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# The Regional Municipality of Durham Report

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To: Finance and Administration Committee  
From: Commissioner of Corporate Services  
Report: #2024-A-5  
Date: April 9, 2024

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**Subject:**

Redacting Public Records Policy

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**Recommendation:**

That the Finance and Administration Committee recommends to Regional Council:

That the Redacting Online Public Records Policy generally in the form included as Attachment #1 to this report, be approved.

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**Report:**

**1. Purpose**

1.1 To introduce and approve a policy on Redacting Online Public Records.

**2. Background**

2.1 A number of municipalities have implemented policies with respect to the Redaction of Online Public Records to provide a formal framework to allow individuals to submit requests to remove their personal information from public websites.

2.2 The Region does not currently have a policy for the redaction of online public records. The Regional Clerk's office has recently received requests from individuals who do not want their personal information shared online after participating in a public meeting held by the Region. As such, a policy in this regard is beneficial and will provide a formal method to submit requests for redaction of information.

2.3 In the development of the new Redacting Online Public Records Policy, a review of other municipal policies was conducted, and stakeholder consultations occurred with staff throughout the organization including the Communications and Engagement, Access & Privacy Office, Corporate Services – IT, and Legal Services divisions.

### **3. Discussion**

- 3.1 The Redacting Online Public Records Policy clarifies that only information that is considered to be 'personal information' under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) may be redacted. Personal information under MFIPPA includes address numbers, contact information (e.g. email addresses, telephone numbers), and signatures.
- 3.2 The Region collects personal information for the delivery of various programs and services. This policy only applies to information collected to form part of the public record for Committee and Council meetings. Individuals are advised through disclaimers on the Region's website, standard emailed responses to delegation requests, and on posted signage that the personal information they submit will be posted online and will become part of the public record.
- 3.3 Information will only be redacted from the copies of the records that are on the Region's website. Personal information contained in official original versions of documents, audio and video recordings will not be redacted. Physical copies of official meeting documentation held by Legislative Services will not be redacted, and may be viewed at the request of any member of the public in accordance with the Municipal Act.
- 3.4 Individuals who would like their personal information redacted from public records on the Region's website must complete the form included within the policy. .
- 3.5 Requests to redact personal information that is included in audio or video recordings of public meetings posted to the Region's website may also be submitted using the form included with the policy.
- 3.6 In considering whether the information should be redacted, Regional employees will consider the nature of the personal information posted, whether there are statutory provisions requiring disclosure of the information, and if there are alternative solutions available that promote public transparency while protecting the individual's privacy.
- 3.7 The Region cannot guarantee that the redaction of public records from the Region's website will eliminate the online presence of their personal information entirely. If the Region amends its website content in response to a request from an individual to redact public information, the Region will not take any further action to redact the information from any other external source, such as internet search engines. Any further action of this nature must be undertaken by the individual.

#### **4. Relationship to Strategic Plan**

4.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:

- a. Goal 5: Service Excellence. Objective: To provide exceptional value to Durham taxpayers through responsive, effective and fiscally sustainable service delivery.
  - 5.3 Demonstrate commitment to continuous quality improvement and communicating results
  - 5.4 Drive organizational success through innovation, a skilled workforce, and modernized services

#### **5. Conclusion**

5.1 In order to provide a method for individuals to request redaction of their personal information from public records posted to the Region's public website, it is recommended that the Redacting Online Public Records Policy be approved.

5.2 For additional information, contact: Alexander Harras, Regional Clerk, at 905-668-7711, extension 2100.

#### **6. Attachments**

Attachment #1: Redaction of Public Records Policy Draft

Prepared by: Leigh Fleury, Deputy Clerk, at 905-668-7711, extension 2020.

Respectfully submitted,

Original signed by

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Barb Goodwin, MPA, CPA/CGA,  
B.Comm, CPM, CMMIII  
Commissioner of Corporate Services

Recommended for Presentation to Committee

Original signed by

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Elaine C. Baxter-Trahair  
Chief Administrative Officer



<b>Title: Redacting Online Public Records</b>		
<b>Policy #: CS-RED-1</b>	<b>Issued: April 24, 2024</b>	<b>Page #: 1 of 3</b>
<b>Revised:</b>		
<b>Approved by: Regional Council</b>		
<b>Responsibility: Regional Clerk</b>	<b>Section: Corporate Services</b>	

## **1. Policy**

- 1.1 The Region will redact certain personal information from public records posted on its website if a written request is received to redact the information.
- 1.2 The Regional Clerk holds overall responsibility for this policy and is the primary point of contact.
- 1.3 This policy applies, but is not limited to, personal information submitted to the Region in relation to public meetings.
- 1.4 Legislative Services will take all necessary precautions to limit the inclusion of personal information of meeting participants in official public records, unless there is a statutory requirement to do so.

## **2. Purpose & Scope**

- 2.1 This policy guides the process for requests from the public for redaction of personal information from records of public meetings on the Region's website.
- 2.2 The policy does not apply to official copies of public records held in physical format by Legislative Services, and such original unredacted public records shall be made available to any member of the public on request in accordance with the Regional Clerk's statutory obligations under the *Municipal Act, 2001*.

## **3. Definitions**

- 3.1 "Personal information" as defined in the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), means recorded information about an identifiable individual, including but not limited to address, phone number, medical history, or email address.
- 3.2 "Region" means the Regional Municipality of Durham.
- 3.3 "Regional Clerk" means the Clerk of The Regional Municipality of Durham, or that person's designate.

3.4 “Region’s Website” means durham.ca.

## **4. Background & Preamble**

4.1 The Region’s website contains personal information collected and maintained for the purpose of creating records that are available to the general public (e.g. Committee/Council material, Planning matters).

4.2 Although the personal information is properly collected in accordance with governing legislation and is properly used and disclosed under the provisions of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), it is recognized that there may be situations where it is appropriate to remove certain personal information from public records on the Region’s website.

## **5. Procedure to Request a Redaction**

### **5.1 Written Request**

An individual who would like to request redaction of certain personal information from public records on the Region’s website shall submit a written request to the Regional Clerk using the assigned form. Upon receiving a request from an individual, the Regional Clerk shall consider redacting from any document that is posted to the website:

- i) address number (save and except for statutory requirements);
- ii) email address;
- iii) telephone number; and/or
- iv) signature

### **5.2 Information that will not be redacted**

The following types of information will not be redacted:

- Names;
- Written or verbal comments submitted for the public meeting process including statements and opinions of meeting participants; and
- Image or likeness of the individual as it appears on a video recording.

### **5.3 Identify the Information**

The individual must clearly identify what information they would like redacted by specifying where the information is found, such as by the meeting date and the particular entry/entries (e.g. paragraph number ‘x’ on page number ‘y’), or a screen capture with the portion of text highlighted.

## **6. Procedures for Review of Redaction Requests**

6.1 All requests shall be considered on an individual basis.

- 6.2 A broad request to remove personal information shall not be considered.
- 6.3 The Region shall consider the nature of the personal information posted and whether there are statutory provisions requiring disclosure of the information, and if there are alternative solutions available that promote public transparency while providing personal privacy protection. Examples include abbreviating names or removing specific address numbers for an identifiable road or street.

## **7. Internet Search Engines**

- 7.1 If the Region amends its website content in response to a request from an individual to redact personal information, the Region shall not take any further action regarding the redaction of the personal information from any other external source including internet search engines. Any further action of this nature must be undertaken by the individual.

## **8. Application**

- 8.1 Individuals requesting redaction of public information must complete the application form (link to form here)

## **9. Inquiries**

- 9.1 For additional information regarding this policy please contact the Regional Clerks office at [clerks@durham.ca](mailto:clerks@durham.ca).