

Mayor
DAVID MILLER



August 30, 2004

To: Members of Council
Chief Administrative Officer and Commissioners
Chairs of Agencies, Boards and Commissions

From: Mayor David Miller

Re: Corporate Access and Privacy Program

I am writing to you in response to the recent publication of the Information and Privacy Commissioner's 2003 Annual Report on the administration of the Municipal Freedom of Information and Protection of Privacy Act.

This documents reports that in 2003, the City of Toronto received more than 3,000 Freedom of Information requests – far more than any other municipality in Ontario. During that year, the City responded to only 58.7% of these requests on time – well below the average compliance rate for municipalities in Ontario. We must do better.

I know you share my personal commitment to transparency, accountability, and public accessibility as core values for the renewal and improvement of public services in the City of Toronto. An important part of that commitment involves the effective administration of the MFIPPA.

The City is also facing new and more complex challenges in access and privacy. Last January, the Personal Information Protection and Electronic Documents Act came into effect in Ontario. This new privacy law, enacted by the Government of Canada, applies to private and non-profit organizations that are engaged in commercial activities in Ontario. Consequently, we must address the impact of this new law on our relationships with external business and service delivery partners.

In addition, a new provincial health privacy law will come into effect on November 1, 2004. The *Personal Health Information Protection Act* will have a substantial impact on those City departments that maintain personal health records and deliver health care services to the public.

As we respond to this new privacy legislation, we must not lose sight of our obligation to ensure the timeliness of our responses to freedom of information requests under MFIPPA. I am pleased that we have begun a series of initiatives to renew the Access and Privacy program in the City to respond to these new legislative challenges. Some of these initiatives include:



- Establishment of an access and privacy working group composed of senior management staff from all departments. This group has met regularly over the past year to identify ways to better address our access and privacy responsibilities;
- Streamlining of the response process for Freedom of Information requests across City departments
- Routine disclosure of information to which the public has a clear right to access, resulting in quicker access to information and less administrative expense for individuals and the City;
- Establishment of a senior-level Access and Privacy Management Committee to increase our ability to manage access and privacy issues across City departments and functional areas;
- Development of a city-wide staff training programme for Freedom of Information and Privacy to support departments in discharging their access and privacy responsibilities and to build management and administrative capacity across the City.
- Establishment of a cross-department team to co-ordinate the implementation of the Personal Health Information Protection Act.

As Mayor, I strongly believe in the principles of freedom of information and privacy legislation. I am confident that with your help we will once again demonstrate leadership in this important area, and I ask for support to ensure that the City fully responds to its access and privacy responsibilities.



Mayor David Miller

c. Ulli S. Watkiss, City Clerk

