

Your guide to the

# Municipal Freedom of Information and Protection of Privacy Act

As it pertains to the  
Upper Thames River Conservation Authority



*Inspiring a Healthy Environment*  
[www.thamesriver.on.ca](http://www.thamesriver.on.ca)

## **WHAT IS THE MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT?**

Ontario's Municipal Freedom of Information & Protection of Privacy Act (1991) applies to municipalities, local boards, agencies, commissions and conservation authorities.

## **WHAT LEGAL RIGHTS DOES THE ACT GIVE ME?**

The Act gives you two legal rights:

1. The right to access government information, including most general "records" and "personal information" about yourself.
2. The right of protection of privacy of your "personal information" that exists in government records.

"Records" include any record of information, however recorded, whether printed, on film, electronic or otherwise, and includes:

- (a) correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a sticky note, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine readable record, any other documentary material, regardless of physical form or characteristics, and any copy thereof, and
- (b) subject to the regulations, any record that is capable of being produced from a machine readable record under the control of an institution by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the institution.

"Personal information" includes recorded information that can identify you. This may include your name, address, employment history or any other information you have provided to the UTRCA.

## **PERSONAL INFORMATION**

### **WHAT MUST THE UTRCA DO TO PROTECT MY PERSONAL INFORMATION?**

The UTRCA is obligated to follow rules regarding personal information. These rules include:

- Using personal information only for the reason it was collected or a similar purpose.
- Keeping personal information for a minimum of one year to allow you to review it and make any necessary corrections.
- Storing and disposing of personal information in a secure manner.

### **HOW DO I REQUEST THE CORRECTION OF MY PERSONAL INFORMATION?**

First, write a letter to the office that holds the record, stating the error. Proven errors or omissions of facts will be corrected. If correction is refused, you can request that a statement of disagreement from you be attached to your file.

## ***CAN ANYONE ELSE SEE MY PERSONAL INFORMATION?***

Only under limited, specific circumstances can other individuals have access to your personal information without your consent, e.g. certain collection of records that contain personal information are actually public records and are accessible to all members of the public. UTRCA permit applications are an example of this type of record.

## **GENERAL RECORDS**

### ***HOW DO I ACCESS THE RECORDS I WANT?***

First, ask UTRCA staff for the information you are looking for. If this is not successful, request the information in writing under the Municipal Freedom of Information and Protection of Privacy Act.

### ***WHAT MUST THE UTRCA DO ONCE A REQUEST IS RECEIVED?***

The Act requires that the UTRCA respond to your written request within 30 days. There are exceptions for unusual circumstances. For example, if you ask for a large volume of material which will take longer than 30 days to collect or if the UTRCA needs to contact a third party before releasing the information, it may require extra time to respond. If more time is required, the UTRCA must notify you in writing. You have the right to appeal the time extension to Ontario's Information and Privacy Commissioner.

### ***WHAT IS THE OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER?***

The Office of the Information and Privacy Commissioner was created to ensure that your rights under the Municipal Freedom of Information and Protection of Privacy Act are respected.

It is the Commissioner's job to make sure that the right of access and right of privacy are balanced. The Commissioner reviews appeals from people who have been denied access to information or who feel their privacy has not been protected, and ensures that the government obeys the Acts.

The Commissioner is appointed by the Ontario Legislature and, as such, is not part of any political party of the government of the day. This allows independence from government and gives the Commissioner the freedom to be impartial when carrying out his/her duties under the Act. For more information, call or write:

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| <p><b>Information and Privacy Commissioner/Ontario</b><br/>80 Bloor Street West<br/>Suite 1700<br/>Toronto, ON M5S 2V1<br/>Telephone: 416-326-3333<br/>Toll Free: 1-800-387-0073</p> |
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### **WHAT CAN I DO TO SPEED UP THE REQUEST PROCESS?**

Be as specific as possible when requesting information. Identifying a date or time period can help produce the information in the shortest time possible. Ask only for what you need and consider stating why you need the information. You don't have to give the reason but it may assist the UTRCA in replying to your request.

### **IS THERE A FEE?**

Access to your own personal information is free. However, for general records, a \$5.00 fee must be forwarded with your request to initiate the process. There may be additional fees as outlined on the attached Fee Schedule. You will be notified in advance what the cost estimate will be if it exceeds \$25.00. If you feel the cost estimate is excessive, you can appeal it to the Information and Privacy Commissioner.

### **WHAT KIND OF INFORMATION CAN'T I SEE?**

The Act contains exemptions that describe certain circumstances in which the UTRCA can refuse to disclose information. Exemptions include but are not restricted to personal information about another person, trade secrets, and information that private companies have given the UTRCA in confidence.

### **WHAT CAN I DO IF I'M NOT SATISFIED WITH THE ANSWER I RECEIVE?**

First, try talking to the person replying to your request. A call may be all it takes to solve the problem.

If you are still not satisfied you may appeal to the Information and Privacy Commissioner. You must initiate the appeal within 30 days of receiving a reply from the UTRCA.

To appeal, write to the Information and Privacy Commissioner at the address provided on the previous page of this document stating your appeal. Attach a copy of the UTRCA's response to you as well as a copy of your initial request.

If you require more information or would like to initiate a Freedom of Information request, call or write:

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| <p><b>Freedom of Information Coordinator</b><br/><b>Upper Thames River Conservation Authority</b><br/>1424 Clarke Road<br/>London, ON N5V 5B9<br/>519-451-2800</p> |
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## Upper Thames River Conservation Authority - Freedom of Information Fee Schedule

(For a complete schedule, refer to Act)

| Service  | Fee                                |
|--|------------------------------------|
| Initial Processing Fee   | \$5.00                             |
| Photocopies and computer printouts<br>DVD, CD                        | 20 cents per page<br>\$10 per disk |
| Manual searching   | \$7.50 each 15 minutes             |
| Record preparation and severing                                      | \$7.50 each 15 minutes             |
| Development of computer program or other method of record production | \$15.00 each 15 minutes            |
| Outside costs for locating, retrieving, processing or copying        | Full cost recovery                 |

**Note:** When anticipated fees are \$25 or more, a fee estimate will be given. Some requests may require a deposit prior to completion of request.