



# Investigation report

## Municipal disclosure of records

### BACKGROUND

There are 160 municipal governments across BC that are, as public bodies, subject to the provisions of the Freedom of Information and Protection of Privacy Act (FIPPA).

Over the last five fiscal years (2019/20 to 2023/24), the Office of the Information and Privacy Commissioner (OIPC) opened 1,143 access related files involving municipalities including:

- 453 access related complaints
- 386 requests for review
- 168 requests for time extensions
- 88 third party reviews, and 66 deemed refusals

As a result, the OIPC has become increasingly interested in and concerned about how municipalities make records available to the public. To that end, the OIPC conducted an investigation under FIPPA s. 42(1) that looked at the types of, and costs for, records that municipalities make available to the public through the regular freedom of information (FOI) process, proactive disclosure, or where records are made available for purchase.

### 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, 2023 to  
March 31, 2024

**READ MORE**



Check out Investigation Report 25-01 Investigation of municipal disclosure of records to learn more.

<https://www.oipc.bc.ca/reports/investigation-and-audit-reports/>

“

Municipal records tell the stories of the communities around us, from the development and zoning decisions that shape our neighbourhoods to the evolution and application of bylaws, to infrastructure planning and environmental assessments, and countless other services that impact our lives every day.

”



## FROM THE COMMISSIONER

Our democracy depends on trust between governments at all levels – federal, provincial and municipal – and the people they serve. That trust is not a matter of faith and, in these increasingly polarized times, it’s far from guaranteed.

Our access to information is at the heart of transparency and accountability. By making as much of the information they hold as available as possible, public bodies empower people to better understand the decisions that impact their lives, to ask questions, to take action – in other words to fully and meaningfully participate in our democracy. It’s not about an administrative checkbox – it’s about committing to a culture of transparency, one that is reflected in the design of every piece of legislation, policy or program.

We launched this investigation into BC municipalities’ disclosure of records in response to concerns about how municipalities were handling their access to information obligations. Our team analyzed responses from municipalities across the province to questions about their record-handling practices, including their administration of the application fees, their proactive disclosure practices, and the records they make available for purchase.

The picture that emerged was a patchwork of inconsistent approaches to records releases.

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

# Recommendations

**1** All public bodies, including municipalities, that administer an application fee should have fee payment options that allow participants to pay by telephone or online and provide greater expediency and accessibility for all applicants.

**2** Municipalities should provide mandatory routine training to all staff on:

- FIPPA and their responsibilities under the Act;
- Municipal routine disclosure and FOI policies and processes; and
- How and where to locate records available for routine disclosure.

**3** Municipalities should publish meaningful categories for routine disclosure. This means that municipalities:

- regularly consider their records and establish meaningful categories for routine disclosure;
- publish the categories and records in an easily accessible and highly visible location to the public; and
- ensure that staff direct people to the records without delay.

**4** Government should establish clear criteria that would help public bodies determine whether a record should fall under the s. 3(5) exclusion.

# 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 &  
PRIVACY COMMISSIONER  
FOR BRITISH COLUMBIA

## INVESTIGATION REPORT

Municipal disclosure of  
records

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

OFFICE OF THE  
INFORMATION &  
PRIVACY COMMISSIONER  
FOR BRITISH COLUMBIA

[oipc.bc.ca](https://oipc.bc.ca)

**WATCH**



Check out the full video overview:

[https://youtu.be/\\_aeaJ8jNWgE](https://youtu.be/_aeaJ8jNWgE)