
TO: Regional District of Nanaimo Board **MEETING:** July 23, 2019
FROM: Tricia Mayea
Legislative Coordinator **FILE:** 0580-01
SUBJECT: Freedom of Information and Protection of Privacy Act 2018 Overview

RECOMMENDATION

That the *Freedom of Information and Protection of Privacy Act* 2018 Overview report be received for information.

SUMMARY

To update the Board on the number of Freedom of Information (FOI) requests received in 2018 and to provide some general statistics and information.

BACKGROUND

The *Freedom of Information & Protection of Privacy Act* (the Act) requires all public bodies to be open, transparent and accountable. Access to information requests are made when an applicant requests records outside the scope of routinely available information. The primary method to access routinely available information is through the website or direct contact with departments. A formal written request under the Act is intended to be an avenue of last resort and is only used when information is not routinely available or accessible through normal means.

The Regional District of Nanaimo (RDN) received 28 requests made under the *Freedom of Information and Protection of Privacy Act* for the 2018 calendar year. Records were retrieved across most departments and the content of those requests is summarized as follows:

- **Regulatory and Legal** – property files, bylaw enforcement & animal control files, fire investigations, request for proposals
- **Projects** – Bowser wastewater treatment project
- **Law Enforcement** – motor vehicle accident
- **Personal Information**

Table 1 outlines the type of requestors and the number of requests made to the RDN in 2018.

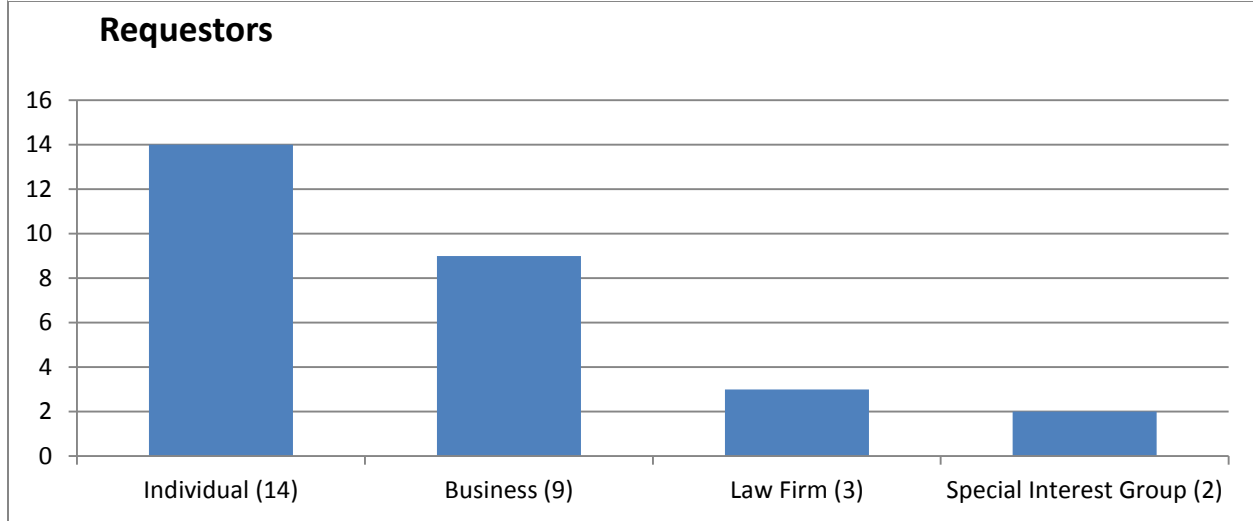
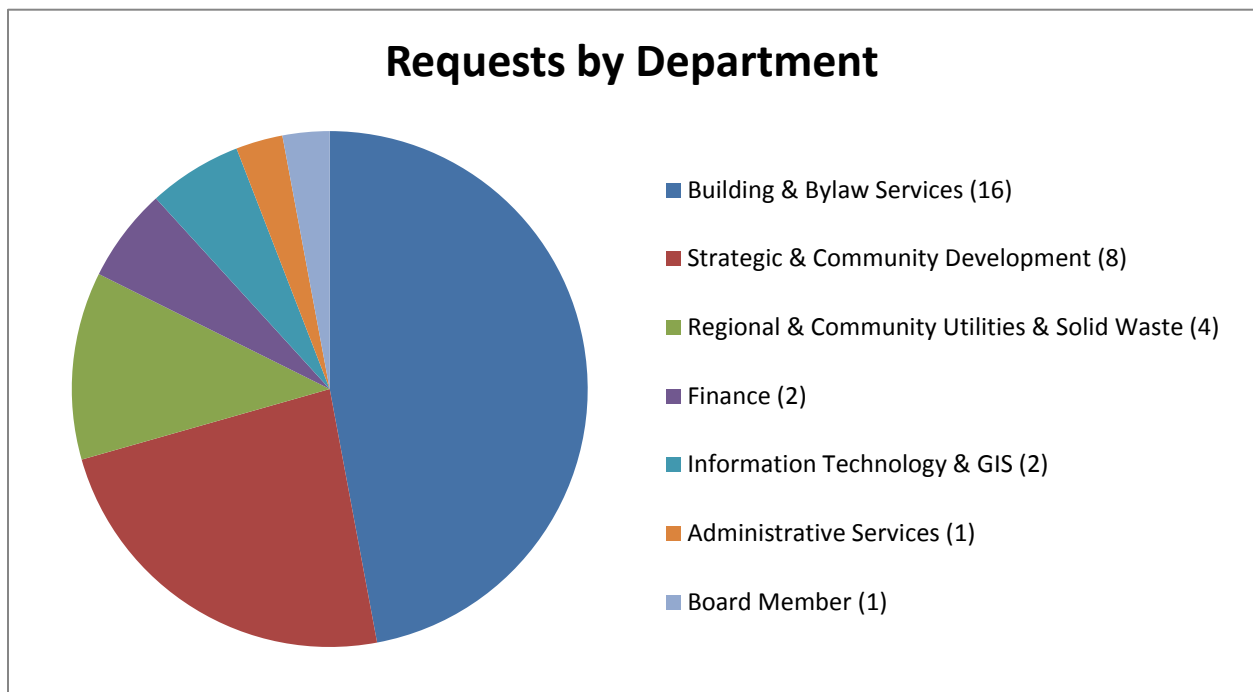


Table 2 outlines the number of requests served by each RDN department in 2018.



Of the 28 FOI requests received in 2018, 2 of the requests were abandoned by the applicant, 4 of the requests were routinely releasable information so the applicant was referred to the appropriate department to retrieve the records, and 3 of the requests produced no records. The remaining 19 requests produced 3,151 pages of records.

Table 3 provides comparatives with previous years.

Year	Requests	Pages Released
2018	28	3,151
2017	15	1,543
2016	23	1,157
2015	16	570
2014	18	1,621

Administering FOI requests is a legislative requirement and public service which has organizational impacts but generates little revenue, as there are limited circumstances when charges can be applied. Further, charging fees can be a barrier to access and applicants can request a fee waiver under the Act. Allowable fees are nominal compared to the actual cost of providing records and rates are set under the *Freedom of Information and Privacy Protection Regulation, BC Reg. 155/2012*. In 2018, fee estimates were issued for 6 of the 28 requests, and out of those 6 requests, two requests were abandoned and two were granted a fee waiver. A total of \$304.50 was collected for two requests.

ALTERNATIVES

1. That the *Freedom of Information and Protection of Privacy Act 2018 Overview* report be received for information.
2. That alternative direction be provided.

FINANCIAL IMPLICATIONS

There are no financial implications; this report is provided for information purposes only.

STRATEGIC PLAN IMPLICATIONS

People and Partnerships - Improve the governance and awareness of RDN activities for citizens throughout the Region.



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July 15, 2019

Reviewed by:

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