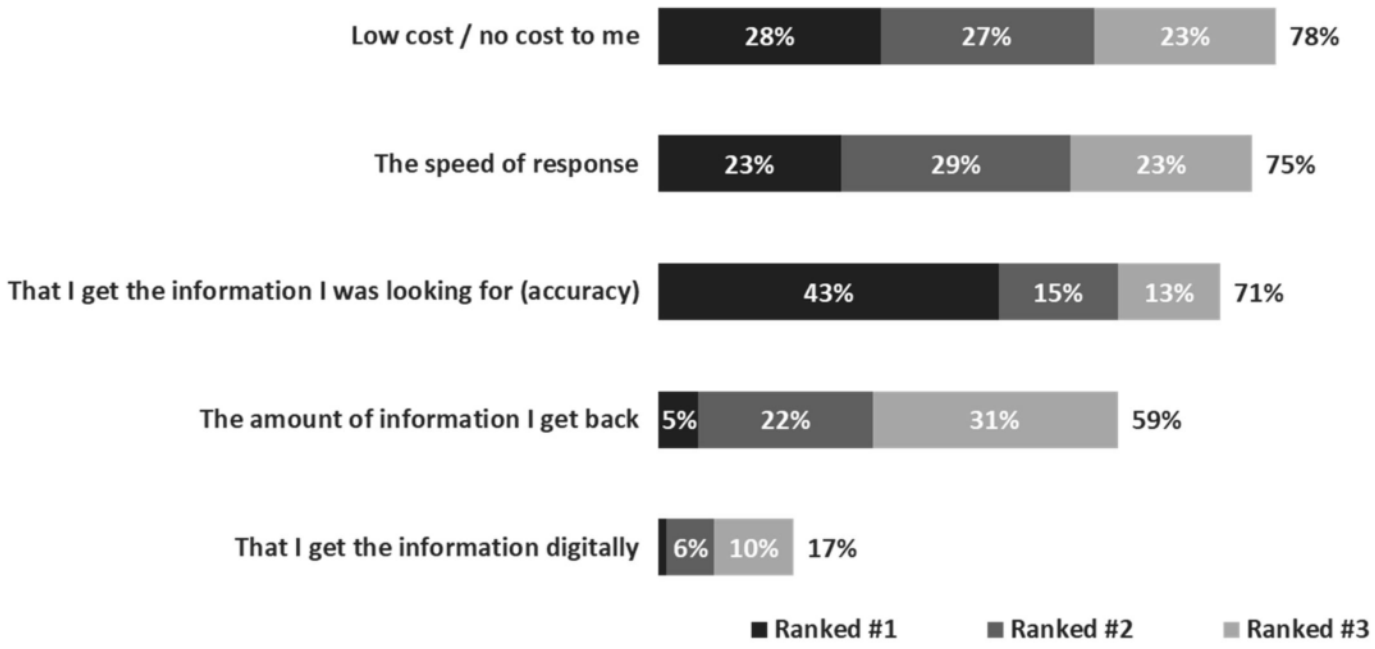


FIGURE 2 - HOW WOULD YOU RANK THESE IN ORDER OF IMPORTANCE WHEN SEEKING GOVERNMENT INFORMATION OR DATA (I.E. NOT YOUR OWN INFORMATION)? PLEASE RANK FROM MOST IMPORTANT TO LEAST IMPORTANT.

Theme 2: Privacy protections

Current state

Though British Columbia already has a very robust privacy management framework, several updates are required to mature and enhance this framework. While these updates are not broad or sweeping, they will continue to improve government's public sector data security and privacy practices to ensure that British Columbians' personal information is safeguarded.

[better summary?]

Response from stakeholders

Discussions with stakeholders focussed on opportunities to ensure B.C. remains at the forefront of privacy protection in Canada. These included new requirements for public bodies to have a privacy management program that would demonstrate their efforts towards compliance (e.g. via privacy impact assessments) as well as changes to privacy breach notifications and penalties.

In discussions with public bodies, all sectors acknowledged that Privacy Management Programs and Privacy Impact Assessments (PIAs) are vital but can be very time consuming. In the post-secondary sector, it was highlighted that PIA requirements can impact their ability to keep up with research – there is a need to enable researchers to collaborate quickly across Canada and the world (e.g. COVID research) without more constraints than their peers in other jurisdictions. IT and training capacity is limited in smaller organizations and participants highlighted the need for any programs to be proportional to the information sensitivity and organization size while also providing appropriate supports and training.

Participants in the govTogetherBC public survey and Ipsos survey heavily indicated that they would strongly agree that public bodies should notify a person or the OIPC if their private information was breached. Below is a comparison of responses across both surveys.

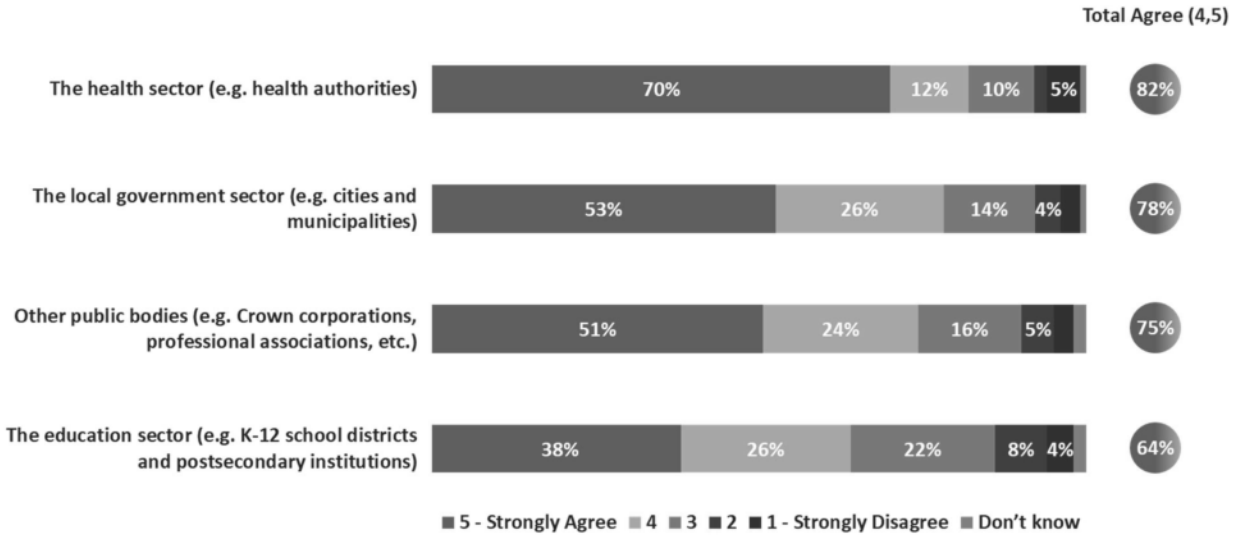


FIGURE 3 - HOW STRONGLY DO YOU FEEL THE FOLLOWING PUBLIC BODIES SHOULD BE LEGALLY REQUIRED TO NOTIFY YOU AND/OR THE OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER IF YOUR PRIVATE INFORMATION IS BREACHED?

Written comments had a common theme of *Security* and *Privacy* with respondents focused on ensuring that private data and information remains fully secure. Respondents noted that government should be protecting citizens' personal data with higher security levels compared to other organizations as well as holding government to higher standards concerning data protection. Additionally, respondents emphasized the consequences of personal data breaches and called for a strengthening of laws relating to privacy and security. Many responses also stressed the increasing significance of personal data as the world becomes more digital.

> *"Privacy is under attack in every form. Using commercial services and risk to privacy is a personal decision. But I consider Government held to a higher standard because some information must be kept by Government, and it has a duty to protect without consideration of profit."*
>
> - Information Access and Privacy survey respondent

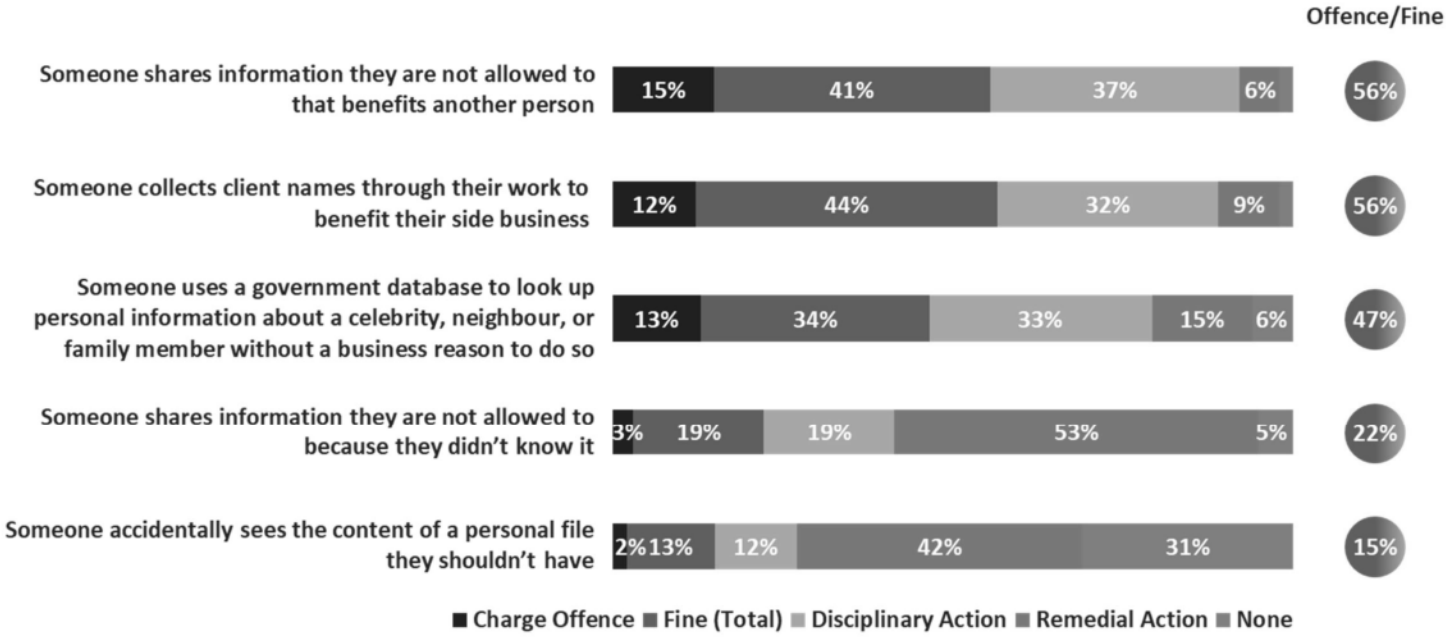


FIGURE 4 - FOR EACH OF THE SCENARIOS BELOW, WHICH PENALTY SEEMS MOST APPROPRIATE FOR THE OFFENCE?

Theme 3: Data residency

Current state

In 2004, the Freedom of Information and Protection of Privacy Act (FOIPPA) was updated to keep British Columbians' personal information in Canada; however, these rules have left B.C. falling behind other provinces. It has also made it more difficult and often more expensive for government to use new or innovative technology.

It's been almost 20 years since these requirements were implemented. Since then, there have been big advances in technology and information security. People's expectations have also changed; they expect more and better online services from their governments today than ever before – especially during the pandemic.

To ensure government can continue providing services during the pandemic, a ministerial order was issued to enable the use of online tools such as virtual classrooms, online health services, voter registration and others. People have told us they see benefit to these digital tools and government is considering how these new and innovative technologies can help people to access services in the future.

Response from stakeholders

Discussions with public bodies highlighted the need to review B.C.'s data residency requirements. Most sectors highlighted that the current restrictions are slowing ability to innovate, collaborate and be competitive. In the health sector, participants highlighted examples where cross-country and world-wide collaboration during COVID were impacted by the current restrictions. In the post-secondary sector, non-standard and out of date tools are being used in classrooms as they are unable to use the continually updated cloud-based versions which impacts student learning as well as post-secondary institution competitiveness.

Smaller and rural organizations were excited about the potential to access tools currently unavailable to them as setting up local instances are cost prohibitive. They also highlighted that the cyber security standards set by large organizations are often better than what can be managed locally by small IT groups. Workarounds can be expensive and possibly less secure.

Similarly, during the BC Tech Sector roundtable, it was highlighted that being able to access the cloud can improve service and increase small business competitiveness. The current data residency requirements limit access to faster, more powerful international cloud processing which would enable smaller companies and organizations to be more competitive.

Participants recognized the need to balance access to tools with potential risk and acknowledged that appropriate security provisions/controls, support for staff and IT capacity must be in place before moving forward with expanding the tools available. In addition, there needs to be the right security for the right information. A balanced, hybrid approach was supported by participants to ensure an appropriate level of security is applied to more or less private information.

When asked "When thinking about accessing government services and information, what is the most important to you?", participants in the govTogetherBC survey overwhelmingly indicated that government data being stored or hosted in Canada was of greatest importance. This was represented as most participants ranked government data being hosted in Canada of first (1039) and second (910) most importance.

In an open-text response section, respondents' comments stressed the importance of storing personal data in British Columbia and Canada. These respondents primarily identified as interested members of the public and largely called upon government to repeal the temporary suspension of the Data Residency Act as well as noting the strength of BC's privacy laws when compared to other jurisdictions. Moreover, respondents called for

investment into BC's infrastructure to be able to support data residency and ensure that citizens' personal data can be stored in BC or Canada.

The Ipsos poll showed a very different result with participants ranking government services being available online as most important (33% rank #1). Next most important is up-to-date security protocols (25% rank #1), followed by Canadian data hosting/storage (17%) and quick delivery of services (16%).

> *"The personal information of BC residents should not be allowed to leave Canada. This means that our sensitive data won't be subject to the intrusion of foreign governments, or handled in countries with weak privacy laws. It also means greater investment in Canada's information technology infrastructure. And all that means better privacy protections for all of us here in BC."*
>
> - Information Access and Privacy survey respondent

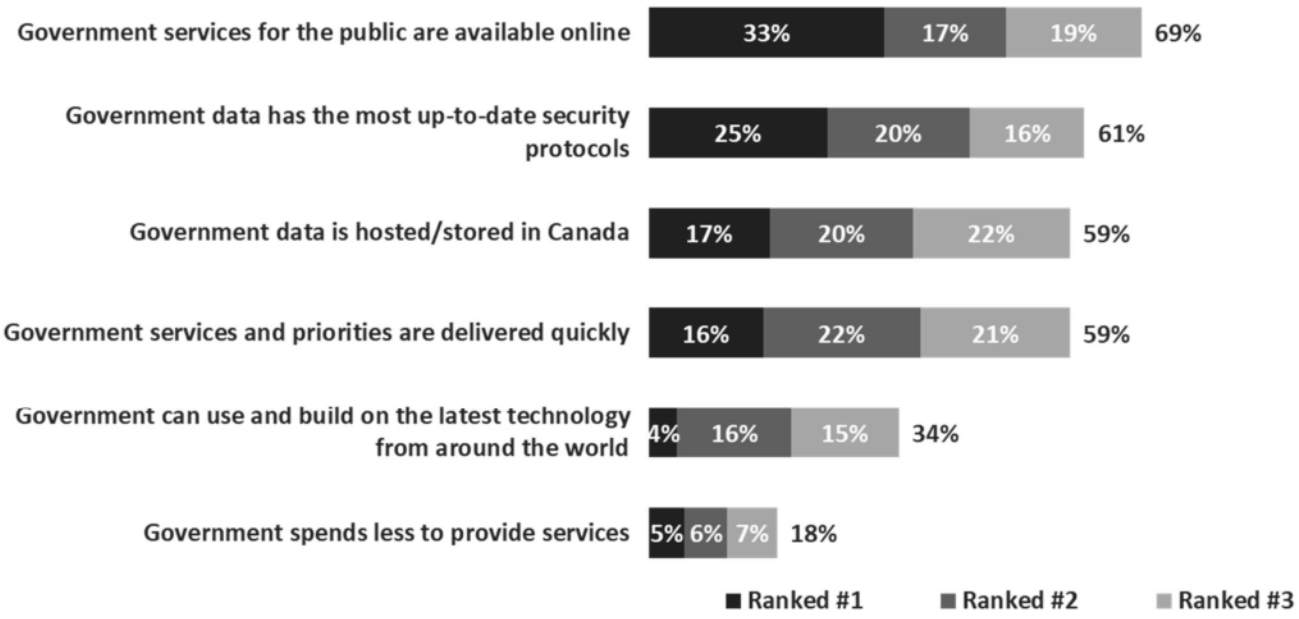


FIGURE 5 - WHEN THINKING ABOUT ACCESSING GOVERNMENT SERVICES AND INFORMATION, WHAT IS MOST IMPORTANT TO YOU? PLEASE RANK THE FOLLOWING ELEMENTS FROM GREATEST TO LEAST IMPORTANCE.

Conclusions

[What we are going to do with the findings and next steps]

Appendix 1: govTogetherBC survey content and results

Minister's Welcome

In Spring 2018, we asked for your ideas to improve the rules that govern both access to information and the protection of your personal information. A summary of the results can be found here.

We recognize a lot has changed since those discussions took place. The COVID-19 pandemic has shifted how government does business, with technology being used more than ever to provide safe and convenient services to people.

The Ministry of Citizens' Services wants your thoughts on access to government information and the protection of privacy. Your input will help us improve our services in the future. Thank you for taking part!

Hon. Lisa Beare
Minister of Citizens' Services

Section 1 – Accessing government information

1. Currently, what is your primary source for information from government?
   - 43.39% Government websites
   - 11.37% Newspapers
   - 6.38% Government social media channels (e.g. Facebook, Instagram, Twitter etc.)
   - 10.08% Other social media channels (e.g. Facebook, Instagram, Twitter etc.)
   - 11.65% TV
   - 16.63% Other

2. Has where you get government information changed during the pandemic?
   - 14.50% Yes
   - 84.66% No

2b. If yes, how?

[text box with 400 character limit]

3. In the past year, which of the following have you accessed or used? (Please select all that apply.)
   - 55.82% Virtual doctor's appointment
   - 20.88% Video conferencing with government staff (e.g. Zoom, MS Teams, GoToMeeting, etc.)
   - 23.85% BC Services Card mobile app
   - 11.42% Virtual Schools (e.g. K-12, post-secondary)
   - 75.25% Booking an appointment online for government services (e.g. COVID vaccination, ICBC)
   - 46.98% Online laboratory test results
   - 49.55% Paying government bills online
   - 37.79% Applying for COVID-19 benefits or supports
   - 42.39% Online voter registration and/or vote-by-mail package request (Elections BC)

Section 2 – Data residency

In 2004, the Freedom of Information and Protection of Privacy Act (FOIPPA) was updated to keep British Columbians' personal information in Canada; however, these rules have left B.C. falling behind other provinces. It has also made it more difficult and often more expensive for government to use new or innovative technology.

It's been almost 20 years since these requirements were implemented. Since then, there have been big advances in technology and information security. People's expectations have also changed; they expect more and better online services from their governments today than ever before – especially during the pandemic.

To ensure government can continue providing services during the pandemic, a ministerial order was issued to enable the use of online tools such as virtual classrooms, online health services, voter registration and others. People have told us they see benefit to these digital tools and government is considering how these new and innovative technologies can help people to access services in the future.

4. When thinking about accessing government services and information, what is most important to you? Please rank the following elements from greatest to least importance. [randomized answer options]
   - 9.96% Government services for the public are available online
   - 1.53% Government can use and build on the latest technology from around the world
   - 58.80% Government data is hosted/stored in Canada
   - 4.53% Government services and priorities are delivered quickly
   - 23.49% Government data has the most up-to-date security protocols
   - 1.70% Government spends less to provide services

5. Provide some detail why the option(s) you chose in the previous question are so important.
   - open text box

6. How concerned are you about the following information security risks? (Please rank the following elements from greatest to least concerned)
   - 31.41% Hackers stealing my personal information and/or committing identity theft
   - 27.57% Government using my personal information in ways I have not consented
   - 11.58% Organizations selling my personal information
   - 1.53% Accidental information loss, such as misdirected mail
   - 27.91% Unauthorized monitoring by other governments

7. When it comes to security, the more sensitive a piece of information or data is, the more strongly we should protect it. Reflecting on what is most important to you, how would you rank the sensitivity of the following personal information or data types? (from most sensitive to least sensitive)
   - 34.79% Health (e.g. lab results, immunization history, prescriptions)
   - 46.90% Financial (e.g. student loan balances, social insurance number, personal tax history)
   - 1.02% Employment / business (e.g. employment history, business permits, contracts)
   - 0.06% Education (e.g. GPA, exam results, evaluations from instructors)
   - 0.91% Natural resources (e.g. land use permits, water rights applications, hunting/fishing licenses)
   - 5.57% Personal demographics (e.g. gender, race, religion)
   - 4.21% Justice (e.g. court documents, offences)

6.54% Social services (e.g. child protection records, income assistance, child support information)

Section 3 – The FOI Process

The Freedom of Information and Protection of Privacy Act (FOIPPA) makes public bodies more accountable by giving you the right to access most government records as well as giving individuals a right of access to, and a right to request correction of personal information about themselves. For more information about the Freedom of Information request process, please see https://www2.gov.bc.ca/gov/content/governments/about-the-bc-government/open-government/open-information/freedom-of-information.

Government is very committed to providing this service; however, requests for government information (e.g. reports, emails, audits, etc.) costs government an average of $3,000 to process each request and only about $5 per request is recouped through fees. There is currently no fee to make an application, but you can be charged for time preparing information, making copies, for shipping, etc.

8. Which (if any) freedom of information (FOI) requests have you made?

   I have made a request for: (Choose one of the following answers)

   14.84% My own information
   10.30% Other government information
   78.61% None of the above

9. How would you rank these in order of importance when seeking government information or data (i.e. not your own information)? (Please rank the following elements from greatest to least importance)
   9.69% The speed of response
   11.85% Low cost / no cost to me
   5.19% The amount of information I get back
   2.79% That I get the information digitally
   70.48% That I get the information I was looking for (accuracy)

10. Provide some detail why the option(s) you chose in the previous question are so important.
    - open text box

Section 4 – Reporting privacy breaches

Government holds a lot of information about British Columbians. While every reasonable effort is taken to keep your personal information safe and secure, privacy breaches do happen.

A privacy breach occurs when personal information is accidentally or deliberately accessed, used, or shared in a way that is not authorized by the Freedom of Information and Protection of Privacy Act (FOIPPA). If a privacy breach does occur in a government ministry, a formal breach management process is followed to ensure that the breach is quickly contained and resolved to minimize the impact as much as possible.

While many of the 2,900 public bodies covered by FOIPPA such as Crown corporations, universities, health authorities and municipalities have a similar process in place, they have no legal requirement to report privacy breaches to the Information and Privacy Commissioner or notify affected individuals.

11. How strongly do you feel the following public bodies should be legally required to notify you and/or the Office of the Information and Privacy Commissioner if your private information is breached?

	1 – Strongly Disagree	2	3	4	5 – Strongly Agree	Prefer not to answer
The health sector (e.g. health authorities)	3.30%	0.06%	0.62%	2.69%	92.44%	0.39%
The education sector (e.g. K-12 school districts and post-secondary institutions)	2.58%	2.02%	9.07%	13.49%	70.44%	1.62%
The local government sector (e.g. cities and municipalities)	2.80%	1.01%	2.97%	9.41%	82.70%	0.62%
Other public bodies (e.g. Crown corporations, professional associations, etc.)	2.97%	0.67%	3.02%	9.63%	82.59%	0.45%

Section 5 – Offences and penalties

There are penalties in place to deter anyone from breaking the access and privacy laws set out in FOIPPA. Currently, a person who misleads an Office of the Information and Privacy Commissioner investigation can be fined up to $5,000, while any individual committing a privacy protection offence could be fined up to $2,000. Service providers who break these rules can be fined up to $25,000 and corporations can face penalties of up to $500,000.

Recognizing not all offenses are worthy of large fines, government is looking at alternative penalties for FOIPPA offences.

12. For each of the scenarios below, which penalty seems most appropriate for the offense?

	Note: Severity of penalty increases from left to right.						
	No penalty	Remedial action (education/ awareness)	Disciplinary action (suspension/ termination)	Fines			Charging of an offence including potential jail time
				Fines less than $5,000	Fines up to $5,001 and $50,000	Fines up to $50,001 and $500,000	
Someone uses a government database to look up personal information about a celebrity, neighbour, or	1.96%	9.35%	31.19%	9.97%	15.90%	8.12%	21.28%

family member without a business reason to do so							
Someone collects client names through their work to benefit their side business	0.73%	3.98%	23.96%	7.17%	24.52%	13.38%	23.96%
Someone accidentally sees the content of a personal file they shouldn't have	20.55%	59.18%	10.86%	2.30%	2.13%	0.95%	1.79%
Someone shares information they are not allowed to that benefits another person	0.11%	2.52%	21.33%	9.46%	21.00%	11.53%	31.69%
Someone shares information they are not allowed to because they didn't know it wasn't allowed.	1.62%	51.29%	24.58%	7.05%	6.16%	2.52%	4.54%

Section 6 – General

If you have any further comments about access to government information and protection of privacy, please let us know below.

13. [Open text box, 1000 character limit]

Section 7 – Tell us about yourself

To get a better understanding about who is responding to this questionnaire, please provide a bit of detail about yourself. These questions, like the other questions in this questionnaire, are optional.

14. What best describes how you are responding to this questionnaire? I am responding as a:

2.07%	Representative of a commercial or non-profit organization
89.08%	Interested member of the public
2.35%	Representative from a local government
0.11%	Representative of an Indigenous organization
0.11%	Representative of a First Nations government
4.70%	Other

15. Which region of the province do you reside in?

36.62%	Vancouver Island / Coast
44.57%	Mainland / Southwest
8.96%	Thompson / Okanagan
3.36%	Kootenay
1.51%	Cariboo
1.01%	North Coast
1.12%	Nechako
0.78%	Northeast
0.22%	I live outside of B.C.

Appendix 2: Ipsos survey results

1. In which of the following BC regions do you live?

53%	Greater (Metro) Vancouver
17%	Vancouver Island
30%	Somewhere else (North, Interior, Okanagan, Fraser Valley, Kootenays, etc.)

2. In the past year, which of the following have you accessed or used?

63%	Booking an appointment online for government services (e.g. COVID vaccination, ICBC)
48%	Virtual doctor's appointment
35%	Online laboratory test results
35%	Paying government bills online
32%	Applying for COVID-19 benefits or supports
23%	Online voter registration and/or vote-by-mail package request (Elections BC)
22%	BC Services Card mobile app
14%	Video conferencing with government staff (e.g. Zoom, MS Teams, GoToMeeting, etc.)
13%	Virtual Schools (e.g. K-12, post-secondary)
9%	NONE OF THESE

3. When thinking about accessing government services and information, what is most important to you? Please rank the following elements from greatest to least importance.

Top Rank % / Average Rank	
33% / 2.7	Government services for the public are available online
25% / 3.0	Government data has the most up-to-date security protocols
17% / 3.2	Government data is hosted/stored in Canada
16% / 3.1	Government services and priorities are delivered quickly
4% / 4.1	Government can use and build on the latest technology from around the world
5% / 4.9	Government spends less to provide services

4. How concerned are you about the following information security risks? Please rank the following elements from greatest concern to least concern.

Top Rank % / Average Rank	
62% / 1.8	Hackers stealing my personal information and/or committing identity theft
15% / 2.7	Government using my personal information in ways I have not consented
12% / 3.0	Organizations selling my personal information
8% / 3.6	Unauthorized monitoring by other governments
4% / 3.9	Accidental information loss, such as misdirected mail

5. When it comes to security, the more sensitive a piece of information or data is, the more strongly we should protect it. Reflecting on what is most important to you, how would you rank the sensitivity of the following personal information or data types? Please rank from most sensitive to least sensitive.

Top Rank % / Average Rank	
49% / 2.2	Financial (e.g. student loan balances, social insurance number, personal tax history)
28% / 2.7	Health (e.g. lab results, immunization history, prescriptions)

9% / 4.6 Social services (e.g. child protection records, income assistance, child support information)
4% / 4.9 Justice (e.g. court documents, offences)
3% / 4.4 Employment / business (e.g. employment history, business permits, contracts)
3% / 5.5 Personal demographics (e.g. gender, race, religion)
2% / 5.5 Education (e.g. GPA, exam results, evaluations from instructors)
1% / 6.2 Natural resources (e.g. land use permits, water rights applications, hunting/fishing licenses)

6. Which (if any) freedom of information (FOI) requests have you made?

14% I have made a request for my own information
6% I have made a request for other government information
82% None of the above

7. How would you rank these in order of importance when seeking government information or data (i.e. not your own information)? Please rank from most important to least important.

Top Rank % / Average Rank
43% / 2.4 That I get the information I was looking for (accuracy)
28% / 2.5 Low cost / no cost to me
23% / 2.6 The speed of response
5% / 3.2 The amount of information I get back
1% / 4.3 That I get the information digitally

8. How strongly do you feel the following public bodies should be legally required to notify you and/or the Office of the Information and Privacy Commissioner if your private information is breached? (1 – Strongly Disagree → 5 Strongly Agree)

Agree (4,5) %
82% The health sector (e.g. health authorities)
78% The local government sector (e.g. cities and municipalities)
75% Other public bodies (e.g. Crown corporations, professional associations, etc.)
64% The education sector (e.g. K-12 school districts and postsecondary institutions)

9. For each of the scenarios below, which penalty seems most appropriate for the offense? (No penalty, Remedial action (education/awareness), Disciplinary action (suspension/termination), Fine less than $5,000, Fine between $5,001 and $50,000, Fine between $50,001 and $500,000, Charging of an offence including potential jail time)

NET Discipline / Fine /Charge %
94% Someone shares information they are not allowed to that benefits another person
89% Someone collects client names through their work to benefit their side business
79% Someone uses a government database to look up personal information about a celebrity, neighbour, or family member without a business reason to do so
42% Someone shares information they are not allowed to because they didn't know it wasn't allowed.
27% Someone accidentally sees the content of a personal file they shouldn't have

10. Do you have any other comments regarding BC Government Information Access and Privacy?

Sampling of Comments

"For the most part, BC GIA does a whole range of services that I find useful."
"Government still hides data."
"I am tired of people getting away with this type of behaviour."
"I doubt that anything will work in favor of the public, only the government in regard to this."
"I have a huge lack of trust! "
"It seems to be quite confidential."
"It's a great service."
"It's a strong subject that our government must gather the best hackers in the world to prevent."
"Need to be much more transparent."
"Need to guard our data!!!"
"The government needs to do better in responding to FOI requests."
"The individual should be contacted if info pertaining them will be released to an organization other than gov."
"The sites often are not user friendly and difficult to contact assistance or to follow sometimes when they do reply."

Appendix 3: Stakeholder consultation session details

Date	Method	Audience	Participating organizations
2021-05-28	ADM Roundtable	K-12 School Districts	Comox Valley School District Coquitlam School District Greater Victoria School District Maple Ridge - Pitt Meadows School District MyED BC Service Management Council Ministry of Education
2021-06-03	Minister Roundtable	Health Authorities and other representatives	Doctors of BC First Nations Health Fraser Health Island Health Northern Health Provincial Health Services Authority Vancouver Coastal Health Ministry of Health
2021-06-08	Minister Roundtable	BC Tech sector	Charitable Impact CoPilot AI Flawless Inbound Medimap Omnae Technologies Inc. Planetary Remote Sensing PressReader ReadyMode Riipen Networks Inc. SkyHive Sophos Streamline Athletes Ministry of Jobs, Economic Recovery and Innovation
2021-06-15	Stakeholder committee presentation	Ministry Privacy Officers	All government ministries
2021-06-15	Public survey on Information Access and Privacy	General public	Engagement occurred from June 15th to July 15th, 2021. 1786 responses were received.
2021-06-17	Stakeholder committee presentation	Information Security Advisory Council	All government ministries
2021-06-17	Stakeholder committee presentation	Ministry Chief Information Officers	All government ministries
2021-06-17	Minister Roundtable	Post-secondary Institutions	BC Institute of Technology College of New Caledonia Kwantlen Polytechnic University Research Universities' Council of BC University of British Columbia Thompson Rivers University

			University of Victoria Vancouver Community College Ministry of Advanced Education and Skills Training
2021-06-24	ADM Roundtable	Local governments	Capital Regional District City of Coquitlam City of Kamloops City of Langford City of Nanaimo City of New Westminster City of Surrey Cowichan Valley Regional District District of Fort St. James District of Highlands District of Sooke District of Tofino Local Government Management Association Regional District of Fraser-Fort George Regional District of Central Okanagan Regional District of East Kootenay Regional District of Kootenay Boundary Town of Qualicum Beach
2021-07-08	Stakeholder committee presentation	Broader Public Sector Chief Information Officers	Interior Health Authority BC Pension Corp Ministry of Health WorkSafeBC Ministry of Education BC Ferries ICBC Fraser Health VIHA CITZ OCIO Northern Health Authority BC Hydro TransLink BC Lottery Corporation PHSA FNHA
2021-07-21	Ipsos Omnibus survey on Information Access and Privacy	General public	Online survey of 800 adult (aged 18+) British Columbians fielded July 21 to 27, 2021.

ID: 12438, Title: Sept 7 Roundtable - FOIPPA Meeting Summary

Approval Route: CIRMO - ADM - GCIO Office - GCIO

Assigned To: Desaulnier, Vicki **Rush:** No **Category:** Meeting Materials - Meeting Note/Materials **Signature:** Associate Deputy Minister

Branch: CIO-CIRMO-SPL **Other Number:** **Link:**

Due Date: 8/20/2021 **Date Completed:** N/A **Date Initiated:** 3/10/2021

Title	Comments	Date
Mitchell, Tyler [Colleague of GCIO Office] forwarded an eApprovals item to Desaulnier, Vicki for action	For your files and closing, Thank you!	9/10/2021, 8:56:04 AM
Jarmson, Lindsay [Assignee] forwarded an eApprovals item to GCIO Office for action	For files and closing	9/9/2021, 5:53:52 PM
Jarmson, Lindsay [Colleague of Deputy Minister's Office, CITZ] forwarded an eApprovals item to Jarmson, Lindsay for action		9/9/2021, 11:24:54 AM
Cook, Jeannette CITZ:EX [Assignee] forwarded an eApprovals item to Deputy Minister's Office, CITZ for action	Pls save material / approval history. Return for files. Thx.	9/8/2021, 10:54:17 AM
Garvey, Samantha [Assignee] forwarded an eApprovals item to Cook, Jeannette CITZ:EX for action	Materials uploaded- please close the file	9/7/2021, 9:07:02 PM
Lawal, Kassandra [Assignee] forwarded an eApprovals item to Garvey, Samantha for action	Approved. Please upload to calendar.	9/7/2021, 8:09:50 AM
Garvey, Samantha [Assignee] forwarded an eApprovals item to Lawal, Kassandra for action	For your review before upload.	9/2/2021, 12:06:00 PM
Cook, Jeannette CITZ:EX [Assignee] forwarded an eApprovals item to Garvey, Samantha for action	Item has been added to Sept 7 roundtable. Material for review.	9/2/2021, 11:41:36 AM
Cook, Jeannette CITZ:EX made some changes to this item's details		9/2/2021, 11:41:05 AM
Brouwer, Shauna [Assignee] approved the item and forwarded it to Cook, Jeannette CITZ:EX for action	Please send to MO and schedule briefing if not done so already thx	9/1/2021, 10:58:03 AM
Cook, Jeannette CITZ:EX [Assignee] forwarded an eApprovals item to Brouwer, Shauna for action	Updated report for review.	9/1/2021, 10:17:11 AM
Jarmson, Lindsay [Colleague of Deputy Minister's Office, CITZ] forwarded an eApprovals item to Cook, Jeannette CITZ:EX for action	For R/A	9/1/2021, 8:27:46 AM
Desaulnier, Vicki [Assignee] forwarded an eApprovals item to Deputy Minister's Office, CITZ for action		9/1/2021, 8:20:26 AM
Lee, Nicola CITZ:EX [Colleague of GCIO Office] forwarded an eApprovals item to Desaulnier, Vicki for action	Approved by A/GCIO Lansdell as noted	8/31/2021, 1:34:37 PM
Lansdell, Hayden [Assignee] approved the item and forwarded it to GCIO Office for action	Approved noting that CIRMO adjusted language re health sector and received sign off on language from MoH	8/31/2021, 1:20:51 PM
Lansdell, Hayden deleted a document: Public report on 2021 FOIPPA engagement v8 TRACK CHANGES.docx		8/31/2021, 8:05:02 AM

Title	Comments	Date
Lansdell, Hayden added a document: Public report on 2021 FOIPPA engagement - FINAL.docx		8/31/2021, 8:04:55 AM
Boudhane, Nouria [Colleague of DPD ADMO] forwarded an eApprovals item to Lansdell, Hayden for action	For your review and approval as A/GCIO. Thank you.	8/30/2021, 2:37:37 PM
Lee, Nicola CITZ:EX [Colleague of GCIO Office] forwarded an eApprovals item to DPD ADMO for action	For A/GCIO Lansdell review and approval.	8/30/2021, 1:26:53 PM
Desaulnier, Vicki [Assignee] forwarded an eApprovals item to GCIO Office for action	Approved by Kerry.	8/30/2021, 1:18:09 PM
Pridmore, Kerry CITZ:EX [Assignee] approved the item and forwarded it to Desaulnier, Vicki for action	Approved	8/30/2021, 12:11:08 PM
Desaulnier, Vicki [Assignee] forwarded an eApprovals item to Pridmore, Kerry CITZ:EX for action	For approval.	8/30/2021, 11:20:52 AM
Reed, Matt CITZ:EX [Assignee] approved the item and forwarded it to Desaulnier, Vicki for action	No Comment	8/27/2021, 4:38:21 PM
Reed, Matt CITZ:EX added a document: Public report on 2021 FOIPPA engagement v8 TRACK CHANGES.docx		8/27/2021, 4:38:08 PM
Reed, Matt CITZ:EX deleted a document: Public report on 2021 FOIPPA engagement v8 TRACK CHANGES.docx	superceded	8/27/2021, 4:37:57 PM
Harriman, Rheannon CITZ:EX [Assignee] forwarded an eApprovals item to Reed, Matt CITZ:EX for action	Updated to reflect DM comments incl. accessibility edits (e.g. adding alt text, changed to 12 pt BC Sans). Font change prompted some changes to the order of graphics (these changes are not marked and are not substantial)	8/27/2021, 2:07:12 PM
Harriman, Rheannon CITZ:EX deleted a document: Public report on 2021 FOIPPA engagement v7 graphic.docx	Replacing with updated version	8/27/2021, 2:03:35 PM
Harriman, Rheannon CITZ:EX added a document: Public report on 2021 FOIPPA engagement v8 TRACK CHANGES.docx		8/27/2021, 2:03:20 PM
Reed, Matt CITZ:EX [Assignee] forwarded an eApprovals item to Harriman, Rheannon CITZ:EX for action		8/27/2021, 2:01:33 PM
Desaulnier, Vicki [Assignee] forwarded an eApprovals item to Reed, Matt CITZ:EX for action	For edits.	8/27/2021, 8:02:07 AM
Mitchell, Tyler [Colleague of GCIO Office] forwarded an eApprovals item to Desaulnier, Vicki for action	Please see comments from DM Brouwer, Please make edits and return to GCIO office. Thank you!	8/26/2021, 4:13:38 PM
Cook, Jeannette CITZ:EX [Assignee] forwarded an eApprovals item to GCIO Office for action		8/26/2021, 4:07:29 PM
Brouwer, Shauna [Assignee] did not approve the item and forwarded it to Cook, Jeannette CITZ:EX for action	Some suggestions embedded in the document. Also does GCPE now use the BC Sans Font for accessibility? suggest we put this thru the accessibility checker and we start doing that as standard practice. I would like to see this one more time prior to Minister briefing. thx Shauna	8/26/2021, 3:45:41 PM
Cook, Jeannette CITZ:EX [Assignee] forwarded an eApprovals item to Brouwer, Shauna for action	Report on FOIPPA engagement for approval.	8/26/2021, 11:13:12 AM

Title	Comments	Date
Jarmson, Lindsay [Colleague of Deputy Minister's Office, CITZ] forwarded an eApprovals item to Cook, Jeannette CITZ:EX for action	Please see Tanya's comment below - for Shauna R/A - Thank you	8/26/2021, 9:16:10 AM
Garneau, Tanya CITZ:EX [Assignee] forwarded an eApprovals item to Deputy Minister's Office, CITZ for action	For Shauna's approval please. This document will be part of GCPEs comms plan. Has been approved by CJ	8/25/2021, 5:10:49 PM
Hoskins, Chad CITZ:EX [Assignee] approved the item and forwarded it to Garneau, Tanya CITZ:EX for action	This should go to up to Shauna as well Tanya. CH	8/25/2021, 4:48:12 PM
Garneau, Tanya CITZ:EX [Assignee] forwarded an eApprovals item to Hoskins, Chad CITZ:EX for action	For your approval - once approved - send back to me, will have Matt consult with GCPE for comms plan	8/25/2021, 4:03:21 PM
Reed, Matt CITZ:EX [Assignee] approved the item and forwarded it to Garneau, Tanya CITZ:EX for action	No Comment	8/25/2021, 3:45:43 PM
Harriman, Rheannon CITZ:EX [Assignee] forwarded an eApprovals item to Reed, Matt CITZ:EX for action	Updated version to address comments and minor edits. Added graphics to create publish-ready version	8/25/2021, 3:27:53 PM
Harriman, Rheannon CITZ:EX added a document: Public report on 2021 FOIPPA engagement v7 graphic.docx		8/25/2021, 3:26:17 PM
Harriman, Rheannon CITZ:EX deleted a document: Public report on 2021 FOIPPA engagement v6.1.docx	Updating version	8/25/2021, 3:26:12 PM
Garneau, Tanya CITZ:EX [Assignee] forwarded an eApprovals item to Harriman, Rheannon CITZ:EX for action	For uploading pls	8/25/2021, 3:25:29 PM
Mitchell, Tyler [Colleague of GCIO Office] forwarded an eApprovals item to Garneau, Tanya CITZ:EX for action	Approved by GCIO Ritchie, Thanks!	8/24/2021, 10:18:50 AM
Ritchie, CJ CITZ:EX [Assignee] approved the item and forwarded it to GCIO Office for action	No Comment	8/24/2021, 8:58:11 AM
Mitchell, Tyler [Colleague of GCIO Office] forwarded an eApprovals item to Ritchie, CJ CITZ:EX for action	For your review and approval, Please see comments from Chad below. Thanks!	8/24/2021, 8:56:06 AM
Brown, Taylor J CITZ:EX [Assignee] forwarded an eApprovals item to GCIO Office for action		8/24/2021, 8:38:17 AM
Hoskins, Chad CITZ:EX [Assignee] approved the item and forwarded it to Brown, Taylor J CITZ:EX for action	Hi Taylor, this version is ready to go to CJ for her review. There are a couple of outstanding questions for consideration in the document. GCPE is going to add this to comms plan and consider timing on release. CH	8/20/2021, 4:50:04 PM
Harriman, Rheannon CITZ:EX [Assignee] forwarded an eApprovals item to Hoskins, Chad CITZ:EX for action	Current draft of the FOIPPA engagement report for your review. GCPE (including Kirsten Youngs) has reviewed and has no further comments at this time	8/20/2021, 4:23:14 PM
Harriman, Rheannon CITZ:EX added a document: Public report on 2021 FOIPPA engagement v6.1.docx		8/20/2021, 4:21:02 PM
Garneau, Tanya CITZ:EX made some changes to this item's details		8/16/2021, 8:08:14 AM
Garneau, Tanya CITZ:EX [Assignee] forwarded an eApprovals item to Harriman, Rheannon CITZ:EX for action	For drafting please	8/16/2021, 8:06:45 AM
Garneau, Tanya CITZ:EX made some changes to this item's details		8/16/2021, 8:06:34 AM

Title	Comments	Date
Garneau, Tanya CITZ:EX [Colleague of Sinnott, Michelle] forwarded an eApprovals item to Garneau, Tanya CITZ:EX for action		4/14/2021, 11:38:57 AM
Garneau, Tanya CITZ:EX [Assignee] forwarded an eApprovals item to Sinnott, Michelle for action	For holding	4/14/2021, 8:28:57 AM
Brown, Taylor J CITZ:EX [Assignee] forwarded an eApprovals item to Garneau, Tanya CITZ:EX for action	Hi Tanya - eApp for the FOIPPA meeting summaries. let me know if the deadline needs extending, thanks!	3/10/2021, 3:20:56 PM
Brown, Taylor J CITZ:EX created this item		3/10/2021, 3:19:45 PM
Brown, Taylor J CITZ:EX added a document: RE_ Summary of FOIPPA Meetings .msg		3/10/2021, 3:19:45 PM

Biggs, Jackie CITZ:EX

From: Pridmore, Kerry CITZ:EX
Sent: March 9, 2021 3:01 PM
To: Brown, Taylor J CITZ:EX
Cc: Garneau, Tanya CITZ:EX
Subject: RE: Summary of FOIPPA Meetings

Follow Up Flag: Follow up
Flag Status: Flagged

Yes, confirming I am creating an overall summary as we go.

From: Brown, Taylor J CITZ:EX
Sent: March 9, 2021 2:57 PM
To: Pridmore, Kerry CITZ:EX
Cc: Garneau, Tanya CITZ:EX
Subject: Summary of FOIPPA Meetings

Hi Kerry,

CJ asked me to check in to make sure you are putting together a summary of the Questions and Feedback we are receiving from the FOIPPA meetings.

Tanya – please let me know if you want me to send you an eApp on this or if there is already one.

Thanks,

Taylor Brown
Manager, Executive Operations
Office of the Chief Information Officer
Ministry of Citizens' Services
PO Box 9412, Stn Prov Gov, Victoria BC V8W 9V1

c. 250-217-0438 t. 778-974-4076 e. Taylor.Brown@gov.bc.ca