



# BOARD REPORT

**TO:** Chair and Directors

**File No:** BL5853, 2022  
BL5854, 2022

**SUBJECT:** Freedom of Information and Protection of Privacy and Officers Bylaws

**DESCRIPTION:** Report from Jennifer Sham, Corporate Officer and Manager, Corporate Services, dated July 12, 2022. Revisions to the bylaws to reflect changes in legislation and staffing including job titles.

**RECOMMENDATION #1:** THAT: "Freedom of Information and Protection of Privacy Administration Bylaw No. 5853, 2022" be given first, second, and third reading.

**RECOMMENDATION #2:** THAT: "Officers Bylaw No. 5854, 2022" be given first, second, and third reading.

**RECOMMENDATION #3:** THAT: "Freedom of Information and Protection of Privacy Administration Bylaw No. 5853, 2022" be adopted, this 21<sup>st</sup> day of July, 2022;  
AND THAT: any previous "Head" appointments made under Freedom of Information and Protection of Privacy Bylaw Nos. 5186 and 5651, be rescinded, this 21<sup>st</sup> day of July, 2022.

**RECOMMENDATION #4:** THAT: "Officers Bylaw No. 5854, 2022" be adopted, this 21<sup>st</sup> day of July, 2022;  
AND THAT: any previous Officer appointments made under Officers Bylaw No. 5301, be rescinded, this 21<sup>st</sup> day of July, 2022.

**SHORT SUMMARY:**

Staff are proposing updated bylaws for Freedom of Information and Protection of Privacy and CSRD Officers to replace the existing bylaws. The changes include updating references to legislation, job titles, and minor formatting of the bylaws.

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**VOTING:** Unweighted Corporate  LGA Part 14 (Unweighted)  Weighted Corporate  Stakeholder (*Weighted*)

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**BACKGROUND:**

At the April 21, 2022 In Camera portion of the Regular Board Meeting, the Board passed and released from In Camera, the following resolution:

"THAT: in accordance with section 233, 234, and 236 of the Local Government Act and Officers Bylaw No. 5301, the Board appoint Jennifer Sham as the Corporate Officer for the Columbia Shuswap Regional District, effective May 1, 2022;

THAT: the Corporate Officer be instructed to bring back any necessary bylaw amendments resulting from the approval of the new corporate structure."

These proposed bylaws are the direct response to the above resolutions.

**POLICY:**[Local Government Act, Part 6, Division 8 – Officers and Employees](#)

The Board must, by bylaw, establish and appoint two officer positions under the Local Government Act (LGA): one for corporate administration (s.236) and another for financial administration (s.237). The Chief Administrative Officer (CAO) position is not required under the LGA(s.235) ; however, the CSRD has established and appointed one historically.

[Freedom of Information and Protection of Privacy Act, Part 6, Section 77 – Power to Make Bylaws](#)

In accordance with the Freedom of Information and Protection of Privacy Act (FOIPPA), the Board must designate a person or group of persons as the FOIPPA head for the CSRD for the purposes of administering FOIPPA.

**FINANCIAL:**

There are no financial implications associated with these bylaws.

**KEY ISSUES/CONCEPTS:**

The main change in the FOIPPA Bylaw No. 5853, 2022 (BL5853) is the title change from Deputy Manager of Corporate Administration to Manager, Corporate Services, regarding the "Head".

The Officers Bylaw No. 5854, 2022 (BL5854) does not replace job descriptions, or anything written in employment contracts. The statutory duties listed for the mandatory officer positions (Corporate Administration and Financial Administration) are taken directly from the LGA. The CAO description in BL5854 is an edited version of the description in the previous Officers Bylaw.

**IMPLEMENTATION:**

If the Board approves the new Officer Bylaw, in accordance with Section 238 of the LGA, the Corporate Officer will ensure that new Oath of Offices are completed.

**COMMUNICATIONS:**

If adopted, both bylaws will be posted to the CSRD website.

**DESIRED OUTCOMES:**

That the Board endorse the staff recommendation(s).

**BOARD'S OPTIONS:**

1. *Endorse the Recommendation(s).*
2. *Deny the Recommendation(s).*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**Report Approval Details**

Document Title:	2022-07-21_Board_CA_BL5853_BL5854.docx
Attachments:	- BL5853, 2022 FOIPP Administration.pdf - BL5854, 2022 Officers.pdf
Final Approval Date:	Jul 13, 2022

This report and all of its attachments were approved and signed as outlined below:



Jodi Pierce