
Number:	CP-GOV-002-PR1
Title:	Public Record Redaction Procedure
Procedure/By-law/	
Legislation:	Access and Privacy Policy
Owner:	Office of the Clerk
Approved By:	Director, Legislative Services/City Clerk
Approval Date:	June 20, 2022
Effective Date:	June 20, 2022
Last Revision Date:	June 30, 2022
Review Date:	every 3 years
Status (New/Revised):	New (See Appendix "B")

Purpose:

Richmond Hill's website contains personal information collected and maintained for the purpose of creating records that are available to the public (e.g. Committee/Council material, Planning matters under the *Planning Act*), and other materials created for the purposes of public consumption).

Although the personal information is properly collected, used and disclosed under the provisions of *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), and other provincial legislation, it is recognized that there may be unique and limited situations where it may be appropriate to remove certain personal information from Richmond Hill's website.

The Public Record Redaction Procedure is used to process requests from the public for a redaction of their personal information from Richmond Hill's website.

This document provides guidelines and criteria used by Richmond Hill when considering requests of this nature.

Background:

Richmond Hill strives to strike a balance between the need and obligation to provide transparent and accountable government while protecting of an individuals' privacy as it relates to the disclosure of their personal information.

In the interest of proper municipal governance (and applicable provincial legislation), Richmond Hill posts material to its website, including personal information contained in documents and correspondence submitted for the consideration of Council, committees and/or other departments that includes, but is not limited to, information relating to Council and committee deputations. Posted material may also include audio and/or audio-video recordings of public meetings.

Richmond Hill will consider redacting personal information contained in the online version of Council, committee or other public records posted to the website, when the availability of this personal information will create a real risk of harm to the health and safety of individual to whom the information relates.

Official Council and committee records as well as other records on file in City facilities will not be redacted or amended, and may be available for public inspection without any redactions in accordance with the provisions the Municipal Act, MFIPPA and other legislation.

Definitions:

The definitions applicable to this procedure are included in Appendix “A”.

Scope:

This procedure applies to, but is not limited to, personal information submitted to Richmond Hill through:

- City Clerk’s Office
- Planning Department;
- Committee of Adjustment

This procedure only applies to personal information posted on Richmond Hill’s website. It does not apply to any records that are not posted on the website, including originals or copies of records posted on the City’s website, or the correction of any such information under the provisions of MFIPPA.

Procedure:

1. Application

- 1.1. An individual may request that Richmond Hill redact personal information in the Public Records posted on Richmond Hill’s website.
- 1.2. Every individual requesting Richmond Hill to redact their personal information will be required to apply to the Clerk in writing. If established by the Clerk, any application will be on the form approved by the Clerk.
- 1.3. An application may only be made by the individual to whom the personal information relates. Applications will only be accepted if they are about the individuals’ own personal information (i.e. they cannot make the request to remove the personal information related to others).
 - a) An individual may appoint, in writing, another person to make an application on their behalf (called an “agent”) provided that the Clerk is satisfied that the individual to whom the personal information relates has appointed the agent.
- 1.4. Any application must list and identify all the Public Records to be redacted, as well as the information to be redacted (e.g., residential addressed, personal email addresses, phone numbers). Any request that includes a blanket request (e.g., “please redact all personal

information from all webpages”) will not be accepted. The onus is on the applicant to provide the following information:

- (a) In the case of Council meeting Public Records:
 - (i) The type of meeting(s) (Council, Council Public, etc.);
 - (ii) The date(s) of the meeting(s); and
 - (iii) The agenda Item(s);
- (b) In all other cases:
 - (i) The name of the Public Record(s);
 - (ii) The page(s) number(s) if the record(s) is uploaded content (i.e. document, report, pdf, etc.); and
 - (iii) Either the title of the page(s) or web addresses of the page(s) on which the personal information appears.

- 1.5. The application must provide sufficient details of the reasons why the City should consider redacting the personal information (having regards for the Criteria in Section 2 of the Procedure). Appropriate evidence should also be provided (e.g., proof of employment or other evidence as necessary or required by the Clerk).
- 1.6. The onus is on the applicant (or agent) to provide sufficient information and evidence at the time of application to support any request to redact personal information.

2. Criteria

- 2.1. The Clerk will not consider redacting the name of a person from Council meeting records or other Public Records.
- 2.2. The Clerk will not consider redacting or removing any audio or audio-visual record of any Council or committee meeting.
- 2.3. The Clerk will only consider redacting personal contact information such as home addresses, personal email addresses and personal phone numbers. The redaction of business records (such as business addresses) will only be considered where the applicant can demonstrate that the same business information is equally related to personal matters.
- 2.4. The Clerk will only consider redacting personal information specifically identified by the applicant (i.e., the Clerk will not search for or identify any Council meeting records and other public records not identified by the applicant).
- 2.5. The Clerk will only consider redacting personal information if there is a demonstrable harm or potential harm to the health and safety of the individual from having that information publicly available on the City’s website. The harm or potential harm will pertain to the individual’s specific circumstances (e.g., nature of employment or as demonstrated by the individual). The harm or potential harm must be more than mere speculation. General and non-specific concerns with having personal information publicly available online will not normally be sufficient reason to redact personal information.
- 2.6. The Clerk will consider any statutory provisions requiring disclosure of the personal

information, and the availability of solutions that promote both public transparency and necessary personal privacy protection.

- 2.7. Absent compelling evidence, the Clerk will not consider redacting any personal information that is required to be submitted and made available to the public under a specific provincial statute.

3. Decision

- 3.1. The Clerk may make a decision on any application without requesting additional information from an applicant, or may, at his/her sole discretion, request additional information from the applicant.
- 3.2. The Clerk's decision on any application is final, but does not preclude an applicant resubmitting an application with additional information.

4. Redaction of Personal Information

- 4.1. Where the Clerk has decided to redact personal information, appropriate Richmond Hill staff will redact the information as identified and approved by the Clerk. The redaction will occur within a reasonable amount of time as determined by the Clerk.
- 4.2. If Richmond Hill does amend its website content as a result of an approved application from an individual, Richmond Hill will not take any further action regarding the redaction of the information from any other source (e.g., historical records stored on search engines or other websites). Any further action of this nature must be undertaken by the individual. For greater certainty, the City is not responsible for any records of personal information previously posted to the City's website that is still publicly available or accessible to any person as a result of the actions, processes (automatic or manual), or methods of any other person or entity.

Roles and Responsibilities:

There are no roles and responsibilities applicable to this procedure.

Related Documents and Procedures:

There are no documents and procedures related to this policy.

Appendix “A”
Definitions

In this Procedure:

“Clerk”	means the Clerk appointed by Council pursuant to section 228(1) of the Municipal Act, who is also the designated head under Section 3 of MFIPPA
“Council Meeting Records”	means the agendas (including any attachments to the agenda), the minutes and any audio or audio-visual recordings of Council meetings, or the meetings of Committees established by the Council.
“MFIPPA”	means the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended.
“Municipal Act”	means the Municipal Act, 2001, S.O. 2001, c.25, as amended.
“Personal information”	means, as defined in s.2 of MFIPPA, recorded information about an identifiable individual, including but not limited to address, phone number or email address.
“Policy”	means the Access and Privacy Policy.
“Public Records”	means records posted to the City’s website, which may include personal information collected, used and disclosed in compliance with MFIPPA, as identified by the Clerk in consultation with other Richmond Hill Departments.

Appendix "B"
Revision & Review Table

Date	Status (new, no changes required, amended, repealed, administrative changes applied)	Approved or Reviewed By (Title)
June 20, 2022	New	City Clerk
June 30, 2022	Amended	City Clerk