

LEGISLATIVE BRIEFING

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B.C. FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT - UPDATE

The B.C. Ministry of Citizens' Services undertook extensive consultations from 2017 to 2019 on the topic of information access and privacy to understand stakeholder concerns and identify priority issues. Feedback from these stakeholder sessions, as well as recommendations from Special Committees of the Legislative Assembly that reviewed the *Freedom of Information and Protection of Privacy Act (FOIPPA)* and from the Office of the Information and Privacy Commissioner (OIPC), informed opportunities to improve the way people's information is protected while keeping the Province accountable.

These opportunities were presented to stakeholders during an April to August 2021 engagement process with B.C. broader public sector bodies (such as post-secondary institutions, local governments, and health authorities), Indigenous partners, the technology sector, and the public. The consultation included engagement by the Ministry of Citizens' Services with a variety of stakeholders to understand how the pandemic and growing expectations for online services have affected how people view government information access and privacy.

The 2021 engagement process had focused on two key themes:

- Service modernization
- Privacy enhancement

The consultations have resulted in proposed changes to FOIPPA with the purpose of keeping pace with new technology, strengthening privacy protections, and improving services for people who request information each year.

Highlights of Proposed Amendments

The BC Government [news release](#) from October 18, 2021 highlights the proposed amendments, which include the following:

- updating FOIPPA's data-residency provisions so public bodies can use modern tools while continuing to protect personal information;
- enhancing public-sector privacy protections and increasing accountability by implementing mandatory privacy-breach reporting;
- introducing a modest application fee for non-personal freedom of information (FOI) requests; and



- demonstrating the Province’s commitment to diversity, inclusion, reconciliation, and equity by increasing information sharing with Indigenous Peoples, adding Indigenous cultural protections, and removing non-inclusive language.

Information Access and Privacy 2021 – Results

The 2021 engagement process resulted in input from numerous stakeholders, and a summary of feedback received was rolled out in this Information [Access and Privacy Stakeholder Consultation Overview document](#).

QUESTIONS?

If you have any comments or questions about this update, please e-mail RES360@metrovancover.org or call 604-451-6558.

SOURCES

“Amendments strengthen access to information, protect people’s privacy.” October 18, 2021.
<https://news.gov.bc.ca/releases/2021CITZ0048-001990>

“Information Access and Privacy 2021 – Results.” October 18, 2021.
<https://engage.gov.bc.ca/govtogetherbc/impact/information-access-and-privacy-2021-results>

“Access and Privacy Stakeholder Consultation Overview document.” August 2021.
<https://engage.gov.bc.ca/app/uploads/sites/121/2021/10/Public-report-on-2021-FOIPPA-engagement-FINAL.pdf>