

Section:	District Administration	
Title:	Requesting Access to Information	2.4.3

Purpose

To outline procedures for requesting and responding to requests for information, in accordance with the Freedom of Information and Protection of Privacy Act (the Act).

Guidelines

The public has a right of access to records in the custody or under the control of the school district. That right of access is limited by the exceptions to disclosure contained in the Act and may be subject to the payment of fees.

The right of access to information applies to records already in existence; access requests cannot seek records that do not yet exist, but which are expected to be created in the future. The school district is not required to create records to respond to formal requests (except where required under [section 6 \(2\)](#) of the Act) but should consider doing so if it helps respond to a request and fulfill the duty to assist set out in section 6 (1) of the Act.

An applicant who makes a request under [section 5](#) of the Act has a right of access to a record in the custody or under the control of the school district, including a record containing personal information about the applicant.

Definitions

"record" includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records;

General Procedures

1. To obtain access to a record, an applicant must submit a written request to the FIPPA Officer ([Secretary-Treasurer](#)) that
 - a) provides enough detail to enable an experienced employee of the school district, with a reasonable effort, to identify the record sought,
 - b) provides written proof of the authority of the applicant to make the request, if the applicant is acting on behalf of another person in accordance with the [regulations](#), and
 - c) is submitted to the school district with the understanding that the applicant believes the school district has custody or control of the record.
 - d) The applicant may ask for a copy of the record or ask to examine the record.

A form to submit a request for information can be accessed [here](#). Alternatively, the request may be submitted in any other written format that can be submitted to the [FIPPA Officer](#) (Secretary-Treasurer).

2. The school district will provide a written acknowledgement of receiving the request within seven business days and will include notice of the date to expect a response.
3. The response to the request for information will advise the applicant
 - a. whether or not the applicant is entitled to access to the record or to part of the record,

- b. if there will be a fee for providing the information requested if authorized by the Act.
 - c. if the applicant is entitled to access, where, when and how access will be given, and
 - d. if access to the record or to part of the record is refused,
 - (i) the reasons for the refusal and the provision of the Act on which the refusal is based,
 - (ii) the name, title, business address and business telephone number of the officer or employee who can answer the applicant's questions about the refusal, and
 - (iii) that the applicant may ask for a review under [section 53](#) or [63](#) of the Act.
4. The school district may refuse in a response to confirm or deny the existence of
- a. a record containing information described in section 15 (information harmful to law enforcement) or
 - b. a record containing personal information of a third party if disclosure of the existence of the information would be an unreasonable invasion of the party's [personal privacy](#).
5. The school district will provide a response to the request within 30 business days, or advise if necessary and allowed under the Act, the date to which the response time will be extended.

Date Approved: **January 2023**

Legal Reference: *Access to Information and Protection of Privacy Act*

Cross Reference: *Access to Information and Protection of Privacy and Personal Information Policy*
Privacy Management Program (includes procedures 2.4.1 to 2.4.7)

Forms [Request for Access to Records Form – General](#)
[Request for Access to Records Form – Student or Parents](#)
[Request for Access to Records Form – Employees](#)
[Request for Access to Records Form – Volunteers](#)