

# TORONTO STAFF REPORT

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February 15, 2006

To: Administration Committee

From: City Clerk

Subject: City of Toronto 2005 Statistical Report to the Information and Privacy Commissioner (IPC) regarding the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) compliance.

## Purpose:

To provide Council with an annual report of openness and transparency measures to date with respect to the Access and Privacy Program. To report back to Administration Committee on progress made on the Corporate Access and Privacy Renewal Initiative, the steps taken by City Divisions to identify City records that may be disclosed routinely to the public and Members of Council, Divisional updates to the Directory of Records and to provide the Committee with a copy of the City of Toronto's 2005 Statistical Report on MFIPPA compliance submitted to the Information and Privacy Commissioner (IPC), to be released in June 2006.

## Financial Implications and Impact Statement:

There are no financial implications arising from this report.

## Recommendations:

It is recommended that the City Manager:

- a) direct all City Divisions to work with the Corporate Access and Privacy (CAP) Office to develop, by July 2006, routine disclosure plans that identify records that may be disclosed routinely to the public and members of City Council;
- b) direct all City Divisions to report to the City Manager the completed routine disclosure policies plans by February 2007

## Background

The City has submitted its 2005 statistical report on MFIPPA compliance to the IPC, a copy of which is attached (Appendix A). Statistical Reports are required by statute to be submitted by provincial and municipal organizations at year end to form the basis for the Annual Report of the

IPC. It is anticipated that the Commissioner's 2005 Annual Report will be publicly released in June 2006.

At the May 17, 18 and 19, 2005 City Council meeting Council directed:

- (1) all divisions to review the Directory of Records and consult with the Corporate Access and Privacy Office to determine those records that may be disclosed routinely to the public and Members of Council, and where it may be appropriate, for records to be created that would be suitable for routine disclosure, for example, records containing no private personal information;
- (2) all divisions to review their information management practices with Corporate Records and Archives to ensure that their records can be retrieved within the times set out in the City's Access and Privacy Manual, in order to ensure that the City responds to all access requests under MFIPPA within the statutory timeframes of 30 calendar days;
- (3) all divisions to review the Directory of Records with Corporate Records and Archives, and provide the necessary divisional approvals, to ensure that all their records, are scheduled in the Municipal Code Chapter on Records Retention, as required by the MFIPPA and the *Municipal Act, 2001*; and
- (4) the City Clerk to report to the Administration Committee on further progress made on the Corporate Access and Privacy renewal initiatives, including training, policy development, and processing improvements, in accordance with the statutory requirement to report on information indicating an effort by the City to put into practice the purposes of the MFIPPA, with the next annual report to the Information and Privacy Commissioner of Ontario (IPC).

Comments:

The Corporate Access and Privacy Office (CAP) of the City Clerk's Office, is responsible for responding to freedom of information requests on the City's behalf and applying the principles of MFIPPA to ensure timely, sustainable and impartial decisions to public access requests for City-held records under MFIPPA and PHIPA.

Access requests that are submitted to the City under MFIPPA must be ordinarily completed within 30 days of receipt of the request, although time extensions may be applied in limited and specific circumstances.

In 2005, the City received 3,706 new access requests under MFIPPA, which represents a 10% increase in the number of requests received by the City in 2004. A detailed profile of requests by division is attached as Appendix B. In 2005, 82.9% of these requests were completed within the 30-day statutory timeframe. This is a substantial improvement over 2004. However, the City Clerk has serious concerns with the continued increase in the number of access requests, especially in light of the City Council direction to divisions of May 2005. City Divisions must do more to develop routine disclosure policies so that the public will not be forced to go through the formal FOI process.

Under MFIPPA anyone who is dissatisfied with a decision to refuse access to records may appeal the City's decision to the IPC. Relatively few of the MFIPPA requests completed by the City are appealed to the IPC. Of the 3,706 requests completed in 2005, 2% have been appealed. Of the 72 appeals launched against the city under MFIPPA, 55 were successfully mediated. Of the remaining 18 appeals, the Commissioner upheld the City's decisions in full in 6 appeals and in part in 1.

**2005 Access Requests Division Profiles: Highest percentage of requests received**

Division	Number of requests in 2004	Number of requests in 2005	Type of request	Increase (Decrease) from 2004	% of total City of Toronto requests
Buildings	1693	2096	Building plans/surveys/permits/applications documents	387	56.4%
Fire	565	513	Fire incident reports	(52) *	13.8%
Social Services	295	296	Ontario Works client files	1	8%
Public Health	138	140	Health inspection reports Animal Services complaints	(2)	3.8%

\*Fire Services has worked to develop routine disclosure of business area records which has resulted in continued reduction in the public having to go through the formal FOI process

Although the City's 30-day MFIPPA compliance has significantly improved over the 2004 performance, the Community Services area poses a challenge which may significantly impact compliance in 2006. The CAP Office will be working closely with the Community Services cluster program units to monitor adherence to the CAP Renewal processes.

**Update of the CAP Renewal Project**

One of the key goals to improved compliance with the principles of MFIPPA is enhanced transparency through the development of policies for routine disclosure of information to the public.

**Routine Disclosure:**

While making records available to the public in response to formal access requests is fundamental to the right to access public information, the IPC reiterated in the 2004 IPC Annual Report the need for institutions to enhance transparency whenever possible by routinely and proactively disclosing information, even in the absence of formal freedom of information requests. The fact that the City of Toronto consistently receives almost 10 times the number of access requests as other municipalities in Ontario underscores what the IPC has found and reported in the Annual Report. Toronto is much larger than other municipal institutions in Ontario and most of the increase in requests is for building plans. Large numbers of access requests indicate that there are records that the public regularly requires and should not have to be obtaining through the formal access process of MFIPPA. Formal requests should be used as a tool of last resort and not the regular way that information is provided to the public.

In the IPC Order MO-1947, the Commissioner commented in the order that she was pleased with the Mayor's commitment to an open and transparent government. The Commissioner added that:

“Exemptions should not simply be claimed because they are technically available in the Act; they should only be claimed if they genuinely apply to the information at issue.”

*IPC/O Order MO-1947*

Subsequent to the IPC Order, the City Manager issued a memorandum to all Division Heads asking them to work with the CAP Office to identify records in the Directory that are suitable for routine disclosure, in compliance with City Council's direction. However, since the Council directive of 2005, to date, only three program areas have completed routine disclosure policies. Priority must be given to identifying what the public is asking for through the FOI process, where these records reside in the City and how these requests can give rise to the development of routine disclosure policies. CAP has worked closely with the Records and Information Management Office to identify program areas that require new records schedules. Timely access to City records can only come about when records are properly managed and scheduled so that they can be easily located in response to a formal or informal request.

In June 2005, Purchasing reported to Council on revised practices to streamline access to information by members of Council at various stages of the procurement process. During 2005, the CAP Office also engaged in consultations with a variety of City divisions on developing routine disclosure initiatives for 2006, including: Transportation Services, Parks, Forestry and Recreation, City Planning, City Clerk's Office, Purchasing, Fire Services, Information and Technology, Records and Information Management and Facilities and Real Estate.

#### Completed Routine Disclosure Policies:

1. In October 2005, Corporate Finance, in consultation with CAP, initiated a routine disclosure policy to provide regular public reports on property, automobile and general liability insurance claims by City divisions and insured agencies, boards and commissions. Under this policy, disclosure of insurance claims information will be provided on a quarterly basis as a public agenda item to the Administration Committee and City Council. This routine disclosure policy addresses Council's requests for more regular reporting on insurance claims and the IPC's Order regarding the public's right of access with a view to transparency and accountability.
2. In December 2005, Buildings Division, in consultation with CAP, launched a policy for routine disclosure of building plans. The intent of this policy is to streamline the process for owners to obtain access to their building plans from Buildings Division, without having to make a formal FOI request through the CAP Office. The second phase of this policy will see the development of established criteria for security restrictions and routine access to all building plans by the general public, except for those that have successfully met the security restrictions criteria.
3. In January 2006, Municipal Licensing and Standards launched an Apartment Standards website. The website displays details of the orders issued, their current status, information about

inspections as well as other by-law information. Prior the website, the public filed access requests, such as those requesting copies of orders for apartment standards, to go through the Freedom of Information process. On the new Apartment Standards website, no personal information, such as the owner's/landlord's name or the complainant's personal information is disclosed.

**Access and Privacy Training:**

The CAP Office is committed to developing and providing education tools to City staff on the fundamental elements of access and privacy legislation. The CAP Office is finalizing the development of a 2-year operational plan and in February 2006 the corporate training sessions on access, privacy and routine disclosure will commence with the goal of providing staff with greater understanding of access and privacy principles and their roles and responsibilities under MFIPPA.

To date, the CAP Office has made significant advances in training City staff on their responsibilities for freedom of information and privacy protection. Access Liaison Officers (ALOs) have been designated within each City division, and training sessions have been provided to this current network of officers. The Access and Privacy Manual has been updated to reflect roles and responsibilities in the new FOI process. Information sessions have been held for senior management teams across the City, as well as staff of the Mayor's office. In addition, the CAP Internet site has been updated to provide plain language and enhanced layout of access to information processes for members of the public.

**Directory of Records:**

MFIPPA requires the City and all designated institutions to publish a Directory of Records that lists the types of records maintained by each division, providing the public with a complete description of the City's information holdings that may be available to request. In 2005, a joint project of the CAP Office, Records and Information Management Services, and Information and Technology, resulted in the launch of a key word searchable database version of the Directory of Records for the City's Internet site. This database is updated automatically whenever there are changes to the descriptions of any of the City's information holdings.

It is imperative that divisions provide regular updates to information on existing and new record holdings and routinely available records to allow for the Directory to be regularly updated to accurately reflect City records and their locations.

**Privacy Compliance:**

The City of Toronto is required under MFIPPA to protect the privacy of personal information in its custody or control. 2005 privacy initiatives include the mediation and investigation of privacy complaints from members of the public, review and approval of more than 300 City forms and website applications for privacy protection, and over 700 consultations provided to City staff on privacy implications of projects, initiatives and business operations. With the May 2003, Audit Committee Report No.1 Clause No. 9a, City Council adopted the recommendation that privacy impact assessments be mandatory in all business cases supporting system development where

personal information is involved. The work of the CAP Office's privacy section is directed at ensuring this directive is fulfilled through the development of PIA guidelines and toolkits.

A Privacy Impact Assessment (PIA) is a process used to evaluate privacy implications of information systems. The process is designed to guide City staff in assessing privacy throughout the early stages of system development, as well as assessing privacy risks of their existing operational systems. PIAs provide a number of benefits to City divisional initiatives that include enhancing informed policy decision-making and system design, anticipating the public's possible privacy concerns, and generating confidence that privacy objectives are being considered and addressed in the development and implementation of integrated information systems.

Some privacy compliance projects of note in 2005 include the development of a checklist and toolkit for managers for privacy impact assessments and the development of privacy guidelines for personal digital assistant (PDA) devices, including PDAs for Taxi Inspectors.

However, there are significant privacy initiatives that the CAP Office has worked on in 2005 that underscored the need for greater privacy awareness at the City. The video surveillance policy for the City is ongoing as consultation with stakeholders is near completion. The result of the incomplete policy means that the City of Toronto has yet to close the privacy investigation file regarding the privacy complaint filed in 2003. Other privacy investigations of note relate to complaints about inappropriate personal recording devices being installed on City equipment and City-owned laptop computers containing confidential information being left to be viewed by non-authorized staff.

#### **Section 52: Outside the scope of MFIPPA:**

While MFIPPA does not apply to most employment-related City records, which are outside its scope, this does not however, mean that employees of an institution do not have privacy rights, nor does it mean there is not a need to develop routine disclosure policies for employment and HR records. Where an employee of the City of Toronto requires their employment record, there should be a routine disclosure policy to obtain the record without making the employee have to file a formal FOI request.

The City Clerk chairs the Access and Privacy Coordinating Committee (APCC) which has cross-Divisional representation and has as its goal the identification of policy requirements and development of project areas required to improve awareness and effective management of access principles and privacy requirements at the City. Out of the APCC, the Human Resources Privacy Working Group has been struck to develop an HR Privacy Policy for the City of Toronto to ensure that privacy principles are included in the development of a privacy strategy for the City and to ensure that employees are able to access their own records that do not contain confidential or labour relations information.

#### **Legal Services:**

Generally, CAP will notify Legal Services where an access request has implications that fall outside of the usual scope of requests ( i.e. requests concerning a subject matter which relate to legal proceedings involving the City of Toronto), FOI appeals likely to go to Judicial review or

that require the interpretation of case law, general legal principles or that explore new legal ground not previously dealt with under MFIPPA or changed based on new interpretations of provisions.

Decisions on access requests are made by the CAP Office and responsive records must be provided by the Divisions to the CAP Office in a timely manner according to the processing guidelines in the Access and Privacy Manual. All formal requests from program areas on recommendations regarding the operational interpretation of MFIPPA or PHIPA, must be made to the City Clerk. Where a conflict between MFIPPA or PHIPA and other legislation is identified, the City Clerk, in collaboration with the City Solicitor, will render a determination on the conflict.

Conclusion:

The City has made substantial progress over the past year to improve its compliance with MFIPPA and to build its capacity for further improvement in the future through training and the development of routine disclosure and privacy enhancing policies. The CAP Renewal Project has increased awareness of the values of transparency and privacy protection throughout the City. The CAP Office recognizes the challenges of training an organization the size of the City of Toronto and embraces the opportunities to develop new guidelines and best practices to share with City staff on access and privacy. However, the increasing number of FOI requests received by the City is no longer sustainable. Current levels of MFIPPA compliance cannot be sustained unless Divisions develop routine disclosure policies and take effective ownership of the management of their business areas' information assets.

Contact:

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Ulli S. Watkiss  
City Clerk

Attachments: Appendix A – City of Toronto 2005 Annual Statistical Report  
Appendix B – Divisional breakdown of Access Requests

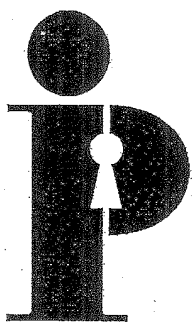
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*municipal*

The Year-End Statistical Report  
for the  
Information and Privacy Commissioner/Ontario

**STATISTICAL REPORT**  
**FOR THE 2005 REPORTING YEAR**

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Please return by **February 1, 2006** to:

Information and Privacy Commissioner/Ontario  
2 Bloor Street East  
Suite 1400  
Toronto, Ontario  
M4W 1A8

or Fax to: 416-325-9195

All institutions must return a report to the Information and Privacy Commissioner. If no requests for access to information or requests for correction of personal information were received, your institution must still complete and return Sections 1 and 2.

# Section 1: Identification

1.1 Name of Institution CITY OF TORONTO  
Formal Contact Person/Title SUZANNE CRAIG, DIRECTOR OF CORPORATE ACCESS & PRIVACY  
Email Address scraig@toronto.ca  
Phone No. (416) 392-9683 Fax No. (416) 392-4900  
Mailing Address CITY CLERK'S OFFICE, 13/F WEST TOWER, CITY HALL,  
100 QUEEN ST. W, TORONTO Postal Code M5H 2N2  
Content Contact Person/Title SUZANNE CRAIG, DIRECTOR OF CORPORATE ACCESS AND PRIVACY  
E-mail Address scraig@toronto.ca  
Date Report Completed 01 / 31 / 2006  
MM DD YY

- 1.2 Your institution is: (check one)
- |   |  |  |
|---|--|--|
| Municipal Corporation <input checked="" type="checkbox"/> | Board: School <input type="checkbox"/>   | Electrical Entities <input type="checkbox"/> |
| Conservation Authority <input type="checkbox"/>           | Public Library <input type="checkbox"/>  | Commission: Transit <input type="checkbox"/> |
| Other: <input type="checkbox"/>                           | Health <input type="checkbox"/>          |  |
| (specify)   | Local Services <input type="checkbox"/>  |  |
|   | Local Roads <input type="checkbox"/>     |  |
|   | Planning <input type="checkbox"/>        |  |
|   | Police Services <input type="checkbox"/> |  |

- 1.3 The total number of full-time employees (or equivalent) in your institution is:
- |   |   |
|---|---|
| No full-time employees (or equivalent) <input type="checkbox"/> | 101-1000 <input type="checkbox"/>         |
| 1-50 <input type="checkbox"/>                                   | 1001-2999 <input type="checkbox"/>        |
| 51-100 <input type="checkbox"/>                                 | 3000+ <input checked="" type="checkbox"/> |

# Section 2: Inconsistent Use of Personal Information

2.1 Whenever your institution uses or discloses **personal information** in a way that differs from the way the information is normally used or disclosed (**an inconsistent use**), you must attach a record or notice of the inconsistent use to the affected information. How many such records did your institution attach, if any? 0

If your institution received:

- Requests for access to information → go to Section 3.1
- Requests for correction of personal information only → please complete Section 11 at the back of the report
- No requests for access or correction → please complete and return only this page. Thank you

If you would like, you can fax it to us at (416) 325-9195

## Section 3: Number of Requests Completed

Enter the number of requests that fall into each category.

- 3.1 New requests received during reporting year
- 3.2 Requests transferred in from other institutions
- 3.3 Requests carried forward from previous year
- 3.4 TOTAL (3.1+3.2+3.3=3.4)

Personal Information	General Records
325	3348
27	6
43	199
395	3553

- 3.5 Requests transferred out to other institution
- 3.6 Requests carried over to next year
- 3.7 TOTAL (3.5+3.6=3.7)

Personal Information	General Records
9	4
27	192
36	196

- 3.8 TOTAL REQUESTS COMPLETED (3.4-3.7=3.8)

Personal Information	General Records
359	3357

## Section 4: Source of Requests

Enter the number of requests you completed from each source.

	Personal Information	General Records
4.1 Individual/Public	359	2750
4.2 Business		535
4.3 Academic/Researcher		14
4.4 Association/Group		6
4.5 Media		47
4.6 Government (All Levels)		0
4.7 Other		5
4.8 Don't Know		
4.9 TOTAL REQUESTS (Add boxes 4.1 to 4.8=4.9)	359	3357

Box 4.9 MUST EQUAL Box 3.8

## Section 5: Time to Completion

How long did your institution take to complete all requests for information? Enter the number of requests into the appropriate category.

	Personal Information	General Records
5.1 15 days or less	28	1275
5.2 16-30 days	166	1612
5.3 31-60 days	153	348
5.4 61-90 days	11	60
5.5 91-120 days		19
5.6 121 days or more	1	43
5.7 TOTAL REQUESTS (5.1 to 5.6=5.7)	359	3357

Box 5.7 MUST EQUAL Box 3.8

# Section 6: Compliance with the Act

In this section, please indicate the number of requests completed, within the statutory time limit and in excess of the statutory time limit, under each of the four different situations:

- A. No notices issued;
- B. BOTH a Notice of Extension (s.20(1)) and a Notice to Affected Person (s.21(1)) issued;
- C. ONLY a Notice of Extension (s.20(1)) issued; or
- D. ONLY a Notice to Affected Person (s.21(1)) issued.

Please note that the four different situations are mutually exclusive and the number of requests completed in each situation should add up to the total number of requests completed in Section 3.8. (6.3+6.6+6.9+6.12=6.13) and (6.13 must equal 3.8)

## A. No Notices Issued

6.1 Number of requests completed within the statutory time limit (30 days) where **neither** a Notice of Extension (s.20(1)) nor a Notice to Affected Person (s.21(1)) were issued.

6.2 Number of requests completed in excess of the statutory limit (30 days) where **neither** a Notice of Extension (s.20(1)) nor a Notice to Affected Person (s.21(1)) were issued?

6.3 Total (6.1+6.2=6.3)

P	G
194	2887
165	405
359	3292

P	G
359	3292

6.3

## B. Both a Notice of Extension (s.20(1)) and a Notice to Affected Person (s.21(1)) Issued

6.4 Number of requests completed within the time limits permitted under **both** the Notice of Extension (s.20(1)) and Notice to Affected Person (s.21(1)).

6.5 Number of requests completed in excess of the time limit permitted by the Notice of Extension (s.20(1)) and/or the time limit permitted by the Notice to Affected Person (s.21(1)).

6.6 Total (6.4+6.5=6.6)



6.6

# Section 6: Compliance with the Act (cont'd)

## C. Only a Notice of Extension (s.20(1)) Issued

6.7 Number of requests completed within the time limit permitted under the Notice of Extension (s.20(1)).

6.8 Number of requests completed in excess of the time limit permitted under the Notice of Extension (s.20(1)).

6.9 Total (6.7+6.8=6.9)

P	G
0	17
	19
0	36

6.9

P	G
0	36

## D. Only a Notice to Affected Person (s.21(1)) Issued

6.10 Number of requests completed within the time limit permitted under the Notice to Affected Person (s.21(1)).

6.11 Number of requests completed in excess of the time limit permitted under the Notice to Affected Person (s.21(1)).

6.12 Total (6.10+6.11=6.12)

P	G
0	15
	14
	29

6.12

P	G
0	29

## E. Total Completed Requests (sections A to D)

6.13 Overall Total

(6.3+6.6+6.9+6.12=6.13) and (6.13 must equal 3.8)

P	G
359	3357

## Section 6a: Contributing Factors

Please outline any factors which may have contributed to your institution not meeting the 30-day time limit.

If you anticipate circumstances will improve your ability to comply with the Act in the future, please provide details in the space below.

*Please see attached*

## Section 7: Disposition of Requests

What course of action was taken with each of the requests completed? Please enter the number of requests into the appropriate category.

- 7.1 All information disclosed
- 7.2 Disclosed in part: partly exempt, excluded, frivolous or vexatious
- 7.3 Disclosed in part: no record exists or outside of the Act
- 7.4 Nothing disclosed: fully exempt, excluded, frivolous or vexatious
- 7.5 Nothing disclosed: no record exists or outside of the Act
- 7.6 Request withdrawn or abandoned
- 7.7 Withdrawn or abandoned after fee estimate
- 7.8 TOTAL REQUESTS (EXCLUDING 7.7)  
(7.1 to 7.6=7.8)
- 7.9 TOTAL REQUESTS WITH EXEMPTIONS AND EXCLUSIONS (7.2+7.4)

	Personal Information	General Records
7.1	69	1774
7.2	226	989
7.3	15	99
7.4	6	80
7.5	15	353
7.6	28	58
7.7	0	4
7.8	359	3357
7.9	232	1069

BOX 7.8 MUST BE GREATER THAN OR EQUAL TO BOX 3.8

BOX 7.9 MUST BE LESS THAN OR EQUAL TO BOX 8.18

## IPC Annual Report s. 6a Contributing Factors

The City of Toronto is proud to report 3706 requests were received in 2005 and a compliance rate of 82.9% was achieved in the reporting year. This represents a significant improvement on the 2004 performance which was reported at 65%.

In 2004, the City Clerk's Office began the enormous task of renewal of the Corporate Access and Privacy (CAP) Program through the development of a strategic organizational and operational framework. This renewal framework was aimed at targeting Divisional program areas requirements for MFIPPA training and communication in responding to access requests.

The City Clerk's Office has met with the Assistant Commissioner of the Information and Privacy Commissioner's Office to present the achievements of the CAP Renewal Project. The City Clerk is pleased to announce the following achievements that have significantly contributed to the improved 30-day compliance rate of the City of Toronto:

- Implementation of the Routine Disclosure of Building Plans Policy, the results of which will enable approximately 1700 access requests for building plans to be routinely provided to the public without having to go through the Corporate Access and Privacy Office;
- Implementation of the Routine Disclosure of Insurance Claims Policy and begun work with several program areas to develop routine disclosure policies: Fire Services; Emergency Medical Services; Parks, Forestry and Recreation; Human Resources; City Clerk's Office (Registry and Election Services, Recorded Information Management Services, Secretariat Services, Corporate Access and Privacy, Council Support Services);
- Completion and implementation of the Access and Privacy Manual which has documented the new streamlined processes developed by the CAP Program to ensure clear communication on the roles and responsibilities of City staff across all Divisions;
- Implementation of regular Management Reports to senior executives to support accountability framework;
- Development and implementation of streamlined processes within the CAP Office to provide a checklist of end-to-end responsibilities within the FOI process to benchmark the completion of the various stages of responding to access requests;
- Implementation of the escalation procedure and alerts to senior executives to flag delays to ensure that problems in processing MFIPPA requests are resolved at senior levels in an expeditious manner;
- Appointment and completion of MFIPPA training of Divisional program area contacts - ALOs (Access Liaison Officers) to ensure that program area staff understand their responsibilities in records retrieval and clarification of requests and are accountable for Divisional performance in responding to MFIPPA requests;
- Completed information training session of all Deputy City Managers (DCMs), DCMs' Senior Management Teams and senior program area executives;
- Purchase of new MFIPPA/PHIPA case management system approved by City Council and CAP staff training on new database scheduled for Spring 2006. The new database, which has proven efficacy in many Freedom of Information Offices at the Provincial and

Federal level, will enable the City to improve its management of large caseloads and reduced duplication thereby improving efficiency in responding to access requests.

The City Clerk has taken the renewal of the CAP Program to all levels of the City of Toronto at a time when fiscal restraint has required all Divisions to cut back on spending. The development of a comprehensive training strategy, training modules and compliance tools has been completed against the backdrop of significant organizational change of the City's operational and reporting structure. The City Clerk, the City Manager and the Deputy City Managers are committed to a culture of openness and transparency that forms the foundation of a model of good governance and accountability. The support of the Information and Privacy Commissioner has significantly contributed to the ability of the City Clerk to communicate the importance and responsibility of access and privacy to all City staff. The City Clerk's Office will continue to implement new routine disclosure policies and training and accountability processes to further improve the 30-day MFIPPA compliance of the City of Toronto.

# Section 8: Exemptions & Exclusions Applied

For the TOTAL REQUESTS WITH EXEMPTIONS/EXCLUSIONS/FRIVOLOUS OR VEXATIOUS REQUESTS (Box 7.9), how many times did your institution apply each of the following? (More than one exemption may be applied to each exempted request.)

- 8.1 Section 6 — Draft By-laws, etc.
- 8.2 Section 7 — Advice or Recommendations
- 8.3 Section 8 — Law Enforcement\*
- 8.4 Section 8(3) — Refusal to Confirm or Deny
- 8.5 Section 9 — Relations with Governments
- 8.6 Section 10 — Third Party Information
- 8.7 Section 11 — Economic/Other Interests
- 8.8 Section 12 — Solicitor-Client Privilege
- 8.9 Section 13 — Danger to Safety or Health
- 8.10 Section 14 — Personal Privacy (Third Party)\*\*
- 8.11 Section 14(5) — Refusal to Confirm or Deny
- 8.12 Section 15 — Information Soon to be Published
- 8.13 Section 20.1 — Frivolous or Vexatious
- 8.14 Section 38 — Personal Information (Requester)
- 8.15 Section 52(2) — Act Does Not Apply
- 8.16 Section 52(3) — Labour Relations & Employment Related Records
- 8.17 Section 53(2) — Other Acts
- 8.18 TOTAL EXEMPTIONS

Personal Information	General Records
	7
	27
1	38
0	1
0	51
0	33
1	23
N/A	959
0	27
201	N/A
60	10
263	1176

\* not including Section 8(3)

\*\* not including Section 14(5)

**Box 8.18 MUST BE GREATER THAN OR EQUAL TO Box 7.9**

## Section 9: Fees

Did your institution collect fees related to requests? (Include both application and additional fees.)

9.1 Number of *requests* where **additional** fees were collected

BOX 9.1 MUST BE LESS THAN  
OR EQUAL TO BOX 10.7

Personal Information	General Records	Total
130	634	764

9.2.1 Application fees collected

\$ 1795	\$ 16785	\$ 18580
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9.2.2 Additional fees collected

\$ 7563.60	\$ 27412.96	\$ 34,976.56
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9.2.3 TOTAL FEES (9.2.1+9.2.2)

\$ 9358.60	\$ 44,197.96	\$ 53556.56
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Were **additional** fees waived for any requests?

9.3 Number of *requests* where fees were waived — in full

Personal Information	General Records	Total
1	2	3
0	0	0

9.4 Number of *requests* where fees were waived — in part

9.5 TOTAL NUMBER OF REQUESTS WHERE FEES  
WERE WAIVED (9.3+9.4=9.5)

9.6 TOTAL DOLLAR AMOUNT OF FEES WAIVED

\$ 4.80	\$ 110	\$ 114.80
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## Section 10: Reasons for Additional Fee Collection

Enter the number of requests for which your institution collected additional fees that apply to each category.

10.1 Search time

Personal Information	General Records	Total
N/A	460	460

10.2 Reproduction

130	603	733
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10.3 Preparation

N/A	572	572
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10.4 Shipping

N/A	0	0
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10.5 Computer Costs

	6	6
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10.6 Invoice costs (and others as permitted by regulation)

N/A		
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10.7 TOTAL (10.1 to 10.6=10.7)

130	1641	1771
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BOX 10.7 MUST BE GREATER  
THAN OR EQUAL TO BOX 9.1

# Section 11: Corrections and Statements of Disagreement

Did your institution receive any requests to correct personal information?

- 11.1 Correction requests received
- 11.2 Corrections carried forward from the previous year
- 11.3 Corrections carried over to next year
- 11.4 **TOTAL CORRECTIONS COMPLETED**  $[(11.1+11.2)-11.3=11.4]$

Personal Information

**Box 11.4 MUST EQUAL Box 11.9**

What course of action did your institution take regarding the requests to correct personal information that were received?

- 11.5 Correction(s) made in whole
- 11.6 Correction(s) made in part
- 11.7 Correction(s) refused
- 11.8 Correction(s) withdrawn by requester
- 11.9 **TOTAL** (11.5 to 11.8=11.9)

Personal Information

**Box 11.9 MUST EQUAL Box 11.4**

In cases where corrections were denied, in part or in full, were any statements of disagreement attached to the affected personal information?

11.10 Number of statements of disagreement attached:

If your institution received any requests to correct personal information, the Act requires that you send any person(s) or body who had access to that information in the previous year notification of either the correction or the statement of disagreement. Enter the number of notifications sent, if applicable.

11.11 Number of notifications sent:

Thank you for your co-operation.

## **DIVISIONAL STATISTICAL PROFILE**

Division	2004 Requests	2005 Requests	% of Total 2005 Requests	Increase (Decrease)
<b>CITIZEN FOCUSED SERVICES – A</b>				
Children’s Services	7	5	0.1	(2)
Court Services	0	0	0.0	0
Economic Development, Culture and Tourism	7	16	0.4	9
Emergency Medical Services	2	19	0.5	17
Homes for the Aged	41	22	0.6	(19)
Parks, Forestry and Recreation	29	36	1.0	7
Shelter, Support and Housing Administration	7	7	0.2	0
Social Development, Finance and Administration	1	5	0.1	4
Social Services	295	296	8.0	1
Toronto Public Health	138	140	3.8	2
<b>CITIZEN FOCUSED SERVICES – B</b>				
Building	1693	2090	56.4	397
City Planning	34	63	1.7	29
Fire Services	565	513	13.8	(52)
Municipal Licensing and Standards	188	141	3.8	(47)
Policy, Planning, Finance and Administration	3	4	0.1	1
Solid Waste Management	8	8	0.2	0
Technical Services	64	86	2.3	22
Toronto Water	42	39	1.0	(3)
Transportation Services	39	29	0.8	(10)
Waterfront Secretariat	2	1	0.0	(1)
<b>INTERNAL SERVICES</b>				
Accounting Services	4	10	0.3	6
Corporate Communications	1	2	0.1	1
Corporate Finance	4	17	0.5	13
Facilities and Real Estate	8	10	0.3	2
Financial Planning	0	0	0.0	0
Fleet Services	0	0	0.0	0
Information and Technology	0	0	0.0	0
Pension, Payroll and Employee Benefits	2	7	0.2	5
Purchasing and Materials Management	23	20	0.5	(3)
Revenue Services	13	12	0.3	(1)

Division	2004 Requests	2005 Requests	% of Total 2005 Requests	Increase (Decrease)
<b>CITY MANAGER'S OFFICE</b>				
City Manager's Office	2	2	0.1	0
Human Resources	74	49	1.3	(25)
<b>OTHER CITY PROGRAMS</b>				
Auditor General's Office	2	0	0.0	(2)
City Clerk's Office	25	49	1.3	24
Legal Services	11	3	0.1	(8)
Mayor's Office	1	5	0.1	4
Other Boards/Commissions	2	0	0.0	(2)
<b>CITY-WIDE TOTALS</b>	<b>3338</b>	<b>3706</b>	<b>100</b>	<b>368</b>