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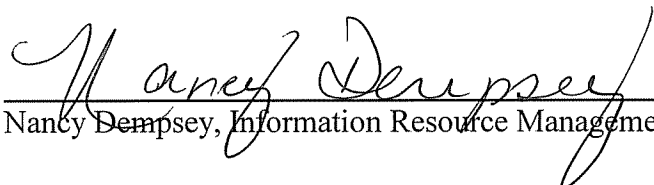
Halifax Regional Council
April 8, 2003

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:



Geri Kaiser, Director of Shared Services



Nancy Dempsey, Information Resource Management (IRM) Coordinator

DATE: February 20, 2003

SUBJECT: Freedom of Information & Protection of Privacy - 2002 Report

INFORMATION REPORT

ORIGIN

The Report originates with staff and is intended to provide a yearly overview of the Municipality's response to the requirements associated with the processing of Freedom of Information and Protection of Privacy (FOIPOP) requests. Part XX of the Municipal Government Act (MGA), provides individuals with the right to access most records under the care and control of the Municipality, while at the same time ensuring that the privacy of individuals are protected.

BACKGROUND

Under Part XX of the MGA, the Chief Administrative Officer is deemed to be the responsible officer for receiving and processing applications. The responsible officer is permitted to delegate any and all of these powers and duties relative to the receiving and processing of applications and accordingly, has done so to the Information Resource Management (IRM) Coordinator.

DISCUSSION

2002 Overview

To facilitate the processing of applications in an organization as large and diverse as HRM, each Business Unit has identified an Administrator and an alternate who assist the Coordinator in the processing of the applications that are relative to their Business Unit. In June of 2002, a FOIPOP Training Session was held, with 40 + HRM employees in attendance. A manual was developed and circulated to all Administrators and alternates prior to the training sessions. Provision of standardized training and a manual has proven to be an invaluable resource in the processing of applications.

HRM received 18 applications for access to records in the calendar year 2002. Applicants included community members and groups, individuals, media and businesses. The municipality is required to protect the applicant's identity and ensure their confidentiality in the processing of applications. The attached statistical information provides further detail.

The resource time for processing these applications has, in many cases, been fairly significant. Many applications required investigations, research, third party communication and fee estimates. Processing time has not been recorded in the past.

Each application must be accompanied by a \$25.00 application fee with the exception of requests pertaining to an individual's own personal information. The municipality does have the ability to impose fees for processing applications. Prior to the fall of 2002, fees could only be applied beyond the first hour of processing time, at a rate of \$10.00 per half-hour of work. Legislative changes have increased the fee to \$15.00 per half-hour of work and eliminated the one hour "free" time. During 2002, two applicants were advised that a fee would be imposed because of the volume of material requested. One applicant subsequently revised their request, thereby negating the imposition of a charge and one applicant appealed the fee estimate.

During any stage of the FOIPOP application process, an applicant can request a review of any aspect of HRM's processing of the application - refusal to release, fee estimate, processing time, etc. During 2002, one HRM decision was appealed to the Review Officer. On February 13, 2003, a decision of support for HRM's decision was delivered by the Review Officer.

2003 Projection

During 2003, it is intended that:

- a FOIPOP brochure will be developed and available at the Customer Service Centres and on-line.
- applications and other relevant FOIPOP information will be available on-line.
- further training and reassignment/appointment of Administrators and alternates will be necessary because of the recent reorganization of Business Units.
- processing time for applications will be recorded.
- the Coordinator, in conjunction with the Business Unit Administrator, will begin to develop a FOIPOP Directory. This directory will identify general information resources that are held by each Business Unit. It will identify which information resources should be provided when requested and which information resource requests would require the filing of a FOIPOP application. The directory will also identify records that contain personal information. A personal information bank (PIB) will form part of the directory. The intent of the directory is two-fold: to standardize the release of information and to promote a "protection of privacy" atmosphere.

BUDGET IMPLICATIONS

There are no budget implications anticipated.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

There are no recommended alternatives.

ATTACHMENTS

1. FOIPOP Annual Report 2002 - Statistical Information

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Nancy Dempsey, IRM Coordinator, 490-4390

**Halifax Regional Municipality
FOIPOP Annual Report
Statistical Information
January 1, 2002 - December 31, 2002**

Applications Processed	Personal Information	General Information	Subtotal
# carried forward from 2001		1	1
# received in 2002	1	18	19
# withdrawn			
# transferred			
# completed		18	18
# carried forward to 2003		2	2

Total	18
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Access Decisions	Personal Information	General Information	Subtotal
Access Fully Granted		4	4
Access Partially Granted		10	10
Access Denied	1	2	3
No record available, not in HRM's custody or control		1	1

Total	18
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Date of Completion	Personal Information	General Information	Subtotal
Within 30 days	1	12	13
31 to 60 days		5	5
61 days +			

Total	18
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Fees Collected	Personal Information	General Information	Subtotal
Application Fees		\$450.00	\$450.00
Research/Handling Fees			

Total	\$450.00
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Reviews	Personal Information	General Information	Subtotal
# of Requests for Reviews		1	1
# of HRM decisions fully upheld			
# of HRM decisions partially upheld			
# of HRM decisions not upheld			
# of reviews carried forward to 2003		1	1

Total	1
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Requests From	Subtotal
Media	7
Public (Individuals)	8
Business	2
Community Groups/Public Interest	2

Business Unit Responsibility Centre * can be shared between more than one Business Unit	Subtotal
Community Projects	4
Solid Waste Resources	3
Public Works & Transportation	1
Planning & Development	4
Finance	4
Fire & Emergency Services	1
Harbour Solutions	3
CAO's Office	3