

TO:	CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING ON APRIL 9, 2013
FROM:	CATHARINE SAUNDERS CITY CLERK
SUBJECT	MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT 2012 ANNUAL REPORT

RECOMMENDATION

That, on the recommendation of the City Clerk, this report **BE RECEIVED** for information.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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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. He responds to formal access requests and appeals made under the Act, he investigates privacy breach complaints and he 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 2012 report has been filed electronically with the Office of the Ontario Information and Privacy Commissioner. A summary of the 2012 City of London report is attached.

In 2012 the City of London completed 144 formal requests made under the *Municipal Freedom of Information and Protection of Privacy Act*. Seventeen (17) requests in progress were carried over year-end into the 2013 reporting year. In addition to the formal requests for information, numerous requests were received from both the public and City staff for advice on information access and privacy matters.

Numbers of formal requests received in previous years:

- 2012 - 144 requests
- 2011 - 130 requests
- 2010 - 93 requests
- 2009 - 78 requests
- 2008 - 82 requests
- 2007 - 41 requests
- 2006 - 45 requests
- 2005 - 31 requests

Of the 144 requests completed in 2012, 65 requests were for personal information and 79 requests were for general records of the corporation.

Of the 144 requests that were completed in the 2012 year:

- 128 were completed within 30 days or less of receiving the request
- 13 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 2012 amounted to \$8926.27.

PREPARED BY:	RECOMMENDED BY:
JIM PURSER MANAGER OF RECORDS & INFORMATION SERVICES	CATHARINE SAUNDERS CITY CLERK

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