



## Routine Disclosure and Active Dissemination Policy

---

**Policy Type:** General Administration

**Department:** Legislative Services

### Policy Statement

---

A foundational pillar of the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) is that “information should be available to the public”. In keeping with the municipality’s commitment to accountability and transparency, the overarching principle in this policy is to advance the view that information held by the Municipality of West Grey should be made available to the public, and any exceptions to this principle should be limited and specific.

The practice of routine disclosure and active dissemination (RD/AD) is a cost-effective and client-friendly way of providing information to the public by making certain records routinely available in response to informal requests for access or by means of periodically releasing certain records. These RD/AD processes do not require the submission of formal access to information requests under MFIPPA.

### Purpose

---

This policy identifies the requirement for municipal departments to develop plans for routinely releasing or automatically making available certain records to the public. To ensure that an appropriate balance exists between ease of access to information and protection of privacy and of confidential information, municipal departments will adhere to the requirements of MFIPPA.

MFIPPA provides the public a formal right of access to records that are in the municipality’s custody, or under its control, subject to limited and specific exemptions to disclosure. While the municipality may legitimately require that formal access requests be submitted in respect of certain types of records for a variety of reasons, a practice of providing RD/AD for “everyday”, non-confidential records is beneficial as it allows the municipality to:

- Make more municipal records available to the public and ensure that information is easily accessible to the residents of West Grey;
- Proactively streamline the access to information process;
- Reduce staff time in responding to formal requests for information, resulting in greater cost efficiencies;
- Assist in reducing administrative costs;
- Provide greater accountability and transparency in its day-to-day operations; and
- Ensure a balance between providing greater access to municipal information while at the same time protecting personal and confidential information.

RD/AD should be the first avenue for the public to access municipal information and records. A formal access to information request is only required in instances where records are subject to the exemption provisions set out under MFIPPA. Where exemptions will not be applied, the request is to be handled at the operational level in accordance with this policy.

RD/AD is consistent with the Information and Privacy Commissioner of Ontario's *Access by Design* principles and existing municipal practices to make certain information available to the public.

## **Application**

---

This policy applies to all municipal staff and to all records in the custody, or under the control of the Municipality of West Grey. Personal and constituency records of the municipality's elected representatives are not considered to be in the custody or control of the municipality and therefore are not subject to this policy.

## **Policy Requirements**

---

With guidance from the Legislative Services Department, every division/department shall establish a RD/AD plan that identifies:

1. Official business records that are to be disclosed through routine disclosure requests;
2. The method by which the divisions/department will make the records available through routine disclosure or active dissemination;
3. All department/division RD/AD plans shall be approved by the Director of Legislative Services/Clerk.

The following underlying principles shall guide the development of the RD/AD plan by each division/department:

1. Where documents are not subject to the MFIPPA disclosure provisions, they should be part of the department's RD/AD plan and handled accordingly under this policy and its supporting guideline.
2. The RD/AD plans are not an exhaustive list of records that are available informally but provide a baseline of what information can be obtained without filing a formal access to information request.
3. In determining which records are to be subject to RD/AD, staff should not consider the identity of requester(s).
4. Transparency and accountability should always be considered when developing RD/AD plans, and the method by which the records are disseminated ought to provide the public, to the greatest extent possible, ease of access to the information.
5. New programs and policies should be developed with an understanding of the routine disclosure and active dissemination opportunities, and these should be incorporated into any related staff report and/or the departmental RD/AD plan.
6. The department shall review and update RD/AD plan(s) routinely. Plans will be made available to the public on the municipality's website.

The RD/AD guideline supports this policy and identifies among other things the types of records that are not suitable for RD/AD, and the specific types of information that must be excluded (severed) within records prior to disclosure.

When the Legislative Services Department receives a request under MFIPPA that should be released as routine disclosure, Legislative Services staff will direct the requester to the responsible department and, where necessary, assist staff in understanding their obligations to release the information.

## **Responsibilities**

---

All municipal staff must comply with the RD/AD policy and with the applicable department's RD/AD plan(s).

Senior management is responsible for promoting compliance with this policy and ensuring RD/AD plans are developed and maintained in consultation with the Legislative Services department. Senior management shall also ensure that a review of the RD/AD plan as it relates to their respective area occurs regularly.

The Director of Legislative Services/Clerk, or designate, shall work with all departments to identify types of records suitable for routine and automatic disclosure and be responsible for approving all RD/AD Plans to ensure compliance with MFIPPA.

The Director of Legislative Services/Clerk, or designate, shall also be responsible for developing and updating the RD/AD policy and RD/AD Guideline.

## **Fees**

---

If a requestor would like a paper copy of a record, the 'photocopies' fee as noted in the fees and charges bylaw will be chargeable and must be paid prior to the record being released.

## **Monitoring/Contraventions**

---

The Director of Legislative Services/Clerk shall be responsible for receiving complaints or concerns related to this policy.

## **Legislative and administrative authorities**

---

The *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) governs the collection, use and disclosure of information by certain institutions in Ontario including municipalities, public library boards, and police services boards.

The purpose of MFIPPA is to provide a right of access to information in the custody or under the control of the institutions with the principle that information should be made available to the public and that necessary exemptions from the right of access should be limited and specific. The purpose of MFIPPA is also to protect the privacy of individuals with respect to personal information about themselves held by institutions and to provide individuals with a right of access to that information.