

Checklist for Processing a Municipal Freedom of Information Formal Request

Request is Received

- Is the request in writing, does it mention MFIPPA and does it include the \$5 application fee?

- Does it provide sufficient detail to enable an experienced employee to identify the requested record(s)?

If not, assist the requester to rewrite the request.

- Date-stamp the request, open a file, and prepare a tracking and recording form.

Do the Requested Records Exist?

- Do the records exist or are they capable of being reproduced from a machine-readable record?

If not, notify the requester that the records do not exist.

- Does the Board have custody or control of the records?

If not, make reasonable inquiries to determine where to forward the request, and forward the request within 15 calendar days of receipt. Notify the requester if the request is forwarded.

If you do not know where to forward the request, notify the requester that the records do not exist and that the requester can appeal to the IPC.

- If the Board and another institution have copies of the records, determine which institution has a greater interest in the record and, if appropriate, transfer the request to the other institution within 15 calendar days of receiving the request. Notify the requester of the transfer.

Locating and Reviewing the Records

- Gather the records or a sample of the records and review them.
- Will some of the exemptions apply?
- Do you need more time to process the request?
- Do the records affect the interests of third parties?
- Will there be a cost for processing the request?
- Is a time extension required? If so, notify the requester.
- Does it appear that you will be granting access to records that affect the interests of a third party?

If so, send notices and give affected third parties an opportunity to make representations about the disclosure of records that affect them. This will affect the deadline for responding to the request.

- If the fee will be over \$25 the requester must be given a fee estimate. If over \$100 a 50% deposit may be requested.

Processing the Request

- Retrieve the records.
 - Determine what exemptions apply.
 - Determine if the override provisions apply.
- If required, sever exempt material from the records.
- Determine what the final fee will be and if the fees will be waived.

Granting or Denying Access to the Records

- If access to a record or part of a record is granted, determine the method of access (copy or original).
- If access is granted, give the requester notice regarding access.
- If an affected third party is involved, give notice regarding access to third party and requester.

Note that the affected third party has 30 calendar days in which to appeal your access decision to the IPC. Access is not granted to the record until the 30 calendar days have expired and an appeal has not been filed.

- Collect fee where applicable, and provide record.

OR

- Give the requester a notice of refusal if:
 - the record does not exist;
 - all or part of the record is exempt from disclosure; or
 - the Board is refusing to confirm or deny the existence of certain records.

Correcting Personal Information

- If an individual requests the correction of personal information, verify the information to be corrected, correct the personal information, or permit a statement of disagreement to be filed.
- If requested, notify recent users of the personal information of the correction or statement of disagreement.

Complete the File

- Document the request and all actions taken.
- Close the file, unless an appeal is commenced.