

Nova Scotia's Commitment to Transparency and Accountability Through Innovation

Today, Nova Scotia is recognized as a leader in access to information by other jurisdictions. This year's national freedom of information audit, prepared by independent researchers for News Media Canada, portrayed the Province as "the Amazon of access" because as a government institution it demonstrates a strong commitment to transparency. Meantime, several provinces are actively studying how Nova Scotia 'does' access and privacy, with plans to do something similar.

What is going on in Nova Scotia? Consolidation.

The consolidation of access and privacy services across the Nova Scotia government that began in 2015 has been a catalyst for technological innovation that, in turn, supports and grows the consolidation even further. The process is resulting in more effective delivery of access and privacy services, greater reporting and monitoring of performance, and greater transparency and accountability as it joins and supports other government strategies promoting Open Information.

The concept of consolidation has been debated in Nova Scotia for more than a few years. In 2011, Deloitte conducted a study for the government. By 2014, the Department of Justice, which is responsible for the FOIPOP Act, had a pilot ready for testing when a newly elected government created the Department of Internal Services, centralized authority for access and privacy within it, and gave it the mandate to create Information Access and Privacy (IAP) Services, a central division from which all access and privacy processes were to be coordinated henceforth.

Previously, each department had an in-house IAP Administrator who managed the FOIPOP process, often with limited support. By 2014, government had identified a set of risks that would be made worse by a fragmented access and privacy structure:

- the increasing number and complexity of FOIPOP applications
- a public more aware of access and privacy rights, and
- a lack of understanding in the government workforce about its privacy obligations.

Government recognized unfavourable outcomes in these risks, such as lack of trust from a public perception of 'concealing' information, as well as harm to individuals or businesses if personal or confidential business information were disclosed inappropriately.

Nova Scotia was in a position to act on a common vision then taking shape within the ranks of access and privacy professionals and senior management: "Privacy by design and open by default". This means ensuring that privacy principles are consistently considered at the outset of government's projects, programs, or services, not as an afterthought. It also means supporting IAP Services' operational model, which is to

balance the rights of citizens to obtain government information with government's obligation to protect citizen privacy.

The balance could only be accomplished in the Nova Scotia operational model through consolidation. While consolidation would bring the separate IAP Administrators together to manage all FOIPOP processes from one place, and while the Chief Information Access and Privacy Officer would lead the division, disclosure decisions would remain with each client department.

Consolidation required extensive communications, primarily one-on-one, to negotiate contributions (financial and FTE) from departments to the new division that would be serving them, and to cultivate an understanding of each other's roles. In MOU after MOU, IAP Services identified specific needs or desires department-by-department, and clearly articulated that the role of the IAP Administrator or IAP Services in general was to support the client department's access and privacy needs – the Deputy Head would retain their decision-making authority.

The benefits of innovating through consolidation have been numerous. It has given us:

- a fresh understanding of what citizens expect from information access and privacy rights in a modern society
- a new framework that identifies gaps, and therefore priorities, in support of robust access and privacy programs
- a team of cross-trained, strategic professionals focused on excellence in client service and working in an open-concept environment for quick problem solving and a sense of collaboration and support second to none.

Consolidation without the support of robust and modern technology, however, was not enough to fulfil the vision or serve the mandate. While consolidation occurred and the usual operational demands continued at their regular pace, the Unit embarked on the development of an innovative technological strategy and solution – a new case-management system. Not only has the FOIA Amanda solution enabled digital case management, it has enhanced transparency by making digital the entire FOIPOP application process and by publishing FOIPOP requests on line for all to see and use.

The national freedom of information audit prepared for News Media Canada gave the Province credit for leveraging technology in this way to deliver on its commitment to transparency and accountability:

“Nova Scotia made strides in the past year. Not only are requests to provincial government departments now filed online, but the entire request process is conducted within an online portal. Requesters sign up for an account, much as they might with an online retailer. Once the account is set up, requests can be filed and the application fees paid, from within the account. Correspondence from departments is posted in the account as soon as it is ready, as is the final release

package, if any. Fees for search and preparation can also be paid from within the account. It's the Amazon of access to information."

Nova Scotia is the first jurisdiction in Canada to offer complete online access to information (<https://foipop.novascotia.ca>) from submission to payment to receiving documents and correspondence. The Disclosure Log part of the portal is a publicly accessible digital repository of records that have been disclosed to previous applicants. Eligible completed requests are posted after disclosure to the applicant if the records have met strict posting criteria scrutinized weekly.

These innovations in technology were made possible because of the new business processes that came out of consolidation, an innovation of its own in terms of structural reorganization. AccessPro and its digital progeny, the Disclosure Log and Access to Information Account, are building yet further onto government transparency by allowing other innovative strategies to be considered, as departments look to digital solutions to build and refresh their policies and programs of the future.

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