

March 12, 2020

FOI No: 2020-05

VIA E-MAIL – Redacted

Redacted

Dear Redacted

Re: Request for Records
Freedom of Information and Protection of Privacy Act

The City of White Rock has processed your request for access to the following records pursuant to the *Freedom of Information and Protection of Privacy Act* (the "Act"):

- 1) *The total amount of compensation/allowance/severance/buy-out or other agreed upon remuneration package from White Rock that Dan Bottrill will be receiving as a direct result of the termination of his employment with the City of White Rock.*
- 2) *A copy of the final Agreement showing the terms, conditions and total amount of compensation/allowance/severance/buy-out or other agreed upon remuneration package from White Rock that Dan Bottrill will be receiving as a direct result of the termination of his employment with the City of White Rock.*

Access to the records you have requested is not available. The information is excepted from the disclosure requirements of the Act pursuant to settlement privilege at common law. Portions of the records are also excepted pursuant to section 22 of the Act.

Settlement privilege is a common law right that allows the parties of a litigious dispute to freely discuss and settle matters without concern that the content will be disclosed to their detriment following settlement. It is a right afforded to both parties in the dispute and the Office of the Information and Privacy Commissioner for British Columbia has recently held that settlement privilege can apply to settlement agreements between a public body and their employees (see: <https://www.oipc.bc.ca/orders/2377>).

Corporate Administration
P: 604.541.2212 | F: 604.541.9348

City of White Rock
15322 Buena Vista Avenue, White Rock BC, Canada V4B 1Y6

WHITE ROCK
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www.whiterockcity.ca

The section 22 exception is necessary to avoid disclosing third-party personal information without permission. The records you have requested contain personal information of a third party, including information about employment history.

Please contact our office if you have any questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ken Overton", with a long, sweeping horizontal line extending to the right.

Ken Overton
Manager, Property, Risk Management, and FOI
604-541-2104

If you believe that the City of White Rock has been unreasonable in its handling of your request, you may ask the Information and Privacy Commissioner to review our response. You have 30 days from receipt of this notice to request a review by writing to:

Office of the Information and Privacy Commissioner
3rd Floor, 756 Fort Street
Victoria BC V8W 1H2

Should you decide to request a review, please provide the Commissioner's office with:

1. your name, address and telephone number;
2. a copy of this letter;
3. a copy of your original request sent to the City of White Rock; and
4. the reasons or grounds upon which you are requesting the review.