



# Improving Service Standards and Transparency Servicing Residents with the Office of the City Clerk

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# Overview

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Council Strategic Mission



Current Gaps with the  
Office of the City Clerk



Issues with Freedom of  
Information Requests



Recommendation/Next  
Steps



# Council Strategic Mission

## **Working of City Hall and Transparency in Municipal Government**

### **The Office of the City Clerk Strategic Focus should focus on the following two areas**

- Improve Public Engagement
- Efficient Customer Service and Communication

Goal – Is to provide residents and taxpayers of the City of Hamilton to transparent and open municipal government that is free of biases and treats everyone with efficient customer service and communication.

# Currents Gaps with Office of the City Clerk

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No Service Level Standards on Replying to Public Requests



**Lack of Vision** – Putting Customer at the Centre of Everything



**Digital First** - Lack of Digitization / Online Order Form to Pay for Records and Printing



No Policy of Fee Waivers due to AODA or Financial Fee Hardship



**Efficiency Backup Coverage** – Tasks are being done by one dedicated employee, lack of backup or key members of the Clerks office are responsible for vital services without any backup



**Complaint Handling Process** – No formal complaint handling process due to lack of City Ombudsman if Clerks haven't completed a request or do not follow a procedural by-law or FOI requests



## Current Issues with Freedom of Information Requests

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- By-Law 11-258 – Designated The City Clerk as the designated “Head” of the Municipal Freedom of Information and Protection of Privacy Act.
- There is no oversight on the “Head” to ensure that MFIPPA is being followed.
- The Information and Privacy Commissioner provided various of Orders to the City Clerks Office for numerous violations or lack of follow up or customer services (**MO-4397**, [MO-3752-I](#) [MO-3752-I](#) [MO-3764-I](#) [MO-3771](#))

## Examples of IPC Orders that highlighted issues for the FOI Clerks

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- In **MO-3771**, an IPC Adjudicator stated “I feel it necessary to point out that the city ... did not participate in the inquiry of the appeal. I remind the city of its obligations as an institution under the Act”
  - In **MO-4290-I**, another IPC Adjudicator stated “I find that the city has failed to provide any evidence of searches conducted to identify and locate records responsive to item 5. It states that some information responsive to item 5 is excluded, thereby implying that such information exists. While the city may ultimately decide that the records it locates should be excluded or exempt, it must first conduct a reasonable search, as required under section 17, then issue a decision in relation to any records it finds.”

# Recommendation / Next Steps

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- Implement Open Access to Municipal Government and Transparency for the Public and Improve Customer Service
- Introduce Service Level and Backup Coverage for Clerks
- Council to recommend an independent “Value for Money” Audit with the Office of the Auditor General to ensure there are gaps and lack of oversight in the City Clerk Office for FOI as well as the numerous IPC Orders against the City.
- Review By-Law 11-258 – To determine if the City Clerk should be designated as “Head” or have another department or head to have the authority to be the designated “Head”
- Introduce Digital Intake to Pay Credit Card/Request for Information using an online form/pay wall (Similar to Other Cities and Province FOI)
- Introduce Fee Waiver Policy – Have clear guidelines when Fee Waivers are processed for individuals with disability or financial hardship without unconscious biases being used
- Introduce Complaint Handling Process with Clerk Issues – IPC is the only avenue, could there be mediation at the City Level (i.e. Ombudsman, City Manager Office)