

Title:	Routine Disclosure and Active Dissemination Policy
Number:	SRV-22-01
Approved By:	Chief Administrative Officer
Administered By:	Legislative Services
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1.0 Purpose / Background

The City of Oshawa (“City”) is committed to providing the public with access to Official Records and Information, in accordance with the Municipal Freedom of Information and Protection of Privacy Act (“M.F.I.P.P.A.”), and the record-keeping provisions of the Municipal Act.

In an effort to engage the public and demonstrate accountability and transparency, the City endeavours to routinely and proactively provide access to Official Records and Information. The practice of Routine Disclosure and Active Dissemination is an effective and efficient method to provide Information to the public, through processes that do not require the submission of formal Freedom of Information (“F.O.I.”) requests under M.F.I.P.P.A.

The overarching principle in this Policy is to advance the approach that Records and Information in the Custody and/or under the Control of the City should be made available to the public, and any exceptions to this principle should be limited and specific.

The aims of this Policy include, but are not limited to, the following:

- To improve public accessibility to Records and Information;
- To improve transparency and accountability through streamlining access to Information processes;
- To aid Branches and departments in adhering to M.F.I.P.P.A. requirements;
- To reduce Employee time and costs in responding to F.O.I. requests;
- To identify Records and Information that are of interest to the public; and,
- To ensure the protection of Personal and Confidential Information.

2.0 Policy Statement

The City is committed to ensuring the public is provided with Official Records and Information easily and informally, supporting a culture of open and transparent government. In line with this commitment, the City will endeavour to proactively provide Records and Information to the public while simultaneously safeguarding Personal Information through compliance with M.F.I.P.P.A.

This Policy establishes procedures for releasing certain types of Records and Information without requiring the submission of a formal Freedom of Information

(“F.O.I.”) request, to improve the accessibility and transparency of Official Records and Information. Additionally, this Policy identifies Records and Information that may be requested and disclosed through Routine Disclosure, as well as Records and Information that should be regularly shared with the public through Active Dissemination.

3.0 Scope / Application

This Policy applies to all Employees (including Employees of the Oshawa Senior Community Centres) of the Corporation of the City of Oshawa; as well as Members of all committees and boards and Members of Council. It also applies to all Records in the Custody and/or under the Control of the City. This Policy does not apply to Records or Information subject to the exemptions outlined in M.F.I.P.P.A.

The City will not disclose Personal or Confidential Information through the Routine Disclosure or Active Dissemination process. Requests for Personal and/or Confidential Information, or any Record that may contain Personal and/or Confidential Information, must be submitted through the F.O.I. request process, as highlighted in the City’s Access and Privacy Policy.

This Policy shall be interpreted in a manner that is consistent with the City’s obligations under M.F.I.P.P.A. and related City Records policies.

4.0 Definitions

Active Dissemination means the periodic release or publication of municipal Records and Information in the absence of a formal request.

Branch means any grouping of City of Oshawa Employees who are part of an outlet of the organization that does not constitute a separate entity but is responsible for a type of work.

City means the Corporation of the City of Oshawa.

City Business means a core, central or basic function of the City, as related to the City’s mandate and functions.

Confidential Information means any Information that is subject to the exemptions to disclosure found within the Municipal Freedom of Information and Protection of Privacy Act and that, if disclosed, could result in loss or damage to the City or could give the persons to whom it is disclosed an advantage. Includes Information received in confidence by the City.

Control means contents of the Record as it relates to City Business and the City's power or authority to make a decision about the Use or Disclosure of its Records.

Custody means the storage, preservation, or security of a Record for a legitimate business purpose, wherein the City could obtain a copy of the Record upon request. While physical possession of a Record may not always constitute Custody, it is the best evidence of Custody.

Direct Supervisor means the individual to whom the Employee directly reports. This could include the Manager, Director, Commissioner, or the Chief Administrative Officer.

Director, Legislative Services/City Clerk means the individual authorized to act on behalf of the City for the overall governance of the Records and Information Management Program (R.I.M. Program) and to delegate authority to implement specific R.I.M. Program procedures.

Employee means all full-time, part-time, temporary, seasonal and staff hired on a contract basis for a defined period of time, of the City of Oshawa, as well as students.

F.O.I. means a formal "Freedom of Information" request as received under the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, as amended. An F.O.I. refers to a request for access to, or copies of, a Record which is submitted in writing detailing the requested Records, is dated and signed by the requester. The mandatory \$5.00 application fee must accompany the request.

I.P.C. means the Information and Privacy Commissioner of Ontario. The Commissioner is appointed by the Lieutenant Governor in Council, and is independent of the government. The I.P.C. is responsible for adjudicating and issuing binding orders related to appeals, conducting privacy investigations, and has powers relating to the protection of personal privacy.

Informal Records Request means a verbal or written request for access to a Record or Information, other than a formal request under the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, as amended. May also be referred to as an over-the-counter request.

Information means knowledge communicated or received concerning a particular fact or circumstance; knowledge gained through study, communication, research, instruction, etc.; or the act or fact of informing.

Law Enforcement Agency means a representative from an agency responsible for enforcing provisions of a law or regulation, including, but not limited to, Durham Regional Police Service, Ontario Provincial Police, Royal Canadian Mounted Police, Canada Revenue Service, Canada Border Services Agency.

M.F.I.P.P.A. means the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, as amended.

Manager means a person responsible for controlling or administering a business unit within an organization.

Official Record means a record that provides evidence of a business transaction, ongoing business value, required to support business operations or are required by legislation. These records must be retained and managed in accordance with government policies, standards and the City's Records Retention By-law.

Personal Information means "recorded information about an identifiable individual," as defined in Section 2(1) of M.F.I.P.P.A. 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 if they relate to another individual;
- (f) Correspondence sent to an institution 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 if 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.

Record means any record of Information however recorded, whether in printed form, on film, by electronic means or otherwise as defined in section 2(1) of M.F.I.P.P.A. and includes:

- (a) 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 thereof; and,
- (b) subject to the regulations, any record that is capable of being produced from a machine readable record under the control of an institution by means of computer hardware and software or any other Information storage equipment and technical expertise normally used by the institution.

Records Retention By-law means the By-law passed by City Council to standardize the classification of Records of the Corporation of the City of Oshawa, and to authorize their disposition following specified retention periods.

Routine Disclosure means the routine or automatic release of certain types of administrative and operational Records in response to requests made informally.

5.0 Responsibilities

Informal Records Requests or Routine Disclosure requests should be handled by Employees in the responsible Branch or department. Responses to Routine Disclosure Requests made under this Policy shall be completed in a reasonable timeframe as determined by Employee workload, or in accordance with the timelines set out in this Policy, or in applicable legislation.

Employees may release Records or Information listed in Records Available via Routine Disclosure and Active Dissemination (Appendix 1), directly to a requester, using the methodology noted therein. However, Employees may wish to consult with their Direct Supervisor or Manager prior to the disclosure of the requested Records or Information. Where further uncertainty remains regarding Routine Disclosure or Active Dissemination, Employees may consult with the Director, Legislative Services/City Clerk or designate.

5.1 Director, Legislative Services/City Clerk (or designate)

The Director, Legislative Services/City Clerk has responsibility for administrative duties for the purposes of M.F.I.P.P.A. Many of the duties in relation to the day-to-day management of M.F.I.P.P.A. have been assigned to the Information, Access and Privacy Officer; however, the Director, Legislative Services/City Clerk remains accountable for actions taken and decisions made under M.F.I.P.P.A.

In relation to this Policy, the Director, Legislative Services/City Clerk or designate shall:

- Respond to F.O.I. requests in accordance with the City's Access and Privacy Policy;
- Update and maintain the list of Records Available Via Routine Disclosure and Active Dissemination (Appendix 1);
- Provide guidance to Employees as to whether or not categories of Records of Information are subject to Routine Disclosure or Active Dissemination;
- Assist Employees in understanding their obligations to release Records and Information in accordance with this Policy;
- Provide guidance to Employees or the public regarding the process for F.O.I. requests, as applicable; and,
- Redirecting Routine Disclosure Requests to the responsible Branch or department when the request has been submitted as an F.O.I.

5.2 Direct Supervisor or Manager

In relation to this Policy, Direct Supervisor or Managers shall:

- Identify Records and Information suitable for Routine Disclosure or Active Dissemination in their Branch or department, and consult with the Director, Legislative Services/City Clerk or designate to approve changes to the listing of Records Available Via Routine Disclosure and Active Dissemination (Appendix 1);
- Update the Director, Legislative Services/City Clerk or designate with recommendations for Routine Disclosure and Active Dissemination as new types of Records are created, or existing types of Records are superseded within their Branch or department;
- Promote compliance with this Policy within their Branch or department;
- Oversee the Routine Disclosure and Active Dissemination of Records associated with their Branch or department; and,
- Ensure all Employees within their Branch or department comply with the privacy provisions in M.F.I.P.P.A., including ensuring Personal Information is managed and protected appropriately.

5.3 City Employees

In relation to this Policy, Employees shall:

- Assist the public by fulfilling Routine Disclosure Requests originating in their Branch or department;
- Become familiar with the listing of Records Available Via Routine Disclosure and Active Dissemination in Appendix 1, and be aware of which Records and Information may be released without consultation with Legislative Services;
- Protect all Personal Information to which they have access in their daily work;
- Consult with the Director, Legislative Services/City Clerk or designate when uncertain regarding which Records or Information are appropriate for Routine Disclosure or Active Dissemination;
- Respond to Routine Disclosure Requests in a reasonable timeframe as set out by this Policy, or as determined by Employee workload; and,
- Offer recommendations for new Records or Information that may qualify for Routine Disclosure or Active Dissemination to their Direct Supervisor, as appropriate.

5.4 Service Oshawa

Service Oshawa is responsible for directing Routine Disclosure Requests or Routine Disclosure requests to the appropriate Branch or department. In the event that an F.O.I. request is required, Service Oshawa is responsible for receipt of any hard copy F.O.I. request forms, and processing payments of the mandatory \$5.00 application fee.

5.5 Members of Council

Members of Council requesting access for Records or Information through Routine Disclosure will be provided the same right of access as the public. If the requested Records or Information are not available for Routine Disclosure or Active Dissemination, the Council Member may submit an F.O.I. request, and the Director, Legislative Services/City Clerk or designate will apply M.F.I.P.P.A. in the normal manner to determine whether access may be granted.

6.0 Practice/ Procedures

Branches and departments may release certain Records and Information routinely and automatically, provided the requested Records or Information do not fall into one of the mandatory or discretionary exemptions under M.F.I.P.P.A. Employees are encouraged to respond to Routine Disclosure Requests but should exercise caution in certain circumstances (e.g. Personal or Confidential Information). Any questions about the disclosure of Records should be directed to the Director, Legislative Services/City Clerk or designate.

Records or Information identified in Records Available via Routine Disclosure and Active Dissemination (Appendix 1) may be provided to the public directly by the Branch or department responsible for those Records, in accordance with the conditions outlined in this Policy and any appropriate legislation. Records containing Personal or Confidential Information will not be disclosed to anyone other than the party to whom the Information pertains unless authorized by Policy, by-law or legislation.

Records may be provided upon receipt of a Routine Disclosure Request or actively disclosed, as appropriate. Access to Records and Information should be made through Routine Disclosure or Active Dissemination whenever possible. Formal requests for Information made under M.F.I.P.P.A. must be processed by the Clerk or designate in accordance with City's Access and Privacy Policy, and applicable legislation.

6.1 Identifying Records for Routine Disclosure or Active Dissemination

The Director, Legislative Services/City Clerk or designate will review schedules of Records and/or the Records Retention By-law with the assistance of the responsible Branch and department to determine which Records or Information may be classified for Routine Disclosure or Active Dissemination.

In identifying Records for Routine Disclosure or Active Dissemination, the following factors will be considered:

- Trends in the type of Records and Information that are requested on a regular basis;
- The classifications of Records or Information that are released regularly, without exemption;
- Whether Records or Information must be made available because of a statutory requirement (e.g. the Assessment Act, which requires that certain assessment Information be made available to the public);
- Whether Records can be modified by removing Information subject to the mandatory exemptions of M.F.I.P.P.A., so that the remaining Information can be released routinely;
- Whether a Record is subject to Routine Disclosure or Active Dissemination based on the nature of the Record and not on the identity of the requester or proposed use of the Record; and,
- An evaluation of all newly-created Records categories to determine if they should be subject to Routine Disclosure or Active Dissemination.

An official listing of Records and Information that may be released under Routine Disclosure or Active Dissemination is contained in Appendix 1. Examples of Records and Information that may be released under this Policy include, but are not limited to, Records from the following categories:

- Demographic, Geographic Information System (G.I.S.), and statistical Information (e.g. Open Data);
- Council and Committee agendas, minutes, reports, policies, resolutions, and by-laws (excluding closed meeting Records);
- Names of proponents for Requests for Proposals, Expressions of Interest, Tenders and Requests for Quotations which are read at public meetings;
- Financial statements, annual budgets, investment results, taxation rates and ratios, capping, assessment figures, and performance measures;
- Expenditures incurred by Members of Council, and Councillor salaries and remuneration;
- Employment responsibilities of an individual who is an officer or Employee;
- General statistical Information;
- Fire Services monthly call reports and incident reports;
- General community Information (e.g. waste disposal Information, event Information, etc.);

- Tax assessment rolls (for in-person viewing only);
- Two-unit rentals and lodging houses Information (e.g. address and registration date);
- Strategic plans and related Information;
- Council-approved master plans;
- Accessibility plans and building audits;
- Recreation programming and facility rental Information;
- Building drawings and plans (for property owners and representatives);
- Construction-related Information (e.g. road closures, traffic controls and regulations, traffic studies, levels of service data, snow and ice control, road allowance data, conveyance Information, infrastructure history, condition and planned work data, technical data arising from transportation and environmental assessments, road classifications, etc.);
- Subdivision Information, planning and development related Records, as per the Planning Act;
 - Notices and Decisions of Public Meetings held pursuant to the Planning Act;
- Official plan and amendments; and,
- Economic development statistics and resources for businesses (e.g. publications and reports).

6.2 Records Not Subject to Routine Disclosure or Active Dissemination

The following types of Records shall not be disclosed except pursuant to an F.O.I. request:

- Closed meeting agendas, minutes and reports;
- Negotiations for the buying or selling of land that have been addressed in closed session;
- Unit prices and other proprietary Information contained in tenders and proposals without the permission of the bidders;
- Personal Information about an identifiable individual; and,
- Any Information subject to solicitor client privilege or otherwise protected by M.F.I.P.P.A., the Municipal Act, or any other Act.

Although a primary focus of M.F.I.P.P.A. is to facilitate access to government-held Records and Information, there are limited and specific exemptions to that access.

These exemptions are in place to protect Personal or Confidential Information in the Custody and/or under the Control of the City.

Under M.F.I.P.P.A., there are two types of exemptions that must be considered when assessing whether Information is to be disclosed.

6.2.1 Mandatory Exemptions

Mandatory exemptions prohibit the City from disclosing particular Information. The City must withhold Information falling under a mandatory exemption as per sections 9, 10 and 14 of M.F.I.P.P.A.

The mandatory exemptions include:

- Personal privacy;
- Inter-governmental relations; and,
- Third party commercial Information.

6.2.2 Discretionary Exemptions

Discretionary exemptions allow the City to withhold Information at the discretion of the Director, Legislative Services/City Clerk, as per sections 6, 7, 8, 11, 12, 13 and 15 of M.F.I.P.P.A.

The discretionary exemptions include:

- Draft by-laws, reports, and closed meeting Records;
- Advice or recommendations;
- Law enforcement;
- Danger to health and safety;
- Economic or other interests;
- Limitations on access to one's own Personal Information;
- Solicitor-client privilege; and,
- Public or soon to be published Information.

6.3 Requests for Routine Disclosure

The following provisions may apply to requests for Routine Disclosure:

1. Requests for Records made under this Policy should be directed to the responsible Branch or department.

2. Requests may be submitted verbally or in writing. However, the City reserves the right to require that a request be submitted in writing where the request is unclear or where the Information being requested is of a personal, confidential, detailed, or sizeable nature (e.g. will involve excessive staff search time and/or result in the scanning or copying of more than 100 pages).
3. In the absence of a pre-existing Routine Disclosure process, when a request must be submitted in writing the requester must utilize the Request for Routine Disclosure of Records Form (Appendix 2) and address it to the attention of the responsible Branch or department.
4. Requests for Personal Information for the purposes of any type of research or analysis should be forwarded to Legislative Services for fulfillment and response.
5. Requests for Records and Information made under this Policy should be directed to the responsible Branch or department. However, the City reserves the right to require at any time that requesters make their requests through a single point of contact to be determined by the City.
6. Records containing Personal Information may be disclosed to a Law Enforcement Agency in Canada to aid in an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result. All such requests must be made in writing to the Director, Legislative Services/City Clerk or designate using the Law Enforcement Request for Records Form (Appendix 4).
7. If an individual requests Records or Information pertaining to themselves or their property through Routine Disclosure, Employees shall confirm their identity through government issued photo identification prior to releasing the Records. Employees may release Information to an authorized agent of the individual, provided authorization is received in writing.
8. Fees may be charged for the reproduction of Records released under Routine Disclosure, as well as for time spent by Employees searching for and processing Records in response to the request. Branches or departments are encouraged to add Routine Disclosure request procedures to the City's General Fees and Charges By-law at their own discretion. Where the responding Branch or department deems the request to be voluminous in nature, they may request a fee deposit from the requester prior to completing the request.
9. Official Records and Information are disposed of in accordance with the City's Records Retention By-law. The City is not required to re-create or restore Records that have been appropriately destroyed under the authority of the City's Records Retention By-law.
10. The City is not required to provide Information discussed but not recorded, or create Information that does not otherwise exist.

11. Requests for tender or bid results shall only include bid amounts and the names of companies supplying the tenders. Such Records or Information may only be released after the tender has been awarded. Additionally, requests for quotations and proposals shall only include bid amounts and the names of companies supplying bids.
12. One copy of Records that are subject to the Copyright Act may be released under this Policy, provided the Records are stamped as a copy and the requester is informed that the full provisions of the Copyright Act apply to the use and reproduction of the Records.
13. Requests for Records and Information made under this Policy will be acknowledged in a reasonable timeframe as determined by Employee workload as well as the amount of Records or Information requested with a goal of providing a response to the request within 30 calendar days.
14. In cases where the request cannot be completed within 30 days, the requester must be notified within a reasonable timeframe and provided with an estimated deadline for response.
15. The City has the authority to deny any request for Routine Disclosure and/or withhold portions of any requested Record, as permitted under M.F.I.P.P.A. However, if a request for Routine Disclosure is denied, the requester must be informed of their right to submit an F.O.I. request.
16. Repetitive requests by an individual or organization for significant volumes of Records, the separation of a request into several smaller requests totaling a large volume, requests made to multiple Branches or departments related to the same subject or issue may be centrally coordinated, as applicable.
17. Requests determined to be frivolous or vexatious in accordance with the City's Frivolous, Vexatious or Unreasonable Requests or Complaints Policy, may be refused by the Director or Commissioner or the responding Branch or department.
18. If an Employee is unable to release Records or Information under this Policy, they must inform the requester that an F.O.I. request can be made. Employees shall direct a requester to make a formal access request if:
 - Search time or preparation time for the requested Records would be excessive;
 - Records relate to a matter that may result in litigation;
 - Records were supplied by a third party;
 - Records do not exist;
 - Records contain solicitor-client Information;
 - Records contain Personal Information for individuals other than the requester; and/or
 - Records contain other Confidential Information.

19. If an Employee, Branch or department receives a request for Records and are unsure of whether the Record or Information can be released under this Policy, they should consult with the Director, Legislative Services/City Clerk or designate for clarification, prior to releasing any Records or Information to the requester.

6.4 Requests from Law Enforcement Agencies

The City may disclose a copy of a Record to a Law Enforcement Agency where there are reasonable grounds to believe that an unlawful activity has occurred and has been captured within an Official Record through the course of City Business, in accordance with Section 32(g) of the Act.

Law Enforcement Agencies seeking a copy of an Official Record must complete and submit to the Director, Legislative Services/City Clerk, or designate, a Law Enforcement Agency Request for Records Form (Appendix 3) containing, but not limited to, the following information:

- The name, position and badge number of the officer submitting the request;
- An incident or case number assigned by the Law Enforcement Agency associated with the request for Records; and,
- A description of the request, including time frame for which the Records are requested, where applicable.

Upon receipt of the request form, the Director, Legislative Services/City Clerk, or designate, will forward the request to the responding Branch or Department to secure and retrieve the requested Record(s).

If eligible for release, the Director, Legislative Services/City Clerk, or designate, will prepare the Record(s) for release and notify the representative of the Law Enforcement Agency when the Record(s) are available for retrieval from Legislative Services. If it is determined that the Records may not be released, the Director, Legislative Services/City Clerk, or designate, will advise the Law Enforcement Agency of the need to file a formal Freedom of Information request.

6.5 Active Dissemination

Active Dissemination methodology includes, but is not limited to:

- Posting Records and Information on the City's website or social media accounts (e.g. Facebook, Instagram, LinkedIn, YouTube, etc.); and
- Dissemination of media materials, posters, pamphlets, flyers, handouts and other publications.

The City utilizes the City's website, social media accounts, publications, and local media to regularly and periodically provide Information to the public. Public documents should be made available on the City's website in a timely manner. Individuals may also visit

City Hall upon request to review physical public Records (e.g. tax assessment rolls). All original public Records must remain in a City facility.

As previously noted, the complete list of Records and Information that may be released under Routine Disclosure or Active Dissemination is contained in Appendix 1. Records and Information that have been identified for Active Dissemination can be made available using the most appropriate methodology, as determined by the Branch or department in consultation with Corporate Communications and the Director, Legislative Services/City Clerk or designate, as appropriate.

In general, the public should refer to the City's website or contact Service Oshawa for up-to-date details on which Branch and/or department may possess the Records or Information they require. Service Oshawa should recommend contacting the Branch or department directly to review Records that are available through Routine Disclosure or Active Dissemination prior to submitting an F.O.I. request.

6.6 Accessible Formatting

Records and Information released under the Routine Disclosure and Active Dissemination Policy are subject to the requirements of the Accessibility for Ontarians with Disabilities Act and its regulations. Therefore, all Records and Information released under this Policy must be published or made available in accessible formats in accordance with accessibility legislation, policies and procedures. Applicants may contact the City if an alternate format is required.

6.7 Freedom of Information Requests

All F.O.I. requests submitted to the City shall be directed to the Director, Legislative Services/City Clerk or designate for processing, in accordance with the City's Access and Privacy Policy and the applicable provisions of M.F.I.P.P.A.

7.0 Monitoring and Evaluation

Legislative Services monitors compliance, engagement and awareness of this Policy through the following:

- Reviewing results of audits.
- Conducting training and education session evaluations.

This Policy is reviewed by the Director, Legislative Services/City Clerk or designate at least every three years to ensure its effectiveness and compliance with legislation and current business processes or as required based on legislative changes.

The Director, Legislative Services/City Clerk is authorized to make minor or housekeeping amendments to this Policy, and its appendices, as required.

For further information regarding this Policy, please contact Legislative Services at 905-436-3311 or clerks@oshawa.ca

8.0 References

AG10.80 Code of Conduct

Access and Privacy Policy

By-law 32-2021– Records Retention By-law

Frivolous, Vexatious or Unreasonable Requests or Complaints Policy

General Fees and Charges By-law

Privacy Breach Response Policy and Procedure

Records and Information Management Policy

Records and Information Management Strategic Plan, 2019

Copyright Act, R.S.C., 1985, c. C-42

Municipal Act, 2001, S.O. 2001, c. 25, as amended

Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, as amended.

Appendix 1 – Records Available Via Routine Disclosure and Active Dissemination

This listing identifies Records and Information that may be released under Routine Disclosure and/or Active Dissemination at the City of Oshawa. This listing may not be exhaustive or complete and may be updated at any time by the Director, Legislative Services/City Clerk or designate in consultation with relevant Branches or departments.

AD = Active Dissemination (e.g. posting on website, pamphlets, social media, etc.)

RD = Routine Disclosure (e.g. Information Records Request submitted orally or in writing using the appropriate request form)

Record Type	Access Method	AD or RD	Responsible Branch	Conditions of Release	Legal Responsibility
Accessibility Plan and Policies	Website	AD	Innovation & Transformation	None	Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11
Agendas and Minutes of Council, Standing and Advisory Committees and written declarations of pecuniary interest	Website	AD	Legislative Services	Excludes Closed Session Materials.	Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56; Municipal Act. 2001
Agreements and Contracts	In Person ; Request Form	RD	Legislative Services	Excludes Drafts and Confidential Agreements	Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56
Approved Subdivisions Listing	Request via Email	RD	Planning Services	None	Planning Act, R.S.O. 1990, c. P.13
Assessment Rolls	In Person Only	RD	Taxation Services	Property Assessment Information can be viewed at City Hall but will not be provided over the phone to the public. Additional information can be requested from the Municipal Property	Assessment Act, R.S.O. 1990, c. A.31

Record Type	Access Method	AD or RD	Responsible Branch	Conditions of Release	Legal Responsibility
				Assessment Corporation (M.P.A.C.)	
Building Plans and Drawings	In Person ; Request Form	RD	Building Services	Provided to the property owner or representative with authorization	Not Applicable
By-Laws	Website ; Request Form	AD/ RD	Legislative Services	Excludes draft by-laws The current Traffic By-law, Zoning By-law, and other common by-laws are available on the City's website. Copies of other by-laws can be requested.	Municipal Act, 2001; Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56
Committee of Adjustment Minutes, Agendas, Notices and Decisions	In Person ; Request Form ; Website	AD/ RD	Planning Services	Minutes and Agendas of the Committee of Adjustment may be accessed on the City's website, other Records may be requested.	Planning Act, R.S.O. 1990, c. P.13
Corporate Policies and Procedures	In Person ; Request Form ; Website	AD/ RD	Legislative Services or Responsible Branch	Many policies affecting the Public can be found on the website. Other policies may be requested via Routine Disclosure. Excludes internal or departmental written policies or procedures.	Not Applicable
Council Remuneration	Website	AD	Legislative Services	Includes only final statements of remuneration prepared for report to Finance Committee under section 284 of the	Municipal Act, 2001, c. 25

Record Type	Access Method	AD or RD	Responsible Branch	Conditions of Release	Legal Responsibility
				<i>Municipal Act, 2001</i>	
Elections – Candidate Financial Statements	Website	AD	Legislative Services	Records may be viewed for the current term of council	Municipal Elections Act, 1996, S.O. 1996, c. 32, Sched.
Elections – Nomination forms	In Person	RD	Legislative Services	Records may be viewed from the date of submission until 120 days following the election period	Municipal Elections Act, 1996, S.O. 1996, c. 32, Sched.
Fire File Search Report and/or Fire Incident Report	Request Form	RD	Fire Services	Property owners, or agents acting on behalf of a property owner, may request a report outlining details of a fire incident.	Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4
Freedom of Information Requests Listing	Website	AD	Legislative Services	Listing includes request number, disposition and summary only	Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56
Heritage Property List and Register	Website	AD	Planning Services	None	Ontario Heritage Act, R.S.O. 1990, c. O.18
Maps (including Oshawa Union Cemetery Map and G.I.S.)	Website	AD	Various	None	None
Motor Vehicle Accident Report	Request Form	RD	Fire Services	None	Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4
Property Tax Certificates (including statements of account, statements of taxes paid, etc.)	In Person ; Request Form	RD	Taxation Services	Provided to the property owner or representative with authorization	Municipal Act, 2001, c. 25
Registration of a Two-Unit House	Website	AD	Municipal Licensing and Standards	None	Two Unit House Registration By-law 41-2001

Record Type	Access Method	AD or RD	Responsible Branch	Conditions of Release	Legal Responsibility
Registration of Rental Housing	Website	AD	Municipal Licensing and Standards	None	Business Licensing By-law 120-2005
Registration of a Lodging House	Website	AD	Municipal Licensing and Standards	None	Lodging Houses By-law 94-2002

Appendix 2 – Request for Routine Disclosure of Records Form (Page 1)



Request for Routine Disclosure of Records

This form may be used by members of the public to request the routine disclosure of records under the custody and/or control of the City of Oshawa. Requests for the routine disclosure of records should be directed to the responsible branch and/or department, or Service Oshawa. If the request will include personal or confidential information, the request must be submitted using the City's Application for Access/Correction to Records form.

Contact Details		
Last Name		First Name
Address		City/Town
Province	Postal Code	Telephone
Email Address		
Company Name (if applicable)		
Preferred Method of Contact	<input type="checkbox"/> Regular Mail	<input type="checkbox"/> E-mail
Description of Request		

This form may contain personal information as defined under the Municipal Freedom of Information and Protection of Privacy Act. This information is collected under the legal authority of the Municipal Act, 2001, S.O. 2001 c.25, as amended. This information will be used and maintained by the City of Oshawa to respond to the Routine Disclosure Records Request. Questions regarding this collection may be directed to the City's Information Access and Privacy Officer, City of Oshawa, 50 Centre Street South, Oshawa, Ontario, L1H 3Z7, 905-436-3311.

Appendix 2 – Request for Routine Disclosure of Records Form (Page 2)

Time Period of Requested Records	
From (day/month/year)	To (day/month/year)
Signature	Date (day/month/year)

This form may contain personal information as defined under the Municipal Freedom of Information and Protection of Privacy Act. This information is collected under the legal authority of the Municipal Act, 2001, S.O. 2001 c.25, as amended. This information will be used and maintained by the City of Oshawa to respond to the Routine Disclosure Records Request. Questions regarding this collection may be directed to the City's Information Access and Privacy Officer, City of Oshawa, 50 Centre Street South, Oshawa, Ontario, L1H 3Z7, 905-436-3311.

OFN ##

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Appendix 3 – Law Enforcement Agency Request for Records Form



Oshawa®

Law Enforcement Agency Request for Records

This form is to be used exclusively by Law Enforcement Agencies requesting disclosure of records under the custody and/or control of the City of Oshawa which contain personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act*.

Applicant Information			
Name of Applicant:	<input type="text"/>	Badge Number:	<input type="text"/>
Name of Agency:	<input type="text"/>	Title of Applicant:	<input type="text"/>
Phone Number:	<input type="text"/>	Extension:	<input type="text"/>
		E-mail Address:	<input type="text"/>

Request Details	
Incident/Case Number:	<input type="text"/>
Records Requested:	<input style="height: 150px;" type="text"/>

Declaration (please read carefully)	
<p>I declare that I am a "Canadian Law Enforcement Officer." I request that the City of Oshawa disclose the records described above in order to aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result. Where the records described above are in respect to personal information, in whole or in part, I request the disclosure be considered pursuant to section 32(g) of the <i>Municipal Freedom of Information and Protection of Privacy Act</i>.</p> <p>I understand and agree that the records, once disclosed to me, must not be used or shared with any person or party for any purpose beyond the law enforcement investigation that I am undertaking.</p>	
Law Enforcement Officer:	
Signature:	<input type="text"/>
Date:	<input type="text"/>
Officer's Supervisor/Manager:	
Print Name:	<input type="text"/>
Phone:	<input type="text"/>
Signature:	<input type="text"/>
Date:	<input type="text"/>

Please return this completed form to foi@oshawa.ca or by mail/in person to Legislative Services, City of Oshawa, 50 Centre Street South, Oshawa, ON L1H 3Z7