

Audit report

Audit of Vancouver Coastal Health Authority's duty to assist

BACKGROUND

OIPC audit reports identify areas where an entity may excel in addition to areas where it requires improvement to comply with legislation and guidelines. These reports also set out the OIPC's general expectations for fulfilling access to information and privacy protection practices.

The OIPC audited Vancouver Coastal Health Authority's (VCH) freedom of information (FOI) program under s. 42(1)(a) of FIPPA.

The OIPC selected VCH's FOI program based on a review of access complaints and requests for review involving public bodies between April 1, 2020 and March 31, 2023.

Like past OIPC audits of other public bodies' access to information processes, this audit focused on whether VCH met its duty to assist applicants.

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, 2020 to
March 31, 2023

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Check out Audit Report 24-02 Audit of Vancouver Coastal Health Authority's duty to assist to learn more.

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I hope that readers of this report take away two stories. The first is the story of how, in the face of an unprecedented crisis a public body might be tempted to retreat from transparency and accountability. But the second story is how VCH presents an example of an organization that has learned that becoming less transparent is harmful to the core business – both in the immediate term and in the long run, and decided to drive cultural change throughout the organization.

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FROM THE COMMISSIONER

On July 26, 2024, British Columbia’s Provincial Health Officer Dr. Bonnie Henry issued an order to end the COVID-19 public health emergency and rescinded all related orders. This move marked the end of a four-year period that began with the declaration of a public health emergency on March 17, 2020.

This period was an extraordinary time for all people and organizations in British Columbia. It is no surprise that Vancouver Coastal Health (VCH), one of the province’s largest health authorities, faced among the greatest pressures and focused efforts on operational pandemic response and providing core health services.

This audit examining VCH’s duty to assist also spans most of the period of this public health emergency.

Readers of this report will learn how the organization’s responsiveness to freedom of information (FOI) requests suffered during this time – a time of crisis when transparency and accountability were key to keeping people’s trust.

(See page 3 of the report for the full Commissioner’s Message)

Recommendations

1 VCH must 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 requirements to pay the application fee.

2 VCH should:

- review common FOI requests and establish additional categories of records for proactive disclosure that could eliminate or reduce the need for such requests;
- consolidate and publish all categories of records available for proactive disclosure, including links to those records to an easily accessible location on its website; and
- inform applicants when records are available without an FOI request and direct applicants to the record without delay.

3 When requesting program areas to search for records, VCH FOI staff should specify an expected date for program areas to provide records, and follow up promptly if searches for records become overdue.

4 VCH should avoid actions, such as providing a fee estimate, that cause further delay when it is already late in responding to an FOI request.

5 VCH should implement an improved file management system to better manage and track its responses to FOI requests.

6 VCH should evaluate its FOI processes to identify and correct any lags to responding to all requests within the time limits authorized by FIPPA.

7 VCH should provide mandatory routine training to all staff on:

- records management and retention;
- FIPPA and their responsibilities under the Act;
- VCH's FOI policies and processes; and
- conducting and documenting searches for records.

8 VCH should fully document its processing of FOI requests, including noting in the file when it deems the applicant to have abandoned the request.

A MESSAGE FROM THE COMMISSIONER

The logo for the Office of the Information & Privacy Commissioner for British Columbia, featuring the lowercase letters 'oipc' in a blue, sans-serif font.

OFFICE OF THE
INFORMATION &
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FOR BRITISH COLUMBIA

AUDIT REPORT

Vancouver Coastal Health
Authority's duty to assist

April 1, 2020 - March 31, 2023

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