



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

COUNCIL POLICY

TITLE: RECORDED PUBLIC INPUT	NO. ADMIN - 65
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PURPOSE

This policy identifies the opportunities for public input and how personal information will be protected and recorded for the public. Personal information is defined as “recorded information about an identifiable individual”. How personal information is collected, protected, and retained is governed by the *Freedom of Information and Protection of Privacy Act* (the “Act”). Other governing legislative documents are:

1. *Local Government Act*
2. *Community Charter*
3. Council Procedure Bylaw No. 2715, 2009, as amended

This policy pertains to open Council meetings and does not include *In Camera* meetings. References to Council include Committee of the Whole, Committees, Commissions and Boards.

PRINCIPLES

1. Meetings of Council are public, therefore, oral and written communication received from the public is considered public information unless the correspondent requests confidentiality. Communication addressed to Council will become part of the public record and may be placed on a public agenda and posted on the Township website.
2. The presumption shall be in favour of openness and publication (to the extent permitted by law and subject to valid privacy, confidentiality, security or other restrictions).

For example, an email address is normally not public information unless the sender has given permission to release his/her email address and/or user name. Where approval has not been given or implied, an email address and/or user name will be blacked out. The sender's first and last name and home address, however, will not be obscured.

3. In accordance with the Act, the collection of personal information is to be used only for the purpose for which it was collected and
 - (a) has a reasonable and direct connection to that purpose; and
 - (b) is necessary for performing the statutory duties or for operating a program or activity of the local government body that uses or discloses the information.
4. In accordance with the Act, a public body must ensure that an individual from whom it collects personal information or causes personal information to be collected is told
 - (a) the purpose for collecting it;
 - (b) the legal authority for collecting it; and
 - (c) the title, business address and business telephone number of an officer or employee of the public body who can answer the individual's questions about the collection.

DISCUSSION

Public input may be received by the Township that is initiated from a member of the public directly, or is submitted in response to a request from the Township seeking public feedback. Written submissions includes by mail, email, website, and fax.

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Information given at a public meeting may be oral and/or may be submitted in writing, at or before the meeting. When writing or addressing Council, the full name and address of the person must be given for recording purposes.

Generally the information collected in surveys and questionnaires will be summarized with no information identifying the respondents unless specifically stated in the survey. Petitions will be presented in their entirety, except that personal information including personal email addresses and home telephone numbers will be blacked out in compliance with the Act.

1. Public Input opportunities include:

(a) Oral Communication- given in a public meeting and which is transcribed into a record:

- 1) Making presentations at public hearings held to receive public input into rezoning and official community plan applications, and other significant decisions concerning discretionary land use applications.
- 2) Making presentations at Council meetings.
- 3) Providing input at Council meetings regarding items on the Agenda during public input opportunities that are not the subject of a public hearing.
- 4) Appearing as a delegation or petitioner.
- 5) Providing input at Town Hall meetings and Open Houses.

(b) Written Communication – includes items (a) 1) - 5) above as well as:

- 1) Writing to Council with comments and/or concerns about reports or proposed bylaws.
- 2) Presenting a written petition to Council in support or against a proposed action.
- 3) Writing to Council, the Chief Administrative Officer or Department Heads with issues of concern requesting Council decision and/or action.
- 4) Writing to the Township with suggestions, ideas and opinions on municipal matters.
- 5) Responding to surveys and questionnaires.
- 6) Responding to a call for public feedback on matters under deliberation by Council and its Committees.

2. Written requests for public input by the Township by publication, by letter or on its website should include a “notice of collection of personal information” in accordance with the Act, such as:

Personal information contained in communications to Council is collected under the authority of the Community Charter and Local Government Act and will only be used to assist Council in its decision making. Your communication will be treated as public information and will form part of the Township's public record and may be included in a public agenda and be posted on our website. Your personal information will not be released except in accordance with the Freedom of Information and Protection of Privacy Act. Questions about this collection should be addressed to the Corporate Officer at 1229 Esquimalt Road, Esquimalt, BC V9A 3P1 or by telephone at 250-414-7135.

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