



Policy # 39

Request for Information Policy

Approved by Council on: May 16, 2012

**Township of Southgate
Public and Freedom of Information Requests**

Purpose:

The Municipal Freedom of Information and Protection of Privacy Act (the Act), provides individuals with a right of access to general records held by municipalities and records containing an individual's own personal information. The Act also requires municipalities to protect personal information contained in their record holdings. These requirements are outlined in a set of rules governing the collection, use, disclosure and retention of personal information maintained by municipal governments.

How Do I Make a Request for Information?

Step #1

The Township of Southgate's goal is to provide as much information as possible to the public without filing a formal request under the Act. Persons wishing access to any records and documents that exist in the municipal office files should first contact the Southgate Department which holds the records. Southgate staff will make every effort to provide information that is easily provided if:

- information is on Southgate's website www.southgate.ca;
- information requested is already in a printed report form;
- documents are available and found within the municipal office active filing area;
- person requesting the information is willing to view documents at the Southgate municipal office; and
- extra staff time is not required to move the information into a presentable format or locate files in storage.

Step #2

If you are unable to get all of the information you requested, follow these steps:

- send a formal request under the Freedom of Information Act in writing to "Attention: Clerk-Director of Council";
- all requests must be accompanied by a non-refundable \$5.00 application fee;
- all cheques should be made payable to the Township of Southgate;
- all requests for information must include an "Information Access/Correction Request Form" which is available from the Clerk's Department or you can download a copy of the form from Southgate's web site www.southgate.ca. Please complete the form in full, making sure you provide as many details as possible about the information you are requesting.

- requests may be mailed or drop off at the Hopeville office:
Township of Southgate
Attention: Clerk-Director of Council
185667 Grey Road 9, RR 1
Dundalk, ON N0C 1B0

What are the Fees for Making a Request for Information under MFIPPA?

Mandatory application fee: \$5.00 per request for information.

Southgate is required to charge fees for requests under the *Act*, as follows:

Southgate shall require the person who makes a request for access to a record to pay fees in the amounts prescribed by the regulations for,

- (a) the costs of every hour of manual search required to locate a record;
- (b) the costs of preparing the record for disclosure;
- (c) computer and other costs incurred in locating, retrieving, processing and copying a record;
- (d) shipping costs; and
- (e) any other costs incurred in responding to a request for access to a record.

The following are fees that shall be charged for the purposes of the *Act* for access to a record:

1. For photocopies and computer printouts, 20 cents per page.
2. For disks, \$10 for each disk.
3. For manually searching a record, \$7.50 for each 15 minutes spent by any person.
4. For preparing a record for disclosure, including severing a part of the record, \$7.50 for each 15 minutes spent by any person.
5. For developing a computer program or other method of producing a record from machine readable record, \$15 for each 15 minutes spent by any person.
6. The costs, including computer costs that the institution incurs in locating, retrieving, processing and copying the record if those costs are specified in an invoice that the institution has received.

The following are fees that shall be charged for the purposes of the *Act* for access to personal information about the individual making the request for access:

1. For photocopies and computer printouts, 20 cents per page.
2. For disks, \$10 for each disk.
3. For developing a computer program or other method of producing a record from machine readable record, \$15 for each 15 minutes spent by any person.
4. The costs, including computer costs that the institution incurs in locating retrieving, processing and copying the record if those costs are specified in an invoice that the institution has received.

If Southgate gives a person an estimate of an amount payable under the *Act* and the estimate is \$100 or more, Southgate may require the person to pay a deposit equal to 50 per cent of the estimate before Southgate takes any further steps to respond to the request.

Southgate shall refund any amount paid under subsection (1) that is subsequently waived.

If a person is required to pay a fee for access to a record, Southgate may require the person to do so before giving the person access to the record.

Will I Receive all of the Information I have asked for?

The Township of Southgate will make every effort to provide you with as much information as possible. However, the Act contains a number of exemptions that may be used to limit the release of information. For example, if a record contains someone else's personal information or commercial information provided in confidence by a third party, Southgate is required to deny access. Where the information requested deals with a law enforcement matter or solicitor-client privilege, Southgate may withhold the information.

How Long Will it Take?

The Act sets out specific time limits that Southgate must follow when processing requests for information. Southgate will make its best efforts to provide all requests in 30 calendar days from the date a complete request is received (including the \$5.00 application fee, estimate fees approved and deposits received if necessary) to respond to the request. Southgate may seek a time extension in certain circumstances (request time demands and office workload) in which case the requester will be notified.

What if I am Not Satisfied with the Township's Decision Regarding my Access Request?

If you are not satisfied with Southgate's decision regarding your access request, you can file an appeal with the Information and Privacy Commissioner/Ontario. The Information and Privacy Commissioner is an independent body which makes impartial decisions under the Act.

If you decide to file an appeal, you must write to the Commission and request a review of Southgate's decision within 30 days of receiving the decision letter. You must also submit a copy of your original request for information, a copy of Southgate's decision letter and an appeal fee of \$25.00. The correct fee must accompany your appeal and may be paid by cheque or money order made payable to the Minister of Finance.

The Commissioner's Office is located at:
2 Bloor Street East, Suite 1400,
Toronto, Ontario M4W 1A8,

Telephone: (416)-326-3333;
or toll free 1-800-387-0073.

You can also reach the office at: <http://www.ipc.on.ca/>

Request Form

under the *Freedom of Information and Protection of Privacy Act*/
Municipal Freedom of Information and Protection of Privacy Act

Please Note: A \$5.00 application fee is required for all requests.

Request for: <input type="checkbox"/> Access to General Records <input type="checkbox"/> Access to Own Personal Information <input type="checkbox"/> Correction to Own Personal Information	Name of Institution request made to:
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If request is for **access to**, or **correction of**, own personal information records:

Last name appearing on records: same as below, or: _____

<input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Miss	Last Name: _____
First Name: _____	Middle Name: _____
Address: (Street/Apt. No./P.O. Box/R.R. No.) _____	City/Town: _____
Province: _____	Postal Code: _____
Telephone Number (Day): () _____	Telephone Number (Evening): () _____

Detailed description of requested records, personal information or personal information to be corrected. (If you are requesting access to or correction of your personal information, please identify the personal information bank or record containing the person information, if known.)

Note: If you are requesting a correction of personal information, please indicate the desired correction, and if appropriate, attach any supporting documentation. You will be notified if the correction is not made and you may require that a statement of disagreement be attached to your personal information.

Preferred method of access to records: <input type="checkbox"/> Examine Original <input type="checkbox"/> Receive Copy	Signature: _____	Date: _____
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For Institution Use Only		
Date Received:	Request Number:	Comments

Personal Information contained on this form is collected pursuant to the Freedom of Information and Protection of Privacy Act/Municipal Freedom of Information and Protection of Privacy Act and will be used for the purpose of responding to your request. Questions about this collection should be directed to the Freedom of Information and Privacy Co-ordinator at the institution where the request is made.