Agenda – Council – July 16, 2014

Report – Standing Policy Committee on Protection and Community Services – July 4, 2014

Item No. 1 Information Sharing Agreement between The Manitoba Public Insurance Corporation and the City of Winnipeg (Winnipeg Police Service)

STANDING COMMITTEE RECOMMENDATION:

On July 9, 2014, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Protection and Community Services and submitted the following to Council:

1. That the City of Winnipeg enter into an Information Sharing Agreement with the Manitoba Public Insurance Corporation (MPI), setting out the terms and conditions under which personal information will be shared between MPI and the Winnipeg Police Service.

2. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the Information Sharing Agreement referred to in Recommendation 1, in accordance with the terms and conditions set forth in this Report and such other terms and conditions deemed necessary by the Director of Legal Services and City Solicitor to protect the interests of the City of Winnipeg.

3. That the Winnipeg Police Board be advised.

4. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report – Standing Policy Committee on Protection and Community Services – July 4, 2014

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 9, 2014, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Protection and Community Services and the Winnipeg Public Service, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On July 4, 2014, the Standing Policy Committee on Protection and Community Services concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: **Information Sharing Agreement between The Manitoba Public Insurance Corporation and the City of Winnipeg (Winnipeg Police Service)**

Critical Path: **Standing Policy Committee on Protection and Community Services – Executive Policy Committee – Council**

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Musgrove	Chief D. Clunis	n/a	M. Jack COO

RECOMMENDATIONS

1. That the City enter into an Information Sharing Agreement with the Manitoba Public Insurance Corporation (MPI), setting out the terms and conditions under which personal information will be shared between MPI and the Winnipeg Police Service.

2. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the Information Sharing Agreement referred to in Recommendation 1**,** in accordance with the terms and conditions set forth in this Report and such other terms and conditions deemed necessary by the City Solicitor / Director of Legal Services to protect the interests of the City.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

4. That the Winnipeg Police Board be advised.

REASON FOR THE REPORT

Council approval is required to enter into an Information Sharing Agreement with the Manitoba Public Insurance Corporation (MPI).

IMPLICATIONS OF THE RECOMMENDATIONS

In the Information Sharing Agreement proposed in this Report, the parties would establish a formal mechanism and conditions for the exchange of personal information between the Manitoba Public Insurance Corporation (MPI) and the Winnipeg Police Service (WPS) in order to ensure compliance with legislative requirements. Both parties wish to set out in writing the conditions and procedures for disclosure and protection of personal information.

HISTORY

Manitoba Public Insurance is the administrator under *The Drivers and Vehicles Act*, C.C.S.M. c. D104 (the "***DVA***"), and as such, is responsible for administering driver licensing and motor vehicle registrations for the Province of Manitoba.

Manitoba Public Insurance collects and uses certain personal information of the individuals applying for and holding driver licences and motor vehicle registrations in accordance with the *DVA*. Manitoba Public Insurance stores this personal information and personal health information in an electronic database.

The WPS has the authority to collect and use personal information for the purpose of law enforcement and crime prevention. Disclosures of personal information by MPI may be made to the WPS pursuant to subsection 44(1)(r) of *FIPPA* – a disclosure for law enforcement purposes or crime prevention.

The Information Sharing Agreement proposed in this Report outlines the terms and conditions on which MPI is prepared to provide personal information to the WPS. In particular, the Agreement sets out safeguards the City agrees to place on its access to, use, storage and disclosure of this personal information. This includes agreeing that its employees will not access or use the information for any purpose other than law enforcement or crime prevention, agreeing not to disclose the information except in specific circumstances or for specific purposes, and agreeing to implement or maintain specific security safeguards with respect to the WPS information management/technology functions. The City would agree to notify MPI whenever it becomes aware of an unauthorized access to or disclosure or destruction of the personal information in violation of the Agreement.

No financial responsibilities are imposed, except that the proposed Agreement would require the City to accept full liability for and to indemnify MPI for any breach of the Agreement or any negligence or wrong-doing by the City. Each participant will be responsible for costs associated with carrying out its obligations under this Agreement.

The Agreement would continue until terminated by one of the parties.

FINANCIAL IMPACT

Financial Impact Statement

Date: May 23, 2014

Project Name:
Information Sharing - MPI

First Year of Program 2014

	2014	2015	2016	2017	2018
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs		$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery		-	-	-	-
Net Cost/(Benefit)	$ -	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts		-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: Minimal financial impact.

Original signed by Ron Smolik May 23/14
Manager of Finance
Winnipeg Police Service

CONSULTATION

In preparing this report there was consultation with:

Legal Services

OUR WINNIPEG POLICY ALIGNMENT

SUBMITTED BY

Department:	Winnipeg Police Service
Division:	Organizational Development, Division 32
Prepared by:	M. Musgrove, Research Analyst
Date:	June 12, 2014
File No.	ODS 14 – 120