

British Columbia News

Legislative updates increase transparency, accountability

<https://news.gov.bc.ca/19311>

Monday, April 1, 2019 12:53 PM

Victoria - New legislative changes improve transparency and accountability for British Columbians, making government's requirement to record key decisions law.

"People rightly expect to have access to information about how the Province makes important decisions that impact their lives," said Jinny Sims, Minister of Citizens' Services. "This legislative change formalizes government's obligation to document decisions and helps ensure records of decisions are available and accessible."

The Information Management Act outlines how records are handled throughout their lifecycle, including storage, archival and disposal. The legislation applies to all ministries and 41 government bodies throughout the province, such as the B.C. Lottery Corporation, the Oil and Gas Commission and Destination BC. This change formalizes an existing obligation contained in core policy and now extends it to the 41 government bodies governed by the act.

"With these improvements, British Columbia becomes the first province to legislate how government decisions must be documented. These updates are designed to further promote our government's culture of transparency and accountability throughout the public service," said Sims. "We're supporting staff with a robust and mandatory training program that will provide information about creating records, protecting peoples' privacy and promoting openness across government."

The amendments were brought into force on April 1, 2019, and respond to recommendations made by former information and privacy commissioners David Loukidelis and Elizabeth Denham to legislate the duty of public servants to create records of key decisions. Loukidelis also recommended that British Columbia's chief records officer (CRO) provide guidance to government bodies and ensure compliance with the act. Additional changes to the legislation will provide the CRO with the power to conduct regular and as-needed reviews of the way the Province manages information.

"The directive and guidelines are consistent with best practices internationally and domestically," said David Loukidelis, information and privacy expert. "When properly implemented, the directive and guidelines will result in a leading-edge framework for the documentation of government decisions that meets or exceeds requirements in other jurisdictions around the world."

Every entity covered by the act has assigned a staff champion to lead implementation of the new requirements within its organization. These champions and their teams have received training and resources and will get ongoing support from the Ministry of Citizens' Services records management experts.

These changes build on the progress government is making to strengthen information access rules, improve response times and increase accountability. The amendments also take action to implement feedback from stakeholders and the public. For example, on-time response rates to freedom of information (FOI) requests improved by 10% in 2017-18 compared to 2016-17, despite a significant increase in applications. Additionally, in response to concerns raised by journalists, FOI applicants now have more exclusive time with their records and the subjects of pending requests are no longer disclosed.

The Province continues to explore legislative and policy changes to enhance public sector transparency and accountability.

Quick Facts:

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- Consultations were conducted with government ministries and bodies prior to the new provisions being brought into force.
- These changes respond to five of Loukideli's 27 recommendations, as well as two concerns raised by Denham in her report Access Denied: Record Retention and Disposal Practices of the Government of British Columbia.

Learn More:

The Information Management Act governs how government handles public records from creation to disposal: <http://www.bclaws.ca/civix/document/id/lc/statreg/15027>

The legislation applies to all government ministries, as well as the 41 government bodies: <http://ow.ly/WDTe30odrG9>

The Loukidelis report provided guidance to the Province on how to address deficiencies in records management identified by former privacy commissioner Elizabeth Denham: <http://ow.ly/CFr730odrIn>

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