

Municipality Of Chatham-Kent

Corporate Services

Municipal Governance

Information Report

To: Mayor and Members of Council
From: Judy Smith, Director, Municipal Governance/Clerk
Date: January 20, 2020
Subject: 2019 Information and Privacy Commissioner Statistical Report

This report is for the information of Council.

Background

Annually all institutions must complete the Information and Privacy Commissioner's (IPC) Year-End Statistical Report as required by the Municipal Freedom of Information and Protection of Privacy Act (the Act).

The IPC acts independently of government to uphold and promote open government and the protection of personal privacy. Under its statutory mandate, the IPC is responsible for:

- resolving appeals from refusals to provide access to information
- investigating privacy complaints about information held by government organizations and health information custodians
- ensuring that the government organizations and health information custodians comply with the provisions of the Acts
- educating the public about Ontario's access and privacy laws
- conducting research on access and privacy issues, and providing advice and comment on proposed government legislation and programs

Comments

The statistical report is divided into sections for reporting the details of the requests such as the source, time for completion, compliance with the Act, disposition, exemptions or exclusions of requests and fees collected.

The main source of requests for Chatham-Kent comes from individuals, agents on behalf of individuals and businesses such as law firms. The Act requires the request to be completed within 30 days unless notification is sent requesting an extension of time.

The Municipality of Chatham-Kent has reported annually to the IPC since 2004. The following is a summary of the more recent years and the number of requests.

Year	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010
# of Requests	83	109	62	47	58	61	36	43	31	24

The Municipality of Chatham-Kent also reported the number of requests for 2019 for the following:

Chatham-Kent Library Board	Chatham-Kent Board of Health	Chatham-Kent Public Utilities Commission
0	1	3

Chatham-Kent is able to report that all requests were completed in compliance with the Act; 78 requests were completed with no notice issued, five requests were completed within the time limit permitted under either the Notice of Extension (s.27(1)) or Notice to Affected Person (s.28(1)).

To date Chatham-Kent has been able to report that all requests have been responded to. In 2019 three requests were withdrawn, four requests had no documents that existed and six requests had information that was not disclosed due to exemptions within the Act. All other requests were disclosed in full or in part. At this time, one request was exempt from disclosure for the reason of frivolous and vexatious as provided for under the Act.

The scope of the requests are very broad and therefore cannot be generalized or summarized by departments. They include, but are not restricted to, requests for copies of reports, property standard inspections, building permits, long term care resident files, social benefit files, contracts, agreements and property files.

If a requestor is not satisfied with the Municipality's decision, they may, within 30 days of the notice being given, request it be reviewed by the IPC. In 2019, there were no appeals filed and one appeal from 2018 was closed. The decision of that appeal supported the Municipality's response.

Consultation

No other departments were consulted.

Financial Implications

Section 45(1) allows the head to collect fees for access to a record. In 2019, \$2,234 was collected as miscellaneous revenue within the Municipal Governance budget.

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