



Order F26-74

VANCOUVER COASTAL HEALTH AUTHORITY

Erika Syrotuck
Adjudicator

September 3, 2026

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Summary: An applicant asked for records about herself from the Vancouver Coastal Health Authority (Health Authority) under the *Freedom of Information and Protection of Privacy Act* (FIPPA). The Health Authority identified responsive records but withheld some of the information under s. 22(1). The adjudicator found that s. 22(1) applied to some, but not all of the information in dispute. The adjudicator ordered the Health Authority to disclose the information that was not subject to s. 22(1) to the applicant.

Statutes Considered: *Freedom of Information and Protection of Privacy Act*, [RSBC 1996] c. 165, ss. 22(1), 22(2), 22(2)(f), and 22(5).

INTRODUCTION

[1] An applicant requested records about herself from the Vancouver Coastal Health Authority (Health Authority) under the *Freedom of Information and Protection of Privacy Act* (FIPPA).¹

[2] In response, the Health Authority provided records but withheld some information under s. 22(1) (unreasonable invasion of a third party's personal privacy) of FIPPA. The applicant requested that the Office of the Information and Privacy Commissioner (OIPC) review the public body's decision to withhold some information under s. 22(1) of FIPPA.

[3] Mediation did not settle the matter and the applicant requested that the matter proceed to inquiry.

¹ The Vancouver Coastal Health Authority is designated as a regional health board under s. 4(1) of the *Regional Health Boards Regulation* BC Reg 293/2001 made pursuant to s. 4(1) of the *Health Authorities Act*, [RSBC 1996] c 180. Therefore, it is a "public body" as defined in Schedule 1 of FIPPA under the definitions of "local public body" and subsection (g) of "health care body" also in Schedule 1 of FIPPA.

ISSUE

[4] The sole issue in this inquiry is whether the Health Authority is required to withhold the information in dispute under s. 22(1) of FIPPA.

[5] Under s. 57(2), the applicant bears the burden to prove that disclosure would not be an unreasonable invasion of a third party's personal privacy under s. 22(1). However, it is well-established that the public body has the initial burden of proving that the information in dispute is personal information.

DISCUSSION

Background and information at issue

[6] The Health Authority's Access and Assessment Centre (Centre) contacted the applicant to offer mental health support.

[7] The record containing the information at issue is a two-page "Casenote Report" (Report) related to the Centre. The information in dispute is a partial sentence and the substance of one of the entries in the Report.

Section 22 – unreasonable invasion of a third party's personal privacy

[8] Section 22(1) requires a public body to refuse to disclose personal information to an applicant if the disclosure would be an unreasonable invasion of a third party's personal privacy. As mentioned above, the burden is on the applicant to show that the disclosure would not be an unreasonable invasion.

[9] The analysis under s. 22(1) involves four steps.

Personal Information

[10] The first step in the s. 22(1) analysis is to determine whether the information in dispute is "personal information" within the meaning of FIPPA.

[11] Schedule 1 of FIPPA says that "personal information" means recorded information about an identifiable individual other than contact information. Information is about an identifiable individual when it is reasonably capable of identifying an individual alone or when combined with other sources of information.²

[12] FIPPA says that "contact information" means information to enable an individual at a place of business to be contacted and includes the name, position

² Order F18-11, 2018 BCIPC 14 (CanLII) at para 32.

name or title, business telephone number, business address, business email or business fax number of the individual. Past OIPC orders have repeatedly said that whether information is “contact information” depends on the context in which it appears.³

[13] There is a heading that is not, in my opinion, “personal information” because it is not about an identifiable individual.

[14] However, the remaining information is information that a third party provided to the Centre about the applicant. It includes a third party’s name and other details about them. Nothing indicates to me that the purpose of the information in the records is to enable an individual to be contacted at a place of business, so it is not contact information. I find that this information is “personal information” within the meaning of FIPPA.

Section 22(4) – not an unreasonable invasion of privacy

[15] The next step in the s. 22 analysis is to consider s. 22(4). Section 22(4) sets out circumstances where disclosure is not an unreasonable invasion of a third party’s personal privacy. If any of the circumstances in s. 22(4) apply, the public body may not withhold the personal information under s. 22(1).

[16] Neither party made arguments about s. 22(4) and I do not see any circumstances under this provision that could apply.

Section 22(3) – disclosure presumed to be an unreasonable invasion of personal privacy

[17] The next step in the s. 22 analysis is to consider whether any circumstances in s. 22(3) apply. Section 22(3) sets out circumstances where disclosure is presumed to be an unreasonable invasion of a third party’s personal privacy.

[18] Neither party addressed s. 22(3). On my review, there are no circumstances under s. 22(3) that apply.

Section 22(2) – relevant circumstances

[19] The final step in the s. 22(1) analysis is to consider all the relevant circumstances, including those listed in s. 22(2)(a) through (i) to determine whether disclosure is an unreasonable invasion of a third party’s personal privacy.

³ Order F22-62, 2022 BCIPC 70 (CanLII) at para 18; Order F20-13, 2020 BCIPC 15 (CanLII) at para 42.

[20] The Health Authority submits that s. 22(2)(f) applies. Section 22(2)(f) identifies as a relevant circumstance whether the personal information has been supplied in confidence. The Health Authority says that, given the content of the information in the records, s. 22(2)(f) weighs in favour of withholding the information in the records. It did not elaborate.

[21] The applicant did not specifically comment on this factor.

[22] While nothing in the information in dispute indicates that the personal information was expressly supplied in confidence, in my view, this is the type of information that it is reasonable to expect was supplied in confidence. This finding aligns with those in previous orders where third parties provided information about an applicant to a health-related service.⁴

[23] In my view, the fact that the information is the applicant's personal information is a relevant circumstance weighing in favour of disclosure. Whether information is about an applicant is a factor that many past orders have considered as relevant. However, this factor is somewhat diminished because much of the personal information is simultaneously the personal information of a third party.

[24] I have also considered the applicant's knowledge as a relevant factor. The applicant provided a voicemail from a Centre employee telling her that someone from her strata contacted them. The Health Authority did not comment on this evidence. However, nothing in the materials before me indicates that the applicant knows the identity of the third party who supplied the information. For this reason, the applicant's knowledge does not weigh in favour of disclosure.

[25] After weighing the above factors, I have decided that it would not be an unreasonable invasion of a third party's personal privacy to disclose a small amount of the personal information in dispute. This includes some information that is about the applicant but is general enough that it would be unlikely to identify the third party who supplied the information. I find that s. 22(1) does not apply to this information.

[26] In my view, the remaining information is either solely a third party's personal information or sufficiently specific that disclosure may allow the applicant to identify a third party. I find that disclosure of this information would be an unreasonable invasion of a third party's personal privacy and therefore that s. 22(1) applies.

⁴ See Order F26-14, 2026 BCIPC 18, at para 27, for example.

Section 22(1) – conclusion

[27] I conclude that some, but not all of the information in dispute is subject to s. 22(1).

Section 22(5) – summary

[28] Section 22(5) requires a public body to provide a summary of information that was supplied in confidence about an applicant in some circumstances. The relevant part of s. 22(5) says:

22(5) On refusing, under this section, to disclose personal information supplied in confidence about an applicant, the head of the public body must give the applicant a summary of the information unless

(a) the summary cannot be prepared without disclosing the identity of a third party who supplied the personal information, or

[29] The Health Authority says that given the content and nature of the withheld information, the information cannot be summarized in a succinct and reasonable way without revealing the identity of the third party who supplied this information. It did not elaborate.

[30] The applicant asks that I determine whether a summary can be provided without causing the harm contemplated by s. 22(1).

[31] I found above that the information in dispute was supplied in confidence. I find that no further information can be provided in the form of a summary. I have already set out which portions of the information that I believe will not identify the third party. The other information is sufficiently specific that I do not think it can be reasonably summarized without disclosing the identity of the third party who supplied the information.

[32] I find that the Health Authority is not required to provide a summary under s. 22(5).

CONCLUSION

[33] For the reasons given above, I make the following order under s. 58 of FIPPA:

1. Subject to item 2, below, I require the Health Authority to refuse to disclose the information in dispute under s. 22(1).

2. I require the Health Authority to give the applicant access to the information I have highlighted in green in the copy of the records provided to the public body with this order.
3. The Health Authority must concurrently copy the OIPC registrar of inquiries on its cover letter to the applicant, together with a copy of the records/pages described at item 2 above.

[34] Pursuant to s. 59(1) of FIPPA, the public body is required to comply with this order by October 20, 2026.

September 3, 2026

ORIGINAL SIGNED BY

Erika Syrotuck, Adjudicator

OIPC File No.: F25-00149