
Municipality of Cumberland Policy 16-02

Routine Access to Information Policy

Title

1. This policy is entitled "Routine Access to Information Policy".

Statement

1. The Municipality of the County of Cumberland is committed to the principle of access to information within the limitations outlined in *Part XX: Freedom of Information and Protection of Privacy (FOIPOP)* of the *Municipal Government Act (MGA)* and the *Personal Information Protection and Electronic Documents Act (PIPEDA)*.
2. In this Policy, unless the context otherwise requires:
 - a. "Municipality" means the Municipality of the County of Cumberland;
 - b. "active dissemination" means the periodic and proactive release of information or records in the absence of a request using the Internet, libraries or other mechanisms;
 - c. "FOIPOP Access" means the release of a record in response to a request under Part XX, Freedom of Information and Protection of Privacy, Municipal Government Act (MGA);
 - d. "record" as defined in Part XX of the Municipal Government Act, includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records;
 - e. "responsible officer" is an employee of the Municipality appointed by the CAO to administer Part XX, Freedom of Information and Protection of Privacy, of the Municipal Government Act;
 - f. "routine access" means the routine or automatic release, in full or in part, of certain types of administrative or operational records as a matter of course in response to a request without the need for an applicant to make a request for records under Part XX of the MGA; and
 - g. "routine access record" means a document, created by the Municipality and is identified on Appendix A, of this policy, which will identify records that are available by Routine Access or Active Dissemination.

Objective

3. This policy will provide guidelines for staff and the public as to which records can be routinely accessed by the public, and which records can be accessed only by application to the Responsible Officer.
4. A request for access to routine information may be made in writing to the department in charge and control of the record or information requested, or directly to the Responsible Officer. If the information requested is not routinely available, the applicant will be informed of the Access to Information Application process and provided with an Access to Information Request Form.
5. Staff processing a request for access to a record identified in Appendix A will respond to the request within 3 working days of receiving the request. If for some reason staff is unable to provide the information within the 3 working days, they will contact the applicant and inform them of the delay and provide an explanation. The limit for this extension should be no more than a total of 14 days from the date of receiving the application.

Policy Statement



6. The Municipality will refuse access to records or reference material in the following situations:
 - Records or reference material are within the scope of FOIPOP or PIPEDA and contain information exempted under FOIPOP or PIPEDA.
 - Records are unprocessed or partially processed to the extent that there is uncertainty to the contents and condition of the records.
 - Records or reference material are fragile to the extent that further damage might result from providing access.

Roles and Responsibilities

7. Management will ensure that staff are aware of their responsibilities under this Policy and any relevant legislation. All requests for information other than that described in Schedule A will be referred to the Responsible Officer.

Application

8. Applications for routine release of information
 - a) may be made in person to the staff person having custody of the record, or
 - b) may be made in writing.
9. Any applications for records exceeding one copy of a single record must be made in writing to the Clerk of the Municipality and such applicants will be expected to pay for the staff time and costs required to process the application.
10. Applicants will be responsible to pay for staff time and other costs required to process the request in excess of \$20.00. The schedule of fees to be charged is set out in the Municipality's Fees Policy.
11. Staff having custody of the requested record which is not clearly listed in Appendix A shall not release the requested record except as directed by the Responsible Officer.
12. Staff having custody of the requested record may copy and release to the public within 24 hours any record listed in Appendix A to a maximum total of one copy of one record. The standard Municipal fees for copying will apply.

<u>Clerk's Annotation for Official Policy Book</u>	
Date of Notice to Council of Intent to Consider (7 days minimum)	<u>March 16, 2016</u>
Date of Passage of Current Policy	<u>April 6, 2016</u>
I certify that this Policy was adopted by Council as indicated above.	
 Municipal Clerk	 Date

APPENDIX A

ROUTINE ACCESS RECORDS

1. All Policies and By-Laws approved by Council
2. Any document received by Council or any Committee of Council at any meeting which is not a "closed session" under Sections 22 or 203 of the *Municipal Government Act*.
3. All minutes of any meeting of Council or any Committee of Council which is not a closed session, after the minutes have been approved by the Council or Committee.
4. All agendas of any meeting of Council or any Committee of Council which is not a "closed session".
5. Any permit or approval issued by any officer of the Municipality (including any document directly referenced by the permit or approval), except that the mailing address of the permit holder shall be excised. This specifically does not include the application for such permit or approval, nor any document which is not directly referenced by the permit or approval.
6. Any finished map created and published by the Municipality.
7. Printed copies of map images produced by the Municipality. This specifically does not include:
 - (a) raw data such as shape files or data tables ~~required to produce the map and~~
 - (b) printed copies of map images or other information pages produced by Property Online.
8. Any newsletter, advertisement or other document publicly distributed by the Municipality.
9. Any document published by the Municipality on its website.
10. Owner name, civic address, Property Identification Number, Assessment Account Number and assessed value of any property within the Municipality. This specifically does not include the capped assessment figure or the owner mailing address.
11. The amount of taxes or other debts owed to the Municipality.
12. Position, job description and salary band of any employee or Councillor of the Municipality.