

Governance Committee Agenda
June 26, 2026, following Full Authority meeting.
Carolinian Hall
3350 Merrittville Hwy., Thorold ON
AGENDA

1. APPROVAL OF AGENDA

2. DECLARATIONS OF CONFLICT OF INTEREST

3. APPOINTMENT OF CHAIR & VICE-CHAIR

4. PREVIOUS MEETING MINUTES

4.1. Minutes of the Governance Committee Meeting dated March 27, 2026

Page 1

5. CORRESPONDENCE

6. PRESENTATIONS

6.1. Proposed Government Relations Framework

7. DELEGATIONS

8. CONSENT ITEMS

9. DISCUSSION ITEMS

9.1. Report No. GC-03-26 RE: Amendments to the *Municipal Freedom of Information and Protection of Privacy Act*

Page 4

10. NEW BUSINESS

11. CLOSED SESSION

12. ADJOURNMENT

Governance Committee
March 27, 2026
Carolinian Hall
3350 Merrittville Hwy., Thorold ON
MEETING MINUTES

MEMBERS PRESENT: D. Cridland
R. Foster
J. Metcalfe
M. Seaborn, Chair
A. Witteveen

STAFF PRESENT: L. Lee-Yates, CAO/Secretary–Treasurer
M. Davis, Manager, Office of the CAO & Board

The meeting was called to order at 12:32 p.m.

1. APPROVAL OF AGENDA

Resolution No. GC-01-2026
Moved by: John Metcalfe
Seconded by: Donna Cridland

THAT the Agenda for the Governance Committee Meeting held on March 27, 2026
BE APPROVED.

CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

None.

3. APPOINTMENT OF CHAIR & VICE CHAIR

Member Seaborn yielded the floor to Manager, Office of the CAO & Board, Melanie Davis, to proceed with appointments of Chair and Vice Chair of the Committee for 2026.

Nomination
Moved by: Robert Foster

THAT Member John Metcalfe **BE NOMINATED** for Chair of the Governance Committee for 2026.

Recommendation No. GC-02-2026
Moved by: Robert Foster

Seconded by: Albert Witteveen

THAT John Metcalfe **BE APPOINTED** Chair of the Governance Committee for 2026.

CARRIED

Nomination

Moved by: Robert Foster

THAT Member Albert Witteveen **BE NOMINATED** for Vice Chair of the Governance Committee for 2026.

Recommendation No. GC-03-2026

Moved by: John Metcalfe

Seconded by: Robert Foster

THAT Albert Witteveen **BE APPOINTED** Vice Chair of the Governance Committee for 2026.

CARRIED

4. PREVIOUS MEETING MINUTES

Recommendation No. GC-04-2026

Moved by: Donna Cridland

Seconded by: Albert Witteveen

THAT the Minutes of the Governance Committee Meeting, dated March 27, 2026 **BE RECEIVED.**

CARRIED

5. CORRESPONDENCE

None.

6. PRESENTATIONS

None.

7. DELEGATIONS

None.

8. CONSENT ITEMS

None.

9. DISCUSSION ITEMS

9.1. Report No. GC-01-26 RE: Governance Committee – 2026 Work Plan

Recommendation No. GC-05-2026

Moved by: Albert Witteveen

Seconded by: Robert Foster

THAT Report No. GC-01-26 RE: Governance Committee – 2026 Work Plan **BE RECEIVED;**

AND THAT the Governance Committee – 2026 Work Plan attached as Appendix 1 **BE APPROVED.**

CARRIED

9.2. Report No. GC-02-26 RE: Freedom of Information Statistical Report 2025

Manager, Office of the CAO & Board, Melanie Davis, provided a brief overview of the annual statistics. Brief discussion ensued regarding proposed amendments to the *Municipal Freedom of Information and Protection of Privacy Act*.

Recommendation No. GC-06-2026

Moved by: Donna Cridland

Seconded by: Robert Foster

THAT Report No. GC-02-26 RE: Freedom of Information Statistical Report 2025 **BE RECEIVED.**

CARRIED

10. NEW BUSINESS

None.

11. CLOSED SESSION

None.

12. ADJOURNMENT

The meeting was adjourned at 12:44 p.m.

Report To: Governance Committee

Subject: Amendments to the *Municipal Freedom of Information and Protection of Privacy Act*

Report No: GC-03-26

Date: June 26, 2026

Recommendation:

THAT Report No. GC-03-26 RE: Amendments to the *Municipal Freedom of Information and Protection of Privacy Act* **BE RECEIVED.**

Purpose:

The purpose of this report is to provide the Governance Committee with an overview of amendments made to the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) through Bill 97, *Plan to Protect Ontario Act (Budget Measures)* and potential implications identified.

Background:

On March 26, 2026, Bill 97, *Plan to Protect Ontario Act (Budget Measures)* was introduced in the provincial legislature for first reading. This included several schedules with amendments to various acts, including MFIPPA. Bill 97 received Royal Assent on April 24, 2026, and has since come into force.

Discussion:

MFIPPA is the guiding legislative framework for information and privacy management in municipalities, conservation authorities, and other local boards and commissions. It was enacted in 1990 with no comprehensive review or updates since being enacted.

Given the significant changes in operational processes that relate to records, information and privacy management since the Act was implemented, several amendments have been made to reflect the current practices and processes in local service administrations.

Staff have identified four categories of legislative amendments of note. This includes terms and definitions, request timelines and extensions, staged access plans, and privacy impact assessments.

Terms and Definitions

The terms defined in MFIPPA construct the framework in which the designated Head identifies, collects and assesses responsive records for freedom of information (FOI) requests. There are two notable definition changes (Table 1) that provide greater detail and modernize the legislative framework for information management.

Table 1: Notable changes to terms and definitions.

Term	Previous Definition	New Definition
<p>“record” means any record of information however recorded, whether in printed form, on film, by electronic means and includes,</p>	<p>Correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine readable record, any other documentary material, regardless of physical form or characteristics</p>	<p>Data, in any form, and any record made, recorded, transmitted or stored in digital form or in other intangible form by electronic, magnetic, optical or any other means</p>
<p>“personal information bank”</p> <p>replaced with</p> <p>“information practices”</p>	<p>“personal information bank” means a collection of personal information that is organized and capable of being retrieved using an individual’s name or an identifying number or particular assigned to the individual</p>	<p>“information practices” means the practices and procedures of an institution for actions in relation to personal information, including,</p> <ul style="list-style-type: none"> (a) When, how and the purposes for which the institution collects, uses, modifies, discloses, retains or disposes of personal information, and (b) The administrative, technical, and physical safeguards and practices that the institution maintains with respect to protecting that information

These definition changes provide further clarity and bring the framework for records and privacy management into the current era, recognizing the wide array of formats that data and records are maintained in the custody of agencies governed by MFIPPA.

Request Timelines and Extensions

Amendments to MFIPPA have been made to extend timelines for processing requests, recognizing the level of complexity and staff time often required to complete FOI requests

submitted. Previously counted by calendar days, the Act has been amended to immediately transition to business days for the processing of FOI requests.

Further, the legislated timeline to complete FOI requests has been extended from thirty (30) days to forty-five (45) days. The pairing of these two amendments will provide staff with increased capacity to complete FOI requests diligently within the legislated timeframe.

Under Section 20 of MFIPPA, one time extension was permitted if the request required a search through a large number of records that would interfere with the operations of the institution *or* if consultation with an individual outside of the institution was necessary to comply with the request. Amendments to MFIPPA include the allowance of second time extension under section 20 (1.1), under prescribed parameters. These parameters include:

1. The person who made the request consents to a second extension;
2. The number of responsive records is significantly more than initially identified; or
3. Subject matter experts at the institution are unable to assist or additional consultations are required.

At NPCA, the head under MFIPPA solely manages FOI requests, with the support of subject matter experts to compile relevant records for assistance. The NPCA Board of Directors has delegated the responsibility of the head under MFIPPA to the Manager of the CAO Office and Board of Directors. The allowance for a second extension due to unanticipated circumstances are welcomed by staff, as it will alleviate pressures that may arise when relevant staff may be out of office for various circumstances.

Staged Access Plans

Another amendment that seeks to alleviate operational pressures that can arise through high-volume records searches is the introduction of staged access plans for records. Section 17.1 of MFIPPA enables the head to respond to a request for records with a proposal for a staged access plan if:

1. The time required to search for responsive records would unreasonably interfere with the regular duties of employees of the institution;
2. The scope of the request is overly broad because of the time period it covers;
3. The preparation of responsive records for disclosure would unreasonably interfere with the operations of the institution due to their volume; or
4. The person who made the request has submitted other requests to the institution and the person's requests would, collectively, unreasonably interfere with the operations of the institution.

A proposed access plan must divide the request into separate categories, set out the areas of the institution to be searched for said records, and establish a schedule that identifies when decisions respecting access to said records will be made and when the records will be produced for the requester.

Once a proposed access plan has been provided to the requester, the requester is required to respond in writing to the head to either: indicate their acceptance, propose amendments to the plan, or modify the scope of their request. The legislation deems a request abandoned if the requester does not provide a written response related to the proposed access plan.

Providing the head with the opportunity to develop a staged access plan provides greater flexibility for complex, high-volume requests. This is a welcomed change that could provide meaningful support for complex requests that include a significant number of records, allowing staff to provide records in a transparent manner without shifting their entire workload to record searches and retrieval for a quick turnaround.

It is pertinent to note that the requirement for a written response from the requester does place further responsibility on those submitting requests. Deeming such requests abandoned could cause confusion or raise concerns regarding transparency related to such processes. NPCA staff proactively work with requesters to ensure their submissions accurately define the records of interest, and staff will maintain lines of communication with requesters, where necessary, to reduce the risk of requests being abandoned unintentionally.

Privacy Impact Assessments

In July of 2025, the *Strengthening Cyber Security and Building Trust in the Public Sector Act* came into force, mandating that organizations governed by the *Freedom of Information and Protection of Privacy Act* (FIPPA) shall conduct privacy impact assessments and report privacy breaches. This legislation did not include updates to MFIPPA, but amendments to MFIPPA through Bill 97 incorporate similar requirements for municipal agencies.

Section 28 (3) mandates a written privacy impact assessment is prepared before collecting personal information, subject to regulations, that contains the following information:

1. The purpose for which personal information intends to be collected with a rationale for its collection.
2. The legal authority for the intended collection, use and disclosure of the personal information.
3. The types of personal information that is intended to be collected, with indication of how each type would be used or disclosed.
4. The sources of personal information intended to be collected.
5. The position titles within the institution who would have access to the personal information.
6. Any limitations or restrictions imposed on the collection, use, or disclosure of information.
7. The period of time that the information would be retained by the institution.
8. An explanation of administrative, technical, and physical safeguards that would be used to protect personal information.
9. Steps taken to prevent or reduce likelihood of theft, loss, or unauthorized use and mitigation of risks to individuals in the event of such occurrence.

The requirement for privacy impact assessments will come into effect in January 2027. With the development of various IT policies underway, staff have been collaborating on a privacy impact assessment template to incorporate into relevant workflows. This work will continue to ensure it meets the thresholds defined in MFIPPA and incorporates best practices that have been identified by the Information and Privacy Commissioner of Ontario.

Rapid advances in information technology, cybersecurity threats, and artificial intelligence require robust frameworks to safeguard any personal information that municipal agencies maintain in their custody. These changes are welcomed by staff to ensure that watershed residents' information is maintained securely.

Concluding Remarks

With significant changes in technological advancements, digitization, and administrative responsibilities, amendments to MFIPPA are welcomed to ensure that the framework for records requests and protection of privacy reflect the state of operations today.

Staff continue to prioritize transparency and open lines of communication with requesters, where appropriate, and will ensure process and timeline changes are identified upon receipt of future requests.

Financial Implications:

There are no financial implications pertaining to the receipt of this report.

Related Reports and Appendices:

None.

Authored by:

Original Signed by:

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Manager, Office of the CAO & Board

Reviewed and Submitted by:

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