



FOI General Awareness and Process Review

*Freedom of Information
and Protection of Privacy Act*

Developed and presented by
Information Access Operations
Ministry of Citizens' Services and Open Government

Today's Objectives

- Overview of the *Freedom of Information and Protection of Privacy Act*
- Know the difference between an FOI request and a request for information
- Receive clarification on roles and responsibilities when dealing with FOI requests and the access process
- Recognize exceptions under the Act
- Appreciate legislated timelines
- Understand the dynamic relationship between FOI and Records Management

What is the Purpose of the Act?

Accountability to the Public

- Legislated right to access all government records - specifying limited exceptions (ie make what is commonly referred to as a 'FOI request')

Protection of Privacy

- Provides a right of access to individuals own personal information
- Regulates how public bodies collect, use and disclose personal information
- Right to request correction of personal information

To provide for an independent review of the public bodies decision regarding release of information

- Commissioner

Who is Covered by the Act?

All provincial ministries, and most provincial agencies, boards, commissions, crown corporations and smaller agencies

Local public bodies

- School Districts
- Colleges and universities
- Regional health boards

Self-governing professions and occupations

- Teachers
- Doctors
- Nurses

What is a Transitory Record?

- Temporary usefulness that are not regularly filed;
- Only required for a limited period of time for the completion of a routine action or the preparation of an ongoing record; and
- Not required to meet statutory obligations or to sustain administrative or operational functions.
- Examples of Transitory Records include:
 - Working materials
 - Convenience copies
 - Drafts
 - Unnecessary duplicates

How Does an Individual Make a FOI Request?

A person seeking access to records can make a request under the FOIPP Act. In doing so, the request:

- Needs to be in writing.
- Provide sufficient detail to easily identify the records sought.
- Include proof of authority if acting on the behalf of an individual.
- Should be directed to the public body who has control and custody of the records.

Information or Records?

- Although the Act is called Freedom of ‘Information’ it only provides access to ‘records’

So....

- The question is: Is the applicant wanting answers to questions or does he/she seek access to records?
- If it is a request for *Answers to Questions* :
This is an operational matter for the public body to address – a formal request under the Act is likely not required.

What should you do if you receive a FOI Request Directly?

- Immediately upon receipt, forward the FOI request to FOI.Requests@gov.bc.ca
- During this early stage program staff should advise if they require clarification, potential for fees, etc.
- Once records are received, IAO will confer with program area to gain a better understanding of any harms that may result from release.

Standardized Processes – Call for Records

- Standard Call for Records Forms and Guidelines for record submissions provided to all ministry program areas.
- Ministry responsibilities include provision of the following information to IAO:
 - Where search for records conducted (i.e. TRIM files, databases, off-site records)
 - duration of search time by ministry program area
 - who conducted the record search
 - potential HARMS that could result from disclosure of records gathered
 - ISSUES associated with disclosure of records gathered
 - regional locations where records pertaining to this request may reside
- ❖ HARMS – Disclosure of the records would significantly harm ministry position on a give topic. The harms assessment allows FOI staff to better understand the context of the records and make informed severing recommendations based on potential harms.
- ❖ ISSUES – Issues associated with the possible disclosure of records through the FOI process should be communicated to your ministry executive and/or Government Communications and Public Engagement.

Exceptions to Disclosure Under the FOIPP Act

- There are eleven exceptions to disclosure.
- Some exceptions are mandatory and some exceptions are discretionary.
- Release unless...

Mandatory Exceptions

The head must **not** release requested information:

- Cabinet Confidences – Section 12
- Third party business information – Section 21
- A third party's personal information – Section 22

Cabinet Confidences – Section 12

- Prevents the harm to government that is presumed to occur if the substance of Cabinet deliberations is revealed.
- Should a request result in responsive records that may reveal Cabinet Confidences, the records are submitted for consultation with the Office of the Premier.

Third Party Business Information – Section 21

The three part test and all three parts must be met:

- Trade secrets or scientific, technical, commercial, financial, or labour relations information

AND

- Supplied to government in confidence

AND

- Where such disclosure could significantly harm the business interests of a third party.

Personal Information – Section 22

The Act protects the personal privacy of individuals whose personal information is held by a public body and includes:

- Name, address, and telephone number
- Race, nationality, ethnic origin, colour, religious or political beliefs or associations
- Age, sexual orientation, marital status or family status
- An identifying number or symbol assigned to the individual. Example: S.I.N
- Anyone else's opinions about the individual
- The individual's personal views or opinions, except if they are about someone else.

Discretionary Exceptions

Gives the head of the public body discretion to refuse or to disclose information.

- Policy Advice, recommendations or draft regulations – Section 13
- Legal Advice (solicitor-client privilege) – Section 14
- Law Enforcement – section 15
- Intergovernmental relations or negotiations – Section 16
- Financial or economic interests – Section 17
- Heritage sites and any rare or endangered living resources – Section 18
- Danger to health and safety – Section 19
- Information soon to be published or released – Section 20

Policy Advice, Recommendations or Draft Regulations – Section 13

- Intended to allow open and frank discussion of policy issues among and within public bodies, preventing harm which would occur if the deliberate process were subject to excessive scrutiny.
- Factual information presented in support of the advice. Must be released unless another exception applies.
- Must be able to demonstrate that the public body exercised discretion in applying this exception.

Legal Advice – Section 14

Protects information flowing in both directions between the legal advisor and the client:

- Solicitor client privilege applies to client generated documents as well as opinions.
- Document may be as formal as a communication between lawyer and client or as simple as notes on the file made to assist the lawyer in litigation.

Disclosure Harmful to Law Enforcement – Section 15

- Law enforcement information is especially sensitive by nature (mosaic effect)
- Law enforcement is not limited to the investigative activities of police forces
- Provides for a wide variety of investigations and proceedings by a public body
- To enforce compliance or remedy non-compliance with standards, duties, and responsibilities under statutes and regulations

Disclosure Harmful to Intergovernmental Relations or Negotiations – Section 16

- Information that would harm British Columbia’s relationship with other governments including Aboriginal governments

OR

- Information that is received in confidence from other governments or international bodies

Disclosure Harmful to Economic and Financial Interests of a Public Body – Section 17

- Information which could harm the economic, financial competitive or negotiating interests of the British Columbia government or one of its public bodies.
- Includes plans, negotiations, etc... of a public body that have not yet been implemented or made public.

Disclosure Harmful to the Conservation of Heritage Sites, etc. – Section 18

The head of the public body may refuse to disclose information if the disclosure could reasonably be expected to result in damage to or interfere with the conservation of:

- Bear den
- First Nations Cultural Site
- Endangered Species

Disclosure Harmful to Individual or Public Safety – Section 19

Information which, if made public, could threaten the safety or health of an individual or interfere with public safety

- May include an individual's own personal information if it would result in immediate and grave harm to the individual's safety, mental, or physical health.

Information That Will be Published or Released Within 60 Days – Section 20

- Information may be exempt from disclosure if there are reasonable grounds to believe that the information will be published or released within 60 days.

Public Interest Paramount – Section 25

- Must release information about a risk of significant harm to environment or public health or safety.
- High threshold, immediate and/or grave harm.

FOIPPA Resources

- Information Access Operations - <http://www.gov.bc.ca/citz/iao/>
- Office of the Chief Information Officer - <http://www.cio.gov.bc.ca/cio/index.page>
- Office of the Information and Privacy Commissioner - <http://www.oipc.bc.ca/>
- Core Policy and Procedures Manual - <http://www.fin.gov.bc.ca/ocg/fmb/manuals/cpm/cpmtoc.htm>
- Open Information Website – <http://www.openinfo.gov.bc.ca>



Section 12 – Cabinet Confidences

- Premature disclosure of Cabinet deliberations inhibits the ability of Cabinet members to debate issues openly and freely, thereby reducing the effectiveness of Cabinet's decision making role.
- The Supreme Court of Canada stated that an important reason for protecting Cabinet documents was to avoid the creation of ill-informed public or political criticism.
- The process of democratic governance works best when Cabinet members charged with government policy and decision-making are free to express themselves around the Cabinet table unreservedly.

Will cover 2 issues regarding section 12:

➤ **How section 12 is applied**

- To better identify when to consider consulting on section 12
- Better explain its application (or not) to your Ministry

➤ **The section 12 process**

- Tips on identifying s.12 for consultation, what to provide, understanding the consultation process

- Section 12(1) - Must refuse to disclose to an applicant information that would reveal the **substance** of deliberations of Cabinet Committees



- The Act outlines limitations in sub section 12(2)

- Information in a record that has been in existence for 15 or more years



- Information in a record of a decision made by Cabinet or any of its committees on an appeal under an Act.

(In some cases, Cabinet may have jurisdiction to review cases before court)



- Information in a record the purpose of which is to present **background explanations** or analysis to Cabinet if the decision has been made public, has been implemented, or 5 or more years have passed since the decision was made or considered.

Distinguishing between the substance of Cabinet deliberations versus background information



In decision 01-02 the Commissioner defines **“substance of deliberations”** as follows:

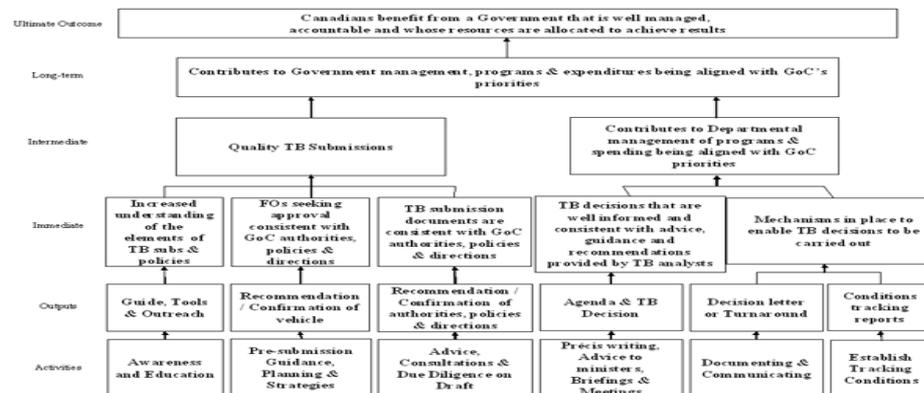
- **“Recorded information that reveals the oral arguments, pro and con, for a particular action or inaction of the policy considerations, whether written or oral, that motivated a particular decision.**



Examples of Substance

- In a situation where Cabinet is considering making a decision that will affect the forest industry, the fact that the European Economic Community is also considering actions that might affect British Columbia's forest industry may be a consideration that will affect policy.
- In a situation where Cabinet is considering raising the minimum wage, the projected implications on employment levels in the service sector may be assessed. This would be a policy consideration.

- **Background"** means explanatory or contributory information or circumstances which provides background to the Cabinet deliberations. The attachments to a Cabinet submission usually perform this function.
- Charts of process, who is involved, etc.



- **Examples of background**
- An attachment to a Cabinet submission that illustrates and analyzes the economic situation that led up to the purpose of the submission: to decide whether stumpage fees should be raised in the forest industry.
- An attachment to a Request for Legislation that provides background information and analysis of the approach taken to the legislative issue in other jurisdictions.

The consultation process

- Current policy dictates that a Ministry **must** consult (Send to Central Agency Team via intake)
- Consider taking extension
- May need to provide all records rather than only documents identifying Cabinet for context

Consultation- Key words/phrases to consider to identify section 12 in documents

- **Legislation**
- **Cabinet**
- **Treasury Board**
- **Submission**
- **Order in Council** (official documents implementing Cabinet's decisions regarding day-to-day government operations)
- **Funding approval**
- **Executive Council**

Cabinet Committees

- Priorities and Planning Committee
- Treasury Board
- Cabinet Committee on Families First
- Cabinet Committee on Jobs and Skills Training
- Cabinet Working Group on Family Affordability
- Environment and Land Use Committee
- Cabinet Committee on Open Government and Engagement
- Legislative Review Committee

Examples of records that may require S. 12 review

- An agenda, minute or other record that documents the matters addressed by Cabinet
- Any records authored by the Cabinet Secretary, Secretary to Treasury Board, or Chair of Treasury Board
- A briefing note placed before Cabinet or its Committees
- A draft or final Cabinet or Treasury Board submission
- E-mails that discuss the content of a submission or decisions of a Cabinet Committee

Also...

- Drafts of Legislation and associated working materials.



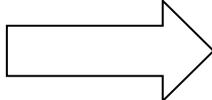
- Section 12 **may** apply to Information that has not yet have been placed before Cabinet however there is a reasonable expectation that it will be
- Section 12 may also apply if one could reasonably infer a link to Cabinet

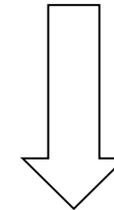


Summary form/description of record:

Date of Record	Description of Record	Draft or Final?	Why do you think S. 12 may apply?	Decision implemented and/or made public Y/N?	Research (e.g. date of news release, date RFP issued, internet posting)	# of pages



Ministry  (via intake) Central Agency Team

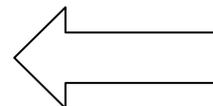


Cabinet Operations
(or Treasury Board)



(email **redline**)

Central Agency Team



Office of the Premier



Cabinet Decision Document

"CONFIDENTIAL - CABINET DOCUMENT"
Ministry Document Number: CS # 12-07/08

MINISTERS: Honourable Kevin Krueger, Minister of State for Mining
Honourable Richard Neufeld, Minister of Energy, Mines and Petroleum
Resources

TITLE:

Uranium in British Columbia

ISSUE: FOR DECISION

RECOMMENDATION:

11:00 AM - 11:30 AM

FYI: MO Briefing: EMA RFL -- Conference Call - S15, S17 ; **Participant ID:** S15, S17

When: Tuesday, October 11, 2011 11:00 AM-11:30 AM (GMT-08:00) Pacific Time (US & Canada).

Where: Conference Call - S15, S17 ; **Participant ID:** S15, S17

Note: The GMT offset above does not reflect daylight saving time adjustments.

Ministry of Finance
BRIEFING DOCUMENT

To: Honourable Kevin Falcon
Minister of Finance
and Deputy Premier

Date Requested: March 2, 2012
Date Required:

Initiated by: Marcus Gill
A/Executive Director

Date Prepared: March 5, 2012

Ministry Contact: Marcus Gill
A/Executive Director

Phone Number: 250-387-8690
Email: Marcus.Gill@gov.bc.ca

Cliff #: 263212

s.12

PURPOSE:
 EVENT/MEETING
 POLICY OVERVIEW

COMMENTS:

Minister Coleman is scheduled to present proposed amendments to the UMWes
Commission Act for LRC review on March 5, 2012.

s.12

Executive Director approval: 

ADM approval: _____

DM approval: 

General Requests

1. Intake

- IAO
- Ministry

2. Record Gathering

- Ministry

3. Review & Analysis

- IAO

4. Approval

- IAO
- Ministry

5. Release

- IAO

1 Day

12 Days

10 Days

6 Days

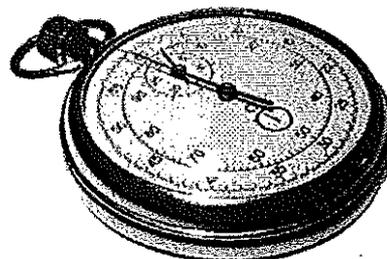
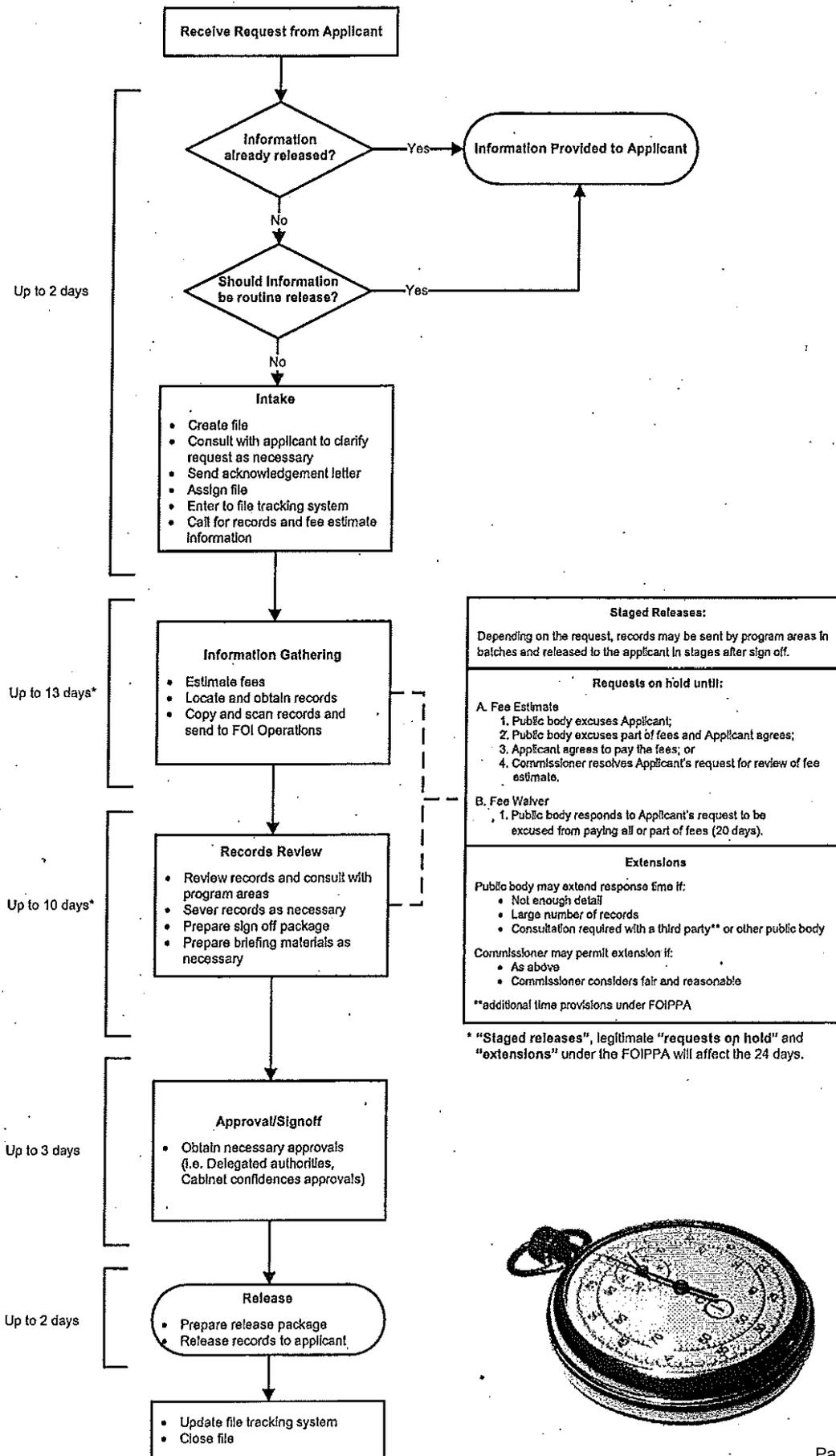
1 Day



Timeline with 30 Day Extension (Full 60 days may not be required)



Freedom of Information Request Process Steps and Timelines



ROLES AND RESPONSIBILITIES FOR PROCESSING FOI REQUESTS

PREAMBLE: The processing of FOI requests is a shared responsibility between IAO and its client ministries. The respective roles and responsibilities for this process are assigned to the parties that are best-positioned to undertake them; i.e.:

- IAO is the client ministries' service provider to FOI applicants. IAO holds the expert knowledge of the FOI Act and how it can be applied in various situations, and provides advice and recommendations to client ministries regarding same. IAO also provides weekly FOI management reports to client ministries, and coordinates client responses to reviews and complaints from applicants.
- Client ministries have custody and control of the records, and are the "knowledgeable owners" of same. They are best-positioned to determine whether their records are responsive to applicants' requests, and whether release of information in those records will result in harms. Client ministries approve the application of FOI exceptions to disclosure based on recommendations from IAO, and they approve the release of records to applicants.

It is assumed that both parties will make the best use of available technology to streamline the process.

1. INTAKE – IAO

- Log request in and open file
- Assign request to appropriate Team and Analyst
- Analyst to issue Call for Records and Fee Estimate Table to client ministry contact

2. RECORD GATHERING – Client Ministry

- Determine if request is sufficiently voluminous to warrant a fee and, if so, complete Fee Estimate Table and email it to IAO Analyst ASAP
- If request proceeds, locate all responsive records, and send them electronically to IAO Analyst, along with program area recommendations/harms assessment
- Where information revealing Cabinet confidences is identified, provide information required by Premier's Office to IAO Analyst (ideally with the records and harms assessment)
- Notify client PAB contact if there will be issues, and provide them with copies of records sent to IAO if required

3. REVIEW & ANALYSIS – IAO

- Issue fee estimate to applicant where applicable
- Analyze and provide recommendations to client on any fee waiver requests
- Initiate and process any necessary consultations or third party notifications
- Review responsive records and harms assessments provided by client, and consultation responses where applicable
- Apply for OIPC extensions where warranted
- Determine appropriate severing recommendations and prepare sign-off package for client ministry
- Analyst to email sign-off package to sign-off contact in client ministry

4. APPROVAL – Client Ministry

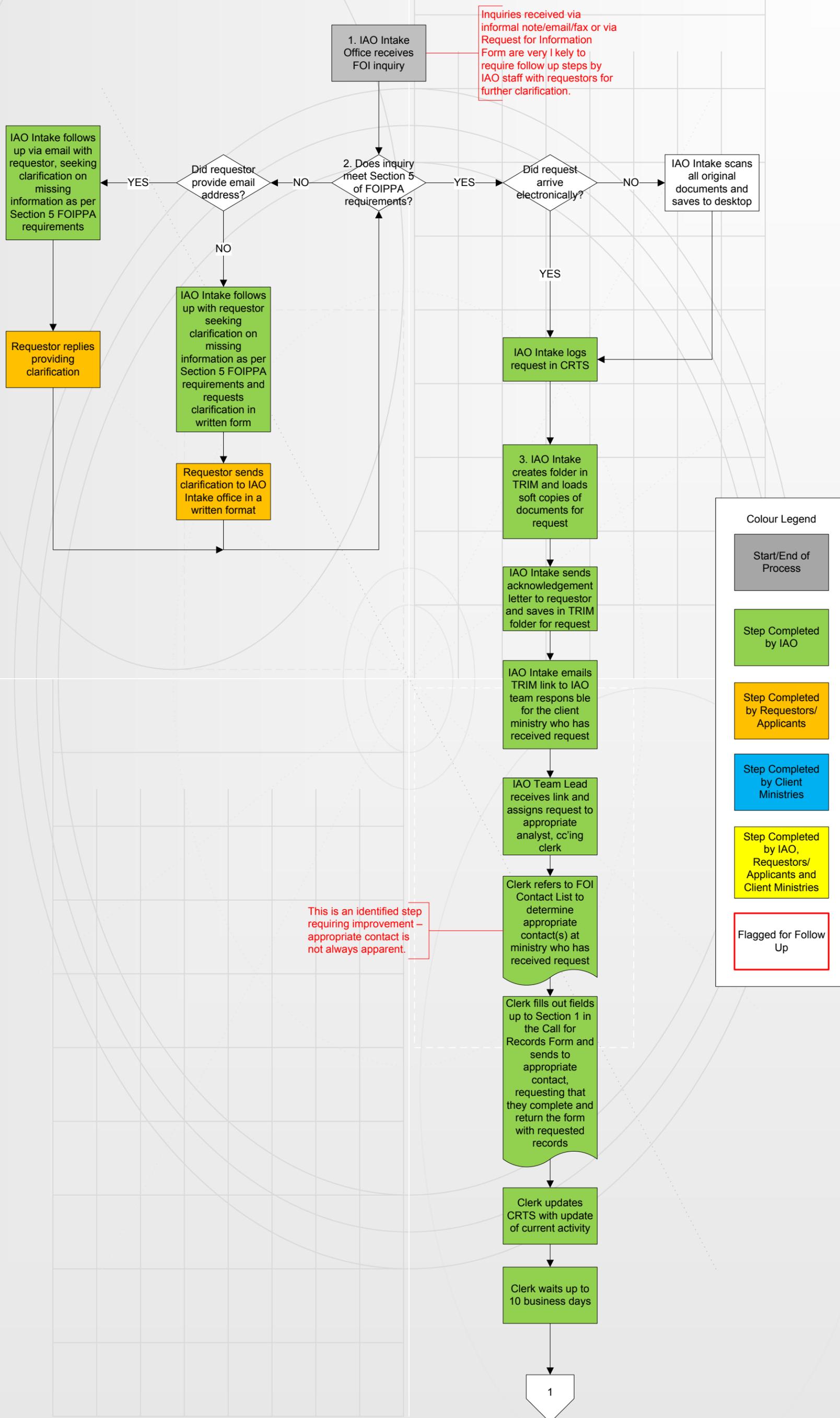
- Manage client’s internal review and sign-off process
- Route sign-off package through appropriate parties determined by client ministry, obtain approval signature from ministry’s delegated FOI approval authority, run by PAB where applicable, and email completed sign-off package back to IAO Analyst

5. RELEASE – IAO

- Finalize release package
- Issue response to applicant
- Close file

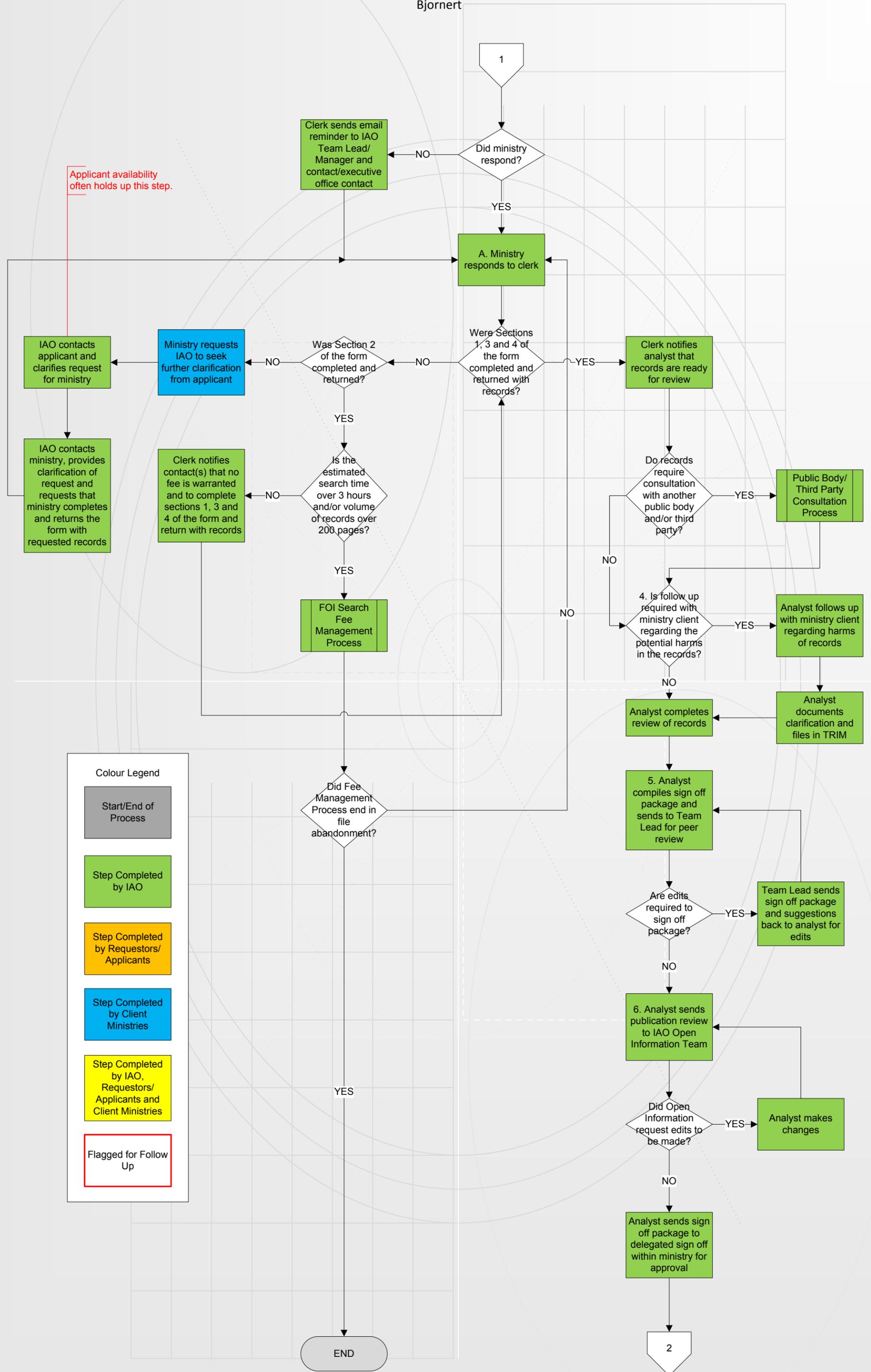
IAO FOI Process for Natural Resource Sector Ministries

Business Unit: Information Access Office * Document Verified: July 17, 2012 * Last Updated: July 17, 2012 * Drafted By: Jamie Onciul-Omelus, Kristal Lowe and Jackie Bjornert



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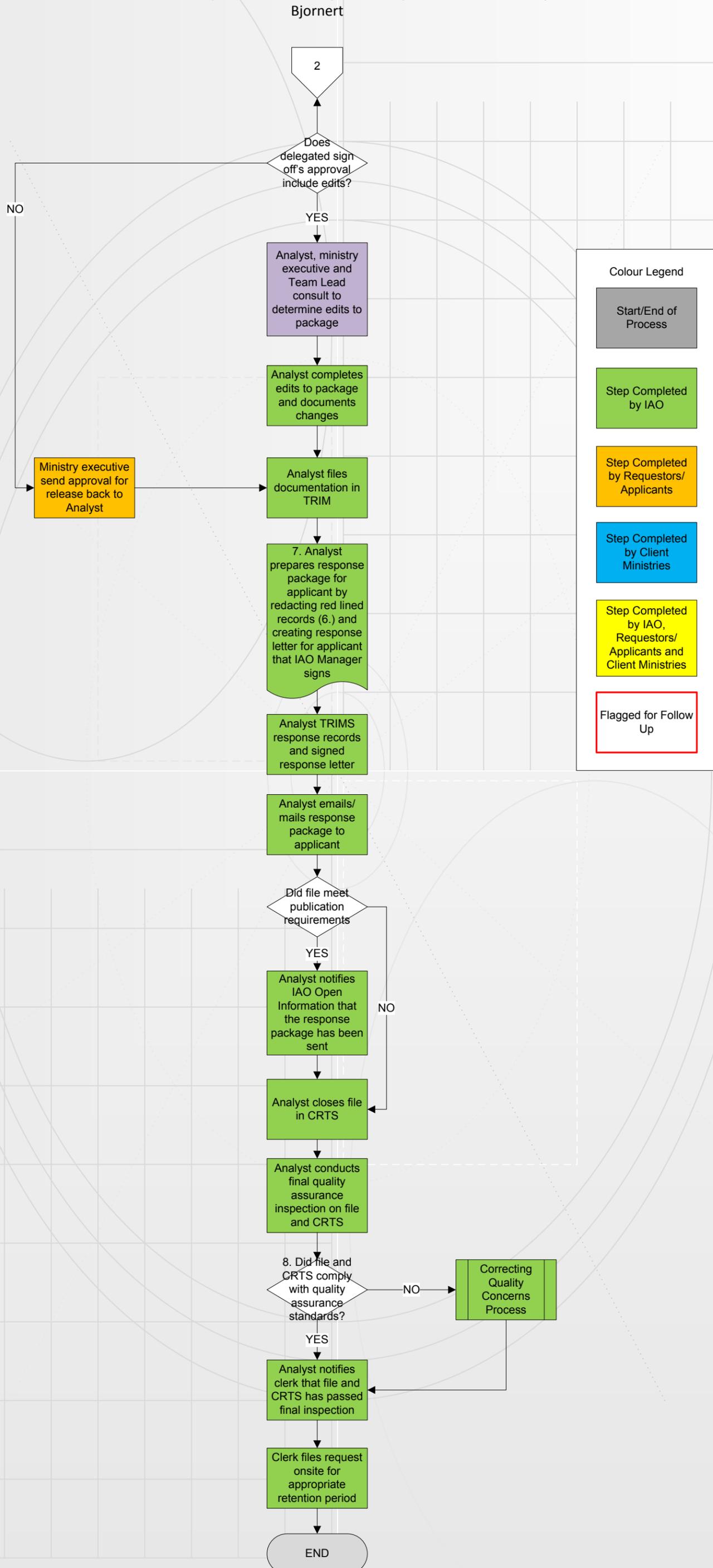


Colour Legend

- Start/End of Process
- Step Completed by IAO
- Step Completed by Requestors/ Applicants
- Step Completed by Client Ministries
- Step Completed by IAO, Requestors/ Applicants and Client Ministries
- Flagged for Follow Up

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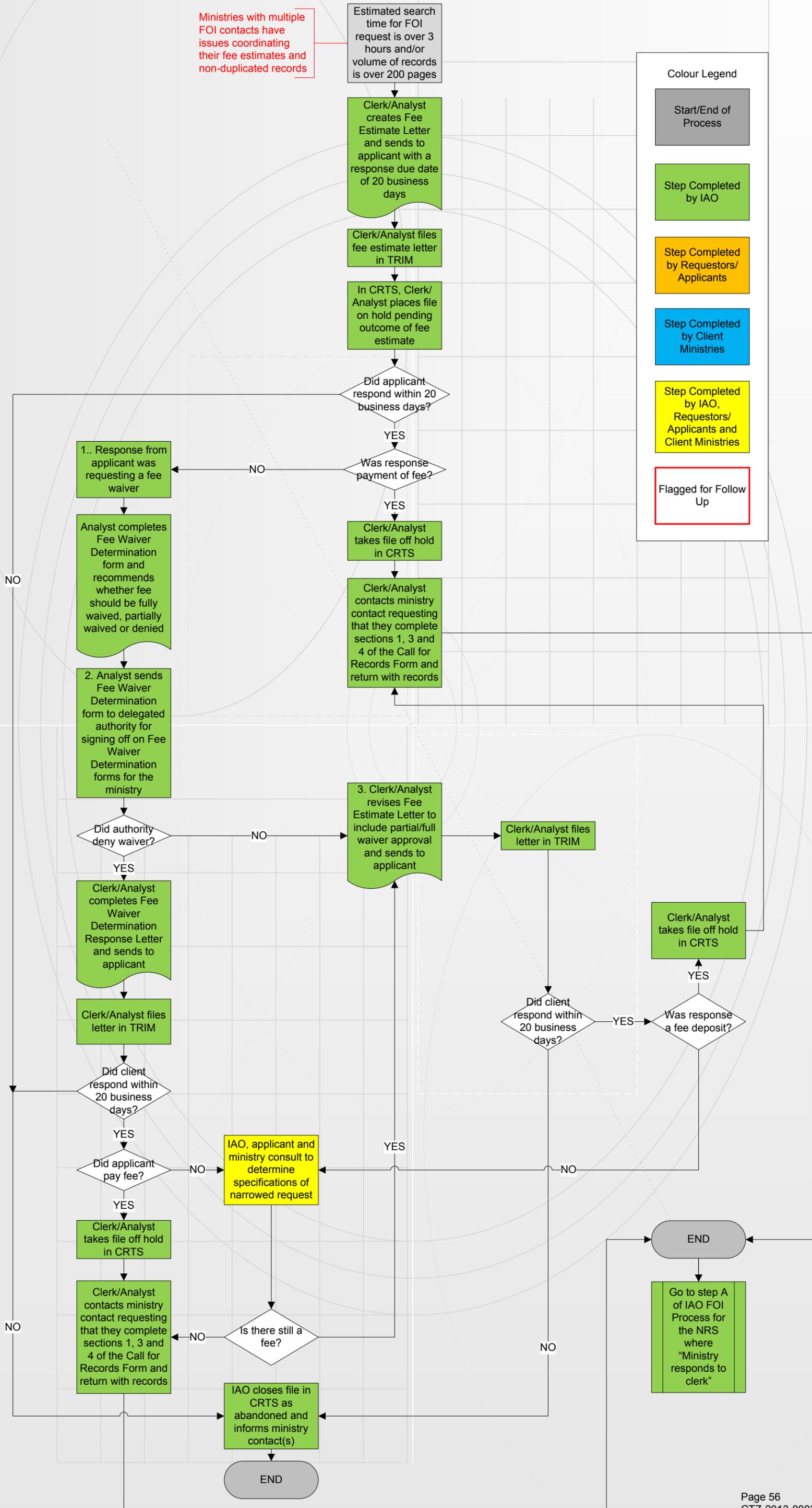


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FOI Search Fee Management Process

Business Unit: IAO * Document Verified: July 17, 2012 * Last Updated: July 17, 2012 * Drafted By: Jamie Onciul-Omelus, Kristal Lowe and Jackie Bjornert
 This process is a predefined process which occurs within the IAO FOI Process for Natural Resource Sector Ministries.



Ministries with multiple FOI contacts have issues coordinating their fee estimates and non-duplicated records

Colour Legend

- Start/End of Process
- Step Completed by IAO
- Step Completed by Requestors/Applicants
- Step Completed by Client Ministries
- Step Completed by IAO, Requestors/Applicants and Client Ministries
- Flagged for Follow Up

NOTES:

Definitions

Requestor: A member of the public requesting records through IAO before their request is verified and opened.

Applicant: A member of the public who's request for records through IAO has been verified and opened.

CRTS: Corporate Request Tracking System

Notes for IAO FOI Process for NRS Ministries

1. Inquiries can arrive via informal note/email/fax, via Request for Information Form (which could be forwarded from public facing ministry offices, or DMs offices) or via online application at IAO's website.
2. Section 5 of FOIPPA Act – http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00, Act is under BC Laws (Google FOIPPA BC)
3. Folder is named with ARCS conventions followed by file number generated by logging request into CRTS.
4. "Is follow up required with ministry client regarding the potential harms in the records?" Analyst compares harms identified in Section 3 of form with severing criteria outlined in Section 2 of FOIPPA to determine if a discussion with the ministry is needed.
5. Sign off package includes: red lined records (PDFs of records with red boxes around the information that is to be severed – software later removes information that was boxed in red when released to applicant), the completed call for records form from the ministry client, and the approval slip with IAO's severing and publication recommendations.
6. Publication review is a review of the team's publication recommendation of the sign off package completed by an Open Information Analyst.
7. There are 5 response letter types: Access Denied, Partial Disclosure, Full Disclosure, Phased Release and Miscellaneous.
8. Examples of situations when file or CRTS do not pass final inspection: Breach of personal information (personal information was missed), glitch in redaction software causing red boxes to not sever appropriate information, package was mailed or emailed to incorrect person, or error in dates in CRTS.

Notes for FOI Search Fee Management Process

1. Ministry has 20 days to respond to fee waiver request.
2. Signing authorities for Fee Waiver Determination forms for: Environmental Assessment Office (MOE), and Ministry of Energy and Mines, Also Responsible for Housing, lies within the ministry. Signing authorities for Fee Waiver Determination forms for: Ministry of Aboriginal Relations and Reconciliation, Ministry of Agriculture, Ministry of Environment and Ministry of Forests, Lands and Natural Resource Operations lies within IAO (IAO Resource Team Manager)
3. If ministry grants a partial waiver, the applicant has to pay the deposit or narrow more to to the point of no fees. This may take several conversations with the applicant and/or ministry.

Starting a file

Wednesday, November 23, 2011
10:41 AM

1. Open email from your Team Lead
2. Double click on the TRIM link
3. Hit F4 inside of TRIM. This will save this TRIM file into your favourites folder in TRIM
4. Open the TRIM folder and read everything already inside the file. It is important to know what Intake has already saved into this file.
 - a. Has the applicant sent in clarification?
 - b. Have they asked for the documents to be mailed or emailed?
 - c. Did the request go to the program area first? This gives clue as to where the CFR should go.
 - d. Read the applicant's request. Does it makes sense?
 - e. Is it a personal, general or consultation?
5. Open CRTS and examine what Intake has entered
 - a. Does the CRTS description match the applicant's request? Fix all spelling and punctuation
 - i. Does the description state [named individual]? See the attached CRTS Guideline note
 - b. Are there related requests? If so what are they?
 - c. Who was the analyst that processed the previous related requests?
 - i. Look at those related requests in TRIM
 - ii. How were the records processed? And how long ago? Will the same severing apply to your records?
 - d. Where was the call for records sent for those requests?
 - e. How long has the file already been open?
6. Examine what the applicant is asking for:
 - a. Have they directed it to a public body? Is it a public body that would have responsive records? Are there any other public bodies the request should go to?
 - b. Is there a date range given?
 - c. Is what they are looking for look like a reasonable person will be able to locate records?
 - d. Will the ministry have to create records?
7. Is the applicant a third party requesting another company's or individual's records?
 - a. If yes, is there proper authorization on file? If no, contact the applicant ASAP and get that authorization on file.
8. Are you ready to send the Call for Records?
 - a. If yes, proceed to **Gathering Records**.
 - b. If no, go back over this process until you can proceed to Gathering.

1-2 days

Involves: Intake, IAO team, ministry and applicant

From The CRTS Guidelines 13.9

Description *new

The Description 'records being requested' is to be provided in full and quoted directly from the applicant's request without quoting numbering i.e. 1., 2., lettering i.e. a), b), how an applicant requests records be sent, and, introduction statements such as 'I would like to request'.

Alternatively, if the request description is larger than the Description field it should be shortened to the types of record/s being requested, specific subject/s of interest, a specific timeframe, if stated, and without the examples above. It is imperative that this field be filled appropriately for reporting and cross government purposes. The Description field for General FOI requests to be published will appear on the Open Information website.

Ensure that the Description accurately reflects the final request wording. All subsequent changes to that field should be entered by the FOI Analyst assigned to the file so that the Description reflects the final request wording (after any narrowing/clarification, or partial transfers). If any portion of the request is transferred, the transferred portion should be removed from the CRTS description field. This is important as the Description for General FOI requests may be published on the Open Information website. It should be the same description wording of the Release letter which also may be published on the website.

In addition, a "personal" name (under section 22 of the FOIPP Act) should not be included. Government employee names should be left in for most requests. There will be some exceptions to this if the wording in the request contains personal information about a government employee. For example: if there is reference to a Labour Relations or dismissal issue, we would need to protect the name of that employee. Note: CRTS does not have spell checking capability. Please remember to check for spelling errors.

Gathering Records

1. Complete the CFR form and email template
 - a. This form and email template is on the corkboard
 - b. Tailor it to your needs but there are standard things that must stay on both
 - c. When to attach the redacted original request? Use your judgement - if the request is long and the CRTS description does not cut it
 - d. When to attach an unredacted request? – When it is a personal request
2. Email it to the contact person or people on the Resource FOI Contact Sheet
 - a. If you think this should go to more people but you are unsure who, you can ask who on the email
 - b. Store this email in an Outlook folder under the file number
3. Update CRTS

- a. Enter in the Activity of "Gathering Records"
 - b. You can give it a due date of when you expect the records back by
 - c. Enter in your Executive comment following the Mandatory comments
4. Set your reminders
 - a. You need to keep track of when you need the records back by, use Outlook tasks or whatever system you prefer
 - b. Send an email, make a phone call or whatever you can a day or two before the records are due to remind the program area of the due date
 - i. Store the reminders in your Outlook folder
 5. If you get back a fee estimate, proceed to **Fees**.
 6. If you get back records, proceed to **Reviewing Records**.
- 10 - 12 business days are given to gathering records
IAO needs to send the CFR ASAP

Fee Estimating

1. Open and read the email that contains the fee estimate form
 - a. Do the numbers make sense? Talk to your team lead if no. If yes, proceed to TRIM the response.
 - b. Do you have all the responses back from the Ministry? Do you need to do a combined one?
 - c. Is it over \$5000? If yes, see the How to fill out escalation form in the Resource Team Fee folder on the corkboard and talk to your manager. If no, proceed with the fee.
2. Write fee estimate letter to applicant found in the Template Folder
 - a. Use the form's information to populate the chart in the letter
 - i. Check your math
 - b. If estimate is over \$200 we require a 50% deposit. Otherwise full payment.
 - c. Email to your Manager for signature in the Peer Review folder
 - d. Once signed, email letter to the applicant and TRIM this email
3. TRIM the email using naming conventions
 - a. Letter and email can go as one.
4. Update CRTS
 - a. Enter the fee estimate amount
 - b. Activities - every activity should be completed. You can add a fee activity but it is not mandatory.
 - c. Comments: Enter in your mandatory Executive comment
 - d. Status: Request is put on hold the day before the letter is sent.
5. Set your reminder for the day after fees are due
 - a. The applicant may respond with narrowing.

- i. Work with the applicant and program area until a decision is made on fees.
- ii. You may want to consider letting the applicant talk directly to the program area to get this done.
- b. The applicant may respond with money.
 - i. TRIM the copy to file and notify the program area to gather fees. Don't give the full 10 days again.
 - ii. Take the file off hold and enter in the activity of gathering records, update your executive comments and wait for the records. You may need to take an extension.
- c. The applicant may respond with a fee waiver.
 - i. Proceed to Fee Waivers."
- d. If the applicant does not respond by the day after fees are due, you can close the file as abandoned. Update all of CRTS.

Fee Waivers

Friday, January 13, 2012
1:05 PM

Reviewing Records

Wednesday, November 23, 2011
10:03 AM

1. Open the email with the records and examine the records and CFR.
 - a. Has the program area given you a harms assessment? If no, email them back immediately to ask for a harms assessment. If they do no respond in two days we can go ahead with a "no harms provided in our approval slip."
 - b. Have the harms been done by a Manager? If not, we need to ensure the harms have been done by someone who knows the records.
 - c. Has the program area sent back records in PDF format or not? If not, send them back immediately requesting that all the records be changes into PDF.
 - d. Did they tell you that another public body has records? Proceed to **Transferring a file**.
 - e. Did they give you a no responsive records?
2. Trim the email that you get from the program area. You can TRIM the email separate from the attachments.
3. Update CRTS: activity is gathering records, mandatory comment too, add a page number comment.
4. Is the applicant a third party requesting another company's or individual's records?
 - a. If yes, is there proper authorization on file? If no, contact the applicant ASAP and get that authorization on file.
5. Start to organize the records
 - a. All documents must be PDFs for our redaction software to work. The program area should have already done this for you.

- b. Once you have it into a PDF on the LAN or your desktop you want to:
 - i. Flatten the document
 - ii. Organize by program area
 - iii. Now you are ready to TRIM it as your "All Records"
 - c. Start to look for exact duplicates, blank pages and not responsive pages. You can remove these and TRIM as a separate collection of records - Non-Responsive Records
 - d. Does anything look like it needs consulting? Talk to you Team Lead if you are not sure. If yes, Proceed to Consultations.
6. You will have to set aside time everyday to get through reviewing your records especially if it is large.
7. Once you are done your review you are ready to have the file **Peer Reviewed**.

I have received a No Record Response/Withhold in their entirety/Full Disclosure:

- 1. TRIM everything (from Outlook and the LAN/File Share)
- 2. Update CRTS
- 3. These are processed by Debra

How to complete an Approval Slip:

- 1. The approval slip is on the corkboard. TRIM it to the file.
- 2. Answer the questions in purple.
- 3. Do not write a novel but give enough detail so that the delegated authority knows what decisions were made on the file. If you Team Lead cannot figure out what is happening on the file based on your slip then an ADM or DM won't either.
- 4. Use professional language and tone.

Does it get Published or Not?:

- 1. Check out the Publication Checklist on the corkboard under Open Information. Answer the questions on the form and it will help you determine this.
- 2. Send to Open Information after you have the Peer Review completed.

Transferring a file

Tuesday, August 14, 2012
1:18 PM

- 1. The Ministry will advise you in an email or on the CFR if a file should be fully or partially transferred.
 - a. Full transfer if they have no records.
 - b. Partial transfer if they have records and they believe the other ministry (ies) will also have records.
- 2. We only have 20 business days from date received to transfer so check that we are still within our time frame.

- a. If we are past the timeframe then indicate on the response letter that the other public body may have responsive records and the applicant may want to make an FOI request to them.
 - b. If we are on time then proceed to #3.
3. Check CRTS to see if a file is already open with that other public body. If yes, indicate it on the approval slip and continue to process the request. Go to **Reviewing Records**. If no, go to #4.
4. Go speak to or email or phone one of the Team Leads or Manager for that team and ask if they will accept a transfer. They may need a day or two for a decision.
 - a. If they accept the transfer go to #5.
 - b. If they do not accept the transfer, indicate it on the approval slip and continue to process the request. Go to **Reviewing Records**.
5. Complete the transfer letter in the templates and get the appropriate signature on the letter.
 - a. Send to the applicant and CC Intake and the other team's manager.
 - b. Indicate these actions on your approval slip.
 - c. Continue processing your file. Go to **Reviewing Records**.

Consultations

1. Determine who you need to consult with:
 - a. Office of the Premier for a Section 12?
 - i. See the Section 12 folder on the corkboard.
 - b. Internal consultation with The Business Team, another Resource Team ministry, AVED, EDU, PSA or GCPE?
 - i. See teh Consult - Project folder on the corkboard.
 - c. Internal consultation with OOP, CTZ, HTH or the Social Justice Team?
 - i. See below.
 - d. An external public body?
 - i. See below.

When we want to consult with another IAO Team (not LEAN):

1. First determine if the records are of enough importance/significance to consult on. If they are proceed to #2.
2. Extract the records, attach to consult email template found in the Consult – Letter and Emails folder and email to Intake
 - a. We give 12 business days
3. Take your public body extension (letter, update CRTS) – analyst can sign this letter
4. TRIM all under “Consult” with the appropriate secondary title.
5. Add Consultation Activity with appropriate details and enter appropriate Executive comments.
6. Once response back TRIM accordingly and update CRTS.

When another Team wants to consult with a Resource Ministry (not LEAN):

1. They send a request to Intake to open a consultation with us.
2. Intake sends an email with a TRIM link to team.
3. Team Lead assigns consultation (checks to see who has related requests).

4. Analyst sends the records with our email template found in the Consult – Project folder to the program area/single point of contact
 - a. Fill out the approval slip before sending
 - b. We give 12 business days
 - c. Please note that the PA should take about 5 days, we will have it for about 1 day, the executives will have it for about 5 days for sign off and that leaves us 1 day for release—these are guidelines please be flexible if necessary but monitor your dates.
 - a. Some ministries may role the PA harms and sign off into one action—this is great as it cuts down on processing time.
5. TRIM as usual.
6. Enter information into CRTS as usual.
7. Once we are ready to respond to the other team, do not use the formal response letter, you can use the informal email template in the Consult – Letters and Emails folder.

When we want to consult with a public body outside a BC government public body:

1. First determine if the records are of enough importance/significance to consult on. If they are proceed to #2.
2. Extract the records, fill out the formal Consultation Request Letter in the Consultation – Letters and Emails folder, attach both to an email with wording such as “please see the attached request for a consultation with the ministry of X.”
 - i. We give 12 business days
 - ii. Manager needs to sign consultation letter
3. Take your public body extension (letter, update CRTS) – analyst can sign this letter
4. TRIM all under “Consult” with the appropriate secondary title.
5. Add Consultation Activity with appropriate details and enter appropriate Executive comments.
6. Once response back TRIM accordingly and update CRTS.

When a public body outside a BC government public body wants to consult with us:

1. They send a request to Intake to open a consultation with us.
2. Intake sends an email with a TRIM link to team.
3. Team Lead assigns consultation (checks to see who has related requests).
4. Analyst sends the records with our email template in the Consult – Project folder to the program area/single point of contact
 - a. Fill out the approval slip before sending
 - b. We give 12 business days
 - c. Please note that the PA should take about 5 days, we will have it for about 1 day, the executives will have it for about 5 days for sign off and that leaves us 1 day for release—these are guidelines please be flexible if necessary but monitor your dates.
 - i. Some ministries may role the PA harms and sign off into one action—this is great as it cuts down on processing time.
5. TRIM as usual.
6. Enter information into CRTS as usual.
7. Once we are ready to respond to the other public body, use the formal consultation response letter in the Consult – Letters and Emails folder, and get the manager to sign it.
8. Use the response email in the Response – letters folder to send back to the other public body.

Extensions

Wednesday, November 23, 2011
10:03 AM

Peer Review/Open Info

Tuesday, December 13, 2011
9:57 AM

1. Check your records one last time.
 - a. Have you consulted if need be?
 - b. Have you used consistent severing?
 - c. Run a "Report to window" to make sure all boxes have a section on it.
 - d. Have you named it Redline?
 - e. Are there page numbers and the file number?
 - f. Are all the blank pages removed?
 - g. Are all the duplicates removed?
 - h. Have you rotated all the pages correctly?
2. Check your approval slip for spelling, grammar and formatting. Do you have the right file number, file description and publication recommendation? Have you listed every section you used? Have you sent it to Open Info?
3. Send an email to the IAO Team Inbox and drop it in the Peer Review folder. State the file number and due date in the subject line. One will pick up the file and start to review it.
4. Once back from peer review make any necessary changes to your redline and/or approval slip, remove the post-its, and send to Open Info if needed.
 - a. Once you have the pre sign off review completed you can send for sign off.
5. Update CRTS: (1) update status to sign off, (2) close all activities and add sign off activity, and (3) change executive comment to Sent for Ministry sign off [date].
6. Proceed to **Sign off**.

Sign off

1. TRIM the approval email using naming conventions.
2. If needed, make the changes to your Redline.
3. TRIM everything out of your Outlook and the LAN if not done already.
4. Update CRTS: (1) the status changes to open, (2) add exceptions, (3) put end date on Final Public Body Sign off activity, (4) enter new activity of Electronic/Hard copy release, (5) enter in all the exceptions you used, (6) enter disclosure type and date, (7) check your fee

information (\$0 if no fees) and (8) change executive comment to Ministry sign off received [Date].

5. Write the appropriate response letter, check it for accuracy and TRIM it. Make sure all the exceptions you have used on the records are listed in the letter. Make sure what you recommend for publication matches CRTS and the approval slip.
 1. Put it in the Peer Review folder for signing.
 2. The letter must be turned into a PDF before being sent out.
6. Turn your Redline into Response – records and TRIM it. Check it to make sure it worked.
 1. Remove all bookmarks, sticky notes.
 2. Perform an ‘examine document’ on the records to wipe the metadata.
 3. Consider performing a ‘reduce file size’ at this point too.
7. Once the letter and records are PDF'd and ready to go you can send to the applicant.
 1. If the records are to be published then follow the publication review instructions on the Corkboard. You are using the workflow in CRTS.
 2. If the records are too large to email you can burn them to a CD and put in the mail. Still send the response letter to the applicant and advise them in the email the records are too large and they will come via email. In CRTS this is considered a hard copy release.
8. You are now ready to **close the file**.

Closing a File

1. Update CRTS: comments (change to one of the three closed comments), activities (all should be closed, no gaps in the dates), exceptions (do they match the letter and the response records), enter disclosure details, close on date of sent response, all fee information entered. Do a double check on all the possible places so that you know the information is correct.
2. Do you have everything for the file that is on the LAN TRIM-ed? Nothing should be left on the LAN.
3. Do you have everything for the file that is on File Share TRIM-ed? Nothing should be left on File Share. Check both the IN and OUT folders.
4. Do you have everything for the file that is on the FNR SharePoint site TRIM-ed? Nothing should be left
5. and your Outlook TRIM-ed? **DO SO NOW**. *The TRIM file is the primary file - everything must be here*. Check your naming conventions and update if necessary