



INVESTIGATION REPORT 20-01

Section 71:

Categories of records available without a request

JUNE 11, 2020

CANLII CITE: 2020 BCIPC 29

QUICKLAW CITE: [2020] B.C.I.P.C.D. NO. 29



OFFICE OF THE
INFORMATION &
PRIVACY COMMISSIONER
FOR BRITISH COLUMBIA

TABLE OF CONTENTS

Commissioner’s Message.....	2
Executive Summary.....	3
Background & Methodology.....	4
Legislation	7
Analysis	8
Findings	10
Summary of Findings and Recommendations	14
Conclusion.....	16
Appendix.....	17

COMMISSIONER'S MESSAGE

It is often said that information is the oxygen of democracy. To that end, we desperately need a hyperbaric chamber that will boost our access to information systems in a way that improves the accountability of public bodies.

Public institutions work hard to fulfil the legal obligations under the *Freedom of Information and Protection of Privacy Act* (FIPPA). I also know that, at times, they face challenges in doing so. The recent onset of COVID-19 is one of those challenges. And yet the pandemic itself is a good illustration of why access to information is so important. The public want to understand how their institutions are responding to the crisis, and ultimately hold those institutions accountable for their actions.

So how can government work to ensure an effective and efficient access to information system? One way is to get ahead of the issue by not waiting for citizens to ask for records. This is especially the case where certain types of records are frequently requested. Public bodies can save themselves and the public time by proactively disclosing these records in a deliberate and obvious manner. Proactive disclosure is especially relevant during times like the current COVID-19 pandemic.

This idea of proactive disclosure is more than just a helpful suggestion or a best practice. It is a legal obligation under the *Freedom of Information and Protection of Privacy Act* (FIPPA).

FIPPA was amended in 2011 to require public bodies to create categories of records that are proactively disclosed to the public. Both creating such categories and clearly communicating their existence to the public are critical components of meeting this statutory obligation.

The question posed by this investigation report is, “What have public bodies done to make good on this obligation?” In some cases, progress has been made. In other instances, not much. In general, much more needs to be done.

This report follows several other proactive disclosure reports from my office that explained both the necessity and the means for public bodies to be open and transparent. This report makes a fuller accounting of what public bodies are actually doing, providing a clearer roadmap for future action. I hope all public bodies will find it to be of assistance.

Michael McEvoy
Information and Privacy Commissioner for BC
June 11, 2020

EXECUTIVE SUMMARY

Section 71 of the *Freedom of Information and Protection of Privacy Act* (FIPPA) initially gave public bodies the discretion to prescribe categories of records that are available without an access to information request. In 2011 the government revisited this provision and made it a requirement to establish such categories.

To determine if and how public bodies are complying with this requirement, we surveyed 30 public bodies and asked them to provide a list of established categories of records, and examples of records within those categories.

What we found was an uneven and inconsistent approach to this section. The public bodies surveyed expressed different interpretations of s. 71 and took different approaches towards compliance. In a few cases, public bodies acknowledged that they are simply not in compliance with s. 71.

The wording of s. 71 does provide some flexibility in how categories of records are established and how the records within those categories are made available. However, we have determined that there is a basic process and standard for establishing records under this section.

Public bodies need to come up with categories of records that are meaningful in the context of a statute that promotes transparency and public sector accountability. These categories must be established in a way that enables staff and the public to know which records can be routinely released. In our view, this means that public bodies need to document their categories, along with any conditions or processes for making those records available.

It is clear that some public bodies are doing this better than others. Some public bodies have adopted the best practices for proactive disclosure that we recommended in previous reports. These public bodies are to be applauded and encouraged to continue their efforts. Others met their legislative obligations by amending existing records management tables to indicate which records are available without a request.

But we also saw categories that were either too broad to infer the types of records that are available or too narrow to encompass a set of records. Some of the categories cited by public bodies are for records originally developed for public consumption. While beneficial to list, this does not go far enough to support FIPPA's goal of openness and accountability. In addition, some of the categories were for records that must be made available according to other laws. These do not involve a decision by the public body to make certain records available under FIPPA. Public bodies must consider and communicate what additional categories of records can be made available without a request.

The report revisits some of the recommendations we have previously made regarding proactive disclosure and clarifies what we think is required for public bodies to meet their obligation under s. 71.

BACKGROUND & METHODOLOGY

Background

FIPPA prescribes a process whereby individuals can make requests for records and public bodies must respond within set timelines. Disclosure of these records is mandatory, subject to certain exceptions such as cabinet confidences, solicitor client privilege, and a third party's personal privacy. Should an exception apply to information contained in the record, that information can be severed before its release. Individuals may appeal to this office if they have concerns with how a record was released with respect to severing or with delays in the release of requested records.

However, in many instances, a better way for individuals to have access to records is through routine release. This refers to the disclosure of records outside of a formal access request and can include proactive and on-demand disclosures, in which the public body is able to disclose records when asked for them.

This office has long held the position that the proactive disclosure of records by public bodies is the preferred means to achieve openness and transparency. Proactive disclosure is less costly and time-consuming, both for individuals and public bodies. Modern technology allows records to be published online quickly and at minimum expense, and accessible by any individual at anytime from anywhere. In addition, public bodies are already very aware of many of the types of records that are likely to be, or already are, commonly requested by members of the public. For example, in the context of the current COVID-19 pandemic, it is fairly likely that public bodies will be asked for records pertaining to information and decision-making related to the pandemic, including financial responses.

My office encourages and supports public bodies in their efforts to become more open and transparent. Our [2010 report](#)¹ on the timeliness of government's access to information responses outlined several methods to implement routine release programs, including:

- the evaluation of files to determine what types of records are in demand and can be released by front line staff without the need for an access request;
- the evaluation of new access requests to determine what responsive records can be immediately and proactively released;
- the publication of records that have been disclosed in response to access requests; and

¹ <https://www.oipc.bc.ca/special-reports/1270>

- the establishment of an electronic reading room or dedicated portal to organize and facilitate access to records.

In our 2011 [report](#)² on the publication of access requests by BC Ferries, we identified three types of information suitable for proactive disclosure. We also appended guidelines outlining best practices for handling each type of information. The three types of information suitable for proactive disclosure include:

- information useful to the public;
- information likely to be the subject of an access to information request; and
- responses to access requests.

We also recommended that public bodies develop a policy on the types of information that must be routinely disclosed, and review the policy on an ongoing basis to add other frequently requested records and information.

In addition to these reports, we have made recommendations for amendments to FIPPA that would require public bodies to adopt “publication schemes” that would set out the type of records and information public bodies are required to make available without access requests. The recommendations were made to the Special Committees of the Legislature that reviewed FIPPA in 2004 and 2010. Both committees agreed with these recommendations and made similar recommendations for legislative reform.³

In 2011, the Legislature passed a large package of amendments to FIPPA, including updates to s. 71.⁴ Prior to the amendment public bodies had the discretion to prescribe categories of records available to the public without an access request. The 2011 amendment mandated the establishment of these categories; it also added rules respecting the personal information in those records.

How quickly public bodies have sought to implement s. 71 has been a concern ever since. Our 2013 report evaluating government’s open government initiative recommended that ministries implement s. 71 without further delay and establish categories of records for disclosure on a proactive basis.

In our submission to the 2015 Special Committee to Review FIPPA, we said that despite the mandatory nature of s. 71, public bodies were failing in their obligation to establish categories

² <https://www.oipc.bc.ca/investigation-reports/1243>

³ In 2004, the Special Committee recommended that the government “add a new section at the beginning of Part 2 of the Act requiring public bodies — at least at the provincial government level — to adopt schemes approved by the Commissioner for the routine disclosure of electronic records and to have them operational within a reasonable period of time.” The 2010 Committee made a nearly identical recommendation (recommendation 7).

⁴ *Freedom of Information and Protection of Privacy Amendment Act, 2011* (Bill 3)

of records.⁵ We noted that although records and information are posted on the government's open information and open data websites it was unclear if those releases were ad hoc disclosures or if they were established categories of records under s. 71. As a result, we recommended that FIPPA be amended to require public bodies to publish categories of records established under this section.

In the Special Committee's 2016 report to the Legislature, the Committee stated that the proactive disclosure of records online, in accordance with a standard publication scheme, should be prioritized as the principal mechanism by which public bodies provide access to information.

Just before the Committee released its report, the government announced that it would begin proactively releasing several new categories of records under s. 71.1. This provision gives discretion to the minister responsible for FIPPA to establish categories on behalf of ministries.

The categories established by the minister included:

- calendars of ministers and deputy ministers;
- summaries of gaming grants paid to community organizations;
- summaries of directly awarded contracts;
- information about ministers' travel expenses;
- summaries of contracts with values over \$10,000 CAD;
- summaries of alternative delivery services contracts; and
- data and records related to access requests.

The categories were established through formal documentation, are published online, and include rules and procedures for making records available.⁶

Methodology

For this investigation, we asked 30 public bodies to provide us with a list of categories of records they have established pursuant to s. 71, and examples of records within those categories. These bodies included ministries, crown corporations, local governments, a university, an agency, and a health authority.⁷

⁵ Pg. 15

⁶ <https://www2.gov.bc.ca/gov/content/governments/about-the-bc-government/open-government/open-information/freedom-of-information/ministerial-directives-proactive-releases>

⁷ A list of these public bodies is provided in Appendix A.

We received 32 submissions.⁸ The submissions revealed some common approaches to proactive disclosures and, in most cases, the public bodies said they adhered to the requirements set out in s. 71. For the purpose of our analysis, we grouped the approaches as follows:

- Lists of proactively disclosed categories of records;
- Lists of website headings where it was submitted that the classification or taxonomy of websites constitute categories of records available without an access request;
- Record tables that specify categories of records that do not require an access request, including in some cases a timeline for proactive disclosure;
- Lists of records that are proactively disclosed on an ad hoc basis; and
- No categories of records established within the meaning of s. 71.

The following sections of the report consider whether these approaches comply with our interpretation of s. 71 and set out a basic process and criteria for achieving compliance.

LEGISLATION

Section 71 reads as follows:

Records available without request

71 (1) Subject to subsection (1.1), the head of a public body must establish categories of records that are in the custody or under the control of the public body and are available to the public without a request for access under this Act.

(1.1) The head of a public body must not establish a category of records that contain personal information unless the information

(a) may be disclosed under section 33.1 or 33.2, or

(b) would not constitute, if disclosed, an unreasonable invasion of the personal privacy of the individual the information is about.

(1.2) Section 22 (2) to (4) applies to the determination of unreasonable invasion of personal privacy under subsection (1.1) (b) of this section.

(2) The head of a public body may require a person who asks for a copy of an available record to pay a fee to the public body.

(3) Subsection (1) does not limit the discretion of the government of British Columbia or a public body to disclose records that do not contain personal information.

⁸ Two large organizational units within public bodies, the Public Service Agency and Emergency Management BC, provided their own submissions. Those submissions were folded into the submissions of the responsible ministries.

ANALYSIS

As noted above, the public bodies we surveyed had varying interpretations of s. 71. This was reflected in the submitted examples and in their communications with our office. An explanation of s. 71 of FIPPA is therefore necessary.

Section 71 must be viewed in light of modern principles of statutory interpretation, in which the words of a statute are to be read in their entire context and in their grammatical and ordinary sense harmoniously with the scheme and the object of the Act, and the intention of Parliament.⁹

FIPPA promotes public sector accountability, and the categories of records established by public bodies should align with this objective. In terms of this section in particular, the Minister responsible for FIPPA said that the amendment required public bodies to “actually look at the kinds of records they have and make a determination about which of those will be proactively disclosed.”¹⁰ It is not a matter of whether records will be released, but what records will be released after a public body head makes a determination.

The need for public bodies to take action accords to the requirement in s. 8 of the *Interpretation Act* that enactments must be construed as being remedial. In other words, s. 71 should be read in a manner that results in an outcome in line with the objective of FIPPA. This means that public bodies need to engage in a more deliberate approach to making records available.

Applying s. 71 requires an understanding of the following terms within it:

“Establish”

Section 71 requires the head of a public body to “establish” categories of records. This is in contrast to other requirements in FIPPA where something must be prescribed in a specific manner. When s. 71 was amended in 2011, the Legislature changed the requirement from “prescribe” to “establish” categories of records, signalling a less formal process.

FIPPA does not specify how categories are to be established, and the word “establish” is not defined in the Act. The dictionary definition of “establish” refers to actions such as “to settle, make or fix firmly” and to “enact or form”¹¹ It is difficult to see how these actions, that describe

⁹ *Rizzo v Rizzo Shoes Ltd (Re)* [1998] 1 SCR 27

¹⁰ British Columbia, Legislative Assembly, Hansard, Vol 26 No. 5. (October 24, 2011) at 8336 (Volume 26, Number 5)

¹¹ Black’s Legal Dictionary, Eighth edition.

putting something in place, could be accomplished in any meaningful way without a public body documenting them in some form.¹²

“Categories”

Public bodies must establish “categories” of records. The dictionary definition of a category is “any of several fundamental and distinct classes to which entities or concepts belong.”¹³ This means that the record category established should include a series or set of related records.

“Available to the public”

Finally, the records within an established category must be “available.” This means that the categories must be “at one’s disposal” or “obtainable.”¹⁴ Generally this is achieved by proactively disclosing records or setting out how the records can be obtained outside a formal access request.

The availability of records could also be addressed by setting out clear timelines for the proactive release of records. For example, one of the ministerial directives issued under s. 71.1 says that ministries must disclose summaries of directly awarded contracts not later than 60 calendar days after the end of the month to which they relate.¹⁵ This provides some degree of confidence that the records will be obtainable at regular intervals.¹⁶

Taken together, s. 71 means that public bodies must:

- consider their record holdings;
- exercise discretion in terms of the head of the public body or a delegate selecting categories of records that can be made available without an access request and are meaningful in the overall context of the statute;
- document those categories in a fixed and reliable manner; and
- put in place a process to ensure that records are available without a formal access request.

¹² We also note that although it was argued that the term “establish” is not as exacting as other terms used in the Act, the terms “establishment” and “designation” are used synonymously in s. 69.1(3)(a).

¹³ Oxford Canadian Dictionary, 2004.

¹⁴ Ibid.

¹⁵ https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/initiatives-plans-strategies/open-government/open-information/directive_3.pdf

¹⁶ It is important to note that public bodies must process access requests for records that are not immediately available. One caveat to this is that under s. 20, public bodies can refuse to disclose to an applicant information that will be published or released within 60 days after the request is received, or which must be published or released under an enactment. If the records that the public body makes available without an access request do not contain the information an applicant seeks, then the Act allows for access requests to obtain the records that do contain that information.

The other subsections of s. 71 are outside the scope of this investigation. They include provisions for when a public body can establish a category of records that includes personal information.¹⁷ The disclosure authority for records in such categories is s. 33.3. Section 71 also allows public bodies to charge a fee for records made available under this section¹⁸ and states that it does not limit the discretion of public bodies to disclose records that do not contain personal information.¹⁹

FINDINGS

Lists of categories of records

Twelve public bodies provided lists of categories established for the proactive release of records. The public bodies listed these categories in correspondence to our office and/or in spreadsheets that generally included the names of categories and links to their locations.

Some of the categories listed meet the requirements of s. 71. The categories were clearly documented and available and included a set or series of records that supported FIPPA's purpose of openness and accountability.

Other categories submitted by public bodies did not meet the above interpretation. In some cases, the categories submitted were not determined by the public body. For example, categories such as "ministry service plans" and "carbon neutral action reports" refer to records that must be published by provincial statute²⁰ and are not based on a decision by the head of the public body.

In other cases, the categories were either too broad to give a sense of the records that are available within that category or did not appear to be categories at all. Categories of records such as "cycling" and "fish and fish habitats" are not specific enough to enable the public or the staff at the public body to know or anticipate the records available under the category.

Conversely, many of the categories submitted refer to a single document, dataset, or publication, including web pages listing information such as office locations or a glossary of terms. These are not categories as they do not include a series or set of related records.

In some instances, public bodies wrongly asserted that materials intended for public consumption constituted categories of records within the meaning of s. 71. For example, items such as "job postings" and government communications material do not indicate that the public body has decided to make records available that foster openness and accountability.

¹⁷ Ss. 71(1.1) and 71(1.2)

¹⁸ S. 71(2).

¹⁹ S.71(3)

²⁰ See s. 13 of the *Budget Transparency and Accountability Act* and s.7 of the *Greenhouse Gas Reduction Targets Act*.

Finding 1: Categories of records established by public bodies do not comply with s. 71 when they are not documented; are overly broad and non-descriptive; limited to a single record, publication, or webpage; or fail to indicate that the public body reviewed its records and established categories that are meaningful in the context of a statute that promotes openness and accountability.

Finding 2: Categories of records established by public bodies meet the criteria for s. 71 when they document categories of records that are available and have meaning and value in the overall context of the legislation.

Website headings

Six public bodies said that their statutory obligations were met through the headings or taxonomies on their websites. These headings exist online and are not necessarily based on other documentation.

The belief that this would constitute creating a category of records may be based, in part, on comments made by the Minister responsible for the legislation that the 2011 amendments enshrine, “the policy direction for open data, open government and open information into law.”²¹ The [Open Information and Open Data Policy](#) (the Policy) was released several months prior to the legislative amendments. The Policy focuses on expanding public access to government information through the use of modern technology and refers to disseminating information in a routine way rather than waiting for access requests.²²

Posting records and information online does not by itself signify compliance with s. 71. Online posting was actually a common practice before and after the 2011 amendments. However, the requirement in the *Interpretation Act* to construe enactments as remedial suggests that the amendment seeks to correct or move on from the status quo. In other words, the Legislature appeared to be of the view that a more engaged and systematic approach to making records available was necessary.

On their own, categories that exist online as headings may be short-lived and therefore would not be established in a manner that is “settled” or “fixed.” For such categories to be considered established pursuant to s. 71 they should be a dependable reference for staff and the public to know what is available without an access request.

Some websites we examined demonstrate that the public body put its mind to determining what type of records were in demand or suitable for proactive release, and published those

²¹ British Columbia, Legislative Assembly, Hansard, No. 6 (6 October 2011) at 8064 (Hon. Dr. Margaret MacDiarmid); online at: <http://www.leg.bc.ca/hansard/39th4th/h11006p.htm#80643>.

²² Our office has also acknowledged the connection between the 2011 amendments and the open information policy. In Report F13-03, we said that the amendments should be assessed alongside the government’s Open Information and Open Data Policy.

records online. This included a number of public bodies that published open data catalogues, disclosure logs of previous released access requests, and document libraries. These efforts reflect the best practices set out in previous OIPC reports.

Some of these online document libraries are dedicated to large infrastructure projects or prominent public health issues that attract significant public interest. We also saw online spaces dedicated to public body accountability, such as the “Reporting and Monitoring” section of the Ministry of Children and Family Development’s website. These efforts provide access to meaningful records and information.

However, to meet the criteria set out in s. 71, website headings must be firmly established in a manner that demonstrates that the public body has identified these categories of records for routine release and is committed to making them available.

Finding 3: The headings and taxonomy of websites cited as categories of records within the meaning of s. 71 lack the stability and continued presence to be considered “established.”

Finding 4: Simply posting records and information online in an ad hoc manner does not adhere to a remedial interpretation of the legislation, which points to a more structured and organized approach to making records available.

Records tables

Four public bodies submitted records tables that clearly set out categories of records held by the public body and whether they are available to the public without an access request.

Three of the local governments surveyed appended information about whether records are available without an access request to their classification and retention schedules. This is a comprehensive approach that demonstrates that the public body has reviewed the types of records in their custody or under their control and determined which of those records will be made available.

Staff are able to refer to these tables for guidance about releasing records proactively and to respond to on demand requests for records and information. The latter is particularly useful for local governments as they may be more likely to receive in person visits than larger more centralized public bodies.

In the case of a health authority and two local public bodies, the tables are included in or appended to a broader policy and procedures document. This positions the routine release of records alongside other processes adopted by the public body for meeting its FIPPA responsibilities.

Two of the four public bodies that took this approach published their records release tables online. This helps to communicate what type of records are available. For greater visibility and

access, categories of records determined to be in demand should be made available and displayed more prominently on the public body's website.

Finding 5: The use of records tables to establish categories of records available without an access request indicates that the public body has identified and documented which records are available in a manner compliant with s. 71. The tables should be published in order to fulfill the legislative intent to leverage modern technology to promote public sector transparency.

Recommendations

This investigation provides a mixed report card when it comes to public bodies meeting their obligations to create categories of records under s. 71. While pointing to the shortcomings of some efforts and the positive work of others, some of the public bodies engaged in this investigation said they hoped to receive clearer direction and guidance on what s. 71 requires and how it can be best implemented.

To that end all public bodies should, whether they have created any categories to date or not, within the next six months create additional categories of records consistent with the requirements set out in this report. This is both modest in scope and will assist the public, and reduce the resources required to meet the routine demand for records.

RECOMMENDATION 1

All public bodies must establish additional categories of records based on the process and requirements set out in this report

Most of the public bodies surveyed were provincial government ministries. The government currently provides some direction to ministries on routine release. The Open Information and Open Data Policy addresses ministries' general responsibility for routine release and references the ability of the deputy minister of Citizens' Services to issue procedures, guidelines, and best practices to support this activity.

It is our understanding that this discretion has not been exercised. In the course of conducting this investigation, the government indicated that it is in the process of updating the Policy. We recommend that this process move ahead expeditiously. In doing so, we also recommend that the government create procedures and guidelines that together support ministries to identify records for routine release, establish categories that capture those records, and create processes that ensure those records are publicly available. We also strongly suggest that government and ministries consider, in a timely way, creating categories of records that relate

to major events and crises. The opioid crisis and COVID-19 viral outbreak would be obvious current examples.

RECOMMENDATION 2

Government should update its **Open Information and Open Data Policy** to include guidance and tools to help ministries identify and establish categories of records for routine release.

It is self-evident the purpose of FIPPA is defeated if categories of records are created for proactive disclosure that are unknown to the public. It is therefore vital to restate a recommendation made in previous reports; namely that categories of records be published and accessible. This allows citizens to know what information they can access without making formal requests, and it provides direction and confidence to staff to make those disclosures.

RECOMMENDATION 3

Categories of records should be published and easily accessible to both the public and employees of the public body.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

Finding 1: Categories of records established by public bodies do not comply with s. 71 when they are not documented; are overly broad and non-descriptive; limited to a single record, publication, or webpage; or fail to indicate that the public body reviewed its records and established categories that are meaningful in the context of a statute that promotes openness and accountability.

Finding 2: Categories of records established by public bodies meet the criteria for s. 71 when they document categories of records that are available and have meaning and value in the overall context of the legislation.

Finding 3: The headings and taxonomy of websites cited as categories of records within the meaning of s. 71 lack the stability and continued presence to be considered “established.”

Finding 4: Simply posting of records and information online in an ad hoc manner does not adhere to a remedial interpretation of the legislation, which points to a more structured and organized approach to making records available.

Finding 5: The use of records tables to establish categories of records available without an access request indicates that the public body has identified and documented which records are available in a manner compliant with s. 71. The tables should be published in order to fulfill the legislative intent to leverage modern technology to promote public sector transparency.

RECOMMENDATION 1

All public bodies must establish additional categories of records based on the process and requirements set out in this report.

RECOMMENDATION 2

Government should update its **Open Information and Open Data Policy** to include guidance and tools to help ministries identify and establish categories of records for routine release.

RECOMMENDATION 3

Categories of records should be published and easily accessible to both the public and employees of the public body.

CONCLUSION

This investigation found that while some public bodies are complying with s. 71 others must take action now to comply with their legal obligations.

Several public bodies have implemented best practices that we set out in previous reports and we acknowledge those efforts. These public bodies should continue their efforts and ensure that they are based on established categories of records within the meaning of s. 71.

Other public bodies submitted their websites as evidence that they are proactively disclosing records in accordance with s. 71, or provided lists of records that are available to the public in some form or another. While we acknowledge that these public bodies are releasing records and information, the finding in this report is that those efforts do not adhere to the legal requirement in FIPPA, which requires a more organized and deliberate approach to making categories of records available to foster public sector accountability.

In this report, we have attempted to assist public bodies and focus their efforts to meet the FIPPA standard by revisiting the best practices for proactive disclosure made in previous reports; setting out what exactly is required to comply with s. 71, and discussing examples on how to do that. These examples include formal directives (as used by the government in the case of s. 71.1), the use of records schedules/release tables, and a policy and procedures manual or documented list of categories.

Along with other recommendations that focus on compliance and guidance for ministries, we also again recommend the publication of categories established under s. 71. This will allow employees and the public to know which records are available without an access request, along with any conditions associated with the release of those records.

From its outset FIPPA has included provisions for the routine release of records as part of its purpose to make public bodies more accountable. When these provisions were strengthened, it signalled that the default of doing more of the same was not sufficient. Instead, it indicated that a more focused, deliberate effort to examine and release records that foster openness and accountability was required. This approach will save public bodies time and resources in responding to individual access requests. It will also save time for applicants and remove unnecessary delays that undercut accountability and public engagement when records about current issues and events are not provided in a timely manner.

June 11, 2020

ORIGINAL SIGNED BY

Michael McEvoy
Information and Privacy Commissioner for BC

APPENDIX

Appendix A: Public bodies included in this investigation	
Ministries	Advanced Education, Skills and Training
	Agriculture
	Attorney General
	Children and Family Development
	Citizens' Services
	Education
	Energy, Mines and Petroleum Resources
	Environment and Climate Change Strategy
	Finance
	Forests, Lands, Natural Resource Operations and Rural Development
	Health
	Indigenous Relations and Reconciliation
	Jobs, Trade and Technology
	Labour
	Mental Health and Addictions
	Municipal Affairs and Housing
	Public Safety and Solicitor General and Emergency BC
	Social Development and Poverty Reduction
	Tourism, Arts and Culture
	Transportation and Infrastructure
Local Public Bodies	BC Hydro
	BC Transit
	City of Burnaby
	City of Kelowna
	City of Prince George
	City of Vancouver
	City of Victoria
	Fraser Health Authority
	University of British Columbia
	WorkSafe BC