Still Haven’t Found What I’m Looking For?

Expectations for records searches requested by IPO and Helpful Tips

Presented by: Mary Golab, University IPO
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
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 Google Drive at this link:

https://drive.google.com/open?id=1cNI9lvh_dLPWSGaxyg4H2oAVOvVtENb
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.
### Common Gmail search operators

<table>
<thead>
<tr>
<th>What you can search by</th>
<th>Search operator &amp; example</th>
</tr>
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| 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