



VILLAGE OF SEDLEY
REQUEST FOR INFORMATION POLICY

Date: December 16, 2020
Version: 1
Approved by Council: December 16, 2020
Review Date: December, 2025

1.0 Purpose

To solidify the process for providing municipal information to the public.

2.0 Scope

Requests for information include, but are not limited to:

- Council meeting agendas
- Meeting minutes
- Financial documents
- Accounts payable
- Bylaws
- Management reports
- Public works reports
- Bylaws
- Policies
- Other documentation

3.0 Objectives

The objective of this policy is to prescribe to *The Local Authority Freedom of Information and Protection of Privacy Act* (the Act) which provides members of the public with a right to access records in a local authority while at the same time providing legal privacy protection for the personal information in the custody or control of the local authority as well as *The Municipalities Act*.

4.0 Definitions

Head

- The Mayor of the Village of Sedley (the Village); or
- The Chief Administrative Officer or designate

Personal Information

Personal information about an identifiable individual which is recorded in any form within the mean of Section 23 of the Act:



- a) Information which relates to the race, creed, religion, colour, sex, sexual orientation, family status or marital status, disability, age, nationality, ancestry, or place of origin of the individual;
- b) Information which relates to the education or the criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;
- c) Information which relates to health care which has been received by the individual or to the health history of the individual;
- d) Any identifying number, symbol, or other particular assigned to the individual;
- e) The home or business address, home or business telephone number, fingerprints, or blood type of the individual;
- f) The personal opinions or views of the individual, except where they are about another individual;
- g) Correspondence sent to a local authority by the individual which is implicitly or explicitly of a private or confidential nature, and replies to the correspondence which would reveal the content of the original correspondence, except where the correspondence contains the views or opinions of the individual with respect to another individual;
- h) The views or opinions of another individual with respect to the individual;
- i) Information which was obtained on a tax return or gathered for the purpose of collecting a tax;
- j) Information which describes an individual's finances, assets, liability, net worth, bank balance, financial history or activities, or credit worthiness; or
- k) The name of the individual where:
 - i. It appears with other personal information which relates to the individual; or
 - ii. The disclosure of the name itself would reveal personal information about the individual.

Record

A record of information in any form, including information which is written, photographed, recorded, or stored in any manner, but does not include computer programs or other mechanisms which produce records. Examples of types of records are:

- Documents
- Letters
- Handwritten notes
- Papers
- Draft documents
- E-mails
- Journal books
- Calendars
- Vouchers
- Maps (non-published)
- Drawings
- Photographs



5.0 Responsibility

Council is responsible for adopting the policy regarding the Request for Information policy. Management is responsible for allocating resources and provide high level oversight of the Request for Information policy. Management is also responsible for ensuring the organizational resources are appropriately utilized to ensure service delivery.

6.0 Application and Fees

All persons requesting access to records will submit requests during regular business hours as per Section 117(1) of *The Municipalities Act*.

All persons requesting access to records, not normally or regularly provided by the Village are required to complete an "Access to Information Request Form" (see attached Form A), as set out in *The Authority Freedom of Information and Protection of Privacy Regulations*, which shall be accompanied by an application fee of \$20.

The Head will ensure each application pertains to only one subject matter and additional charges beyond the initial \$20.00 application fee may be levied, as per the Act, where the gathering of requested information taxes in excess of one hour to complete. If the amount of the fees is to be in excess of \$50.00, an estimate is required.

When access to the information is provided, the following fees will apply:

- a) \$0.25 per page for copying;
- b) \$0.25 per page for computer printout
- c) \$15.00 for each half hour, or portion thereof, of the excess time spent locating the requested information.

All fees are collectable before information is given out.

Any person is entitled, at any time during regular business hours, to inspect and obtain copies of approved bylaws, resolutions and minutes. If copies are wanted, the above fees will apply.

If the individual is requesting access to his/her own records, then Form A is not required. However, copying fees will apply.

7.0 Administration

The Village Chief Administrative Officer shall be appointed as the Head and be accountable for all decision, duties and obligations pursuant to the Act.

The central process and privacy office shall be the Village's municipal office.



Exemptions

The Act recognizes a balance between the right to access and the need to keep certain information confidential. Exemptions are provided in the Act for certain circumstances or types of records where disclosure may not be appropriate. Exemptions shall be considered before access to a record is given.

The Act provides for Mandatory and Discretionary Exemptions.

Mandatory exemptions – the information cannot be disclosed. The Head shall refuse access to:

- Records from other governments obtained in confidence (Section 13);
- Certain third party information (Section 18).

Discretionary exemptions – the Head must decide if the information can be disclosed. The Head may refuse access to:

- Information received in confidence from a local authority;
- Information regarding law enforcement and investigations;
- Documents of a local authority such as draft resolutions, bylaws, meetings held in the absence of the public (in-camera);
- Information that is advice from officials (Section 16);
- Information regarding economic and other interests (Section 17);
- Information regarding testing procedures, tests and audits (Section 20);
- Information which is solicitor-client privileged – it is recommended the lawyer be contacted prior to the release of the information.

Prior to disclosure, other legislation shall be considered to determine confidentiality provisions; for exempt, Sections 201(5) & (6), 231, 232 in *The Municipalities Act* (M.A.).

8.0 Records/Portions of Records Accessible to the Public

Assessment Roll (M.A. Section 213)

All – during the thirty (30) days the roll is open for inspection and appeal; and
All – during the entire year for public inspection, provided it does not contain personal information, such as names, civic or mailing addresses, or home or business phone numbers. All income and expense information is strictly confidential.

Specific Property Tax Information (M.A. Section 276)

By tax certificate, tax statement or by written consent of the property owner (see attached Form B).

Names of Property Owners and Legal Descriptions

May be disclosed because the information is available from Information Services Corporation (ISC) and is considered public information. This information shall not include civic and/or mailing addresses.



Building Permits

The details of a license, permit, or similar discretionary benefit are accessible. However, the personal information provided to support the application is not accessible.

Accounts Paid

All accounts paid and all contracts, bylaws, or resolutions approved. (M.A. Section 117).

Tape or Video Recording

Audio or video recording is not permitted in meetings of council.

Tenders

Tenders are opened at a meeting which is open to the public. However, the tender documents may contain third-party information which may be exempt from disclosure. Any report or schedule recreated, containing the bids themselves, is accessible by the public after the report has been submitted to Village Council (M.A. Section 117).

Written Complaints

The Head may refuse to provide access if the release could be injurious to the enforcement of a resolution or bylaw (Section 14). However, the Head may disclose portions of the written complaint which do not include personal information (the personal information may be severed).

Petitions

Portions of petitions are open to the public. However, information such as name, address and signature of the petitioner and address of the witness are considered to be personal information and should be severed.

Salaries/Expense Claims/Other Financial Reports

Any account paid by the Council is open to public inspection and is accessible by any person (M.A. Section 117).

9.0 Privacy Practices

Personal information is almost always severed before disclosure.

Personal information includes home and business phone numbers, civic address, mailing address, birthdate, social insurance number, family members' names or information, pension plan information, health card number.

Employee classification, salary, benefits or responsibilities are not classified as personal information.

The Village has the authority to collect personal information pursuant to specific legal obligations. The Village shall inform the individual of the purpose for the collection of the information, and shall collect only necessary information. Reasonable steps must be taken to ensure the information collected is accurate and complete. The information collected and



maintained in the Village's possession or control can only be used for the purpose for which is was collected.

Personal information can only be disclosed with written consent of the individual to whom the information pertains; or, without consent, by a subpoena or warrant issued by a Court, to legal counsel, to comply with an Act or regulation, or to protect the mental or physical health of an individual (Section 28).

Individuals have the right to access records containing their own personal information with limited exceptions (Section 30). Individuals have the right to request the correction of their personal information. If the request for change is reasonable, the correction shall be made. If the request is not reasonable, an objection to the change shall be noted on the file.

Personal information shall be safeguarded as follows:

- The files shall be stored in locked file cabinets, the vault, or other secured area;
- Access to the records shall be restricted to the Chief Administrative Officer, Assistant Administrator and the Public Works Foreman;
- Access to the computer service shall be restricted to the Chief Administrative Officer and Assistant Administrator;
- Access to the Village municipal office shall be restricted to the Chief Administrative Officer, Assistant Administrator, Public Works Foreman, Assistant Foreman and caretakers;
- Employment records shall be maintained pursuant to the Village's record retention bylaw.

10.0 Forms

Form A: Access to Information Request Form

Form B: Property Tax/Assessment Information Consent Form

ae **17.0 Review Date**

This policy has a life of 5 years or less at the discretion of the current Council. It will be reviewed in December 2025.



Mayor Signature

Dec 16, 2020
Council Meeting Date

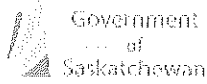


F-22.01 REG 1

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

Part II

Form A [Section 5]



Freedom of Information

Access to Information Request Form

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY Form A [Section 5]

Personal information and personal health information on this form is collected under The Freedom of Information and Protection of Privacy Act and The Health Information Protection Act and will be used or disclosed only as necessary to respond to your request.

INFORMATION ABOUT YOU

Last Name: _____ First Name: _____

Name of Company or Organization: _____

Address: _____ City: _____

Province: _____ Postal Code: _____ Phone: _____

E-mail Address: _____

INFORMATION ABOUT THE RECORDS YOU ARE REQUESTING

Are you requesting:

- checkbox your own personal information
checkbox personal information about someone other than yourself (attach proof you have authority to receive the information requested)
checkbox general information

To which local authority are you making your request (Enter the name of the local authority you believe has the records you are requesting)

What records do you wish to access? (Please provide a detailed description of the records you wish to access. The information will help locate the records.)

Four horizontal lines for providing a detailed description of records.



What is the time period for the records you are requesting (if applicable)?

There is a processing fee of \$20 payable to the local authority. The person managing your request may contact you to seek clarification or to discuss aspects of the request, including the application of additional fees if necessary. You may request a waiver of the processing fee or additional fees, but may be required to provide evidence of substantial financial hardship (see section 8 of the regulations).

Please keep a copy of this request for your records.

Check if requesting waiver of processing fees:

I request payment of the fees related to this request be waived because payment will cause me substantial financial hardship. Details are as follows: *(attach other pages if additional space is required.)*

Signature of Applicant

FOR OFFICE USE ONLY

Date Received	Application Number	30-Day Response Date



Form B
VILLAGE OF SEDLEY
PROPERTY TAX/ASSESSMENT INFORMATION CONSENT FORM

To: Village of Sedley
Box 130
117 Broadway Street
Sedley, SK S0G 4K0

Permission is hereby granted to _____
(Name of person)

of _____ to obtain property tax and/or
(Address of person)
assessment information regarding the following property:

Legal Description: Lot(s) _____ Block _____ Plan _____

Civic Address: _____

in Sedley, Saskatchewan.

(Name of Property Owner, printed)

(Signature of Property Owner)

(Name of Property Owner, printed)

(Signature of Property Owner)

(Date)