



HALIFAX

Access to Information Process: Routine Disclosure and FOIPOP

BOPC Information Session

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Information Management Officer
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Freedom of Information and Protection of Privacy (FOIPOP)

- **Access to Information** provides the public with the right to request a copy of any record within the custody or control of HRP.
 - A limited number of legislated exemptions can be applied to withhold the release of records.
- **Protection of Privacy** provides individuals with the right to access their own personal information and prevents the unauthorized collection, use and disclosure of that information.



General FOIPOP Rules

- The basic rule in FOIPOP is that the whole record must be disclosed unless limited & specific exemptions set out in the Act apply.
- There are 15 exemptions under the Act including:
 - Personal privacy
 - Harm to third party business
 - Solicitor-client privilege
 - Policy advice or recommendations
- It's important to note that HRP can only withhold the information to which the exemption applies. So, HRP must sever (remove) *just the limited information* to which the exemption applies and disclose the rest.

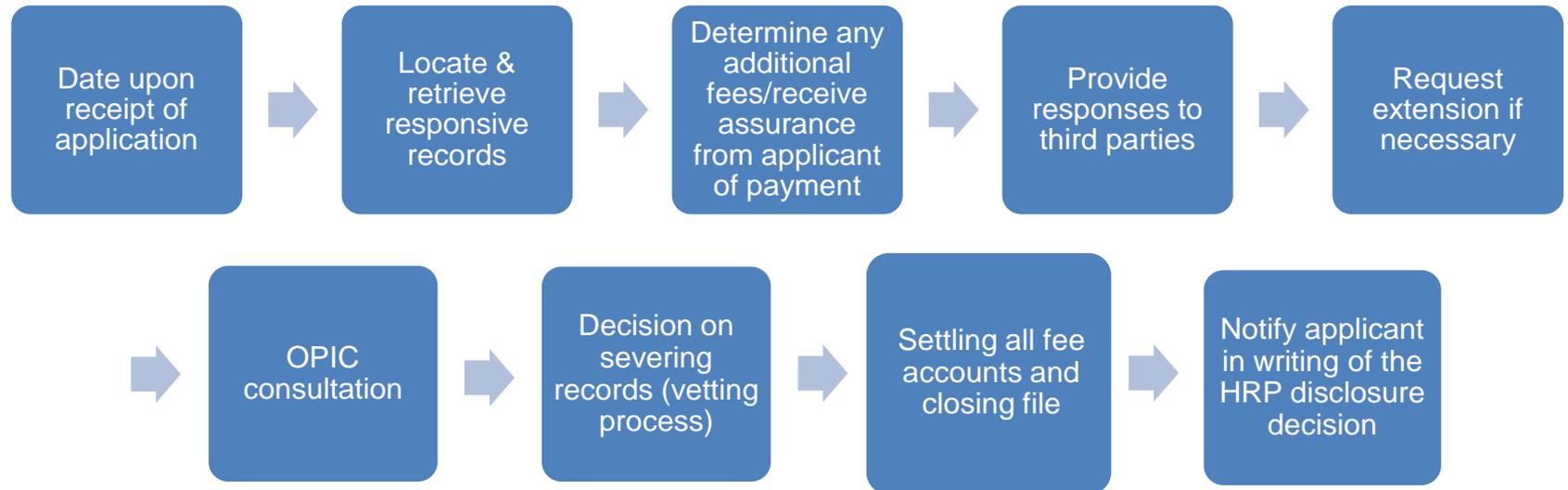


FOIPOP Requests at HRP

- HRP has processed 238 FOIPOP request to date.
- Some of the most commonly requested records are:
 - Investigative reports: Wide range of request. Criminal code matters. (Domestic files, Child Custody) Tenancy Board
 - Personal Information (specific or all files)
 - Request for Police Policies (All or Specific)
 - Use of force reports
 - Legal Settlements
 - Request made by: Individuals, media, lawyers, insurance companies, etc.



FOIPOP Application Process



Release of Third Party Information

Who is a third party?

- Legislation requires that we contact a third party if we are contemplating releasing information where others are mentioned. A third party is notified and their opinion on the release sought.
- Records are then reviewed for possible exemptions if needed. *Severing* is the process of removing information which is “exempted” from disclosure.



FOIPOP Application Form

Form #1
Access to Information Application
Part XX - Freedom of Information and Protection of Privacy
Municipal Government Act

TO: FOIPOP Coordinator Halifax Regional
 Police Attention: Insp. Greg Robertson
 1975 Gottingen Street, Halifax, NS B3J 2H1
 TEL: (902) 490-1648
 FAX: (902) 490-5038

1. This is an application pursuant to Part XX of the Municipal Government Act (Freedom of Information and Protection of Privacy) for access to:

Check one:

- (a) applicant's own personal information; or
- (b) other information; or
- (c) both applicant's own personal information and other information.

2. With the exception of requests pertaining to personal information, **all applications must be accompanied by a cheque or money order (made payable to the Halifax Regional Municipality) in the amount of five dollars (\$5.00).**

I have enclosed a cheque _____ or money order _____ in the amount of \$5.00.

3. I am applying for access to the following record:
(Please identify as precisely as possible the material for which you are applying. Include particulars such as the specific event or action to which the material refers, the date of the record, or the date or time frame to which it relates; the type of record (document, report, letter, etc.); names of HRM personnel who prepared or may have knowledge of the information; or references to newspapers or publications which are known to have referred to the record.)

4. I wish to:

Check one:

- (a) examine the record; or
- (b) receive a copy of the record.

5. I understand that in addition to the mandatory application fee, I may be required to pay a fee **before** obtaining access to the record. If such is the case, you will be duly advised.

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6. Request to Waive Fees – I hereby request to be excused from paying fees (other than the application fee which is mandatory) that may be required in the processing of this application because:

Check one:

- (a) I cannot afford to pay fees _____ **OR**
- (b) Specify any other reason

Signature of Applicant: _____ Date: _____

Print Full Name of Applicant: _____

Mailing Address of Applicant: _____
(Street/Apartment No./R.R. No.)

(Community) (Postal Code)

Telephone (Daytime) _____ Telephone (Cellular) _____ (Fax) _____

E-Mail Address of Applicant: _____

FOR OFFICE USE ONLY

Date Received _____ Application No. _____
 Action Taken: _____



Office of the Information and Privacy Commissioner

- The Information and Privacy Commissioner for Nova Scotia is Tricia Ralph. In her role, Ms. Ralph and OIPC staff make recommendations and offer guidance to parties during the FOIPOP process.
- The Commissioner is an independent ombudsman. The Commissioner will accept appeals, known as Requests for Review, from applicants or third parties who are not satisfied with the response they received from a public body.
- The Commissioner does not have the power to make final and binding orders. However, she does have the power to require a public body to produce any document for her review which she feels is relevant. The final appeal process for applicants is Supreme Court.



How to Access Halifax Regional Police Records (1/2)

- The **Halifax Regional Police Routine Disclosure Plan** is located on our website. The plan is designed to provide individuals with the opportunity to obtain certain records without a formal access application (FOIPOP). If what you are looking for is listed in the plan, you can submit a routine disclosure request for the information or records you want.
- If the information you're looking for is not available through routine disclosure plans, you need to file an **access to information request (FOIPOP)**.
- Routine Access Policy does not apply to criminal record checks, motor vehicle collision reports or incident reports.



How to Access Halifax Regional Police Records (2/2)

- For FOIPOP requests you must enclose a cheque or money order for \$5 to cover the application fee. For personal information requests, no application fee is required.
- When filling out the application:
 - Provide a thorough description of the records you would like to access, including case numbers, time frame, etc.
 - Sign, date, and send your request to the Halifax Regional Police Access and Privacy Coordinator with the applicable fee, or deliver it in person to: *Halifax Regional Police Access and Privacy Coordinator, 1975 Gottingen Street, Halifax, NS B3J 2H1*



Requests for Routine Disclosure

- Requests for Routine Disclosure must be for a reasonable quantity of records; no more than 50 pages. Otherwise, an Access to Information Application will be required in consideration of the required time and resources.
- The records will be processed within a reasonable time frame, but no later than 30 days from the receipt of application, provided there are no additional resources and time required.
- Examples of routine access requests:
 - Overview of the business unit
 - Links to relevant legislation:
 - Controlled Drug and Substances Act
 - Criminal Code of Canada



Request for Routine Access Online Process Template

Request for Routine Access

Requestor's Information

1

First name *

Last name *

Email *

Confirm email *

Telephone *

Alternate phone

Address

2

Street number, name and type *

Unit / Apartment

City / Town *

Province *

Postal code *

3

As noted in the Routine Disclosure Plan, please describe the records you are requesting:

Requested Information:

1000 characters(s) remaining

How would you like the information returned to you? *

Mail Email

Privacy statement

In accordance with Section 485 of the Municipal Government Act (MGA), the personal information collected on this form will only be used by municipal staff and, if necessary, individuals under service contract with the Halifax Regional Municipality, for purposes relating to the processing of your recognition request. If you have any questions about the collection and use of this information, please contact the Access and Privacy Office at 902.490.7460, email accessandprivacy@halifax.ca.

I'm not a robot



Submit



Questions?

