

TO:	CHAIR AND MEMBERS FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE MEETING ON MAY 28, 2012
FROM:	CATHARINE SAUNDERS CITY CLERK
SUBJECT	<i>MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT</i> 2011 ANNUAL REPORT

RECOMMENDATION

That, on the recommendation of the City Clerk, the 2011 annual information report regarding the *Municipal Freedom of Information and Protection of Privacy Act* **BE RECEIVED** for information.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

None

BACKGROUND

At the Municipal Council meeting held on January 22, 2007, By-law No. A.-6067-31 was passed delegating all the powers and duties granted or vested in the Head of the Municipal Corporation for the purposes of the *Municipal Freedom of Information and Protection of Privacy Act* (the Act) to the City Clerk without any limitations, restrictions, conditions or requirements. The Municipal Council also requested a report on how the delegated powers and duties are exercised.

The Manager of Records and Information Services administers the provisions of the Act for the City Clerk. The Manager responds to formal access requests and appeals made under the Act, investigates privacy breach complaints and provides training and advice to city staff relating to information access and privacy matters. The advice and recommendations of the City Solicitor's Office and of the appropriate City Divisions are often requested when responding to formal access requests, but the final decisions are always made by the Manager of Records and Information Services acting for the City Clerk.

An annual statistical report is required to be filed by each institution that is subject to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*. The City of London's 2011 report has been filed electronically with the Office of the Ontario Information and Privacy Commissioner.

In 2011 the City of London received 130 formal requests made under the Municipal Freedom of Information and Protection of Privacy. In addition to the formal requests for information, numerous requests were received from both the public and the Civic Administration for advice on information access and privacy matters.

Numbers of formal requests received in previous years:

- 2011 - 130 requests
- 2010 - 93 requests
- 2009 - 78 requests
- 2008 - 82 requests
- 2007 - 41 requests
- 2006 - 45 requests
- 2005 - 31 requests

Of the 130 requests received in 2011, 130 were completed within the 2011 year as follows:

- 43 requests for personal information records
- 87 requests for general records

Of the 130 requests that were completed in the 2011 year:

- 118 were completed within 30 days or less of receiving the request
- 9 were completed within 60 days of receiving the request
- 3 were completed within 90 days of receiving the request

Response times may exceed the required 30 day timeframe when dealing with very high volumes of records or when it is necessary to send notices asking for external third party representations.

Under the legislation, requesters are required to pay an application fee in the amount of \$5.00 before a request can be processed by the institution. Other statutory fees also apply for photocopies and records search and preparation time. The total fees collected in 2011 amounted to \$3168.05

PREPARED BY:	RECOMMENDED BY:
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