

Department: Administration	Policy Number: A09-01822
Subject: Freedom of Information and Protection of Privacy Policy	Effective Date: 150908
Bylaw No:	Revision Date: 170214
	Version #: 2

Policy:

The Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) came into effect on January 1, 1991. The legislation applies to all municipalities in Ontario and to various other local government institutions. A copy of the Act can be retrieved at <http://www.ontario.ca/laws/statute/90m56>.

The Town of Espanola is committed to protecting the privacy and confidentiality of personal information while also providing the right of access under MFIPPA.

Purpose:

To establish procedures in responding to a request received under MFIPPA.

Scope:

All records in the custody or under the control of Town of Espanola. S 2(3)

Guiding Principles

The Town of Espanola promotes accountable and transparent government:

- * Records should be available to the public;
- * Individuals should have access to their own personal information;
- * Exemptions to access should be limited and specific;
- * Institutions should protect the privacy of individuals with respect to personal information held by institutions.

Roles & Responsibilities:

The head of the institution for purposes of MFIPPA is designated by bylaw. The FOI Coordinator is responsible for:

- a) Administering the Act, including tracking requests, statistical reporting and adherence to legislative requirements;
- b) Adhering to time limits and notification requirements;
- c) Considering representation from third parties;
- d) Providing a response to access requests;
- e) Determining the method of disclosure;
- f) Responding to requests for correction of personal information;
- g) Calculating and collecting fees;
- h) Where necessary, defending decisions made under the Act at an appeal
- i) Identifying and reporting all privacy breaches;

Department Managers shall be responsible for becoming familiar with this policy, the guidelines and assist in the FOI request process as required.

The FOI Coordinator must submit an annual statistical compliance report to the IPC summarizing;

- a) The number of requests;
- b) Processing time;
- c) Number of times information was withheld or denied and what exemptions were applied
- d) Fees collected; and
- e) Number of personal information correction requests

Process:

- * Fees charged will be in accordance with MFIPPA and related regulations.
- * Requesters must complete the Request Form available from the Municipal Office, online at www.espanola.ca or write a letter stating that they are asking for access to records under the Act.
- * The fee that must applicable fee must be paid for all requests. Cheques should be made payable to "the Town of Espanola".
- * A numbering system with reference to the applicable year and the number of requests received will be utilized.
- * The FOI Coordinator will respond in accordance with the Act.
- * A copy of the Year-End Statistical Report for the Information and Privacy Commissioner be posted on the website.

References:

Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56

R.R.O. 1990, Reg. 823: GENERAL

Obtain a copy of the Information and Privacy Commissioner's Mini-Guide to Municipal Freedom of Information and Protection of Privacy Act at

<https://www.ipc.on.ca/images/Resources/municipal%20guide-e.pdf>