ECC Fee Estimate Guide

Manager of Divisional Operations (MDO) to advise FOI & RM team total time estimate for entire division, separating time taken by program area to locate/retrieve, produce, prepare, or advise on volume of records, with narrowing options via email (ecc.foiandrm@gov.bc.ca)

Producing Records

How much time would it take me to prepare a record that fulfills the applicant's request?

E.g. developing a program to create new records from a database

Note: this only applies where you are creating records from other sources

> Advise us of total time via email

Volume Estimate

How large is the FOI request?

- > For electronic records, please provide the estimated # of files via email
- > For hardcopy records please provide the total #of pages to us via email

Locating/Retreiving Records

How much time will it take to search all places where digital or physical records may exist?

- > Perform preliminary search (e.g. within email, LAN, etc.) to confirm existence of records
- > Exhaust all digital and physical options (see below) to come up with a total time estimate
- > Advise us of total estimated time via email
- > If no records exist, fill out section 2, 3, 5 & 7 of Call for Records (CFR) form

Note:

- Increments of 15 min. apply
- The first 3 hours of locating/retrieving are free

Physical Options:

Digital Options:

- Outlook

Preparing Records

How much time will it take to convert a physical record into a digital one, or simplify existing digital records?

Applies to:

- >Photocopying or scanning records from offsite or onsite storage into a pdf >Converting and consolidating records into one pdf
 - > Advise us of total time via email

Narrowing Options

How can we lower the cost of this request?

Provide us with options we can suggest to the applicant to reduce the overall fee via email:

- > Date range reductions
- > Limiting search to individuals/branches/ divisions
- > Only using key words in search terms
- > Offering up similar, alternative reports that already exist



If you still have questions after reading this document, please contact ecc.foiandrm@gov.bc.ca



FOI Guide for Minister's Office

When an FOI request is sent to your team from ecc.foiandrm@gov.bc.ca, there are a few steps that will need to be taken:

1. Step 1 – Prepare a Fee Estimate

The point of a fee estimate is to confirm that records exist and get a better idea of the volume of records that may pertain to the request. To test this out, we encourage you to perform a preliminary search in Outlook, LAN or Teams to determine that records exist once you receive the original FOI request email from our team (see image below).

Note: Once a fee estimate is submitted to the IAO team, this "stops the clock" and gives us more time to respond to the FOI request before the legislative due date. There is also a possibility that after a fee estimate is submitted and proposed to the applicant, they may choose to not pay the fee, which would result in the request being withdrawn.



Our asks:

sent to you momentarily

- 1. If you believe that a fee estimate will be required for this request, please let us know before you begin to gather records. (Information about fee estimates and how to prepare can be found because)
- 2. Fill out the requested record using the attached form and provide back to this email address (along with records, if applicable) by 4:00 PM on Thursday, January 4th, 2024.

Please see the call for records information below and attached to this email. Please note that this request is similar in nature to two other pending requests, 31459 and 33485, which will be

If records do exist, take note of the approximate volume, and come up with a rough time estimate of how long it would take you to provide specific records pertaining to this request. If physical records do exist for this request, provide approximate page count or banker box size of records. Respond to the original CFR email with this time estimate, and then wait for our team to respond advising if a fee estimate will apply or not.

2. Step 2 – Search for Records

Once we've given you the go ahead to search for records, the first step to searching records is determining what key words will need to be searched.

Here's an example of a request description:

Records of any and all emails on the topic of the Foundational Skills Assessment and/or the Fraser Institute - excluding attachments - sent or received by the Minister, Deputy Minister(s), and Minister's Executive Assistant(s) - where such a position existed and was staffed during the period. Email search is limited to the individual's Outlook account (Date Range for Record Search: From 1/1/2020 To 10/25/2023)

From looking at the request description from the image above, it clearly indicates what, where and how to search. In this example, we would expect that an individual that has access to the Minster's inbox is searching all sent and received folders for the key words, "Foundational Skills Assessment" or "FSA," or "Fraser Institute." The Administrative Coordinator or Administrative Assistant for the MO would also need to search their records for these same key words. The LAN would not need to be searched in this instance, as it mentions Outlook only. Additionally, you will need to be mindful of the date range and ensure that all records sent to us are within that 3 year date range.

All emails (sent and received, including attachments but excluding Media Watch or TNO records), any MS Teams Chat/Channel history, briefing notes, issue notes, decision notes or other documents regarding review of special education policy (final versions only). Restrict search to Minister's office, Deputy Minister Office and Assistant Deputy Minister office. (Date Range for Record Search: From 3/1/2023 To 8/2/2023)

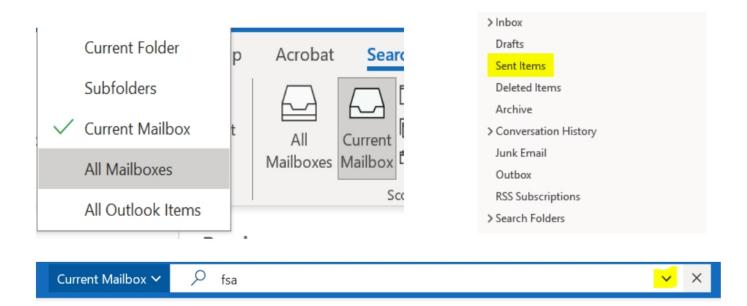
In this example, you should be searching your **MS Teams Chats**, look in **CLIFF** for all **briefing notes**, **issue notes or decision notes**, and be sure to only include **final copies**. Noting here that Minister's Office is mentioned instead of Minister, which means that **all staff in the MO** will need to search their own records.

2.1 How to Search your Outlook to find records for an FOI request:

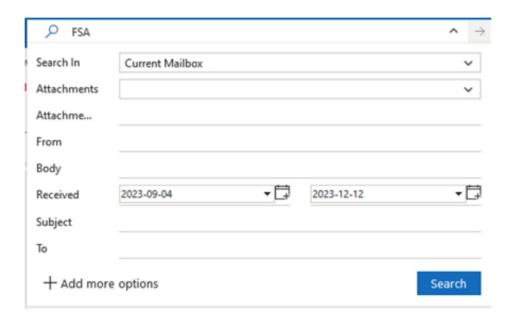
When searching your inbox, you have the option to select "Current Mailbox" or "All Mailboxes." Be sure to select the option that best fits the request description.

For example:

- If the request asks to search the Minister's Office, that will include all the MO, meaning that your individual email as an employee as well as any joint admin accounts for the MO should be included.
- If the request asks you to search sent emails from the Minister, someone with access to that inbox would need to select "sent items" under that inbox, and then select "Current Folder" after searching for a key word



If the request asks you to search within a specific date range, search for your key terms in the main search bar at the top of your Outlook, and then click the down arrow on the right-hand side, as highlighted below, and pick your date range. This drop-down also allows for more specific search features.

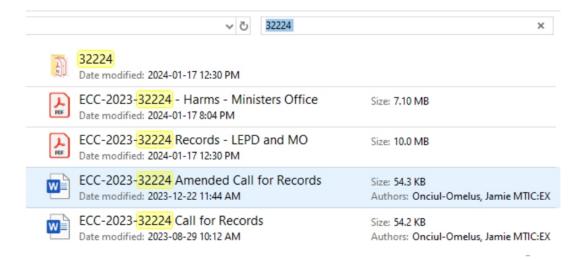


2.2 How to Search your LAN to find records for an FOI request:

When searching your LAN, please be advised that the LAN's searching capability is not as advanced as that of Outlook. You can only search for folder titles and document names, as the search function will not include those files' content. The search time within the LAN will also take longer than in Outlook.

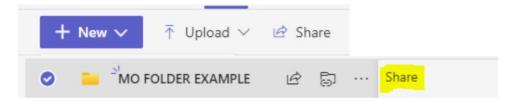
As such, we highly recommend keeping your LAN current and well-named, consistent with the ARCS structure. This will enable a more fruitful search for FOI's and make your life easier!

Please see below for an example of an FOI # search within our team's LAN:



3. Step 3 - Provide Records

Please share files located, which are related to the FOI request to ecc.foiandrm@gov.bc.ca, ideally in response to the CFR email that is initially sent from our team. If the number of files that pertains to the request is too large to house in a single email, we would encourage you to create a Teams folder with the files, and then share the link to that file via email. To create a Teams folder, navigate within any Microsoft Teams page, and find the "+ New" button to create a new folder. Add your files into the folder, then click on the 3 dots next to the folder and click on "Share" and share with Danielle Pillon and Carrie Preziuso, by searching for our names.



4. Step 4 – Harms Assessment (if applicable)

After you have provided records to our team, we will prepare a condensed redline package for your review and send it back to you via email for comments. At this stage, we are asking you to comment or mark up the pdf redline package identifying potential wording to be severed (anything that the MO would not feel comfortable releasing to the applicant/public). Details are encouraged – give us as much background information as possible, to best help IAO determine the applicable legislation.

Additional Notes About Departing Staff & Older Records

When a staff member leaves the MO, it is the individual employee's responsibility to save and maintain their records to ensure that they stay within the ministry. If an FOI request mentions past staff which no longer work in the MO, or records being requested pre-date current ministry staff, all efforts must be made to search & locate responsive records. Expect to receive more specific guidance on this topic from the FOI & Records Management team over the coming months.

Harms Assessment

<u>The ask</u>: As a member of the program area, we are asking for your assistance in identifying any information within the responsive records provided (in this eApp) that may need to be withheld/severed. Be as specific as you can – note specific words, sections, bullets, images, etc. in the chart below. For a listing of all of the different sections of FOIPPA that may apply, please check out our <u>quick harms guide</u> or the <u>FOIPPA policies & procedures manual</u>.

We created this Microsoft Word tracking document as an alternative to marking comments directly into the redline, as eApps cannot accommodate auto-updates with pdf documents. If you have a strong preference for downloading the redline pdf, marking your comments, and then uploading a revised version into the eApp, be our guest, but please note that you have provided comments in the pdf within the comment section of eApps.

After receiving potential harms, the FOI & Records Management team will pass this information onto Information Access Operations (IAO), who will then determine if a particular section of the Freedom of Information & Personal Privacy Act (FOIPPA) applies. The IAO Analyst may have questions for the program area regarding the harms identified, in which case, our team will liaise between the two groups/set up a conversation.

Page Number / Location	Harm	Contact Name / Harms Reviewer
#	E.g. Last bullet referencing a research project on class size/composition — labour relations sensitivities as this relates to bargaining. Note: Putting basic information here such as "out of scope" or "not public" is NOT acceptable	e.g. John Smith

FOIPPA – Quick Guide to Harms

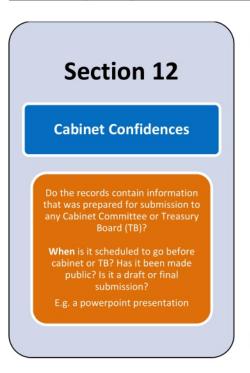
What is a harms assessment?

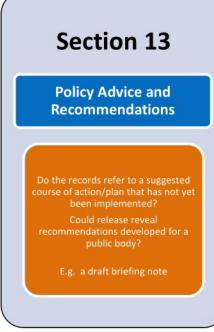
The context provided to IAO (Information Access Operations) during an FOI (Freedom of Information) request is called a harms assessment. Harms assessment provides important context to IAO when completing a line-by-line review of the records, to determine whether information should be withheld or released. Program area staff are not expected to know what section of FOIPPA may apply, but instead communicate what the harm would be.

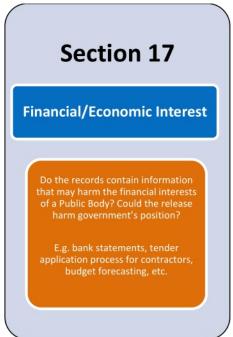
The method:

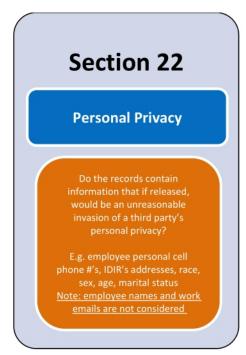
Please note your specific harms in the harms tracking guide template provided to you within the eApp. An alternative to using this tracking guide is to comment on your harms directly in the pdf document (redline), if applicable, which will also be within the eApp. <u>Again, please focus on the</u> rationale for why a piece of info needs to be severed. What will happen if it's fully released to the public?

Most Frequently Used FOIPPA Sections:









Seldomly used FOIPPA Sections:

Section 14 Legal Advice

Do the records contain communication between a lawyer and client?

Do any of the records relate to a prosecution that has not been completed?

Does the Ministry of Attorney General need to be consulted?

Section 15

Law Enforcement

Are the records part of an on-going investigation?

Could the info endanger the safety of a law enforcement officer?

Could it reveal the identity of a confidential source of info or investigative techniques?

Section 16

Intergovernmental Relations/Negotiation

Is another level of government mentioned or have they been consulted with when preparing this record? (E.g. First Nation Governments, Federal Government, other municipalities, etc.)

Section 21

Interest of a Third Party

Do the records contain information that could harm the business interests of a third party?

Was the information supplied in confidence?

Does the information impact the competitive position of the third party?

*Let us know if this third party needs to be consulted

Section 18

Conservation of Heritage
Sites

Are the records about natural or heritage sites, such as cultural modified trees or Indigenous burial sites?

Do the records contain information about threatened or endangered animals?

Section 18.1

Interest of an Indigenous People

Do the records contain information about cultural heritage, traditional knowledge, cultural expressions or manifestations of sciences, technologies or cultures?

Section 19

Individual or Public Safety

Do the records contain information that could interfere with public safety or a person's physical/mental health?

Is there a reason to expect that a person would self-harm if the info was released?

Section 20

Info Published/Released within 60 Days

Are the records going to be published or released to the public within the next 60 days? What is the date of publication?

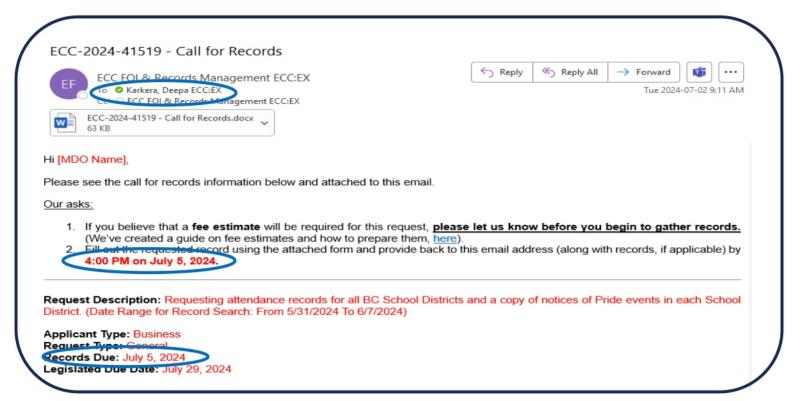
Are any of the records available for purchase or online for free (DataBC)?

Call for Records Guide for Divisions

When an FOI request is sent to your team from ecc.foiandrm@gov.bc.ca, there are a few steps that will need to be taken, by both the Program Area (PA) and the Manager of Divisional Operations (MDO):

Step 1 - Review the Request Description

Example of a call for records email from the FOI team:



This email will be sent to the MDO first, and from there the MDO is to forward the request to the appropriate branch. If you, as an MDO, are unsure of which branch to send it to, we would encourage you to view the most up to date version of the divisional responsibility list on ConECCt.

Please note that the due date we give for records is the date that we would expect to have gone through the full fee estimate process (if applicable) and receive records by.

Examples of FOI request descriptions:

Scenario 1

All emails (received, including attachments but excluding media watch or TNO records), any MS Teams Chat/Channel history, briefing notes, issue notes, decision notes or other documents regarding "Fraser Academy", "Centre for Dyslexia". Restrict search to Rachna Singh, Dulcy Anderson, Melanie Stewart. (Date Range for Record Search: From 6/1/2023 To 10/30/2023)

Interpretation: This would require the program area to search for all emails (received only) via Outlook, Teams chats, briefing, issue and decision notes (in CLIFF) regarding the topics mentioned BUT restrict the searches to only the employees mentioned. In this case, we expect the individuals mentioned and their admin support to perform a search. Key words used could be "Fraser Academy" or "Dyslexia."

Scenario 2

Copies of any correspondence and or procedure leading up to and regarding the BC School Trustee Associations decision on December 14, 2023 to rescind Barry Neufeld's Life Membership. (Date Range for Records Search: From 9/20/2023 To 1/18/2024

Interpretation: In this example, you should be searching Outlook (all folders), EDRMS, LAN, and in CLIFF forall correspondence. Keywords to search: "Barry Neufeld" or "BCSTA" or "BC School Trustee Association". Noting the records must be between the provided date range.

Scenario 3

All records containing any reference to accessibility or regulatory compliance received or sent to a saanichschools.ca email. Please include any advice on responding to any accessibility or disability related concerns. Records may include but are not limited to emails, bulletins, blackberry messages, meeting or personal notes etc. In particular I am seeking any records relating to accessibility and accessible BC Act compliance including any records relating to accessibility and/or regulatory compliance by the Saanich School District. (Date Range for Records Search: From 9/1/2023 To 11/28/2023)

Interpretation: In this example, we would expect that program area staff are searching all possible locations using key words such as "saanichschools.ca" or "accessibility" or "disability" or "accessible BC Act." As always, you will also need to be mindful of the date range and ensure that all records sent to us are within the date range provided.

Process:

- MDO reviews the request description in collaboration with the program area to ensure the request is clear, and staff understand what records they will need to pull or create.
- If a request is too broad, please contact ecc.foiandrm@gov.bc.ca ASAP so that the FOI team can liaise with IAO and the applicant to narrow or re-word the request.
- If you believe the request is a better fit for another division or ministry after reviewing, please tell the FOI team so we can re-assign the request.

Step 2 – Prepare a Fee Estimate (if applicable).



If a fee estimate does not apply, please proceed to Step 3 – Search for Records

PLEASE NOTE: Fee estimates are discretionary, at the decision of the ministry and do NOT apply to personal requests - general requests only.

The point of a fee estimate is to make the applicant aware of the time involved in responding to their request. A preliminary search should be performed in all recordkeeping systems to determine that records exist. Once a fee estimate is submitted to the IAO team, this "stops the clock" until an applicant pays the fee. An applicant may choose to not pay the fee, which would result in the request being withdrawn. For this reason, records should not be gathered until you hear back from our team to confirm the applicant has paid.

Please take a look at our fee estimate guide for further reference and instruction, if needed.

Our ask: please fill out the following sections of the CFR (Call for Records) form:

Section 4: Fee Estimate

There are 4 sections here, and each of them means something a little different:

1. Locating/Retrieving

This section refers to the original search for records and the time it would take to gather and send over the records to the FOI & RM team. The *first 3 hours of searching are free* of charge to the applicant; however, please still indicate the total # of hours needed to search in the "estimated hours" column. If the search takes more than 3 hours, the applicant will need to pay a fee before we can proceed with the FOI request.

Please ensure that all reasonable efforts are made to generate as	Estimated Hours	Actual Hours
accurate an estimate as possible		
Locating/Retrieving – this includes searching all relevant sources.		
Areas to consider searching include:		
 Outlook (including 'deleted' and 'sent' folders) 		
 Records management systems (ex. EDRMS) 		
 LAN, shared drives, SharePoint, databases 		
Offsite records		

2. Producing

Producing refers to creating records from scratch. This often applies to data requests where a spreadsheet is being created. Please note that if a file is being produced, the "3-hours free" does not apply to the applicant.

Producing – this only applies where you are creating records from other sources* (e.g. developing a program to create new records from a database) and tasks include:
Identifying relevant sources of data/information Manual time spent creating and producing records Ex: generating a custom report from a database using existing data Please see this checklist for further information regarding the obligation of the public body to produce a record https://intranet.gov.bc.ca/thehub/ocio/cirmo/iao

3. Preparing

Preparing is seldom used as part of fee estimates within ECC; however, this refers to the conversion of records from physical to digital, when necessary.

Preparing – this may include time spent by IAO (for electronic records) or the Ministry (for hardcopy records) and tasks include
Converting records to PDF Consolidating records into a single PDF document Organizing records packages (e.g. by date department, staff, records type, etc.) Photocopying or scanning records into electronic format Ensuring completeness of responsive records Copying other types of media (audio and/or video) For electronic records, you do not need to provide a time estimate, please provide the number of files where requested below and
IAO will be in a position to calculate the time required and to consider charging a fee.

4. Volume

Finally, volume estimates help us determine if a volume extension can be taken to buy us more time. If the total # of records being provided exceeds 200 pages, we can apply for a volume extension (but we need to receive the records before applying for this).

		T
• 1	Electronic records	
	 Files (e.g. emails, Word Docs, Excel sheets, PDFs, 	
	photos, etc.)	
• 1	Hardcopy records	
	 Average file folder = 1" and holds approx. 200 pages 	
	(single-sided)	
	o 1 standard Records Centre Services box:	
	 Legal sized folders = 1800 pages 	
	 Letter sized folders = 2200 pages 	

Narrowing Suggestions:

This final section refers to suggestions we can recommend to the applicant to shorten the time it will take to complete their request. Examples include:

- Modified date ranges
- Final copies of documents (e.g. briefing notes) only
- Received/Sent emails only



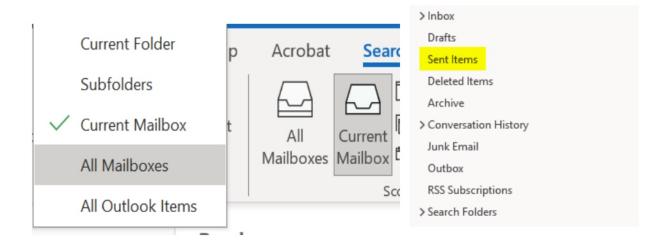
PLEASE NOTE: we often find that the most time in an FOI request is eaten up between these two phases. If something doesn't make sense, we urge you to reach out to ecc.foiandrm@gov.bc.ca clarify.

Step 3 – Search for Records

Once we've given you the go ahead to search for records, the first step to searching records is determining what key words will need to be searched.

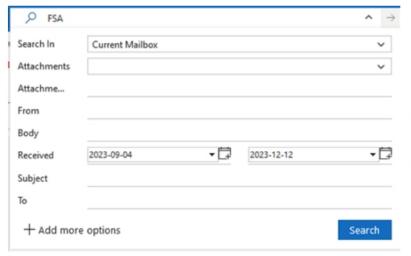
3.1 How to Search your Outlook to find records for an FOI request:

When searching your inbox, you have the option to select "Current Mailbox" or "All Mailboxes."



If the request asks you to search within a specific date range, search for your key terms in the main search bar at the top of your Outlook, and then click the down arrow on the right-hand side and pick your date range.



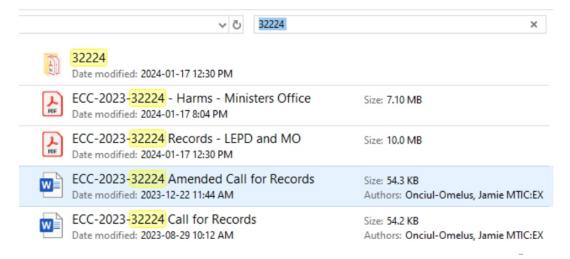


This drop-down also allows for more specific search features, including received date ranges, subject fields, includes attachments, etc.

3.2 How to Search your LAN to find records for an FOI request:

When searching your LAN, please be advised that the LAN's searching capability is not as advanced as that of Outlook. You can only search for folder titles and document names, as the search function will not include those files' content. The search time within the LAN will also take longer than in Outlook.

As such, we highly recommend keeping your LAN current and well-named, consistent with the ARCS structure. Please see below for an example of an FOI # search within our team's LAN:



3.3 Other locations to search:

CLIFF - Please reach out to ecc.correspondence@gov.bc.ca for tips on how to search CLIFF.

EDRMS – Please contact <u>ecc.foiandrm@gov.bc.ca</u> to set up a dedicated training session on how to search effectively in EDRMS

OneNote – search using the search area in the top center or top right of the OneNote app. If notes are found that contain key words, please use the file > print to PDF option

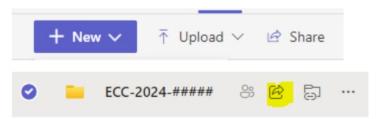
Microsoft Teams - use the search bar at the top center of the Teams app. Please note that chat logs refresh every 30 days and would not be responsive in this case.

Physical Files – a reminder that we have several locations for physical files onsite at both 620 Superior St. and 395 Waterfront. If not done so already, we would recommend that administrative staff frequently make note of the locations where their branch may have physical files

Other – text messages, notebooks, SharePoint sites, databases (e.g. ICM)

1. Step 3 – Provide Records

Please share files located, which are related to the FOI request to ecc.foiandrm@gov.bc.ca, ideally in response to the CFR email that is initially sent from our team. If the number of files that pertains to the request is too large to house in a single email, we would encourage you to create a Teams folder with the files, and then share the link to that file via email. To create a Teams folder, navigate within any Microsoft Teams page, and find the "+ New" button to create a new folder. Add your files into the folder, then click on the 3 dots next to the folder and click on "Share" and share with Danielle Pillon and Carrie Preziuso, by searching for our names.



NRR Response:

Section 3: No Records Response Approval (if applicable):

Please fill Sections 2, 3 and 5 if *no records* are found in your search. This will still go up to DMO for approval in eApprovals.

Section 2: Initial Records Assessment		
Do you hold responsive records? YES $\ \square$ NO $\ \square$	*Email records MUST be sent in original format. Do not convert.	
If no, please provide an explanation that can be given to the applicant (if applicable):		
Are you aware of other records that may be responsive to this request within your public body? YES \square NO \square		
Are you aware of other records that may be responsive to this request held by another public body? YES $\ \square$ NO $\ \square$		
If yes, specify:		

Please mark "no" and give a clear reasoning as to why your branch does not hold records. (e.g. this data would be managed by the school district and not the ministry). Also, indicate to us any other public bodies (divisions, ministries, school boards, etc.) that may have responsive records.

Section 3: No Records Response Approval

Please forward to public body FOI contact (if applicable) for delegated head's final public body approval if no records have been <u>located</u>

Final public body approval (full name and title):	Signature:	Date: Date

Please have a director or above sign off on this section. This is to confirm that no records exist within your division.

Section 5: Search Summary

Please describe the search for records including what records were searched, (e.g., files, email, databases, EDRMS, offsite records, etc.) duration of search time, and who conducted the search for records:

Please describe in detail WHAT was searched here. What key words were used? Which email inbox was searched? Please refer to Section 3.3 with regards to what applications to search.

Section 7: Contact Information		
Who completed this form (full name and title):	Phone Number:	Date: Date
Harms Assessment completed by (full name and title):	Program Area:	
Harms Assessment approved by (full name and title):		

Please provide a program area contact here. Only name, phone #, date, and program area info are required.

You're done! Now, onto the harms assessment phase....

Once the call for records process is complete, we then move into the harms assessment phase, which will be instigated by the FOI and RM team opening an eApp, where you will find the redline package, a harms tracking document, as well as the <u>Quick Harms Guide</u> to assist you with severing recommendations.