



Audit report

The University of British Columbia’s duty to assist

The University of British Columbia (UBC) is the largest post-secondary education institution in BC, and receives between 300 and 400 access to information requests annually.

The audit focused on UBC’s freedom of information program.

Key findings:

- UBC failed to comply with FIPPA time limits 90% of the time
- UBC took an average of 100 business days to respond to requests
- UBC responded to only 8% of requests within the 30-business day FIPPA benchmark

THE OIPC

Established in 1993, the Office of the Information and Privacy Commissioner provides independent oversight of BC's access and privacy laws.

REVIEW PERIOD

April 1, 2021 to March 31, 2024

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FROM THE COMMISSIONER

Both universities and our freedom of information laws operate on the principle that society benefits when information and ideas are out in the public arena and open to scrutiny and debate. The spirit of open inquiry is what makes institutions of higher education so important to our society, helping us better understand and improve the world we live in. Our public sector FOI law, the *Freedom of Information and Protection of Privacy Act* (FIPPA), likewise, aims to make information available so that we can hold our public institutions to account and better understand the decisions that impact our lives.

If these institutions don't comply with FIPPA, they undermine these fundamental principles of transparency, accountability and empowering people with information for the benefit of society. This is especially challenging at a time when disinformation and misinformation are rampant in the public discourse. Delayed access erodes trust at a time when society needs to be able to rely on the broader public sector more than ever.

This report focuses on the University of British Columbia (UBC)'s freedom of information system, and details multiple weak points in UBC's processes. This investigation found a non-compliance rate of 90% - the highest rate of non-compliance my office has seen in 10 years of reviewing public bodies' duty to assist.

(See **page 4** of the report for the full Commissioner's Message)



Recommendations

- 1 UBC begin counting the time limit to respond on the day after an FOI request is received and only suspend the time after notifying the applicant of the requirement to pay the application fee.
- 2 Public bodies that administer an application fee clearly inform applicants of all available payment options.
- 3 UBC executive promote a culture of transparency throughout all program areas to improve FOI responsiveness. This includes monitoring program area accountability.
- 4 UBC staff follow up promptly if searches for records become overdue.
- 5 UBC continuously monitor its FOI system and correct delays in responding to FOI requests.
- 6 UBC evaluate the effectiveness of its FOI file tracking system within six months.
- 7 UBC eliminate the backlog within one year of this report.
- 8 UBC provide onboarding and refresher training to FOI staff on its duty to assist applicants including time limits, time extensions, and required notifications.
- 9 UBC protect applicant anonymity (including journalist/media applicant anonymity) when responding to FOI requests.

A MESSAGE FROM THE COMMISSIONER



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<https://youtu.be/89aF3zcEmCk>