

Routine Disclosure Plans

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To:	Government Management Committee
From:	City Clerk
Wards:	All
Reference Number:	

SUMMARY

The purpose of this report is to advise City Council of the work that has been done and plans for further work required by City Divisions to increase the routine disclosure of information to the public.

By making the public and staff more aware of the types of information that can be routinely disclosed without a formal access request under MFIPPA and ensuring divisional accountability for routine disclosure, it is expected the public will have greater access to City information.

Financial Impact

This report will have **no** financial impact.

DECISION HISTORY

At its May 2005 meeting, City Council directed “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”.

To reinforce the need to move forward on routine disclosure in a timely fashion, Council directed in February 2006 that:

- a) all City Divisions 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) all City Divisions report to the City Manager the completed routine disclosure policies plans by February 2007.

ISSUE BACKGROUND

One of the key principles of the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) is that ‘information should be available to the public.’ MFIPPA provides for a right of formal access to records through filing an access request to the Corporate Access and Privacy (CAP) Office. However, MFIPPA also allows the City to provide information through routine disclosure when there is nothing in the Act to prevent the City from giving access to information. Routine disclosure is a cost-effective and customer-friendly way of providing information to the public, directly by program areas, without a formal access request, which is costly and time-consuming.

All City divisions are covered by MFIPPA. Five City divisions are also covered by the *Personal Health Information Protection Act* (PHIPA). The divisions are: Emergency Medical Services, Human Resources (for Employee Health), Homes for the Aged, Public Health, and Shelter, Support & Housing Administration. One of the purposes of PHIPA is to ensure the right by individuals to routine access to their own health information.

COMMENTS

Divisional Routine Disclosure Plans:

There have been notable examples of divisions taking a leadership role in routine disclosure. Toronto Building launched the first routine disclosure policy at the City relating to building plans. The policy has been further refined through constructive comment and direction received from City Council. The implementation of this policy has substantially increased the efficiency and customer service of requests for building plans.

City Planning staff partnered with the CAP Office in developing guidelines for their staff to identify which information is to be publicly available in an application file and the very limited information that is confidential.

Purchasing and Materials Management and Social Services were divisions that recognized the importance of communicating to their staff the information that they can routinely disclose to clients and the public. Guidelines were prepared and joint information sessions were held by divisional management and CAP Office.

Corporate Access and Privacy Office’s role:

To assist divisional representatives with the development of their routine disclosure plans, the CAP Office provided a template for divisions to use. In addition, the CAP Office made presentations to executive management teams throughout the organization, met with divisional representatives to provide guidance on Routine Disclosure plan preparation when requested and provided detailed feedback on draft Routine Disclosure plans.

In January 2006 the CAP Office’s intranet and Internet sites were relaunched. The focus of the relaunch was to provide City staff and the public with more information on MFIPPA, PHIPA, the process for submitting FOI requests and routine disclosure. The

routine disclosure guidelines on the CAP intranet site were also available to staff. A new chapter on routine disclosure responsibilities was added to the City's Access and Privacy Manual. The CAP Office and the City Manager's Office regularly followed up with all division heads throughout the past 2 years to ensure that routine disclosure plans were prepared in a timely fashion. All Divisional Routine Disclosure Plans can be found on the CAP Office intranet site http://insideto.toronto.ca/cap/routine_disclosure_plan.htm and will be posted on City's internet site.

Next steps:

The City Clerk's Office has identified that approximately 60% of all records that were part of FOI requests in 2007, were made up of general records that were disclosed in full. In addition over 10% of the total number of FOI requests had no responsive records – that is, the City was not in possession of the records that the public sought, either because the records were held by a provincial institution or other municipal institutions. Management staff needs to focus on communicating to all their staff which records that included in Divisional routine disclosure plans and hence, can be disclosed directly to the public.

While a substantial amount of City information is already available electronically on the City's website and in other media directly from City divisions, more needs to be done to assist the public in navigating the City's website and various information holdings. Going forward, the next step in the City's routine disclosure program involves rolling divisional information disclosure plans into a consolidated plan for the City. The focus will be on linking routine disclosure plans to the Directory of Records and existing public City databases and portals. This approach will allow for better information management and offer the public a better understanding of what information is held by the various City divisions and what procedure should be followed to obtain the information directly from the program areas.

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SIGNATURE

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