

SMOKY LAKE COUNTY



Title: Access to Information		Policy No.: 50-01
Section: 01	Code: P-R	Page No.: 1 of 7

E

Legislation Reference:	Alberta Provincial Statutes
-------------------------------	-----------------------------

Purpose:	To establish a consistent process in which all formal requests for Information will be processed by Smoky Lake County and in accordance with the " <i>Freedom of Information and Protection of Privacy Act</i> ".
-----------------	--

Policy Statement and Guidelines:	
1. STATEMENT:	
1.1	Smoky Lake County is committed to the security and privacy of records under its care and control, as well as providing access to information as required under the " <i>Freedom of Information and Protection of Privacy Act</i> " (<i>FIOP</i>).
1.2	Smoky Lake County supports the public's right of access to information and will provide access to routine information informally upon request, or actively disseminate information using existing procedures.
2. OBJECTIVE:	
2.1	Administration will make reasonable effort to provide access to Smoky Lake County information and disclosure of municipal records in accordance with the <i>Municipal Government Act</i> and under the <i>Freedom of Information and Protection Privacy (FOIP)</i> .
2.2	The County will endeavour, where possible, to make records accessible to the public without the necessity of submitting a formal Freedom of Information (FOI) request under FOIP.
2.3	Essentially, the County collects information to provide services, and to provide complete and accurate documentation of the local government process so as to ensure a high standard of municipal services.
3. DEFINITION:	
3.1	" <i>Active Dissemination</i> ": occurs when information or records are periodically released, without any request, under a program.

Title: Access to Information		Policy No.: 50-01
Section: 01	Code: P-R	Page No.: 2 of 7 E

Policy Statement and Guidelines:

3.2 **“Formal Request”** means request for information where records are in conformance with generally accepted standards and made or done in accordance with procedures that ensure validity; and information is not readily available.

Personal Information: is defined in the FOIP Act as “recorded information about an identifiable individual.”

General Information: is a request for any other kind of information, including the personal information of a third party.

3.3 **“Freedom of Information and Protection of Privacy Act”** means the *Freedom of Information and Protection of Privacy Act*, RSA 2000, Chapter F-25, as amended from time to time thereto, also known as FOIP.

3.4 **“Informal Request”** means records being in accord with established form or part of the County’s practice (relaxed and not of confidential nature) that are freely and routinely available and can be released automatically.

3.5 **“Municipal Government Act”:** means the *Municipal Government Act*, RSA 2000, Chapter M-26, legislation, as amended from time to time.

3.6 **“Routine Disclosure”:** means in response to a routine inquiry or request, occurs when access to a record can be granted without a request under the FOIP Act.

4. GUIDELINES:

Informal Request(s):

4.1 In response to an informal request, departments may release certain classes of records routinely and automatically if they do not fall under one of the mandatory or discretionary exemptions under FOIP.

4.2 Staff are encouraged to respond to informal requests for information but exercise caution. If there is any question as to the disclosure of a record, staff should consult with the GIS/Communications Director. The GIS/Communications Director, as the FOIP Coordinator will determine if the records may be provided as a routine disclosure. The *Freedom of Information and Protection of Privacy Act* has precedence and should be referred to if there are any questions. Portions of these records may need to be severed if they fall within one of the exceptions listed under the FOIP Act.

Formal Request(s):

4.3 In response to a formal request, departments shall release certain classes of records as public documents in compliance and managed within the parameters of the *Freedom of Information and Protection of Privacy Act*.

Title: Access to Information		Policy No.: 50-01
Section: 01	Code: P-R	Page No.: 3 of 7

E

Policy Statement and Guidelines:

4.3.1 The primary focus of the FOIP is to facilitate access to government information, but there are limitations to that access. These limitations were enacted to protect personal information, as well as sensitive information, in the custody and control of municipal government with confidentially provisions.

4.3.2 If the information released is not to the satisfaction of the Applicant; the individual or organization will be advised to make the request through the *Freedom of Information and Protection of Privacy Act*.

Criteria to Designate a Record for Routine Release:

4.4 The Criteria used to determine which records could be classified for routine release is:

4.4.1 A statutory requirement.

4.4.2 Type of information is requested on a regular basis.

4.4.3 Material that is freely and publicly available on a regular routine basis.

4.4.4 No FOIP Act exceptions apply to the records.

Active Dissemination of Records:

4.5 The Internet will be used to regularly make available information, such as Approved Council Minutes, Policies and By-Laws. Other methods will include mail, newspaper and the Public GIS System.

4.6 The GIS/Communication Director or designate will be accountable for ensuring that effective release of the information and access to the County Web-site and the Public GIS System is up to date and that each document is reviewed and does not contain third party personal information or any other information that is set out in Division 2 of the FOIP Act.

Response:

4.7 The County will respond to a Request within thirty (30) days. However, the response time may be extended for one of the two reasons:

4.7.1 The request is not detailed enough to clearly identify the information requested.

4.7.2 A large number of records is requested and must be searched; therefore more time is needed to gather the documents.

If the response time is extended, the County will notify the Applicant and provided an explanation for the extension.

Title: Access to Information		Policy No.: 50-01
Section: 01	Code: P-R	Page No.: 4 of 7

E

Policy Statement and Guidelines:

4.8 A yearly review of County records of the types of request for information being made to Smoky Lake County will be conducted to determine whether similar requests for information can be met in the future through either routine disclosure or active dissemination.

4.8.1 The FOIP Coordinator shall document all “Requests For Information” as per **Schedule “B”: Disclosure Log of Information Releases**, which will outline the summary of General Information Requests received, and responses records released thereto, and where the copies of the responsive records have been filed.

4.9 **Security:** Smoky Lake County takes every precaution to protect personal information. Individuals should be aware that under these guidelines, personal information provided may be disclosed in the following document:

4.9.1 An access to information request, where the disclosure would not be an unreasonable invasion of privacy.

4.10 **Fees:** There is no charge for applications for one’s own personal information. If the application is for access to general records, charges may apply for photocopying costs; and, if applicable, mailing or fax charges, as per **Policy Statement No. 01-48: Administration Fees for Information.**

5. PROCEDURES:

Request Process:

5.1 Requests for Information will be received in writing, by telephone, or in person. The Applicant or a Staff member must complete **Schedule “A”: Request For Information Form** as a method to document the request.

5.2 When a written or verbal request is received for information that has been identified as routinely available, simply provide a response to the applicant and if applicable, apply the fees and charges schedule.

5.3 When the request involves records that cannot be provided as a routine request, such as personal information about a third party, or parts of the records need to be severed within the framework of the FOIP Act, the Applicant shall be advised on the **Request For Information Form** by stating the applicable legislative section under the FOIP Act.

Title: Access to Information		Policy No.: 50-01
Section: 01	Code: P-R	Page No.: 5 of 7

E

Policy Statement and Guidelines:	
5.4	If the request is made under the <i>Freedom of Information and Protection of Privacy Act</i> Legislation:
5.4.1	Advise the applicant that the information they are seeking is available through routine channels (therefore does not require a request to be made under the Act). The routine channel is Schedule "A": Request For Information Form, as indicated in this Policy, may be then given to the applicant in lieu of the fee-based application process under the Act.
5.5	The following documentation is required to be completed on Schedule "A": Request For Information Form , so the FOIP Coordinator can contact the Applicant directly, if preferred; and copy for the department, for information and follow-up action:
5.5.1	Name and Address of who is requesting information.
5.5.2	Details on what is being requested.
5.5.3	If it is to be picked up or where it is to be sent is to be obtained.
5.5.4	Fee for information will be documented, if applicable.
5.6	The Chief Administrative Officer or Assistant Chief Administrative Officer will make the final decision on whether to provide the information or deny access to the information stating reasons according to FOIP.

	Date	Resolution Number
Approved	June 15, 2017	# 804-17 - Page # 12708
Amended		

Schedule "A"



**SMOKY LAKE COUNTY
REQUEST FOR INFORMATION**

YOUR INFORMATION	File No.: _____ Number- Year
	Last Name: _____ First Name: _____
	Name of Company or Organization (if applicable): _____
	Mailing Address: _____ Box City/Town/Village Province Postal Code
	Telephone Number: _____ Daytime Cell Number Fax Number
	Email Address: _____

ABOUT YOUR REQUEST	1. What kind of information do you want to access: <input type="checkbox"/> General Information <input type="checkbox"/> Your own personal information
	2. Do you want to: <input type="checkbox"/> Receive a copy of the record? OR <input type="checkbox"/> Examine the record?

ABOUT THE INFORMATION YOU WANT TO ACCESS	What records do you want to access? <i>(Please give as much detail as possible - itemize if more than one type of document)</i>	FEE FOR INFORMATION

NUMBER OF DOCUMENTS: _____		COST: _____

YOUR SIGNATURE	SIGNATURE: _____	DATE of REQUEST: _____
-----------------------	------------------	------------------------

RELEASE OF INFORMATION:	Notified On: _____	INFORMATION RELEASE: <input type="checkbox"/> Pick-up <input type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Email
--------------------------------	--------------------	---

SIGNATURE FOR RECEIVING INFORMATION: _____ APPLICANT	DATE: _____	MUNICIPAL WITNESS: _____ Name / Signature
---	-------------	--

OFFICE USE:	Release of Information – Filed: _____ <input type="checkbox"/> Documented on Disclosure Log
--------------------	---

