

<b>South Glengarry</b>				<b>POLICY</b>	
Policy and Procedural Manual			Page Number:	<b>1-3</b>	
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Subject:	<b>Municipal Freedom of Information and Protection of Privacy ROUTINE DISCLOSURE</b>				

## PURPOSE

The Township of South Glengarry is committed to ensuring the public is provided access to Township records and information in accordance with the Township's commitment to accountability and transparency, within the principles of the *Municipal Act 2001* and the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA).

The MFIPPA provides for a process for obtaining access to municipal records through filing a written request through the Municipal Clerk. However, the MFIPPA provides that the Township may establish a Routine Disclosure Policy, when there is nothing in the Act, providing access to information contained within municipal records.

The Township of South Glengarry endorses practices that will facilitate open access to public records while at the same time protecting the privacy of personal information which is within the custody of the Township in accordance with the MFIPPA.

### 1. DEFINITIONS

**“Routine Disclosure”** shall mean the process of providing requesters with a copy of records or providing a means in which the requester may examine or view records outside of the *Municipal Freedom of Information and Protection of Privacy Act* process.

**“MFIPPA”** shall mean the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) provides individuals with a right to access municipal records. It also protects personal privacy by establishing rules on how municipal institutions must manage personal information and provide individuals with a right to access their personal information.

**“Municipal Clerk”** the Township of South Glengarry Council by by-law, delegated its powers as the Head to the Clerk of the Township of South Glengarry.

### 2. POLICY

- A. There are a number of records and types of information which are available to the public through routine disclosure. This means that a formal review of information through an FOI Request (Freedom of Information) is not necessarily required in order to obtain or view municipal records or documentation. Accessing Township of South Glengarry information and applicable records will, whenever possible, be made available to the public on the Township's website, orally or through public inspection at each respective municipal department.

The following list outlines possible records and types of records which are available through routine disclosure. The determination of what records should be disclosed needs to be made by the Township and where the request originated after reviewing the records type, MFIPPA exemptions, information content, current practices and the nature of the request but not limited to:

- Township of South Glengarry Policies
- By-laws
- Agenda and Minutes of Council and Committees Meetings
- Staff Reports
- Resolutions
- Annual Budgets
- Audited Financial Statements
- Summary of total tender results
- Committee of Adjustment Notices and Decisions
- Subdivision/Site Plan Agreements
- Building Services Reports
- Recreational Programming and Facility Rental Information
- Fire Incident Reports
- Official Plans and Amendments
- Zoning Applications and Notices of Decision
- Tax Roll
- Assessment Rolls
- Election Candidate Information and Financial Reports
- Goals and Objectives of the Strategic Plan for the Township of South Glengarry

- B. Requests that meet the requirements of this section may be released by all Municipal Employees however, prior to the disclosure of any other records, Municipal Staff should consult with their Department Manager/Supervisor and where uncertain about any disclosure request they should contact the Municipal Clerk for verification.

Any requests for viewing of building, planning or engineered drawings should be reviewed by the Manager/Supervisor, or in consultation with the Municipal Clerk, prior to the disclosure due to copyright protection laws.

Any specific requests for tangible copies of any building, planning or engineering drawings shall be done through the formal FOI process and s.10 of the Act as third party information.

### **3. PERSONAL INFORMATION**

To protect individual privacy, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) places restrictions on the collection, use, disclosure, retention and disposal of personal information. These privacy protection standards are always in effect and all Township of South Glengarry staff are individually responsible for meeting all privacy requirements about an identifiable individual as set out in s.2 of the Act.

The Township of South Glengarry will not disclose personal information through routine disclosure. All requests for any record that may contain person information must be submitted formally under the MFIPPA process. This is done by submitting a formal FOI Access Request with the applicable forms and fees to the Municipal Clerk.

### **4. DENIED ROUTINE DISCLOSURE REQUEST**

The Township of South Glengarry's Municipal Clerk has the authority to deny a request for routine disclose, as well as edit certain portions of any documents that are being disclosed as indicated by the Act. If a request for routine disclosure is denied, then a request under the Township of South Glengarry's formal process can be made to the Municipal Clerk.

### **6. FEE WAIVERS**

Some or all fees may be waived by the Municipal Clerk, in the following circumstances:

- i. It is in the general public interest to provide the information;
- ii. It is in the Township of South Glengarry's interest to provide the information;
- iii. A waiver is requested because payment could result in a demonstrable financial hardship; or
- iv. If the record for disclosure contains the requestors' personal information, a fee cannot be charged.