




Dealing with FOI's When You're Overwhelmed

Justin Petrillo
FOI Assist

About Me

- Founder and Principal of FOI Assist
 - FOI Assist Software (foiassistapp.ca)
 - Software to help provincial and municipal institutions in Ontario track and respond to Freedom of Information (FOI) requests
 - FOI Assist Knowledge Base (foiassist.ca)
 - How-to articles, news and resources, all free
- Lawyer and Software Developer
- Advised on FOI in private practice
- Managed FOI program at TO2015





Dealing with FOI's When You're Overwhelmed

A decorative teal dashed line consisting of seven short, slightly curved segments, arranged in an arc on the left side of the blue circle.

Clarify and Narrow

Shrink the request if you can!

A solid purple circle located at the bottom right edge of the large blue circle.

Clarifying Requests

- Sometimes, an FOI request can't be processed because it is unclear
- Consider the following request:
"I would like all records relating to the construction of the fire station"
- What if our town has two fire stations? Which one is this asking about?
- There's no way to know without asking the requestor for more details

Thursday, April 13, 2023

Mary MacLemore
111 Franklin Blvd
Windsor, Ontario
N8W 3T6

Dear Miss MacLemore:

Re: FOI File Number: 2023-06

I am writing to inform you that in accordance with our discussion on Thursday, April 13, 2023, the wording of your request has been revised as follows:

I am looking for any records from July 1, 2022 to September 30, 2022 relating to construction of the new cold storage building.

We will process your request on the basis of the wording above.

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We would appreciate you using the above-listed FOI file number in any further correspondence.

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FOI Coordinator
Town of Pleasanton

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Town of Pleasanton

Clarifying Requests

"I would like all records relating to the construction of the fire station"

- You have an obligation to help the requestor formulate a clear request
- This should be done promptly
- The deadline clock does not start until you have received a valid, clear request

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Clarifying Requests

- Call the requestor, discuss exactly what they are seeking, and work together to reformulate the request
- Then follow up with a letter or email to put the new request wording in writing

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Clarifying Requests

Possible clarified wording:

"I would like all records relating to the construction of the fire station at 100 Main Street, Pleasanton, Ontario"

Can we do better?

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Town of Pleasanton

Narrowing Requests

- Is there any opportunity to “narrow” the request, in addition to clarifying it?
- Try to reduce the scope of records being requested

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Narrowing Requests

- Narrowing is win-win:
 - The requestor gets the records they want
 - Faster and at a reduced cost
 - Institution saves time and labour as well

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Narrowing Requests

Fewer records
+ Lower fees
+ Faster turn-around
= Reduced risk of appeals

- The less you need to do, the less chance of a dispute

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Narrowing Requests

- What does the requestor really want?
- Only way to know is to ask!
 - Certain types of records?
 - A specific construction company?
 - Involvement of a particular staff member?

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Narrowing Requests

- Call the requestor
- Explain the benefits of narrowing their request:
 - Lower fees
 - Faster turnaround
 - Less to sort through
- They can always put in another request later!
 - (Most won't bother.)

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Narrowing Requests

- You can also propose narrowing a request even if the original request is clear
- But when a request is clear, the clock is running so time is ticking against you
- This makes it all the more important to act quickly

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Narrowing Requests

Examples of narrowing:

- “I would like all blueprints relating to the construction of the fire station at 100 Main Street”
- “I would like all records referencing ACME Co. relating to ...”
- “I would like all emails to and from Tom Smith relating to ...”

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Narrowing Requests

Remember:

Whenever you change the wording of the request, even if it's with the agreement of the requestor, send the requestor the updated wording in writing! This can help you avoid a dispute later on.

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Use Interim Fee Estimates

Does the requestor intend to pay?



Fee Estimates

Over \$100? Send a Fee Estimate!

- If the fees for processing an FOI request are expected to be over \$100.00, you are supposed to prepare a fee estimate asking for a 50% deposit
- Preparing fee estimates manually can take a while – but they're worth it!
- Don't ever miss an opportunity to prepare one



TOWN OF PLEASANTON
1 Oak Street
Pleasanton, Ontario
N6H 5G5
Tel: 519-555-6676
Fax: 519-555-6687

Thursday, April 13, 2023

Cathy King
Toronto Telegraph
10 Trune Avenue
Toronto, Ontario
M5X 1T1

Dear Ms King:

Re: FOI File Number: 2022-18

In response to your request made under the *Municipal Freedom of Information and Protection of Privacy Act* (hereinafter, the "Act"), I am providing you with a fee estimate and interim access decision.

Your request is for the following information:

I would like all of the expense claims of the Director of Finance from Jan 1, 2022 to Dec 31, 2022.

The Act contemplates a user-pay principal. Based on my review of a representative sample of the records, I estimate there are approximately 110 pages of records responsive to your request and the total fees to process your request will be approximately \$283.50.

This fee estimate is broken down as follows:

- Search: 7.5 hours at \$30 per hour = \$225.00
- Preparation: 0.75 hours at \$30 per hour = \$22.50
- Printing/Copying: 130 pages at \$0.20 per copy = \$26.00
- Shipping Costs: \$10.00
- Total Fees: \$283.50
- **Payment Due Now: \$141.75**

Please note, this represents an estimate of fees based on preliminary work. The final fee calculation may vary.

As we have not yet completed the search or reviewed all of the records in detail, no final decision has been made regarding access. However, the following exemption(s) will likely apply:

Fee Estimates

They Will Save You Time

- At the Pan Am Games, we found about half of our requests would get abandoned or narrowed by the requestor after we sent out an interim fee estimate
- It's much better to have the request abandoned early, rather than have it abandoned only after you do all the work
- Plus, fee estimates stop the clock!

- Relations with governments (s.9)
- Economic and other interests of Ontario (s.11)

Based on the review of the representative sample, I estimate that access will be granted to 95 percent of the responsive records.

The expected degree of severing for parts of records is expected to be low.

The costs outlined above are in accordance with section 6 of Regulation 823 made under the Act. In accordance with section 7(1) of Regulation 823, where the fee estimate is \$100.00 or more, an institution may request a deposit equal to 50 per cent of the estimated fee before taking any further steps to process the request. **Please forward a cheque or money order for payment of \$141.75 payable to Town of Pleasanton to my attention.** Receipt of the fee deposit is requested prior to completing your request. If we do not receive your deposit within 30 days of this letter's date, we will close your file. Please send only the requested 50 percent deposit amount at this time. We will calculate the actual fee and include the balance owing when you are notified of the decision regarding your access request. The Act provides that all or part of the fee can be waived if, in our opinion, it is fair and equitable to do so, in certain circumstances. Below please find excerpts of section 45 of the Act and section 8 of Regulation 823. You may be required to provide evidence in support of any fee waiver request. Please notify us as soon as possible if you wish to proceed with a request for a fee waiver.

The person responsible for making this decision is Samantha Smith, Mayor.

You may request the Information and Privacy Commissioner to review this fee estimate within thirty days from the date of this letter. You can do so by filing an appeal online at www.ipc.on.ca. The appeal fee is **\$25.00** (for general record requests) or **\$10.00** (for personal information requests). Alternatively, appeals can still be mailed with a cheque or money order payable to "Minister of Finance" to: Registrar, Information and Privacy Commissioner of Ontario, 2 Bloor Street East, Suite 1400, Toronto, ON, M4W 1A8.

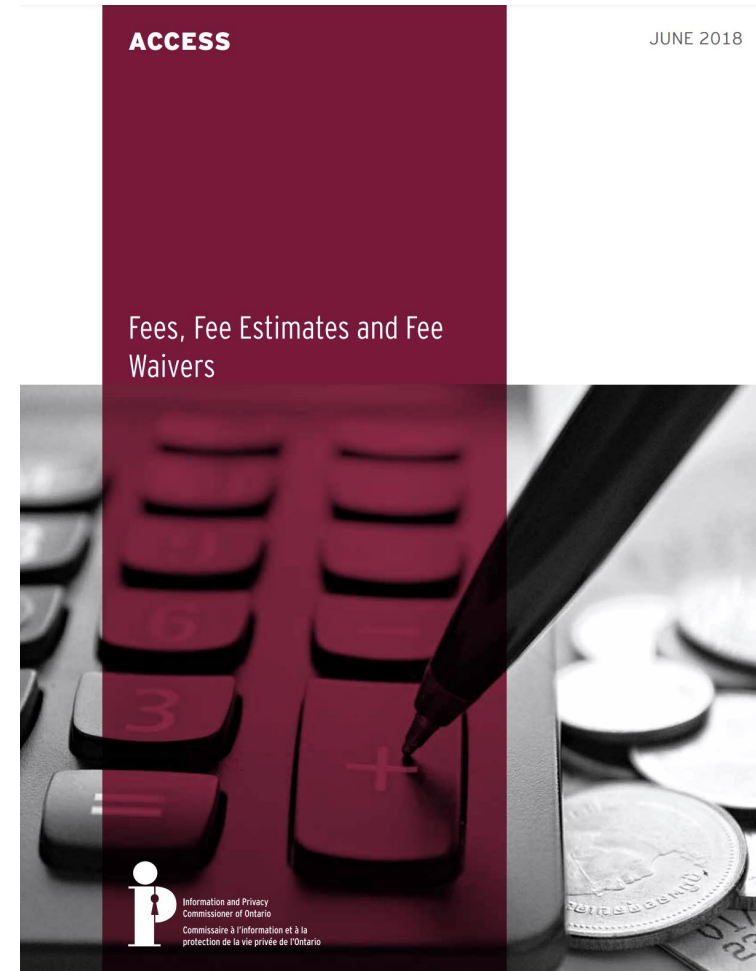
If you decide to request a review of this decision, please provide the Commissioner's office with the following:

- The file number listed at the beginning of this letter.
- A copy of this decision letter.
- A copy of your request that you sent to this institution.

Fee Estimates

Don't Rely on the *FOI Manual*

- Unfortunately, the current *FOI Manual* has not incorporated IPCO's latest directives on Fee Estimates
- Instead, use the June 2018 guidance document published by the *Information and Privacy Commissioner of Ontario* entitled "*Fees, Fee Estimates and Fee Waivers*", which can be considered authoritative



Fee Estimates

Interim Fee Estimate Tips

- E.G., despite the “*Fee Estimate and Interim Decision - \$25 to \$99 Fee*” letter template in the *FOI Manual*, there’s no need to send out an interim fee estimate when the fees are under \$100.00.
- The IPCO has clarified that providing a fee breakdown in your decision letter is sufficient for requests with fees between \$25 and \$100

Extracts from the Act of the disclosure exemptions and/or exclusions cited in this interim decision are set out below for your information.

If you would like to discuss revising your request with a view to reducing the estimated fee, or if you have any questions, please don't hesitate to contact us. We would appreciate you using the above-listed FOI file number in any further correspondence.

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Enclosure: Applicable excerpts from the *Municipal Freedom of Information and Protection of Privacy Act* and/or related legislation

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

EXEMPTIONS

Relations with governments

9 (1) A head shall refuse to disclose a record if the disclosure could reasonably be expected to reveal information the institution has received in confidence from,

(a) the Government of Canada;

(b) the Government of Ontario or the government of a province or territory in Canada;

Fee Estimates

Interim Fee Estimate Tips

- To make your fee estimate more resistant to appeal, use IPCO's recommended "search sample method":
 1. Conduct a search for 10-30% of the requested records
 2. Create a fee estimate based on that search

(c) the government of a foreign country or state;

(d) an agency of a government referred to in clause (a), (b) or (c); or

(e) an international organization of states or a body of such an organization.

Idem

(2) A head shall disclose a record to which subsection (1) applies if the government, agency or organization from which the information was received consents to the disclosure.

Economic and other interests

11 A head may refuse to disclose a record that contains,

(a) trade secrets or financial, commercial, scientific or technical information that belongs to an institution and has monetary value or potential monetary value;

(b) information obtained through research by an employee of an institution if the disclosure could reasonably be expected to deprive the employee of priority of publication;

(c) information whose disclosure could reasonably be expected to prejudice the economic interests of an institution or the competitive position of an institution;

(d) information whose disclosure could reasonably be expected to be injurious to the financial interests of an institution;

(e) positions, plans, procedures, criteria or instructions to be applied to any negotiations carried on or to be carried on by or on behalf of an institution;

(f) plans relating to the management of personnel or the administration of an institution that have not yet been put into operation or made public;

(g) information including the proposed plans, policies or projects of an institution if the disclosure could reasonably be expected to result in premature disclosure of a pending policy decision or undue financial benefit or loss to a person;

(h) questions that are to be used in an examination or test for an educational purpose;

Fee Estimates

Interim Fee Estimate Requirements

- IPCO is quite specific about what needs to be included in an interim fee estimate letter
- See the June 2018 IPCO guidance document for details
- Must include requestor's right to appeal to IPCO

(i) submissions in respect of a matter under the Municipal Boundary Negotiations Act commenced before its repeal by the Municipal Act, 2001, by a party municipality or other body before the matter is resolved.

Fees

45 (1) A head shall require the person who makes a request for access to a record to pay fees in the amounts prescribed by the regulations for,

- (a) the costs of every hour of manual search required to locate a record;
- (b) the costs of preparing the record for disclosure;
- (c) computer and other costs incurred in locating, retrieving, processing and copying a record;
- (d) shipping costs; and
- (e) any other costs incurred in responding to a request for access to a record.

(2) Repealed:

Estimate of costs

(3) The head of an institution shall, before giving access to a record, give the person requesting access a reasonable estimate of any amount that will be required to be paid under this Act that is over \$25.

Waiver of payment

(4) A head shall waive the payment of all or any part of an amount required to be paid under subsection (1) if, in the head's opinion, it is fair and equitable to do so after considering,

- (a) the extent to which the actual cost of processing, collecting and copying the record varies from the amount of the payment required by subsection (1);
- (b) whether the payment will cause a financial hardship for the person requesting the record;
- (c) whether dissemination of the record will benefit public health or safety; and

Fee Estimates

Interim Fee Estimate Requirements

- You are expected to include the full text of any exemptions that are applicable, along with a few other legislative excerpts
- IPCO also advises keeping notes of what was searched, the location of the records, what program areas participated, and who was consulted

(d) any other matter prescribed in the regulations.

Review

(5) A person who is required to pay a fee under subsection (1) may ask the Commissioner to review the amount of the fee or the head's decision not to waive the fee.

Disposition of fees

(6) The fees provided in this section shall be paid and distributed in the manner and at the times prescribed in the regulations.

Municipal Freedom of Information and Protection of Privacy Act, R.R.O. 1990, REGULATION 823

GENERAL

8. The following are prescribed as matters for a head to consider in deciding whether to waive all or part of a payment required to be made under the Act:

1. Whether the person requesting access to the record is given access to it.
2. If the amount of a payment would be \$5 or less, whether the amount of the payment is too small to justify requiring payment.

Fee Estimates

Interim Fee Estimate Requirements

- In an appeal, IPCO will determine whether your fee estimate was executed correctly, making the various requirements all the more important
- Using FOI Software to generate completed fee estimates can be a significant help here

(d) any other matter prescribed in the regulations.

Review

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Create a Request Form

Collect all the info you need up front!



Request Form

- Consider creating a request form and making it available online
- Using a request form has many advantages
 - Gets all the information you need in one go
 - Encourages the inclusion of an application fee
 - Reduces time spent chasing incomplete requests
 - Fewer calls asking “how can I make an FOI request?”
 - (Even I get a lot of these!)



Access Request Form under the Municipal Freedom of Information and Protection of Privacy Act

Submit Completed Requests to: City of Kawartha Lakes
Office of the City Clerk
26 Francis Street, PO Box 9000
Lindsay, ON K9V 5R8

MFIPPA requires that a \$5.00 fee be attached to all access requests.
Additional fees or documentation may also be required.

Request for:

- ☒ Access to General Records ☐ Access to Own Personal Information ☐ Correction of Own Personal Information

First Name:

Last Name:

Address:

City/Town/Village:

Province:

Postal Code:

Telephone Number:

Email:

Preferred method of access to records:

- ☒ Examine Original ☐ Receive Copy

Request Form

- A request form also lets you ask for “nice to have” information, such as:
 - The requestor’s email address
 - A date range for the requested records
 - The requestor’s preferred method of access (receive copies vs. in-person)
 - Whether the requestor would prefer the records as paper copies or as electronic records
 - The signature of the requestor – can be useful for ID purposes

Detailed description of the requested records or files, or personal information to be corrected.
(Suggestion: A numbered list of records is clearer to staff than a list of questions)

What are the dates of the information you are requesting, if applicable (use date format yyyy-mm-dd):

From:

To:

If request is for access to, or correction of, own personal information records the last name appearing on the records is:

Note: If you are requesting a correction of personal information, please indicate the desired correction and, if appropriate, attach any supporting documentation. You will be notified if the correction is not made and you may require that a statement of disagreement be attached to your personal information.

Signature:

Date:

For Institution Use Only

Date Received:

Request Number:

Comments:

Request Form

- It's also a great opportunity to let the requestor know about costs and other helpful information
- They may think the \$5.00 application fee is the only cost
- They may not be interested in pursuing a request if additional costs are a factor
- So it's best for everyone that the requestor understand the process from the start!

Fees for Requests for General Information:

Requests for information, whether about a person other than yourself or about a government program or activity are considered "general information requests". The following fees apply to requests for general information.

Mandatory Application Fee: \$5.00 to be paid when you submit your request.

Search Time: \$30.00 per hour required to search and retrieve records.

Record Preparation (i.e. severing): \$30.00 per hour required to prepare records for release.

Photocopying: \$0.20 for each page (Requestor's copy only).

Memory Devices: \$10.00 for each memory device (up to 4GB)

Personal information contained on this form is collected pursuant to the Municipal Freedom of Information and Protection of Privacy Act and/or the Personal Health Information Act and will be used for the purpose of responding to your request. Questions about the collection of this information should be directed to the City Clerk or Deputy-Clerk at 705-324-9411 extension 1295 or 1322.

Request Form

- Basic Method:
 - Create a printable PDF and post it online
- Or Level Up:
 - Use software like FOI Assist to publish a web form where requestors can submit FOI requests to you online and pay their \$5.00 application fee by credit card
- Keep in mind, requestors aren't obligated to use your request form
- But most will: it's another win-win!
- Easier for everyone

Fees for Requests for General Information:

Requests for information, whether about a person other than yourself or about a government program or activity are considered "general information requests". The following fees apply to requests for general information.

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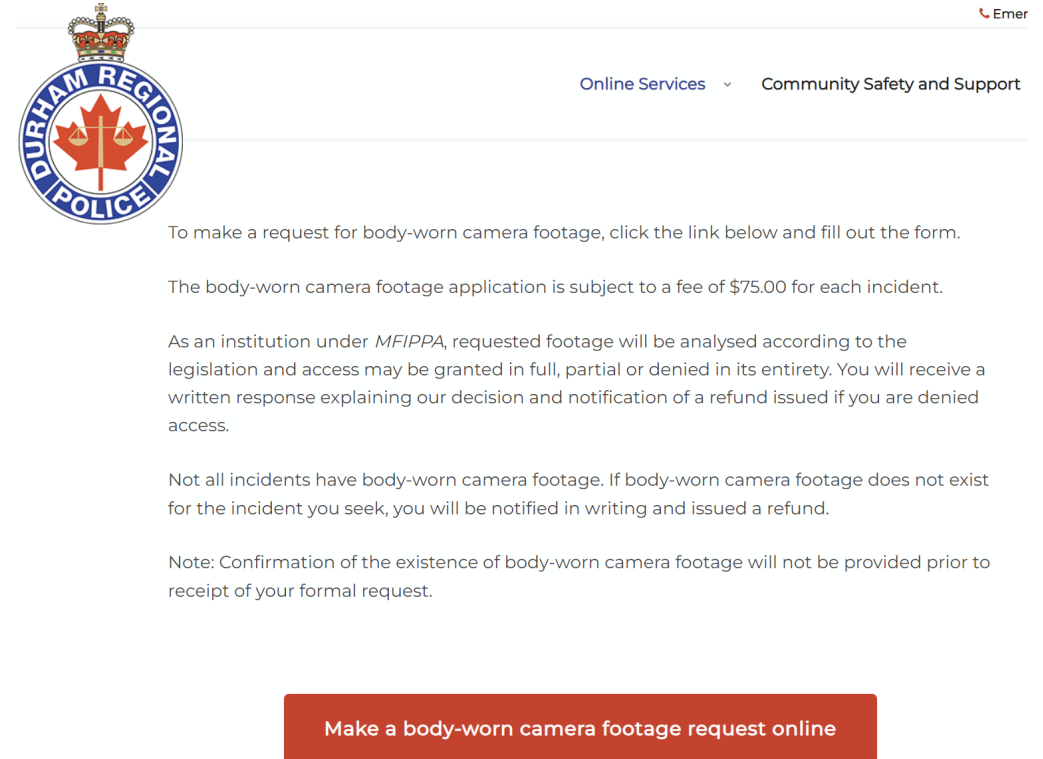
Use Alternative Disclosure Methods

Get ahead of your FOI requests

Alternative Disclosure

Requestors don't have to use FOI requests for everything

- FIPPA and MFIPPA allow you to set up your own alternative procedures (and fees!) for public records
- If you have a reasonable system set up for providing certain types of records to the public, you don't have to process FOI requests for those records anymore



Alternative Disclosure

“Publicly Available Information” exemption

- FIPPA s.22 / MFIPPA s.15
- Also known as the “Information Soon to be Published” exemption
- Allows institutions to replace the standard FOI fee structure with a different fee structure better suited to a particular type of records
- Applies to public record requests (not personal information)

Information soon to be published

15 A head may refuse to disclose a record if,

- (a) the record or the information contained in the record has been published or is currently available to the public; or
- (b) the head believes on reasonable grounds that the record or the information contained in the record will be published by an institution within ninety days after the request is made or within such further period of time as may be necessary for printing or translating the material for the purpose of printing it. R.S.O. 1990, c. M.56, s. 15.

Alternative Disclosure

“Publicly Available Information” exemption

- Key part of the exemption is that an institution may refuse to disclose a record that is “currently available to the public”
- “Currently available to the public” can mean “available for free” or “available online”...
- But it doesn't have to!
- Proactive disclosure vs. by request

Information soon to be published

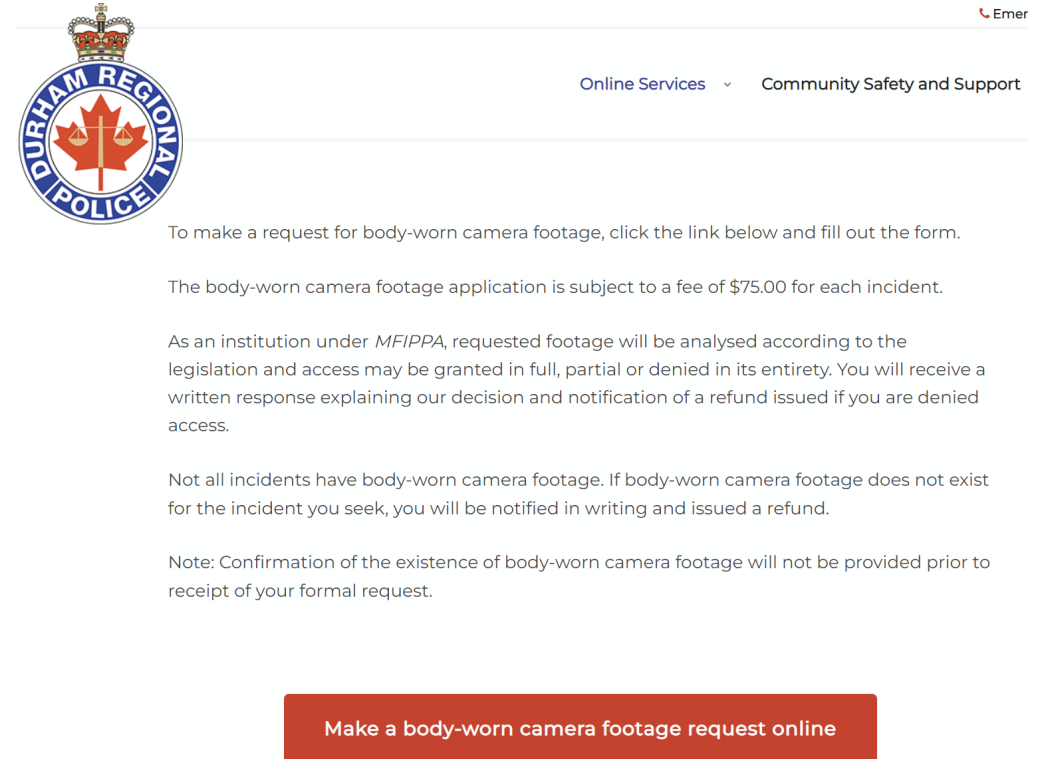
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Alternative Disclosure

So What Can You Charge?

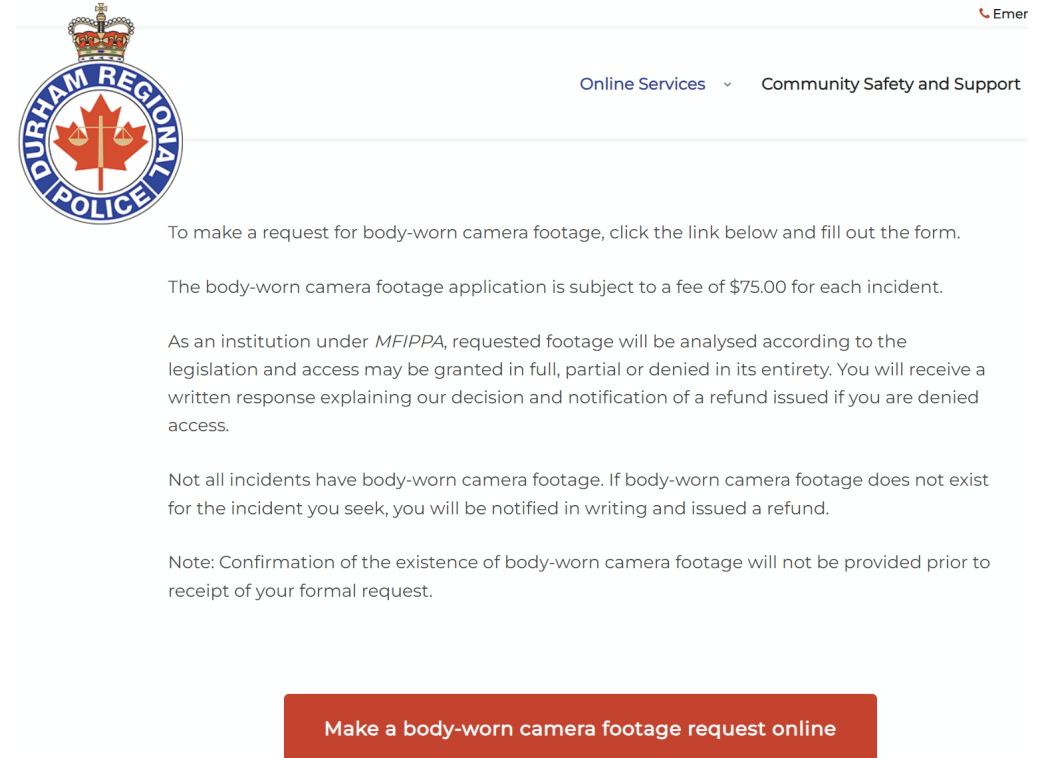
- There's no specific guidance from IPCO, but it seems clear you can charge more than you would have charged for the equivalent FOI request
- This seems to offer institutions a lot of flexibility in situations where the standard FOI fee structure just doesn't make sense



Alternative Disclosure

Limitations: Personal Information

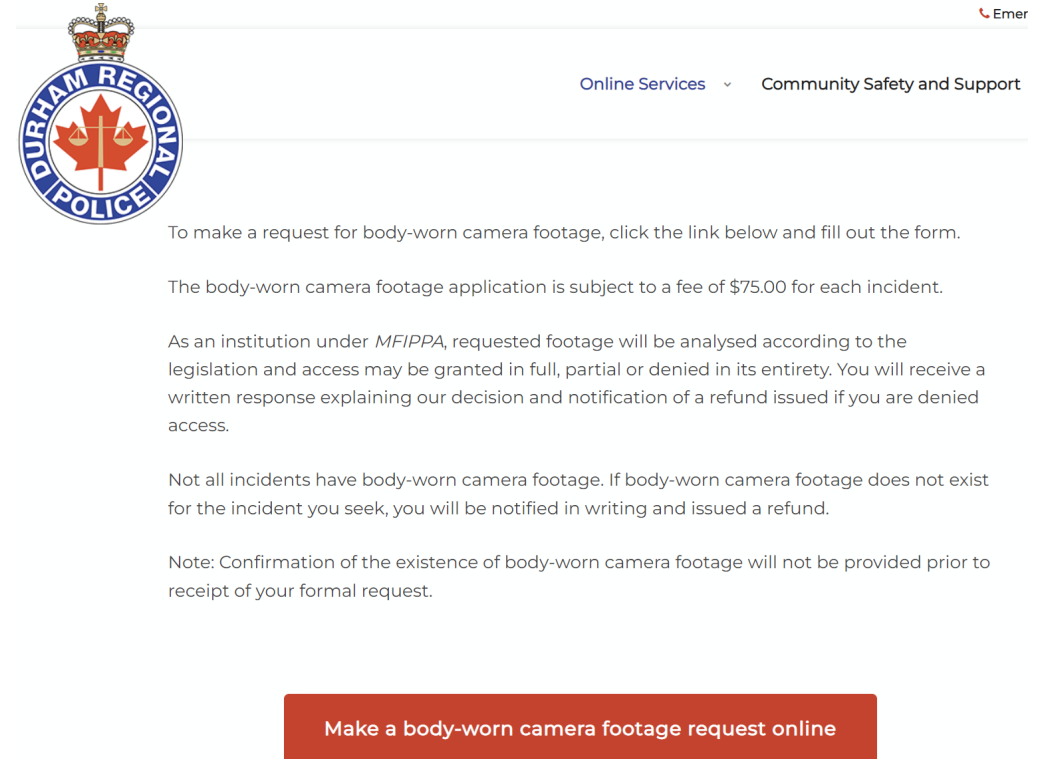
- An institution may not be able to rely on the Publicly Available Information exemption set out in MFIPPA s.15 and FIPPA s.22 when dealing with requests for personal information
- Specifically, when the version of the requested records disclosed to the public differs from the version that would be disclosed in response to an FOI request for personal information



Alternative Disclosure

E.G., Meeting Minutes

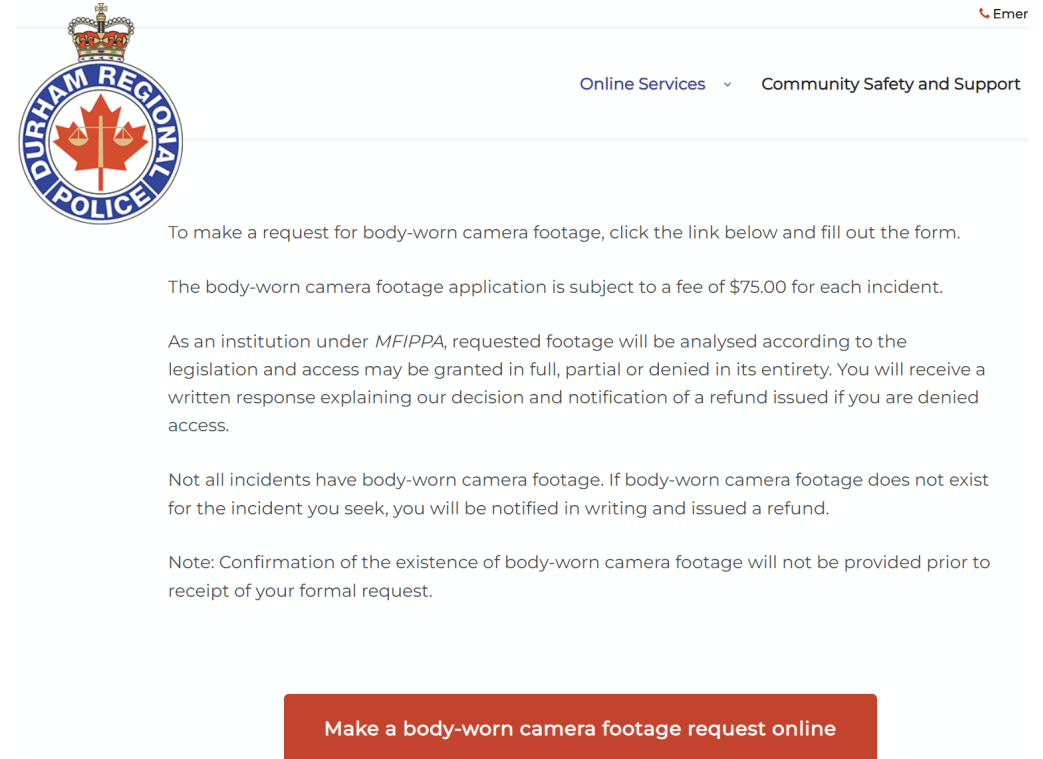
- Consider the example of a municipality that posts minutes of its meetings to its website.
- Personal information contained in the minutes would have to be removed before the minutes could be published online.



Alternative Disclosure

E.G., Meeting Minutes

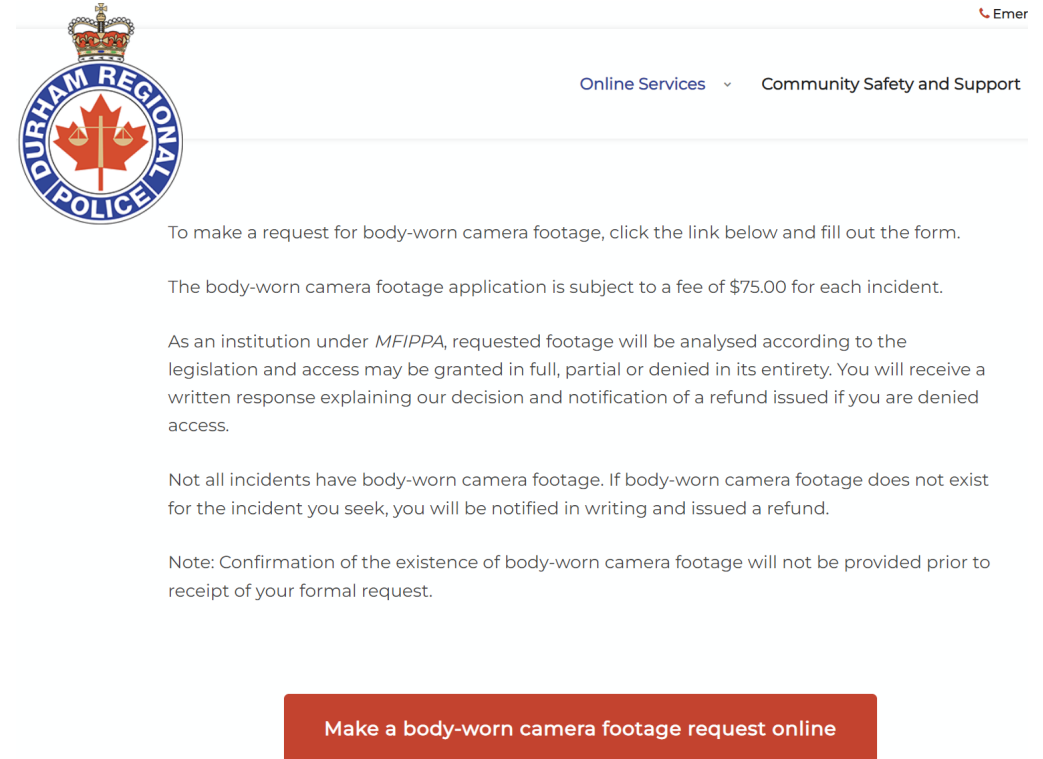
- If a requestor asked for a copy of such minutes in an FOI request for general records, per MFIPPA s.15(a), the municipality could refuse to provide them and
 - Tell the requestor to go download the minutes from its website instead, or
 - Charge a flat fee to mail out a hard copy



Alternative Disclosure

E.G., Meeting Minutes

- What if an individual whose personal information was redacted from such minutes submitted an FOI request for the unredacted version?
- The municipality would not be able to refuse the request using s.15(a)
- This is because the version of the minutes on the website would not be the same as what that the requestor would be entitled to receive via FOI.





Know Your Reference Materials

MFIPPA is only the beginning

Reference Materials

1

FOI Manual

2

**FIPPA and
MFIPPA**

3

**IPCO
Decisions and
Guidance**

4

**Annotated
Acts**

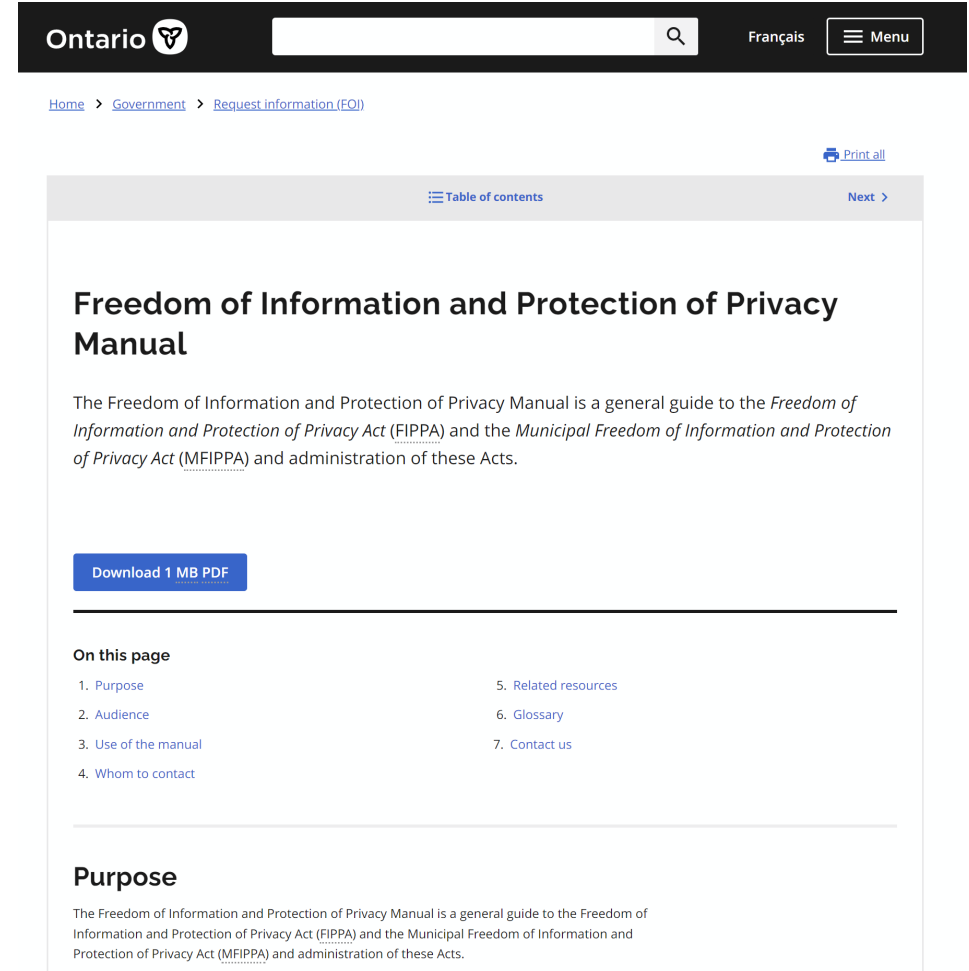
5

**FOI Assist
Knowledge
Base**

Reference Materials

FOI Manual

- Published by the Ministry of Government Services
- First stop for new FOI professionals or when a new issue comes up
- <https://www.ontario.ca/document/freedom-information-and-protection-privacy-manual>



The screenshot shows the Ontario government website header with the Ontario logo, a search bar, and links for 'Français' and 'Menu'. Below the header is a breadcrumb trail: 'Home > Government > Request information (FOI)'. A 'Print all' link is visible in the top right. The main content area has a 'Table of contents' link and a 'Next >' link. The title 'Freedom of Information and Protection of Privacy Manual' is prominently displayed. A descriptive paragraph follows, stating it is a general guide to the Freedom of Information and Protection of Privacy Act (FIPPA) and the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). A blue button labeled 'Download 1 MB PDF' is provided. Below this is a section titled 'On this page' with a list of seven links: 1. Purpose, 2. Audience, 3. Use of the manual, 4. Whom to contact, 5. Related resources, 6. Glossary, and 7. Contact us. The 'Purpose' section is partially visible at the bottom, repeating the introductory text.

Ontario

Home > Government > Request information (FOI)

Print all

Table of contents

Next >

Freedom of Information and Protection of Privacy Manual

The Freedom of Information and Protection of Privacy Manual is a general guide to the *Freedom of Information and Protection of Privacy Act* (FIPPA) and the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) and administration of these Acts.

[Download 1 MB PDF](#)

On this page

- 1. Purpose
- 2. Audience
- 3. Use of the manual
- 4. Whom to contact
- 5. Related resources
- 6. Glossary
- 7. Contact us

Purpose

The Freedom of Information and Protection of Privacy Manual is a general guide to the Freedom of Information and Protection of Privacy Act (FIPPA) and the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) and administration of these Acts.

Reference Materials

Official FIPPA/MFIPPA Legislation and Regulations

- Official legislation and regulations at [Ontario.ca](https://www.ontario.ca)
- If you can't find the answer in the legislation, remember to check the regulations too
 - e.g., fees that institutions are permitted to charge
- <https://www.ontario.ca/laws/statute/90m56>



Ontario  SEARCH LAWS SEARCH contact us français Topics +

HOME PAGE / LAWS / MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT, R.S.O. 1990, C. M.56

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

Versions Regulations under this Act

current April 19, 2021 – (e-Laws currency date)
March 17, 2021 – April 18, 2021
May 29, 2019 – March 16, 2021
25 more

Print Download

Français

Municipal Freedom of Information and Protection of Privacy Act

R.S.O. 1990, CHAPTER M.56

Consolidation Period: From April 19, 2021 to the [e-Laws currency date](#).

Last amendment: 2021, c. 4, Sched. 11, s. 25.

Legislative History: [+]

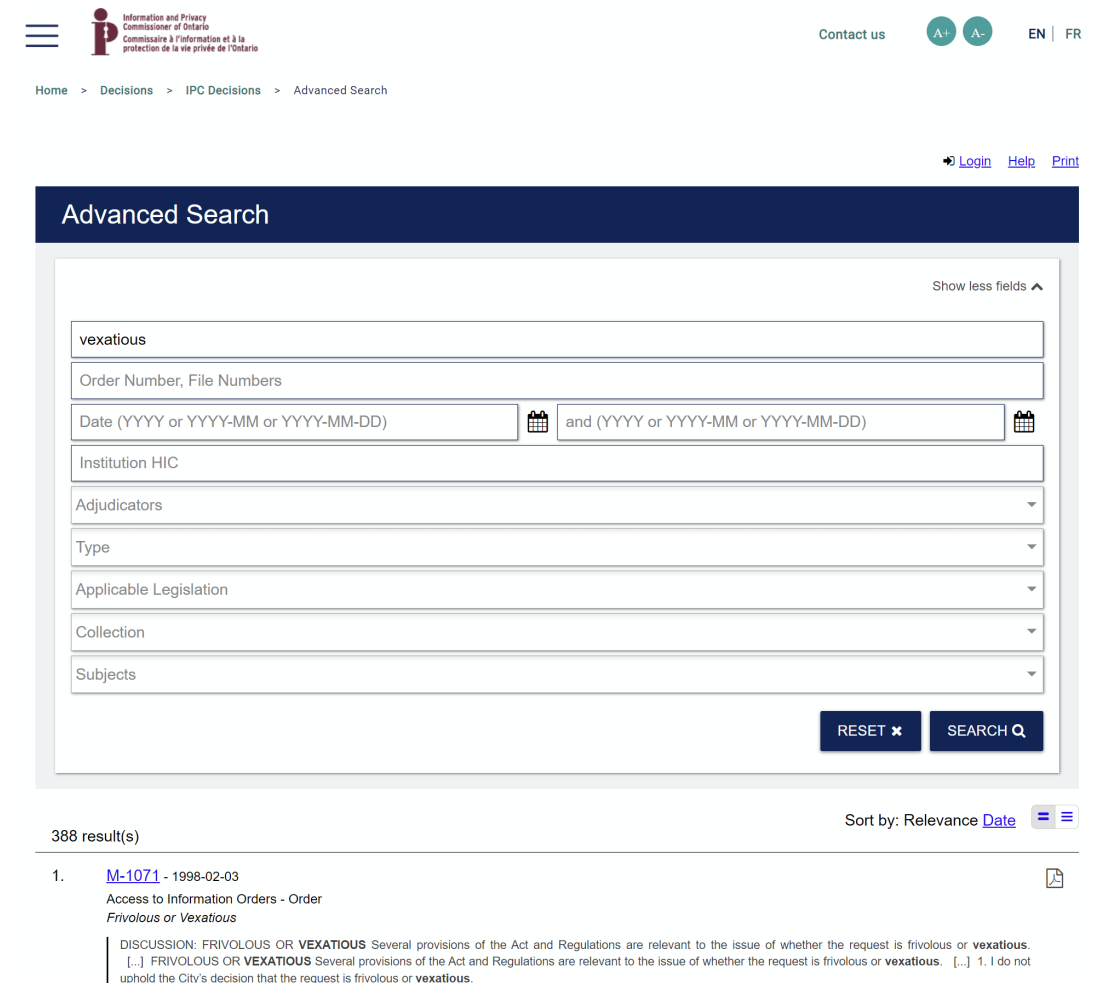
CONTENTS [-]

1.	Purposes
2.	Interpretation
3.	Designation of head
PART I	
FREEDOM OF INFORMATION	
ACCESS TO RECORDS	
4.	Right of access

Reference Materials

IPCO Decisions and Guidance

- The *Information and Privacy Commissioner of Ontario* (IPCO) publishes its appeal decisions
- **Decisions:**
<https://decisions.ipc.on.ca/>

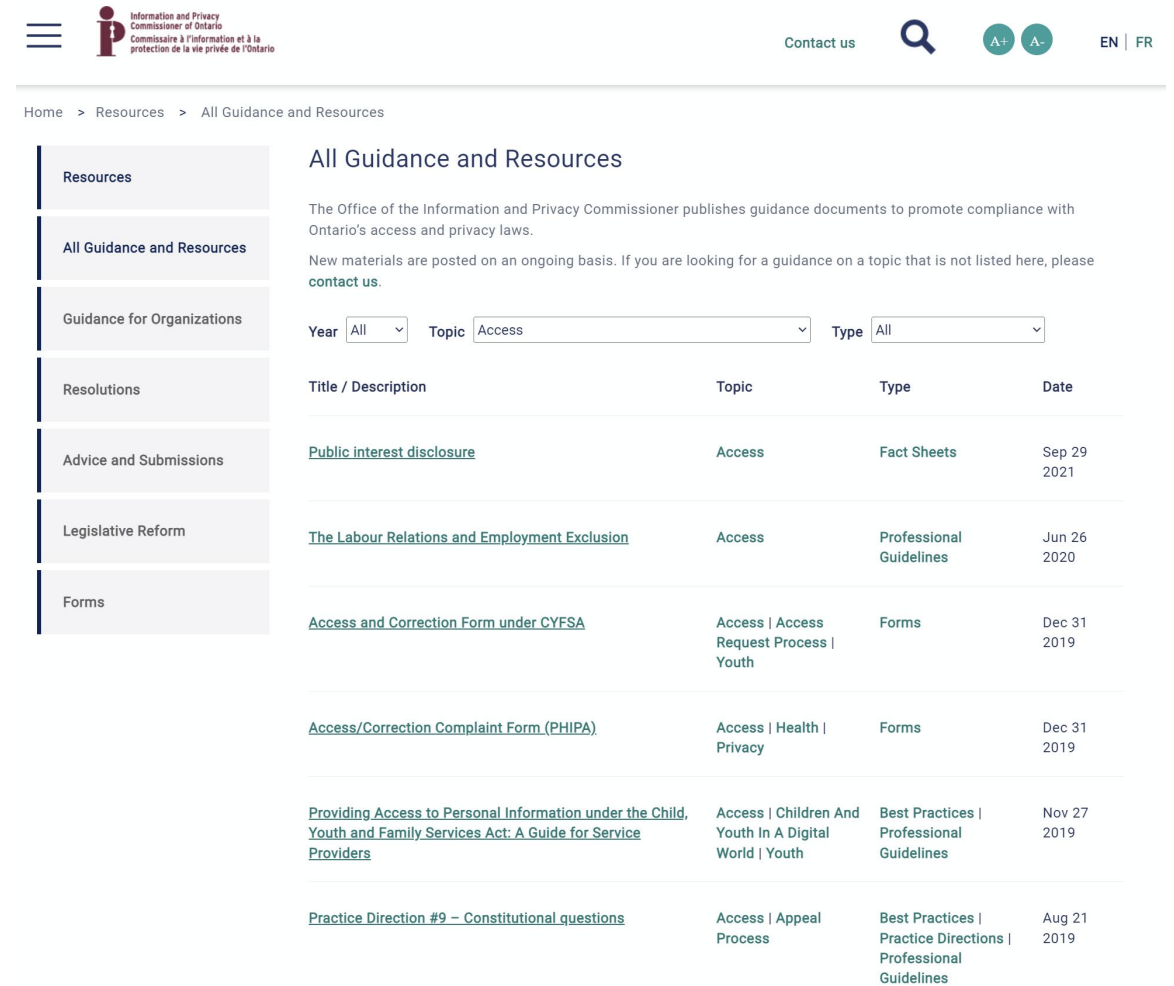


The screenshot shows the 'Advanced Search' interface of the Information and Privacy Commissioner of Ontario (IPCO) website. The header includes the IPCO logo and navigation links for 'Home', 'Decisions', 'IPC Decisions', and 'Advanced Search'. There are also links for 'Contact us', 'Login', 'Help', and 'Print'. The search form contains several input fields: a text field with 'vexatious', a field for 'Order Number, File Numbers', a date range field with 'Date (YYYY or YYYY-MM or YYYY-MM-DD)' and a calendar icon, a field for 'Institution HIC', a dropdown for 'Adjudicators', a dropdown for 'Type', a dropdown for 'Applicable Legislation', a dropdown for 'Collection', and a dropdown for 'Subjects'. At the bottom of the form are 'RESET' and 'SEARCH' buttons. Below the search results, it indicates '388 result(s)' and a 'Sort by: Relevance' dropdown. The first result is listed as '1. M-1071 - 1998-02-03 Access to Information Orders - Order Frivolous or Vexatious'. The result description states: 'DISCUSSION: FRIVOLOUS OR VEXATIOUS Several provisions of the Act and Regulations are relevant to the issue of whether the request is frivolous or vexatious. [...] FRIVOLOUS OR VEXATIOUS Several provisions of the Act and Regulations are relevant to the issue of whether the request is frivolous or vexatious. [...] 1. I do not uphold the City's decision that the request is frivolous or vexatious.'

Reference Materials

IPCO Decisions and Guidance

- IPCO also publishes guidance documents
- These are just as important as decisions and often more useful
- **Guidance:**
<https://www.ipc.on.ca/resources/guidance/>
- Can filter on "Access" to see most relevant guidance for FOI



The screenshot shows the website of the Information and Privacy Commissioner of Ontario. The header includes the organization's name in English and French, a search icon, and language options (EN | FR). The breadcrumb trail indicates the user is in the 'All Guidance and Resources' section.

Resources

- All Guidance and Resources
- Guidance for Organizations
- Resolutions
- Advice and Submissions
- Legislative Reform
- Forms

All Guidance and Resources

The Office of the Information and Privacy Commissioner publishes guidance documents to promote compliance with Ontario's access and privacy laws.

New materials are posted on an ongoing basis. If you are looking for a guidance on a topic that is not listed here, please [contact us](#).

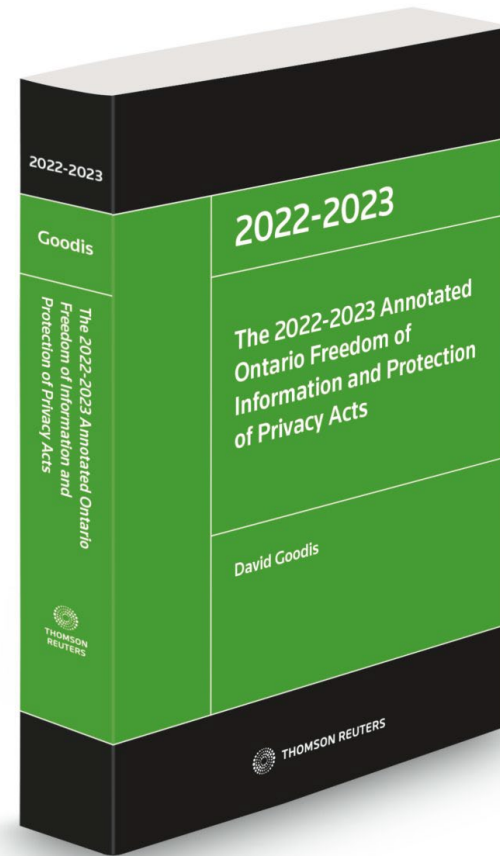
Year: Topic: Type:

Title / Description	Topic	Type	Date
Public interest disclosure	Access	Fact Sheets	Sep 29 2021
The Labour Relations and Employment Exclusion	Access	Professional Guidelines	Jun 26 2020
Access and Correction Form under CYFSA	Access Access Request Process Youth	Forms	Dec 31 2019
Access/Correction Complaint Form (PHIPA)	Access Health Privacy	Forms	Dec 31 2019
Providing Access to Personal Information under the Child, Youth and Family Services Act: A Guide for Service Providers	Access Children And Youth In A Digital World Youth	Best Practices Professional Guidelines	Nov 27 2019
Practice Direction #9 – Constitutional questions	Access Appeal Process	Best Practices Practice Directions Professional Guidelines	Aug 21 2019

Reference Materials

Annotated Acts (a.k.a. "Goodis")

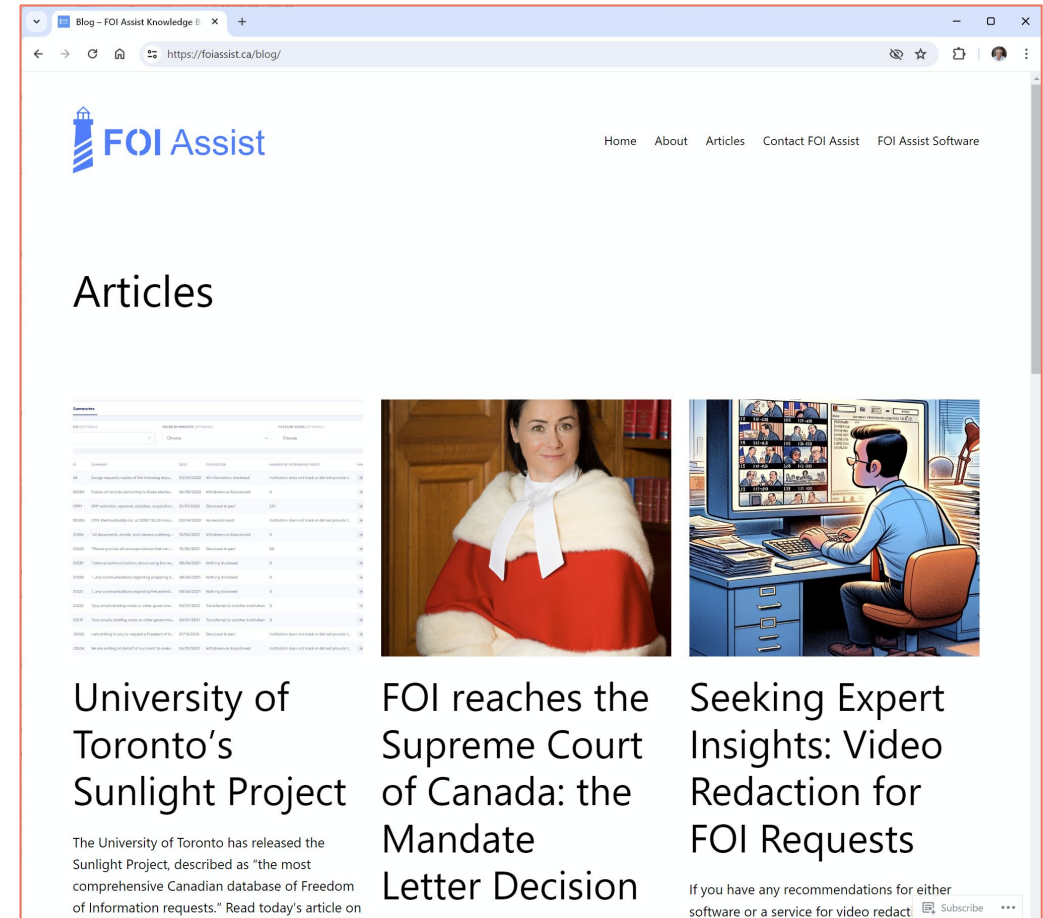
- Fantastic text by former Assistant Commissioner David Goodis explains each section of MFIPPA/FIPPA and lists the most important decisions
- Start here before searching decisions online
- This text will help you find the most relevant cases
- Updated annually



Reference Materials

FOI Assist Knowledge Base


- Free website site with many how-to articles and printable resources for FOI professionals
- Popular articles include:
 - “When is Labour and Employment Information Exempt from Disclosure?”
 - “Exemptions vs. Exclusions: What is the difference?”
- <https://foiassist.ca>



A decorative teal dashed line consisting of seven short, slightly curved segments arranged in an arc on the left side of the blue circle.

Use FOI Software


Track deadlines, create
correspondence, and accept FOI
requests online

A solid purple circle located at the bottom right edge of the large blue circle.



FOI Software

What FOI Software can do for you:

- Track deadlines
 - Provide checklists
 - Recommend next steps
 - Generate your Annual Report
 - Draft Correspondence
 - Accept FOI requests online
 - Create Interim Fee Estimates
 - Clarification and Narrowing
 - Affected Person Process
 - Index of Records
 - Decision Letters
 - Deadline reminders
- 

FOI Software

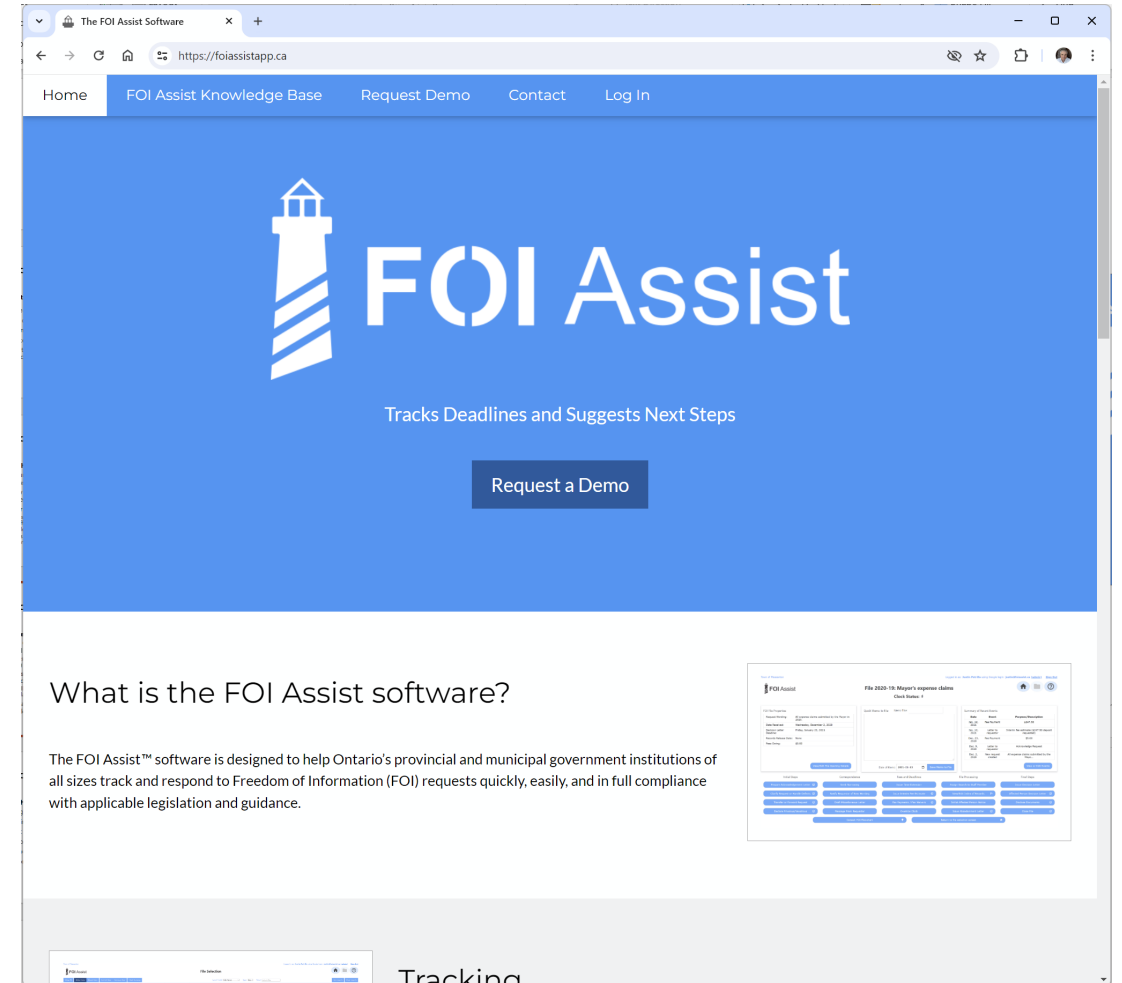
Finding the right FOI software

- Make sure to see it in action
 - Request a live demonstration
- Is it easy to use, with a modern user interface?
- Does it run in the cloud?
 - Makes it easy to use remotely from the office or home, or even from a mobile device
 - Keeps your data secure from ransomware and similar attacks
- Is it a subscription service?
 - No big up-front investment required
 - Kept up to date with changes to the legislation/directives
- What do other users say?
 - Does it make FOI easier, or does it feel like it's just adding more work?
 - Does it perform well?
 - Is it fast?
 - Is it reliable?

FOI Software

Helpful features:


- Built for Ontario's FOI process under FIPPA/MFIPPA
 - Or it is aimed at a "generic" audience doing FOI in various jurisdictions?
- Prepares finished FOI correspondence for you
 - No templates!
- Understands how actions affect the clock and fees





FOI Software

“Nice to Have” features:

- Thorough documentation
 - Free training and support
 - Support for FOI teams
 - Email notifications
 - Time tracking
 - Data stored in Canada
- Keep requests organized in a table format
 - Find requests easily through searching, sorting and filtering
 - Customizable online request form
 - Bilingual correspondence
 - Built for Ontario
- 



Bonus Topics

(Only if there's time!)

Bonus! (A few final ideas...)

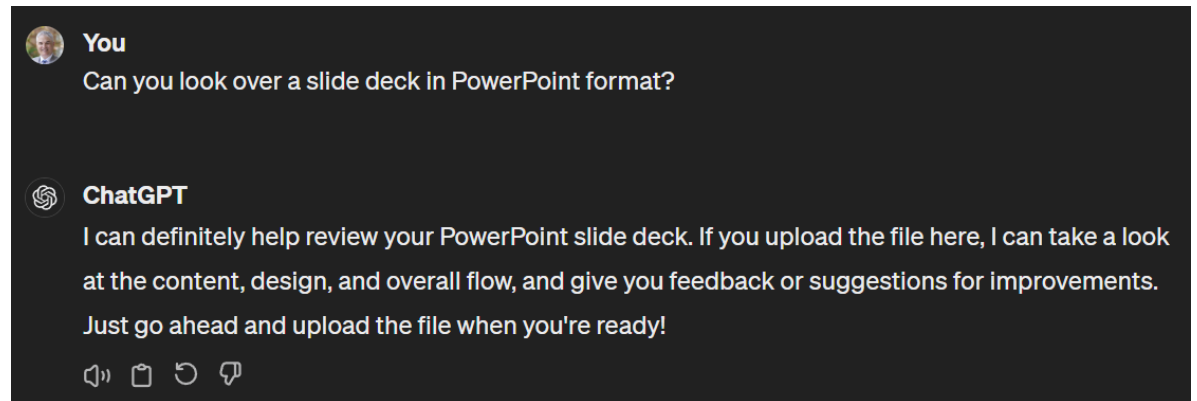
- **File Opening & Closing Worksheets**

- Search for "FOI Assist File Opening/Closing Worksheet" on Google

- **Proceeding Informally**

- Lots of advantages!
- Verbal is fine
- Longer than 30 days is fine
- No FOI fees
 - Or you can set your own fees

- **Using AI:**



- What's next?
 - Automated redactions?
 - Video blurring?



Thank you!

Justin Petrillo

justin@foiassist.ca

foiassist.ca