

For immediate release

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Commissioner calls for mandatory reporting of public body FOI metrics as new report reveals transparency gap

VICTORIA – BC Information and Privacy Commissioner Michael Harvey is calling on the provincial government to require public bodies to track and report freedom of information metrics, following the release of a report that found gaps in FOI accountability across the province.

FOI metrics, when published, help the public understand how effectively public bodies are fulfilling their obligations under BC’s *Freedom of Information and Protection of Privacy Act* (FIPPA), including how quickly public bodies respond, their adherence to FIPPA time limits, and resources dedicated to FOI.

The report, *Collecting and Reporting Public Body FOI Metrics*, examined how other jurisdictions track and report on public body FOI performance, and drew on the experience of FOI regulators with established and robust reporting programs.

The OIPC piloted its own data collection tool with a small cross-sectoral sample of BC public bodies. The tool, developed based on a global scan of jurisdictions that collect FOI metrics, includes key metrics that the OIPC recommends public bodies track and report annually, covering the disposition of requests, timeliness of responses, volume of records processed, compliance with time limits, time extensions, fees and FOI staffing.

The report found that some public bodies had limited information available for FOI staff to complete the pilot form. Additionally, some had file management systems that could not efficiently track, filter, or retrieve FOI data.

“It’s hard to improve on a question mark – and that’s what we have when it comes to understanding FOI performance across BC today,” said Commissioner Harvey. “The more we know about how public bodies are meeting their obligations under FIPPA, the more accountable the entire system can be to the people it serves.”

The Commissioner made two formal recommendations in the report, including calling on the BC government to amend FIPPA to require public bodies to track and report key FOI metrics to the OIPC. He also recommended that public bodies establish the means to adequately track and monitor key FOI metrics, and that they begin doing so now. Commissioner Harvey sent his recommendation for legislative change to the Minister of Citizens’ Services in a public letter posted today.

“Public reporting of FOI metrics is fundamental to accountability – when public bodies know their performance is visible, their performance improves. My office’s own audits have shown scrutiny brings results,” said Commissioner Harvey. “Here we have an opportunity for accountability at scale. A robust

FOI metrics program in BC would strengthen public trust, allow my office to identify and address systemic challenges, and also highlight excellence in service delivery that others could emulate.”

While pursuing legislative change, the OIPC will use the data collection tool piloted for this report, refined with feedback from the responding public bodies, to begin its own collection of public bodies’ FOI performance data.

The office will contact public bodies on a sector-basis, starting with BC’s health authorities, and expanding over time. The OIPC will also develop guidance and tools to help public bodies improve their FOI data collection, and will make the data the office collects publicly available.

Research findings

The OIPC’s research identified 32 national and subnational jurisdictions outside BC that require public bodies to track and report FOI statistics. Most (30 of 32) have requirements embedded in legislation. Two-thirds require reporting from a broad range of public bodies, rather than only core government. BC has no equivalent requirement for its more than 2,900 public bodies.

The OIPC also conducted informational interviews with FOI regulators in Ontario, Scotland, and Australia – jurisdictions with robust FOI metrics programs based in legislation. All three confirmed the benefits of their programs outweighed implementation challenges. In Scotland, which had one of the most comprehensive FOI reporting programs, approximately 450 public authorities submit FOI data every three months, which is compiled into an interactive dashboard accessible to the public.

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

Overview of report: <https://www.oipc.bc.ca/resources/infographics/>

Letter to Minister of Citizens’ Services: <https://oipc.bc.ca/documents/public-comments/3177>

FOI metrics checklist for public bodies: <https://www.oipc.bc.ca/resources/guidance-documents/>

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