

## **COSTS ASSOCIATED WITH RESPONDING TO 'FREEDOM OF INFORMATION & PROTECTION OF PRIVACY' (FOIP) REQUESTS**

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### **EXECUTIVE SUMMARY**

Semi-annual report to Council on the costs of processing FOIP requests at The City of Calgary, in accordance with Notice of Motion 2013-09 as amended.

### **ADMINISTRATION RECOMMENDATION(S)**

That Council receive for information.

### **PREVIOUS COUNCIL DIRECTION / POLICY**

At the Regular Meeting of Council on 2013 March 18, Notice of Motion (NOM) 2013-09 was adopted as amended:

"NOW THEREFORE BE IT RESOLVED that, in accordance with Council Policy CC039 Transparency and Accountability and to reduce the overall cost of FOIP at the City, Administration be directed to routinely disclose information wherever possible on a cost-recovery basis;

AND FURTHER BE IT RESOLVED that the City Manager provide the following information in **semi-annual** reports to Council:

- a. the number of personal information and general information requests received by City Clerk's;
- b. the cost of responding to FOIP **requests** by City Clerk's;
- c. the cost of responding to each request by The City by Department(s);
- d. the value of fees assessed by City Clerk's;
- e. the number and nature of new types of records made available through routine disclosure by Department; and
- f. fees received by routine disclosure of new types of records."

At the Regular Meeting of Council on 2015 April 27<sup>th</sup>, the Administration Recommendation contained in Report C2015-0350 was amended to the following:

"AMENDMENT, Moved by Councillor Chu, Seconded by Councillor Keating, that the Administration Recommendation contained in Report C2015-0350 be amended by adding a Recommendation 2, as follows:

2. That Council direct Administration to include in future reports, the number of requests which apply to the Office of the Mayor and the Councillors' Office."

### **BACKGROUND**

The City of Calgary, a public body under the FOIP Act, must respond to all formal FOIP access to information requests made for records in the custody or control of The City. The City has experienced continual increases in the number of FOIP requests, which is reflected in a concurrent increase in the cost of responding to them.

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### **INVESTIGATION: ALTERNATIVES AND ANALYSIS**

Departments were provided 2 templates to capture the information required for Items "c", "e" and "f" in NOM2013-09. Attachment 1 summarizes FOIP request costs, and new records made available by routine disclosure or active dissemination by Department and costs for the FOIP Office in City Clerk's, for the period 2015 January 1 – June 30.

Attachment 2 provides the number of requests received per Business Unit (BU), as per C2015-0350 as amended. Attachment 3 shows the number of requests made, by applicant source type.

Making more records available to the public through the use of active dissemination and routine disclosure is the best way for The City to reduce FOIP program costs.

Active dissemination is making more information available without a request being made, and routine disclosure is making records available upon request. Both of these methods are used outside of FOIP. Routine disclosure and active dissemination are forms of proactive disclosure, which aligns with Council Policy CC039, Transparency and Accountability.

### **Stakeholder Engagement, Research and Communication**

Department and BU Executive Assistants were engaged in the collection of information.

### **Strategic Alignment**

This report is aligned with Council's request for information, which aligns with Council Policy CC039 Transparency and Accountability.

### **Social, Environmental, Economic (External)**

#### **Social**

With Departments identifying more records to be made available without use of FOIP, the public will benefit from increased access to records without having to rely on a FOIP request.

#### **Environmental**

None.

#### **Economic**

Identifying new types of records for proactive release could result in a reduction of costs to The City of Calgary associated with responding to FOIP requests.

### **Financial Capacity**

#### **Current and Future Operating Budget:**

Unknown.

#### **Current and Future Capital Budget:**

None.

### **Risk Assessment**

None.

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**REASON(S) FOR RECOMMENDATION(S):**

Report is a result of Notice of Motion 2013-09, requesting information.

**ATTACHMENT(S)**

Attachment 1: Costs of FOIP Office Program, & Costs of Responding to FOIP Requests by  
Department

Attachment 2: Number of FOIP Requests received, by BU

Attachment 3: Number of FOIP Requests made, by Applicant Source Type