



**August 2, 2018**

**Public disclosures of City of Nanaimo documents not authorized by FIPPA**

**VICTORIA**—Information and Privacy Commissioner Michael McEvoy published a reporting letter today concerning the public disclosure of four City of Nanaimo documents containing personal information.

Commissioner McEvoy found that on three separate occasions, City of Nanaimo documents containing personal information were publicly disclosed without authorization. In one case, the Commissioner found that a city councillor was responsible for the disclosure through a Facebook page he administers.

The *Freedom of Information and Protection of Privacy Act* (FIPPA) defines personal information as information about an identifiable individual. Section 30.4 of FIPPA prohibits the disclosure of personal information by City employees, officers, and directors unless authorized by FIPPA.

The City of Nanaimo has issued a notice to the councillor requiring him to securely destroy the records containing personal information. If the councillor does not comply, the City could ask the Attorney General of BC to petition the Supreme Court of British Columbia to enforce the notice.

“I support the City’s planned course of action, and offer my office’s assistance as appropriate. The disclosures on the Facebook page administered by the councillor contravene section 30.4 of FIPPA, and constitute a prosecutable offence pursuant to section 74.1. Prosecution by my office remains an option pending the outcome of the City’s actions,” said Commissioner McEvoy.

Commissioner McEvoy recommended the City implement a privacy management program, conduct privacy training for all employees and staff who handle personal information, and fully understand the legal responsibilities associated with handling and securing personal information. The office will follow up with the city by November 20.

- 30 -

To read the letter to the City of Nanaimo, visit <https://www.oipc.bc.ca/news-events/newsroom/>

Michelle Mitchell

Communications Officer | Office of the Information and Privacy Commissioner for BC  
250 217-7872 | [mmitchell@oipc.bc.ca](mailto:mmitchell@oipc.bc.ca) | @BCInfoPrivacy