

Expectations for records searches requested by IPO and Helpful Tips

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Key Principles – Freedom Of Information

- **Right of Access to Any Record:**

- In the Custody of, or under the Control of, the University
- Subject to certain exceptions

- **Records – could be:**

- General (Business) records
- Personal Information records

Access Process

Responsibilities of FOIP Liaison Officers

- **Identify third parties, records issues etc.**
- **Forward records & FOIP Submission form to IPO**
 - As a hard copy, or
 - Via Google Drive as one document

Right Vs. Duty

- Individuals have a **right** under the FOIP Act to make access requests for records in the custody and control of public bodies, such as the University of Alberta.
- Public bodies have a **duty** to respond to requests openly, accurately and completely and in timely manner.

Access Process

Responsibilities of All University Employees

- **Duty to assist applicants**
- **Time limit to respond (30 calendar days for whole process; in some circumstances can be extended)**
- **Retrieve ALL records responsive to request from all sources and provide ALL of them to Information and Privacy Office (FOIP Liaison Officer assists)**
- **Remember to include attachments with emails**

Access Process

Responsibilities of the IPO

- **Communicates with applicant**
- **Coordinates university response; gathers records from different units**
- **Decides what can be released and prepares records for disclosure**
- **Provides access to records to applicant**

Access Process

Responsibilities of the IPO

- **Fee estimates, if applicable**
- **Prepares records for disclosure**
- **Provides access to records to applicant**

Access Process

Communication is Key!



Freedom of Information: Exceptions to Disclosure

Intent of Act: disclose unless...



Responsibility of IPO: Apply Exceptions to Disclosure

Must refuse to disclose information that is:

- Harmful to business interests of a third party, including labour relations (s. 16)
- Personal information, if disclosure would be an unreasonable invasion of personal privacy (s. 17)

Freedom of Information: Exceptions to Disclosure

May refuse to disclose information that is:

- In some instances, confidential employment evaluations (s. 19)
- Harmful to economic interests of the university (s. 25)

Continue – May refuse to disclose information that is:

- Advice, proposals, recommendations, analyses or policy options developed by or for a public body..., (s. 24)
- Consultations or deliberations involving officers or employees of a public body (s. 24)
- Privileged information, prepared by or for a lawyer (s.27)
- Other limited exceptions

Practical Tips When Searching..



You know your programs and records content best! You are the **Experts!**

While ultimately the decision about disclosure of records/information in response to a FOIP request rests with the IPO we value your expertise and welcome your comments!

Practical tip #1

Review the FOIP request summary included in the Request for Records

- **Time period**
- **Types of records**
- **Keywords**
- **Exclusions**

Practical tip #2

If a FOIP request includes records that the unit or program area does not consider sensitive and could be released please identify them to IPO ASAP!

Practical tip #3

If a FOIP request for meeting minutes (for example) is received, it is helpful if meeting minutes clearly identify:

- Portions of meeting that were “advice” or “consultation”
- Decisions made at meeting
- Legal advice given at meeting

Practical tip #4

Review the Links included with Request for records that include:

In addition to the requested records, please complete the [Search for Records](#) form and share it with our office via Google Drive.

This form is on the FLO webpage at this link:

<https://www.ualberta.ca/information-and-privacy-office/flo-resources.html>

Practical Tip #4 Continued...

At the link (previous page), you will also find these templates:

Appendix A – Instructions for locating and providing records via Google Drive. This document includes very helpful search tips for Google.

For FOIP Liaison Officers - A sample form of email to send to people within your faculty or unit, explaining the request.

An Index of Records (optional) – Typically not necessary. Someone from the IPO will let you know if this will need to be completed.

What you can search by	Search operator & example
Specify the sender	from: Example: from:amy
Specify a recipient	to: Example: to:david
Words in the subject line	subject: Example: subject:dinner
Messages that match multiple terms	OR or { } Example: from:amy OR from:david Example: {from:amy from:david}
Remove messages from your results	- Example: dinner -movie
Search for an exact word or phrase	" " Example: "dinner and movie tonight"
Messages in any folder, including Spam and Trash	in:anywhere Example: in:anywhere movie
Search for messages sent during a certain time period	after: before: older: newer: Example: after:2004/04/16 Example: before:2004/04/18

Practical tip #5

Contact the IPO if you need assistance with search terms and parameters or general clarification.

As stated earlier, communication is key in conducting a complete and accurate search. If scope of the request as provided raises questions for you, contact us and we will try to assist as best we can!

I have submitted the records to IPO. Now what?

- **IPO responds to the request providing access to the records (entirety, partially, denied access)**
- **Applicant has 60 days to request a review by the Commissioner**
- **IPO represents University during review and works with Applicant and OIPC officer towards resolution**
- **If review does not resolve, can proceed to a Commissioners inquiry (formal process) and IPO can represent University at inquiry – Order issued**
- **Parties can judicially review a Commissioners Order – Court of Queens Bench**

Questions?

See:

www.uab.ca/ipo

Or contact us at:

Information and Privacy Office

foip@ualberta.ca