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| <b>Procedure Title:</b>                          | Access to Information Requests                        |
| <b>Procedure ID:</b>                             | #OP 1-111A                                            |
| <b>Manual Classification:</b>                    | College Policies                                      |
| <b>Linked to Policy:</b>                         | 1-111 Access to Information and Protection of Privacy |
| <b>Approved by Senior Management Team (SMT):</b> | July 8, 2026                                          |
| <b>Effective Date:</b>                           | July 1, 2026                                          |
| <b>Next Review Date:</b>                         | July 1, 2029                                          |
| <b>Contact for Procedure Interpretation:</b>     | Associate Vice President, Finance and Policy          |

## 1.0 – Purpose

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This procedure sets out guidelines and instructions for members of the College Community who receive requests for release of information in accordance with 1-111 Access to Information and Protection of Privacy, and FIPPA.

This procedure does not apply to a request for Personal Health Information from one of the College's three health services organizations. For such requests, please refer to 1-112 Information Practices Related to Personal Health Information.

## 2.0 – Definitions and Acronyms

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**Business Day:** Any day that is not a Saturday or a holiday. Holidays include Sunday, New Year's Day, Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day and any day fixed as a holiday by proclamation as per the Legislation Act 2006 s.88.

**College Community:** Any person who studies, teaches, conducts research at or works at, or under, the auspices of the College and includes without limitation, employees or contractors; appointees (including volunteer board members); students; visitors; and any other person while they are acting on behalf of, or at the request of the College.

**Custody or Control:** A method of determining responsibility for the protection and provision of a record. It is determined on a case-by-case basis and typically is resolved by considering the following questions:

- Did an officer or employee of the institution create the record?
- Does the content of the record relate to the institution's mandate and functions?
- Does the institution have a right to possession of the record?
- Does the institution have the authority to regulate the record's content, use and disposal?

Affirmative answers to some or all of the above questions typically constitute custody or control. Whether the College has custody or control of a Record must be interpreted and applied in

congruence with the Information and Privacy Commissioner of Ontario's principle-based framework.

**Department Head:** The most senior level administrator(s) within a College department or division, excluding the Senior Management Team member responsible for the area.

**Employee:** An individual employed by the College on a full-time, part-time, or contractual basis.

**Freedom of Information and Protection of Privacy Act (FIPPA):** The *Freedom of Information and Protection of Privacy Act* ([R.S.O.](#) 1990, c. F.31) is an Act of the [Legislative Assembly of Ontario](#). The Act legislates [access to information](#) held by public institutions in [Ontario](#), including post-secondary institutions, subject to specific requirements to safeguard the personal information of individuals.

**Personal Information:** As defined under FIPPA, personal information means recorded information about an identifiable individual, including:

- a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual;
- b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;
- c) any identifying number, symbol, or other particular assigned to the individual;
- d) the address, telephone number, fingerprints or blood type of the individual;
- e) the personal opinions or views of the individual except where they relate to another individual;
- f) correspondence sent to the College by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence;
- g) the views or opinions of another individual about the individual; and
- h) the individual's name where it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

Personal information does NOT include:

- the name, title, contact information or designation of an individual that identifies the individual in a business, professional or official capacity
- information about an individual who has been dead for more than thirty years
- records of graduation that are otherwise publicly disclosed

**Record:** As defined under FIPPA, a record means data of any form however recorded, whether in printed form, on film, by electronic means or otherwise, and includes:

- correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine readable record, any other documentary material, regardless of physical form or characteristics, and any copy of such material; and
- subject to FIPPA regulations, any record that is capable of being produced from a machine readable record under the control of the College by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the College.

### **3.0 – Guiding Principles**

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The purpose of this procedure is to set out the responsibilities of the College and process by which to respond to access requests related to personal information. This includes personal requests, and those made by third parties.

The College seeks to meet its obligations under FIPPA, both protecting information as appropriate and providing access and transparency where possible.

### **4.0 – Scope**

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This procedure applies to all members of the College Community who have access to Records under the Control or Custody of the College.

All staff are responsible for the protection of personal information, and to appropriately forward requests and concerns to their supervisors, or the Policy and Privacy Officer as appropriate.

### **5.0 – Operating Procedure**

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#### **5.1 – Receiving a Request**

When the College receives a request, the recipient must determine whether the information can be provided informally, or formally.

Requests from Law Enforcement and certain emergency services are not subject to FIPPA as per section 14 of the Act. Employees are to forward these requests to their supervisor upon receipt.

#### **Informal Requests**

Informal requests are not governed by legislation, and not subject to timelines, or appeals.

Informal requests are handled at the discretion of the department head or staff member involved, and would cover requests for publicly available information, records that are not considered confidential or for internal use only, etc.

#### **Formal Requests**

All formal requests must be directed to the Privacy and Policy Officer, who will work with the requestor and the respective Department Head(s) to oversee processing of the request in accordance with FIPPA.

If a formal access request is made verbally, the College will require the individual requester to submit a Request Form.

A parent/guardian/family member, etc., requesting information regarding a student is required to have a completed release of information on file. The student must complete and consent to this release and include a clear definition of what is to be released and an end date for the release.

Certain exceptions for releasing personal information may be made on compassionate grounds as per legislation. These exceptions are made on a case by case basis.

## **5.2 – Formal Requests under FIPPA**

Formal requests for personal information under FIPPA must be made using the appropriate Request Form and addressed to the College Privacy and Policy Officer.

The mandatory processing fee of \$5.00 must be paid by the requester, and appropriate government issued ID to confirm identity and consent must be provided to initiate the request. The Privacy and Policy Officer may waive this fee in certain circumstances. Additional fees per FIPPA are explained in 5.3 Additional Fees.

The Privacy and Policy Officer will process the formal access request within 45 business days of initiation, unless an extension is required, or staged access to records is appropriate, in accordance with FIPPA. Where ID or fee is requested and not received within 30 days, the request will be considered closed.

Upon initiation of the request, the Privacy and Policy Officer will provide details of the request necessary to permit identification of responsive records to the respective Department Head(s).

When contacted by the Privacy and Policy Officer regarding an access request, the Department Head(s) is/are responsible for:

- Reviewing the request and identifying any preliminary issues
- Identifying any third-party concerns
- Notifying the Privacy and Policy Officer immediately of any concerns with the request and any required third-party notifications
- Notify the Privacy and Policy Officer if there are any expected delays in procuring the records which will require an extension to the 45 business days
- Notifying the Privacy and Policy Officer if the retrieval of records will take a significant effort in terms of time or resources – in which case additional fees may apply

Following this initial review of the request, the Department Head(s) are responsible for:

- Ensuring that a reasonable search of the relevant College department's records is conducted
- Ensuring the identification of responsive records, or if none, noting so
- Identifying any reasons for not disclosing requested information or records
- Providing the results of the search to the Privacy and Policy Officer, and consulting with the Privacy and Policy Officer regarding any proposed withholding of records
- Working with the Privacy and Policy Officer as necessary to permit the response to the requester within the required timeframe

The Privacy and Policy Officer is responsible for preparation of the response, and package of records to the requestor.

## **5.3 – Formal Requests under FIPPA**

The College may charge the following fees for Formal Requests for access records.

- a) For photocopies and computer printouts, \$0.20 per page
- b) For records provided on CD-ROMs, \$10 for each CD-ROM
- c) For developing a computer program or other method of producing a record from machine readable record, \$15 for each 15 minutes spent by the College Community or any Agent.
- d) The costs, including computer costs that the institution incurs in locating, retrieving, processing, and copying the record if those costs are specified in an invoice that the institution has received.

In addition, the College may charge the following fees for access to a record:

- a) For manually searching a record, \$7.50 for each 15 minutes spent by any person.
- b) For preparing a record for disclosure, including severing a part of the record, \$7.50 for each 15 minutes spent by any person.

If the College gives an estimate of more than \$100 for disclosing requested information, the College may require the requester to deposit half the requested amount before the College takes any further step in responding to the request.

If the College estimates the amount to be paid is over \$25, the requestor will be notified in advance with a reasonable estimate of the total cost.

The College may refuse access to records if the required fees are not paid. The College also has discretion to waive required payments in certain circumstances.

#### **5.4 – Withholding Personal Information**

It is at the discretion of the College whether to withhold or disclose records that are normally exempt from disclosure. The College will make a determination on a case-by-case basis. These limitations are found within FIPPA. More information about these exceptions can be found on the Information and Privacy Commissioner of Ontario Website.

#### **6.0 – Related Documents**

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- *Freedom of Information and Protection of Privacy Act* R.S.O. 1990 c. F. 31
- 1-111 Access to Information and Protection of Privacy
- OP 1-111B Collection of Personal Information
- OP 1-11C Privacy Breach
- OP 1-111D Use and Disclosure of Personal Information Procedure
- 1-112 Information Practices Related to Personal Health Information Policy
- 1-104 Record Retention
- OP 1-104 Record Retention
- FIPPA - Freedom of Information and Protection of Privacy Act R.S.O. 1990 c. F. 31
- PHIPA – Personal Health Information Protection Act, S.O. 2004, c. 3 Sched. A

#### **7.0 – History of Amendments & Reviews**

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| <b>Date Approved</b> | <b>Approved By</b>     | <b>List of Approved Amendments / Review</b> |
|----------------------|------------------------|---------------------------------------------|
| March 2020           | Senior Management Team |                                             |

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|---------------|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| June 18, 2025 | Senior Management Team | Updating to new format, correction of titles, updating language, correcting to current practices. Added language re compassionate ground releases. Removed section 5.5 Correction of Personal Information, SOP exists within the RO and charges are not applied as previously indicated.                    |
| July 16, 2026 | Senior Management Team | Updated timeline information from 30 days to 45 business days to reflect the July 1, 2026 amendment to FIPPA. Added definition of Business Day per Legislation Act 2006. Added reference to staged access. Added requirement to notify of fees over \$25. Other basic editorial and formatting corrections. |