



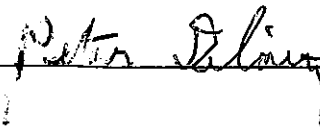
<u>Policy Title</u>	<u>Policy #</u>	<u>Resolution</u>	<u>Resolution Date</u>	<u># of Pages</u>	<u>Forms</u>
Freedom of Information and Access to information Policy	GG-018	50/24	March 15/2024	18	yes

**Local Authority Freedom of Information and Protection of Privacy (LAFOIP) Guide**

This guide will be used for all collection, access, and distribution of records within the control of the Resort Village of Aquadeo.

**Definitions:**

- a) "applicant" means a person who makes an application for access to a record pursuant to section 6;
- (b) "commissioner" means the Information and Privacy Commissioner appointed pursuant to The Freedom of Information and Protection of Privacy Act;
- (b.1) "employee" means an individual employed by a local authority and includes an individual retained under a contract to perform services for the local authority;
- (c) "fiscal year" means the period commencing on April 1 in one year and ending on March 31 in the following year;
- (d) "government institution" means a government institution as defined in The Freedom of Information and Protection of Privacy Act;
- (e) "head" means:
  - (i) in the case of a municipality, the mayor, reeve or chairperson of the local advisory committee, as the case may be;
  - (ii) in the case of any other local authority:
    - (A) the chairperson of the governing body of the local authority; or
    - (B) the individual designated as the head by the governing body of the local authority; 4 c. L-27.1
- (e.1) "information management service provider" means a person who or body that:

  
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# Resort Village of Aquadeo

(i) processes, stores, archives, or destroys records of a local authority containing personal information; or

(ii) provides information management or information technology services to a local authority with respect to records of the local authority containing personal information.

(f) “local authority” means:

(i) a municipality;

(ii) a committee of a council of a municipality;

(iii) any board, commission, or other body that:

(A) is appointed by *The Municipalities Act, 2010*

(B) any board, commission, or other body that:

(i) receives more than 50% of its annual budget from the Government of Saskatchewan or a government institution; and

(C) is prescribed;

(g) “minister” means the member of the Executive Council to whom for the time being the administration of this Act is assigned;

(h) “personal information” means information about an identifiable individual that is recorded in any form, and includes:

(a) information that 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 that 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 that relates to health care that 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;

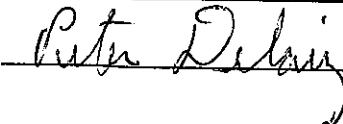
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RESORT VILLAGE OF AQUADEO

Policy Title: Freedom of Information Policy

Date Issued: Res #50/24 – March 15, 2024

Replaced – Res #290/23 – October 20, 2023

  
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- (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 that is implicitly or explicitly of a private or confidential nature, and replies to the correspondence that 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 that was obtained on a tax return or gathered for the purpose of collecting a tax;
- (j) information that describes an individual's finances, assets, liabilities, 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 that relates to the individual; or
  - (ii) the disclosure of the name itself would reveal personal information about the individual.
- (i) "prescribed" means prescribed in the regulations;
- (j) "record" means a record of information in any form and includes information that is written, photographed, recorded or stored in any manner, but does not include computer programs or other mechanisms that produce records;
- (k) "third party" means a person, including an unincorporated entity, other than an applicant or a local authority.

**Diagram of Office and Physical Storage**

Please insert a diagram of office with filing cabinets numbered as this will be needed if you ever have an OIPC investigation. Please also note where computers are and who may have electronic records (ex: Council I pad, Grader operator tablets, phones etc.)

**Steps for Access**

# Resort Village of Aquadeo

The municipality is conscious of the need to be transparent to grow public confidence and good governance. Therefore, the municipality will allow access to the municipal minutes and public records; that are not excluded by any legislation or act, at the office during regular office hours. If copies of records are being requested there will be a cost associated as per the attached fee schedule see appendix "B".

If there is a request for information that is being made please use form appendix "A". No request for information will be processed until the fee associated is paid.

The following steps will be taken when a Form "A" has been received with payment.

1. The Information Manager will stamp the request form with date received and payment accepted.
2. The Information Manager will start a file folder, copy of the check list, and time sheet for the request.
3. Ensure every communication, and step is diarized and recorded in file folder.
4. The Information Manager will contact the head to inform of the request.
5. The Head will read the request and ask the Information Manager to request in writing for clarification of any obscure information.
6. The Head will then request that the Information Manager will gather the records requested.
7. The Information Manager will document the physical search and electronic search for the records.
8. If there are many records that need to be found and the search will take a large amount of time or that the cost of the copies will be more than \$20.00. The Information Manager will provide a cost estimate appendix "C".
9. The Information Manager will also prepare the third-party release form appendix "D" for the Head to sign.
10. The Information Manager will then send the cost estimate.
11. The Information Manager will also send third-party release and an extension of time request if third-party release is required.
12. The Head will read records and redact personal information, with the applications of exceptions with reasonable explanations to the application of the exceptions.
13. The Information Manager will then write the response with the records and redactions. All redactions will be explained with the sections of the Act that applies to the redactions using form "E".
14. The Head will review the response, sign, and date.
15. The response will be then sent to the applicant.



## Protection of Privacy

The Resort Village of Aquadeo will implement the following procedures to ensure the protection of privacy for all who that deal with the municipality:

1. Only collect information that is needed to accomplish business.
2. All employees, council, and contractors will sign confidentiality agreements form "F".
3. If personal information is needed the municipality will endeavor to have signed disclosure statements form "G".
4. The municipality will publish publicly when or if there is information being recorded.
5. The municipality will develop policies and procedures for the safe keeping of all records which will include integrity of programs, internet, and website safety, disclosure, processing, and record retention.



FORM "A"

Freedom of Information Access to Information Request Form LOCAL AUTHORITY FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

Personal information and personal health information on this form is collected under The Local Authority 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: \_\_\_\_\_ Day Phone Number: \_\_\_\_\_
Alternate Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_
Email: \_\_\_\_\_

INFORMATION ABOUT THE RECORDS YOU ARE REQUESTING:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Are you requesting: \_\_\_your own personal information. \_\_\_ personal information about someone other than yourself (attach proof that you have authority to receive the information requested). \_\_\_general information.

To which local authority are you making your request \_\_\_\_\_

What records do you wish to access? \_\_\_\_\_

Please provide a detailed description of the records you wish to access. \_\_\_\_\_

FORM "B"

Peter Delaney Mayor

# Resort Village of Aquadeo

Application price:	\$20.00
Photocopy:	\$0.25 per page
Search cost:	\$15.00 per .5 hour
Administration cost	\$15.00 per .5 hour

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**FORM "C"**  
**Cost Estimate form**

Description	Quantity	Amount	Total
Administrative hours - \$15.00 per half hour		\$ 7.50	#VALUE!
photo copy number of pages		\$ 0.25	#VALUE!
Request fee			\$ 20.00
<b>Total</b>			<b>#VALUE!</b>

This is to inform you that the Resort Village of Aquadeo has received your Request for Information and the cost associated with processing this request will be a total of \$\_\_\_\_\_, as per the breakdown above.

Thank you,

\_\_\_\_\_ Insert the head signature line here.

*Peter Delaney*  
\_\_\_\_\_  
/ Mayor



FORM "D"

THIRD-PARTY NOTIFICATION AND CONSENT TO RELEASE

The Resort Village of Aquadeo has received a request for information and am writing to request your permission to disclose your private information in the context of

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If you are agreeing or disagree with this disclosure please indicate in the space provided below with the addition of your signature and return within 20 days of receipt.

\_\_\_\_\_ agree

\_\_\_\_\_ disagree

Date received: \_\_\_\_\_

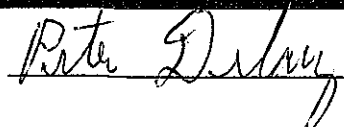
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Printed Name

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Signature

Date returned: \_\_\_\_\_

  
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Mayor





FORM "G"

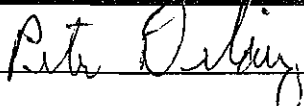
CONSENT FOR USE AND DISCLOSURE

I \_\_\_\_\_ of \_\_\_\_\_ hereby allow the Resort Village of Aquadeo to collect and disclose my private information for the purposes of having requested, or required custom work to be completed, emergency preparedness, tax levy and collection, utility or infrastructure maintenance, and safety of public and employees of the municipality. It is my understanding that this information will only be used for the purposes stated or \_\_\_\_\_ and will not be disclosed without notification or under authorization given by legislation.

Date: \_\_\_\_\_

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Mayor



The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)

Access Request Checklist

There are several key activities involved with processing an Access to Information request and you need to make sure all activities are completed within the legislated timeframes. The following checklist can be used to ensure that all key tasks are completed and timelines are met. This is intended as a guideline and can be codified to suit the needs of your local authority. It is not always necessary to use the full 30 days allowed in the Act. A response should be provided sooner whenever possible.

Calendar

Day	Guidelines Key Tasks LA FOIP Tips	
Day 1 (day after receipt)	<ul style="list-style-type: none"> <li>• Request received by local authority.</li> <li>• Log the request.</li> <li>• Set up an LA FOIP file.</li> <li>• Notify Head (Mayor, Reeve, Administrator, President or CEO) if required local authorities' set out in policy.</li> <li>• Start thinking about where responsive records might be (make notes).</li> <li>• If local authority charges the \$20 application fee, then ensure it is enclosed, otherwise application not yet fully made unless fee is waived.</li> <li>• Make sure staff are aware of what an Access Request is, the urgency of the request, and where to immediately forward the request if received in their office.</li> <li>• Begin making notes right away documenting the steps you have taken in processing the request.</li> </ul>	

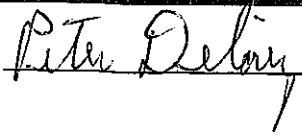
*Peter Delaney*  
 \_\_\_\_\_  
 Mayor

# Resort Village of Aquadec

	<ul style="list-style-type: none"> <li>• When you notify the Head (Mayor, Reeve, President or CEO) do not disclose the identity of the applicant.</li> <li>• Notifying other staff should only be on a need-to-know Basis.30 Calendar Days to</li> <li>• Thirty-day clock starts • The thirty days start the day after the request is received by the local authority.</li> </ul>	
Day 2	<ul style="list-style-type: none"> <li>• Check to see if a waiver of fees has been requested.</li> <li>• Develop a search strategy: identify the area(s) of your local authority that may have responsive records and discuss the request with staff in the area(s).</li> <li>• If a waiver has been requested, need to ensure that the applicant has provided what is needed in order to make a decision to grant.</li> <li>• See LA FOIP Regulations s. 8.</li> <li>• Do not forget to search for responsive records in the local authority's possession and control (e.g., contractors; storage off site).</li> <li>• Remind program/branch areas of the serious nature of access requests and that search efforts should include all responsive records.</li> <li>• Only share the identity of the applicant with those with a need-to-know</li> <li>• Determine whether clarification from the applicant will be required to process the request.</li> <li>• If clarification is required, try to contact the applicant by telephone immediately. If unable to reach the applicant,</li> </ul>	

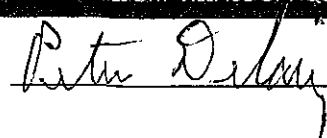
# Resort Village of Aquadeo

	<p>send a clarification letter outlining the details required to process the request. • See LA FOIP s. 5.1, the duty to assist which requires a local authority to act openly, honestly and accurately with the applicant. This means making phone calls to the applicant to understand or narrow the request.</p> <ul style="list-style-type: none"> <li>• Consider if request may need to be transferred to another government institution or local authority, in accordance with the Act.</li> <li>• Transfers must occur within 15 days of receipt by the local authority.</li> <li>• See LA FOIP ss. 7(1)(b) and s. 11.13</li> </ul>	
<p>Days 3 to 10</p>	<ul style="list-style-type: none"> <li>• Finalize which program area(s) might have responsive records</li> <li>• Program areas retrieve records and forward originals to Head or delegate (Administrator or access and privacy coordinator).</li> <li>• Consider need for time extension if circumstances in ss. 12(1) are present (e.g. large volume of records or requests, external consultations necessary or third party notice is required) and provide notice to applicant.</li> <li>• Copy retrieved records and return originals to program area.</li> <li>• Advise program areas to search for responsive records.</li> <li>• Keep accurate and complete notes of search on the Access Request file and keep copies of correspondence with all that were engaged.</li> </ul>	

  
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 Mayor

# Resort Village of Aquadec

	<ul style="list-style-type: none"> <li>• Time extensions cannot exceed 30 days past the original 30 day deadline.</li> <li>• See LA FOIP ss. 12(1).</li> <li>• Consider fees and send estimate if applicable with request for deposit.</li> <li>• Clock stops until applicant indicates they agree to proceed and fee deposit is received.</li> <li>• A cost estimate must be provided if the fees will exceed \$100.</li> <li>• See LA FOIP Regulations s. 6</li> <li>• If a fee estimate will be provided, do not complete search; rather, estimate fees based on representative sample.</li> <li>• See LA FOIP s. 9 and LA FOIP Regulations s. 5</li> <li>• A local authority can require a deposit of up to 50% of the estimated fees prior to proceeding with work on the access request.</li> <li>• If a fee is going to be charged, no further work should be done until the 50% deposit is paid.</li> <li>• If there are third parties and if the head intends to</li> <li>• See LA FOIP PART V</li> </ul>	
<p>Days 11 – 17</p>	<ul style="list-style-type: none"> <li>• If 50% of fee is paid, clock starts again; proceed with work.</li> <li>• Prepare index of records and paginate the record.</li> <li>• Detailed line-by-line review of records; apply severance.</li> <li>• Apply exemptions and quote necessary exemptions where there is severing.</li> <li>• Continue consultation with program areas.</li> <li>• The index of records is a listing of the responsive</li> </ul>	

  
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 Mayor

# Resort Village of Aquadec

	<p>records.</p> <ul style="list-style-type: none"> <li>• Keep accurate and complete records of reasons for each withheld record or severed portion.</li> <li>• See LA FOIP s. 8.</li> <li>• Keep accurate records of time spent severing if a fee estimate was issued.</li> </ul>	
Day 15	<ul style="list-style-type: none"> <li>• Last day for transferring the request to another government institution or local authority.</li> <li>• If you are transferring the application, remember to provide a copy of the transfer letter to the government institution or local authority receiving the transfer and the applicant.</li> <li>• See LA FOIP s. 11</li> </ul>	
Days 18 – 24	<ul style="list-style-type: none"> <li>• Consider whether a time extension is needed.</li> <li>• Ask those involved in consultation process to respond immediately to avoid a time extension.</li> <li>• See LA FOIP s. 12</li> <li>• Determine which third parties have consented to release of the records.</li> <li>• Obtain approval of Administrator of the records to be released.</li> </ul>	
Days 25-29	<ul style="list-style-type: none"> <li>• Send response</li> </ul>	



**Responsive Records Search Checklist**

The following Search Checklist must be used to assist with a responsive records search. Complete and return to the Access Coordinator who is responsible for the overall search strategy to find responsive records by \_\_\_\_\_ [insert date].

<b>Employee name responsible for overseeing search:</b> <b>Title:</b> <b>Branch/Unit:</b> <b>Organization:</b> <b>Years in the position:</b>	Name of person searching	<input checked="" type="checkbox"/>
<b>1. Is there or will there be a fee estimate:</b> <b>Yes:</b> <b>No:</b>		
<b>2. Be clear on the scope and understanding of the request and if necessary, review the Access request and call the Applicant or the Access Coordinator immediately for any clarification of the access request.</b> <b>Access Request File No.:</b> <b>Date:</b>		
<b>3. If the Applicant Clarifies or reduces the scope of the request, confirm by email or letter.</b> <b>Date:</b>		
<b>4. Electronic Records</b> <b>List of files searched:</b> <b>Date completed:</b> <b>Time taken to search:</b> <b>Number of records located:</b> <b>Keywords used:</b>		
<b>5. Run a file search on your computer, laptop, and/or other device/medium (i.e. texts, voicemail, video)</b> <b>List of directories searched:</b> <b>Date completed:</b> <b>Time taken to search:</b> <b>Number of records/pages located:</b> <b>Keywords used:</b>		
<b>6. Run a search on your email using all folders</b> <b>List of folders searched:</b> <b>Date completed:</b> <b>Time taken to search:</b>		

# Resort Village of Aquadec

Number of records/pages located: Keywords used:		
<b>7. Run a search on the calendar (personal and group)</b> Date completed: Time taken to search: Number of records/pages located: Keywords used:		
<b>8. Paper records</b> List of files/folders/drawers searched: Date completed: Time taken to search: Number of records/pages located:		
<b>9. Outside Storage</b> List of files/folders/drawers searched: Date completed: Time taken to search: Number of records/pages located:		
<b>10. Are there any outside contractors, consultants or information service providers where a search should be made.</b> No: Yes: If yes list:		
<b>11. Total time spent (if a fee estimate has been or will be given):</b> a) For paper search: b) For electronic search: c) Other:		

*Pete DeKey*  
 \_\_\_\_\_  
 Mayor