



District of North Vancouver

ADMINISTRATIVE AND OPERATIONAL POLICY

Section:	Corporate Administration
Sub-Section:	Privacy and Records
Title:	Freedom of Information and Protection of Privacy

BACKGROUND AND PURPOSE

Pursuant to section 36.2 of *Freedom of Information and Protection of Privacy Act (FOIPPA)* of British Columbia and Minister of Citizens' Services' Direction 02/2022, the Corporation of the District of North Vancouver is required to develop a privacy management program. This Policy serves as the foundation of the District's Privacy Management Program and establishes the principles and privacy practices that the District follows to ensure accountability, transparency, and compliance with privacy laws. As a local government body, the District complies with the requirements set out in FOIPPA. Our obligation to protect personal information is overseen by the Office of the Information and Privacy Commissioner (OIPC), which ensures compliance with privacy and access-to-information regulations.

SCOPE AND APPLICABILITY

This Policy applies to all District employees including contractors, consultants, and third parties who have access to personal information in the custody or under control of the District. It is the collective responsibility of everyone involved with the District's operations to ensure that personal information is handled securely and in accordance with this Policy and applicable privacy laws, including FOIPPA.

All employees and third-party contractors must be aware of their obligations regarding the collection, use, storage, and disclosure of personal information. Training and awareness programs will be provided to employees to ensure compliance and understanding of privacy requirements. Furthermore, contractors and third parties are required to adhere to the privacy protections outlined in their contracts, which include provisions for safeguarding personal information and addressing any privacy breaches.

Non-compliance with this policy may result in disciplinary action or termination of agreements.

POLICY STATEMENTS

1. The Head

Pursuant to section 77(a) of FOIPPA, the District is required to designate a person as the Head of the organization for the purposes of FOIPPA. At the District of North Vancouver, this person is the Corporate Officer.

Pursuant to section 77(a) and Schedule 1 of FOIPPA, the District of North Vancouver designates the Corporate Officer as the Head under FOIPPA for any board, committee, commission, panel, agency, or corporation solely created or owned by the District.

2. Freedom of Information

The District is committed to the principles of Freedom of Information which provides access to information while protecting personal data. Under FOIPPA, the District is required to make records available, subject to certain limitations and exemptions, to ensure transparency and accountability.

2.1 Information Rights

Individuals have the right to request access to records in the custody or under control of by the District, and the District is obligated to assist individuals in accessing the information they request in a timely manner.

2.2 Release of Information

Some records are routinely available to the public without the need for a formal request. This includes information that can be disclosed without restrictions, such as public meeting minutes, reports, and bylaws.

The public may request access to non-routinely available records under FOIPPA. The District is required to evaluate such requests and release records in accordance with the law. Certain records or parts of records may be exempt from release, such as those containing sensitive personal information, legal advice, or confidential business information. FOIPPA outlines specific exemptions to protect privacy and confidentiality.

The District is also committed, and obligated, to proactively release certain information, deemed to be of public interest including significant threats to the environment or health and safety of the public.

3. Protection of Privacy

Protecting privacy is a priority. The District strives to ensure that personal information is collected, used, and protected in compliance with legislative and other regulatory standards.

3.1 Collection of Information

The District collects personal information only for specific, authorized purposes, using lawful methods. Individuals are notified of the purpose for collection and, where necessary, provide consent.

3.2 Protection of Personal Information

The District takes all reasonable measures to secure personal information, including secure storage, preventing unauthorized disclosure, and ensuring data is appropriately retained and deleted.

3.3 Use and Disclosure of Information

Information is used only for its intended and specified purpose, with consent obtained where required. The District may only externally share personal information through Information Sharing Agreements in compliance with relevant laws.

3.4 Privacy Breaches

The District is committed to responding swiftly to privacy breaches, ensuring affected individuals are informed, and taking appropriate corrective actions including, when necessary, notifying the OIPC.

3.5 Privacy Impact Assessments

The District conducts assessments to evaluate the impact of proposed and ongoing projects, initiatives, and programs on privacy and ensure risks are mitigated.

4. Privacy Management Program

Pursuant to section 36.2 of FOIPPA, the District is required to develop a Privacy Management Program.

The Head presides over the District's Privacy Management Program and is ultimately responsible for the District's compliance with FOIPPA and any other applicable privacy legislation.

Pursuant to section 66(1) of FOIPPA, the Head has delegated the ongoing management of FOI and privacy functions at the District to the Records Management and Privacy Advisor. Under the direction of the Advisor, the DNV Privacy Office:

- facilitates the FOI function at the DNV;
- drafts, implements, and administers privacy and FOI policies and procedures;
- monitors, reviews, and audits ongoing initiatives and programs to maintain compliance with privacy laws and this Policy;
- provides ongoing training to DNV staff on FOI and privacy best practices.

The Freedom of Information and Protection of Privacy Manual, which is attached to this Policy as Schedule A, outlines the District's Privacy Management Program and provides detailed instruction on the general statements included in this policy.

The District's Head is authorized to update Schedule A as needed to ensure it remains current and effective.

Approval Date:	September 28, 1998
1. Amendment Date:	May, 2003
2. Amendment Date:	February, 2010
3. Amendment Date:	November, 2022
4. Amendment Date:	May, 2025