

Freedom of Information and Protection of Privacy

Procedures for Handling FOIP Access Requests

Receiving A FOIP Access Request

Nature of Request

Section 7(1) of the *FOIP Act* provides that an applicant must make a request to a public body that is believed to have custody or control of the particular record(s).

Section 7(2) requires that the request be in writing and provide enough detail to enable the public body to identify the record.

Applicants may request either to examine the record or to obtain a copy of it (**section 7(3)**).

A request for general records must be accompanied by the initial fee of \$25.00 for one-time requests or \$50.00 for continuing requests. There is no initial fee when the applicant is requesting personal information about him or herself.

Form of Request

The applicant can use the official request form, or an applicant may simply write a letter, requesting records and referencing the *FOIP Act*.

Alternate Forms of Access

Section 4 of the *FOIP Regulation* establishes that applicants with limited ability to read English; or an applicant with a physical disability or condition may make oral requests.

The University will assist individuals seeking records under the *FOIP Act* who are disabled, do not have the literacy capabilities or are otherwise unable to exercise their rights under regular procedures.

For example, alternate means should be provided for print handicapped persons who are unable to complete a request form or write a letter. In the case of individuals with a hearing impairment, telecommunications devices for the deaf (TDD) should be used.

For sight impaired applicants, consideration should be given to helping the applicant in making a request either by assisting in filling out a request form or in providing larger print access tools.

In the case of applicants lacking the literacy capabilities to make a written request, the public body should assist the individual in putting an oral request into written form. A public body only needs to deal with a request in a language in which the body normally conducts business.

There will also be cases of individuals who live in remote areas and are disadvantaged over other members of the public in their ability to make a formal request. The University will take such situations into account and assist applicants in ways which will enable them to exercise their access rights without excessive cost or time delay.

Duty to Assist Applicants

Section 10(1) of the *FOIP Act* expresses the duty of the head of each public body to make every reasonable effort to assist applicants and to respond to each applicant openly, accurately and completely.

This is an important duty that should be kept in mind throughout the request process. It is, however, critical during the applicant's initial contact with the University. The FOIP Coordinator and staff will attempt to develop a working relationship with the applicant to define the nature and scope of the request and determine the steps involved in processing the request.

Both parties have an interest in the efficient, timely processing of requests. Where a FOIP request can be dealt with outside the *FOIP Act*, the University will return any fees to the applicant and provide copies of the requested record.

STEP#1:

The mailroom date stamps all incoming mail.

STEP#2:

The receiving department will date stamp the FOIP request and immediately forward the request to the FOIP Coordinator, in the Office of the President. This date stamp is in addition to the mailroom date stamp.

STEP#3:

The Office of the President will date stamp the FOIP request upon receipt and immediately forward the request to the FOIP Coordinator. This date stamp is in addition to the mailroom and department date stamp.

STEP#4:

The FOIP Coordinator will date stamp the FOIP request, make appropriate entries into the [FOIP request logbook](#), and create a central request file upon receipt of the FOIP request.

The central request file will be labeled by request number only, and contain all the documentation, e-mails, notes, and forms relating to the request.

The FOIP Coordinator will review the request:

- Is the request for personal or general information
- Ensure the request is dated and signed
- Is the information identified
- Is the information available through other processes other than using the FOIP request
- Do any fees apply (fees enclosed)
- Determine scope of search required
- Determine what records/information will respond to the request
- Determine whether to transfer the request
- Determine if the request is a continuing request.

Acknowledging Receipt of Request

STEP#5:

Upon receipt of a FOIP request, the FOIP Coordinator will attempt to make initial contact with the applicant by telephone, following with a letter that acknowledges discussions and decisions reached during the telephone conversation. If telephone contact is not possible, an acknowledgement letter will be sent.

[Model Letter A](#) sets out various options for acknowledging receipt of a request.

Continuing Requests

Section 9 of the *FOIP Act* provides that an applicant may ask that a request continue in effect for a specified period of time for up to two years. This permits the applicant to continue to receive records concerning a particular subject or issue over time.

Whether or not to accept a continuing request is at the discretion of the University.

Normally, a continuing request would be accepted. Grounds for rejecting a continuing request include:

- the situation or event which is the subject of the request is not an ongoing matter and there is no basis on which to set up a continuing request; or
- the situation which is the subject of the request is dependent on other actions involving the applicant and the applicant is receiving the information routinely on an ongoing basis.

The *FOIP Act* applies to the continuing request just as if a new request was received on particular dates. The University is required to provide the applicant with a schedule indicating the series of dates when the request will be deemed to be received and to inform the applicant that he or she has the right to ask the Commissioner to review the schedule.

Model Letters [A](#) and [B](#) deal with continuing requests.

On each scheduled date, the 30-day request processing timetable begins over as if it is a new request.

Request for Personal Information about Applicant

Some requests will be made by individuals seeking information about themselves. The same general conditions apply to receiving such requests except that no initial fee is required.

In some instances, someone else may be representing the individual (e.g., legal counsel) and it will be necessary to determine if the applicant has the authorization of the individual involved.

Repetitious or Systematic Requests

In rare instances, requests will be of a repetitious or systematic nature.

A *repetitious request* refers to a request where an applicant chooses to ask over and over again for records that are reasonably similar in nature or to ask the same questions over and over again.

A *systematic request* refers to situations when an individual or group of individuals has chosen to make a large number of requests to one or more public bodies unreasonably interfering with the operations of the bodies or interrupting their work.

In both instances, the University can request the Information and Privacy Commissioner for the authority under **section 53** of the *FOIP Act* to disregard such requests. A request to the Commissioner should be in writing and should outline the rationale as to why the request(s) should be disregarded.

Clarifying Requests

Vague or overly general requests may increase workloads and lead to review of information that is of little interest to the applicant. Often requests are broad or vague because the applicant lacks knowledge of the University, its mandate and programs and the type of records available. The FOIP staff will establish contact with the applicant to specify what information will satisfy the information needs of the applicant.

If a request does not sufficiently describe the records sought, the University will inform the applicant of the issue and offer assistance in reformulating the request so that it can be dealt with under the *FOIP Act*.

[Model Letter A](#) deals with this type of situation.

There are several things to keep in mind when seeking to define or clarify a request:

Release of information outside FOIP: It is important to verify whether or not the applicant's information needs can be satisfied by providing records that are normally made available. If this is the case, then the relevant information should be released to the applicant.

The applicant should be informed that such information is available without a FOIP request and that there is no need to resort to an application under the *FOIP Act* for similar information in the future.

In some instances, only part of the information can be released in a routine way. In such instances, this information should be released and the rest of the request processed under FOIP.

Narrowing a request: It is important to inform the applicant when a request involves a vast amount of information (e.g., give me all the records concerning planning in your University) to seek to narrow the request while still meeting the applicant's information needs. It is important to stress

that the narrowing of a request can assist in reducing fees.

Changing the scope: After discussion of the nature of a request, an applicant will sometimes change its scope. When this occurs, the University will document the change and send a notice to the applicant (see [Model Letter A](#)).

Time limits: The *FOIP Act* establishes a 30 calendar day time limit to respond to a request. The time period begins upon receipt of a complete request (i.e., it mentions the *FOIP Act*, is signed and includes the initial fee if required) by an authorized office, even when it is vague and imprecise. A serious effort should be made to help the applicant be more precise but this cannot be an endless task.

Time extension: In recognition of those instances where applicants will not narrow or be more precise in their request, section 14(1)(a) enables the University to extend the time for responding to a request for another 30 days (total processing time 60 calendar days).

Longer extensions are possible, with the Commissioner's permission, where the applicant does not give enough detail to enable the public body to identify a requested record.

Transferring a Request

There may be occasions where an applicant requests information from the University that would be more appropriately handled by another public body. In order to meet the applicant's information needs, it may be better to have the public body that has the greater interest in a record process the request.

The University will make every reasonable effort to assist the applicant by identifying the location of the information. This includes ensuring that the public body best able to handle the request receives it.

If the FOIP Office is aware that part of a request relates to records in another public body, the applicant will be informed that he or she can make a request to the other organization for the information.

Transfer Procedure: Section 15(1) of the *FOIP Act* provides that within 15 days after receipt of a request a public body may transfer a request, and, if needed, any records relating to it, to another public body if:

- the record was produced by that body
- the other body was the first to obtain the record; or
- the record is in the custody or under the control of the other public body.

Before the University transfers a request to another public body, it must ensure that the second body has a copy of the record and that it agrees to the transfer.

Conditions of Transfer: When a request is transferred, section 15(2) of the *FOIP Act* requires:

- the public body which transferred the request to provide notice to the applicant as soon as possible. [Model Letter C](#) deals with the transfer of a request
- and the public body receiving the request must acknowledge its receipt (use [Model Letter A](#)) and make a reasonable effort to process the request within 30 days after receiving it, unless a time extension is sought under one of the conditions set out in section 14 of the *FOIP Act*.

Response Timetable

Section 11(1) of the *FOIP Act* provides that public bodies must make every reasonable effort to respond to a request no later than 30 calendar days after receiving it, unless:

- the time limit is extended under section 14; or
- the request is transferred to another public body under section 15.

The 30-day limit is based on calendar days. The time period begins on the date the request is received in the FOIP office and, if applicable, the initial fee is paid. If the request is incomplete and further information is required from the applicant, the University will seek this information immediately. Such clarification does not alter the official date of receipt of the request. However, the need to seek more information may be grounds for extending the time limit.

Notification: Section 14(2) of the *FOIP Act* requires a public body to notify the applicant that an extension is being taken, the reason for it, the date when a response can be expected, and that the applicant has the right of complaint to the Commissioner about the extension.

[Model Letter D](#) deals with time extensions.

STEP#6:

When the access request can be filled through routine processes and the applicant is satisfied that their request can be filled routinely or without a FOIP request, the FOIP Coordinator will complete the following steps:

- make necessary entries into the log book
- send the applicant a follow-up letter that summaries the decisions made by phone ([Model Letter A](#))
- makes one copy of the request and documentation for the FOIP Central Request file
- forward the request to the appropriate individual
- receive copies of documentation that was sent from the appropriate individual to the applicant and places it on file.

PROCESSING A FOIP REQUEST

Model FOIP Request Charts outline the steps and time frames for processing FOIP requests.

[Chart 1 – Model FOIP Request \(No extension to Time Limit\)](#)

[Chart 2 – Model FOIP Request \(Time Extended for Third Party Notice\)](#)

After the initial contact, preferably by telephone, if the access request is to be dealt with under the FOIP Act, the following steps will be completed.

STEP#7:

The FOIP Coordinator will send an acknowledgement letter of the receipt of request and fees, if any. (Model Letters [A](#) and [B](#))

The FOIP Coordinator will forward the fees to Finance. (See [Finance Memorandum](#))

STEP#8:

The FOIP Coordinator will notify the applicant in writing if the request is being transferred to another public body. ([Model Letter C](#))

STEP#9:

The FOIP Coordinator will determine who has custody of the records requested using the AU Directory of Records, Directory of Personal Information Banks, and Records Inventory.

STEP#10:

The FOIP Coordinator will contact appropriate office(s) and staff to search, locate, and copy the requested records. The original record will be retained by the office/staff member and a separate working case file containing the copy of the record will be created for each office/staff member and held by the FOIP Office. The FOIP Coordinator will send a memorandum and a copy of the FOIP request to the appropriate delegated authority and/or staff member as required.

The identity of the applicant will only be disclosed:

- to those officials and employees of the University who have a need to know it in order to carry out their job duties; and
- when the disclosure is necessary and proper to carry out the University functions in processing the applicants request.

For instance, where the request is for general records, the FOIP Office will only forward the request for records and not the name and other identifiers of the applicant.

STEP#11:

The FOIP Coordinator will forward the necessary forms to appropriate office(s) and staff to document the search process ([Request to Access Information Form](#), [Time Tracking Work Sheet](#), [Locating Records Checklist](#)).

Locating Records

The office area is responsible for locating and retrieving all records relevant to a request under its custody and control, including that information which may reside in individual employees' offices' and filing systems in storage areas, or in their personal custody. As well, where appropriate, any records in the possession of contracted agencies will have to be located.

Scope of Search: The *FOIP Act* applies to *all* records, as defined in the legislation, including electronic records, in the custody or under the control of the office area. All types of records responsive to the request, including electronic records, must be located and retrieved.

In addition, all records repositories – central active files, working files in individual offices, electronic repositories and in off-site storage areas – must be searched, and staff requested to produce relevant records, as dictated by the nature and subject of the request.

As well, where appropriate, any records in the possession of contracted agencies will have to be located.

Conditions Relating to the Disposition of Records: The University must not dispose of any records relating to a request after it is received, even if the records are scheduled for destruction under an approved records retention and disposition schedule.

This includes any e-mail and transitory records relevant to the request that may exist at the time that the request is received. In effect, the receipt of a FOIP request freezes all disposition action relating to records covered by the request until the request has been completed and any appeal to the Commissioner decided.

Where records have been destroyed prior to the receipt of a request, in accordance with an approved records retention and disposition schedule, the University's response to the applicant should indicate that the records have been destroyed, quoting the authority for and date of the action.

Where records have been transferred to the archives of the University, the request should be transferred to the archival authority for processing.

Copying Retrieved Records: Once the records have been located, the office area will make one photocopy of the request documentation. If the original record is double-sided, then convert it to single-sided document. Once photocopying completed, return the original records to the appropriate file folders or storage location. Arrange the documentation in the same order as found on the original file.

STEP#12:

The FOIP Coordinator will complete a preliminary assessment of records which will include considering transfer of request, fees, extension of time, third party notice(s), consultations required, and need to create new records.

Questions to ask at this stage are as follows:

- Does it appear that all relevant records have been located and do they appear to satisfy the request?
- Are there any records referenced in the located records or the request that have not been located?
- Can the records, in whole or in part, be released immediately without line by line review?
- Should all or a portion of the request be transferred to another public body with greater interest in the records?
- Does it appear that records may be found in office areas, other than those already identified, and should the search be widened?
- What is the extent and nature of consultation required with other office areas within the university?
- What is the extent and nature of external consultations with other public bodies and levels of government?
- Do the records contain third party business information or personal information that may require the application of third party notification procedures?
- Will the time required to respond to the request likely exceed the 30-day time limit? Are there grounds to support an extension of the time limit?
- Will additional fees be assessed for the processing of the request?

From this preliminary review, the FOIP Coordinator will either recommend or undertake actions related to:

- transfer of all or part of the request;
- immediate release of all or some of records;
- extension of time limits;
- third party notification; or
- the assessment of fees.

Each of these activities involves a notice to the applicant. Of particular importance are those:

- to inform applicants of a fees estimate
- to report to applicants about the progress of their requests
- to notify third parties (businesses and individuals) that information provided by them has been requested and they have the opportunity to comment as to whether or not the information should be disclosed; and
- to provide the applicant with the requested records.

Section 83 of the *Act* provides that a notice or other document to be given to a person is to be given:

- by sending the notice or document by prepaid mail to the last known address of the person
- by personal service
- by substitutional service if authorized to do so by the Commissioner; or
- by means of a machine or device that electronically transmits a copy of a document, picture, or other printed material by means of a telecommunications system.

(Model Letters provide examples and options for all the notices required under the *Act*)

STEP#13:

The FOIP Coordinator and delegated authority will prepare an estimate of fees if fees apply. (See AUGC approved [FOIP Fees Schedule](#))

Use the [FOIP Fees Worksheet](#) to prepare estimate.

For General Records

Section 10 of the *FOIP Regulation* sets out the detailed fees provisions for accessing general records.

For Personal Information

Section 11 of the *FOIP Regulation* establishes fees to be charged to an individual for accessing personal information about himself or herself.

Fee Estimates

Section 12 of the *FOIP Regulation* governs the provision of fee estimates under the *FOIP Act*.

Where an estimate is provided to an applicant in accordance with section 87(3) of the *FOIP Act*, the applicant will be provided with a detailed estimate setting out:

- the time and costs required to search, locate and retrieve the record
- the time and costs of preparing the record for disclosure
- the cost to copy the record
- any computer time involved in locating and copying a record or re-programming to create a new record, as appropriate
- supervision costs when an applicant wishes to examine the original record, when applicable; and
- any costs for shipping records or copies of records

An estimate for access to a record of the personal information of the applicant would only include the cost of copying the record.

In the case of continuing requests, the estimate must include the total fees payable over the course of the continuing request.

As provided for in **sections 12 and 13** of the *Regulation*, the University will provide the applicant with a notice containing:

- an estimate of the fee that will be charged for services, including a breakdown of the individual costs being charged and a rationale as to why the various fees are necessary;
- if the fee estimate is over \$150.00, that at least 50% be paid in advance of the request being processed;
- a statement that the applicant has 20 days to inform the public body that the estimate is accepted and pay the deposit; and
- a statement that the applicant has the right of complaint to the Information and Privacy Commissioner if the fees are considered too high or

otherwise inappropriate or a request for a fee waiver has not been granted.

[Model Letter E](#) in may be used to provide this notice.

STEP#14:

The FOIP Coordinator will contact the applicant and advise them of estimated fees and preliminary assessment results.

STEP#15:

For continuing request, the FOIP Coordinator will develop a schedule indicating the series of dates when the records of the request will be deemed to be received and inform the applicant that he or she has the right to ask the Commissioner to review the schedule. On each scheduled date, the 30-day request processing timetable begins over as if it is a new request. The FOIP Office will bring these actions forward. (Model Letters [A](#) and [B](#))

STEP#16:

If an extension to the responding time is required, the FOIP Coordinator will inform the applicant of the reason(s) for the extension. ([Model Letter D](#))

Once the FOIP Coordinator presents the estimated fees to the applicant, no further processing will be undertaken until one of the following events occurs:

- a letter is received in the authorized office from the applicant agreeing to the charges and attaching payment of the deposit; or
- a letter is received in the authorized office from the applicant modifying the request and establishing a new basis for assessment of fees; or
- the Commissioner carries out an investigation and resolves, either that the:
 - fees are inappropriate (section 53(2)(c)), or
 - the applicant is excused from paying all or part of a fee (section 93(4))

An applicant has up to 20 days to indicate whether or not the fee estimate is accepted or to modify the request to change the amount of fees assessed.

In the case of continuing requests, the portion of the estimate applicable to each delivery of the request must be paid at the time of delivery and is to be used to calculate any payment required as a deposit for services to be undertaken.

Waiving Fees

Section 93(4) provides that a public body or the Information and Privacy Commissioner, at the request of the applicant, may excuse the applicant from paying all or part of a fee if, in the opinion of the public body or the Commissioner, as the case may be:

- the applicant cannot afford the payment or for any other reason it is fair to excuse payment; or
- the record relates to the matter of public interest, including the environment or public health or safety.

This is a discretionary provision. To qualify for a fee waiver, a request must meet the criteria of **section 93(4)** and, even when it does, the public body still has discretion to decide whether or not it will grant a fee waiver in the particular case.

Abandonment of Requests

An applicant may decided not to pursue a FOIP request. They will either write or indicate on the telephone that they are not proceeding with the request. This may be for a variety of reasons they have found that the information is available to them outside the FOIP process or they find the process does not suit their interest or purposes.

Sometimes, situations will arise where an applicant simply ceases to respond during the processing of a FOIP request. No indication is given that the applicant has decided not to pursue the request and the applicant does not respond to queries from the public body.

When this latter situation occurs, it is good practice to keep the file open for a period of three months if practicable, and then declare it abandoned. This will permit the applicant time to consider issues such as fees or other matters that may impact on the request or form the subject of a request

for review to the Information and Privacy Commissioner.

In all cases where a request is deemed to be abandoned, the FOIP Office should:

- choose a date for closure and send a letter to the applicant that the file will be closed on that date
- close the file.

The overall retention period should recognize that most FOIP requests are from individual applicants and thus qualify as personal information. Such information used in a decision affecting an individual must be kept for a minimum period of one year (**section 35(b)**).

This procedure gives the applicant ample opportunity to request a review of any decision taken by the University. This must normally occur within 60 days after the receipt of a letter of notice or decision. However, the Information and Privacy Commissioner can accept a request for review after this time period at his discretion (see **section 66(1)**).

This period also gives the applicant time to reconsider his or her situation and, if he or she wishes, to revive the request.

The letter sent to the applicant at the time that the file is closed should indicate that the University is taking this action and stipulate that the applicant may request the University to reopen the file any time during the next twelve months after which he or she will have to make a new request. [Model Letter F](#) deals with this type of situation.

If no fees are to be collected, or after 50% of the estimated fees are received, the following steps will be taken to complete the processing of the request:

STEP#17:

The FOIP Office will make a second photocopy of the records, creating a second working copy for the purposes of severing.

STEP#18:

The delegated authority and/or FOIP Coordinator will review the records to determine what should be released, what the institution must disclose and what it must or may not disclose, and if any third party involved. (Use the [Access Request Processing Summary Form](#))

Line by Line Review of Records

Once the preliminary assessment has been completed, the various administrative matters sorted out and consultations determined and underway, the delegated authority and FOIP Coordinator will review the records, line by line.

A line by line review is essential to comply with the principle of severability set out in **section 6(2)** of the *FOIP Act* which grants an applicant a right of access to any record from which excepted material can be reasonably severed. During the line by line review, additional requirements for third party notices or consultations may be identified for action.

Section 18(2) of the *FOIP Act* allows the University to seek the advice of an expert in making a decision about disclosing particular personal information about the applicant to the applicant. (See Model Letters [V](#) and [W](#)).

STEP#19:

If required, the FOIP Coordinator will send out required third party notifications, and notify the applicant. (See Model Letters [L](#) and [M](#)).

During the line by line review, exceptions to be invoked, actions to be taken, reasons for each decision and recommendations for responding to the request will be documented.

STEP#20:

The delegated authority and/or FOIP Coordinator will prepare the necessary documentation outline the process followed and the recommendations for access. It will include what searches were completed and by whom, reasons for refusal and references to the provisions of the Act on which the refusals are based.

Model [Access Request Recommendation and Attachment Forms](#) are provided.

The delegated authority and/or FOIP Coordinator will prepare the records for release.

Creating A New Record

Under **section 10(2)** of the *FOIP Act* a public body has the obligation to create a new record from an existing electronic record:

- if the record is in the custody or under the control of the public body;
- the new record can be created using the public body's normal computer hardware and software and technical expertise; and
- creating the record would not unreasonably interfere with the operations of the public body.

Responsive Information

Records that have been selected as responsive to a request in an initial search may include information that is not responsive. Careful examination of the request is required to ensure that the reply is complete but, if applicable, information that is non-responsive to the record is removed. Removal of non-responsive information must occur before severing takes place using the exceptions in the *FOIP Act*.

Severing Information

Many records contain both information which can be released and other information which should be excepted from access. Where information that falls within an exception can reasonably be severed from a record, an applicant has a right of access to the remainder of the record (**section 6(1)**).

Where a discretionary exemption applies, the University must use discretion not only in applying the exception, but also in determining how much of the information is severed. As noted above, this is the reason for undertaking a line by line review of a record. The object of severing is the use of discretion to release as much information as possible, without causing the harm contemplated by the exception.

When using the exception for solicitor-client privilege, severing is never done.

Scope: Severing applies to all records regardless of format. The process may be carried out by a variety of means.

When severing is required for information stored on specialized media, technical expertise should be sought as to the best way to excise information while recording that severing has been done and for what reason.

In those rare cases where a record cannot be severed, the University will refuse access to the whole record but must be prepared to demonstrate to the Information and Privacy Commissioner the technical reasons underlying the inability to sever (e.g., that the personal information of two or more individuals is so intertwined in a record that severing would be extremely difficult and time-consuming and the severed record would have no context or sense).

Procedures: During the line by line review of records pertinent to a request, the reviewer(s) will mark portions of paper-based records and keep notes for information in other specialized media that may qualify for an exception. The reviewer will work with a copy of the record and the amount of work involved in the review and severing are not relevant factors to consider when undertaking this process. This review should ensure that all records are responsive to the request.

The objective in severing is to excise information that meets the conditions for an exception from the body of the record that contains other information that may not be excepted from disclosure. The *FOIP Act* requires that all information in a record, which remains intelligible to the applicant, after severing, and is responsive to the request, be disclosed. The process is governed by reasonableness and the University exercises discretion in determining whether or not discrete portions of information contribute to the overall understanding of the subject matter at issue.

From time to time, releasable information is so intertwined with excepted information that it is impossible to carry out the severing process and retain any intelligible information but this is the exception not the rule. For example, personal information may be so pervasive in a record that severing it would render the record unintelligible.

Part of the final decision as to what information will be released and what information will be refused is also a decision on the extent to which the severing process will be applied. When that decision is taken, the FOIP Office can use several methods of severing:

- use of a black marker to blot out information on a copy of the record and then recopying
- use of white tape over excepted portion of a copy of the record and recopying to obtain the record to be released; or
- use of a photocopying machine with editing features suitable for severing.

Whatever method of severing is selected, the FOIP Office must ensure that none of the excepted information remains visible.

Indication of Severing: Regardless of the severing method, the University must indicate the section number(s) of the exception(s) used to sever information either in the space left after the severing or in the margin closest to the severed information. Where one or more entire pages have been removed the number of pages severed must be indicated, along with an explanation of the applicable exception(s) used to sever the information.

In some cases, particularly with law enforcement records, placing the relevant section in the space of the severed information may itself reveal or imply information that could cause harm (i.e., result in an indirect form of information disclosure). In these circumstances, it is permissible for the public body to omit section numbers on the severed pages and list the relevant sections supporting severance in the letter of notification.

The process of indicating why information was severed from records is one of fairness which may help an applicant understand better why part of the information they have requested has been refused and permit an independent review of the decisions taken by the University.

Maintenance of Copies

The University will keep a file for each request processed which includes an unmarked copy of the records gathered in response to a request and a copy of the severed documents released to the applicant.

This practice helps support the University in any review by the Information and Privacy Commissioner and in making decisions regarding requests for the same or similar records.

Copies can simplify the process of response to the same or similar records but, unless the new request is made shortly after the original, there is still a need to review the records again in the light of the passage of time and any change in the context surrounding the records. These factors will often result in more information being released.

The rule is that each formal request needs to be dealt with as a discrete entity and decisions made on the particular circumstances which apply. This does not mean that there are not similar types of requests that lend themselves to categorization and simple release mechanisms. Often it is possible to create easily severed documentation which is released routinely either because of its high demand or the fact that it aids the overall accountability for a program or activity. In some cases, active dissemination may also be warranted.

STEP#21:

The FOIP Coordinator will inform the applicant of the process followed, decisions made, collect the balance of any fees, and provide access to or a copy of the records.

(Model Letters [G](#), [H](#), [I](#), [J](#), [K](#), and [O](#) provide guidance and options for drafting various types of final responses to FOIP requests)

The FOIP Coordinator will forward any fees to Finance. (See [Finance Memorandum](#))

The FOIP Coordinator will inform the third party(s) of the decisions of the University.

(See Model Letters [N](#), [P](#), [Q](#), and [R](#)).

Also at this time, the applicant will be informed that they may ask the Commissioner for review of the decision(s) made by AU.

Copies of Requests and Records

The FOIP Office will ensure that the central request file is complete and includes all internal and external correspondence, and the working files are complete and include copies of reviewed and severed records that were released to the applicant which document the request management process.

Tracking and Statistics

The FOIP Office will maintain the required tracking systems and statistics.

(For more information refer to the [Freedom of Information and Protection of Guidelines and Practices Manual](#) produced by the Alberta Government)



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L. Gordon, Office of the President, November 2002