

Current Event

As from Monday, 19th February 2024, the Fire Department front office will be closed to the public due to a number of ongoing issues including the following;

- Yearly financial audit
- Year-end preparations
- To reduce unusually high external pressures on staff.

The Board of Trustees is obligated to provide their employees with a harassment free workplace.

Under the authority provided at our February Public Board meeting, the Chair, Paul Giffin, in his capacity as the Acting Communications Officer, posts here a statement as to the closing of the office , to ensure the completion of ongoing FOI requests. Posting here, corroborating material supporting this decision, by way of the FOI Statement as read by Paul Giffin at the February Public Board meeting. This statement will be posted on both websites.

Privacy Act and the Gabriola Fire Protection Improvement District.

The Gabriola Fire Protection Improvement District is required to comply with the Freedom of Information and Protection of Privacy Act.

This Act is administered by the Office of the Information and Privacy Commissioner. Otherwise known as the OIPC.

The Act requires that the “ head of the body” as noted in the Legislation is identified. In our case it is the chair.

The Act specifies the following:

The maximum charge for any FOI request is \$10.00.

The first 3 hours of searching are not billable.

Should any material not be in electronic format and need to be photo copied a fee may be levied.

Every attempt should be made to release information in an electronic format.

Redacting costs of the documents are borne by the Board.

The procedure. A person applies for the information and once the \$10.00 fee is received a cursory search is done for the information requested. This results in a cost estimate for the production of the documents. This cost is then forwarded to the applicant (requestee) and once a response is received from them, action based on that response is taken. Either the request is completed or abandoned.

Here is a review of Freedom of Information Act (FOI) requests received as of Friday February 2, 2024.

The first request in the history of the department was received in May 2022 .

An early request resulted in 900 pages of documents being released.

The last request was received on Feb 1, 2024.

A total of 4 people have made requests . Three of these folks have had their issues resolved .

One person has made 9 FOI requests, made a further 14 requests for information via email, and has submitted in excess of 40 + emails.

Of note: in the 9 FOI requests for information submitted there are usually two or three bullet points and in those bullet points are more requests.

Most of the responses provided have resulted in a complaint to the OIPC by the applicant and an investigation has resulted.

As a result of the investigations some requests have been modified.

Once the OIPC is involved that increases the time it takes to resolve the request as all the material must go to Victoria for review.

These requests have been for documents that in some cases are in excess of 20 years old, and/or expired.

Effect of the Requests.

All these requests have had a negative impact on the Board, the Corporate Officer, and Fire Department.

Some examples are:

- Impeded the training of the new Corporate Officer
- Delayed implementation of new accounting procedures

- Has resulted in increased and unbudgeted costs in the form of fees and overtime
- Has caused harm to the Board and the Fire Department in that disinformation has been published that the board cannot respond due to confidentiality restrictions

Response of the Board.

The Board has made multiple requests to have a meeting with this individual in order to facilitate the resolution of the issues they may have. These have all been rebuffed.

When the initial requests were received the Board did not charge the \$10.00 fee. Charges were levied for photocopying. There is no provision to charge for time redacting documents.

Over the course of the last many months hundreds of volunteer hours have been spent dealing with these requests.

These requests have strained relations between contractors and the GFPID.

The Board has dealt with seven different investigators at the OIPC thus far.

Requests have been made to have one investigator at the OIPC deal with this individual and the related requests. To date we have not had a response to this request.

The matter of frivolous and vexatious requests has been addressed twice to which the OIPC has advised "you are not there yet."

On Dec 11, 2023 the Board held an in-camera meeting to discuss this issue. While the standard for in-camera meetings are for legal, land and personnel, this meeting was held in-camera due to the confidentiality requirements of the Freedom of Information Privacy Act. The negative impact these FOI requests was having on the operations of the fire department were reviewed. Given the nature and volume of work these requests were having enquiries were conducted prior to the meeting with respect to getting some assistance. Discussion ensued and it was decided to hire Privacy Works. The cost of this firm was roughly 1/3 the cost of a lawyer.

It should be noted that the use of Privacy Works will not totally relieve the pressure on the Corporate Officer as she will still have to find the documents in question but it will relieve both myself and the Corporate Officer of trying to keep up with ongoing evolution of what can and cannot be legally released or redacted. They will also create the necessary correspondence and deal with the Privacy Commissioner.

As of February 5th 2024, the Board received an invoice for \$4,526.00 for services.