

CITY OF THOROLD POLICY AND PROCEDURE MANUAL

COUNCIL		
POLICY NO: 400-07	ROUTINE DISCLOSURE	Page 1 of 8
REVISED: December 17, 2019		

POLICY STATEMENT

The Municipal Freedom of Information and Protection of privacy Act (MFIPPA) governs the collection, use and disclosure of information within municipalities in Ontario.

The purpose of the Act is to:

- a) provide a right of access to information under the control and custody of institutions in accordance with the principles that,
 - (i) information should be available to the public;
 - (ii) necessary exemptions from the right of access should be limited and specific and related to the Act; and
 - (iii) decisions on the disclosure of information should be reviewed independently of the institution controlling the information; and
- b) 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 their own personal information.

Routine Disclosure is the routine release of certain types of administrative and operational records in response to informal rather than formal requests under MFIPPA.

The City of Thorold has created a Routine Disclosure Policy to ensure that information is available to its residents and to reaffirm its commitment to open and transparent government.

Reference: Report CC2019-73

General Committee: December 17, 2019

The City of Thorold recognizes that not all requests for access to information need to be handled through the formal process, this is both cost-effective and customer-friendly. The Policy will assist staff in determining what records the City of Thorold already makes routinely available, as well as, provide tools for determining what other records this policy may apply to.

APPLICATION OF POLICY

This Policy applies to all City of Thorold Departments that collect, use, disclose or retain records in any format (i.e. electronic, hard copy) in relation to their duties/functions.

GENERAL

The City of Thorold has established a number of tools to promote and assist in disclosure of information to staff and the public. When disclosing information to the public we will commit to the following:

- Overall communications approach of openness and accountability and respect for personal privacy;
- Guided by the attached schedule “Records Commonly released under our Routine Disclosure Policy”;
- Ongoing assessment of new records to determine if they should be added to the list of records;
- Staff awareness of Routine Disclosure; and
- Creation of a directory of Routine Disclosure documents by Department that is easily accessible to staff.

EXCEPTIONS TO ROUTINE DISCLOSURE

- Draft By-Laws (unless they have been considered in a meeting open to the public)
- A record that reveals deliberations of an “in-camera” meeting of Council
- Records that are more than 20 years old

- Records that would reveal the advice or recommendations of a City Employee or Consultant.
- Certain records relating to By-Law Enforcement programs except for:
 - Reports prepared in the course of routine inspections by the City
 - Quarterly status reports
- Confidential information received in confidence from a federal or provincial ministry or agency. If the ministry consents, the City must disclose the information.
- The City must keep financial, technical or commercial information received in confidence from a third party, such as a private company, where disclosure could cause reasonable harm to the third party's interest. If the third party consents, the City is permitted to release the information.
- The City is required to protect the privacy of personal information relating to individuals, except in limited circumstances. It is not an invasion of privacy to disclose the following:
 - Classification, salary range and benefits, or employment responsibilities of an individual who is or was an officer or employee of the City.
 - Financial or other details of a contract of personal services between an individual and the City.
- Personal information may also be disclosed, without a formal access request, if the following applies:
 - If the person to whom the information relates has identified that information in particular and consented to its disclosure.
 - For the purpose for which it was obtained or compiled, or for a consistent purpose for which an individual might reasonably expect.
 - To an employee of the City who needs the record in the performance of their duties and disclosure is necessary and proper in the discharge of the City's functions.
 - For the purpose of complying with any federal or provincial legislation, an agreement or arrangement under such legislation.
 - To an institution or law enforcement agency in Canada to aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result.
 - In compelling circumstances affecting the health or safety of an individual if upon disclosure notification is mailed to the last known address of the individual to whom the information relates.

- To facilitate contact with the next of kin or a friend of an individual who is injured, ill or deceased.
- To the Government of Canada or Government of Ontario in order to facilitate the auditing of shared cost programs.
- Confidential legal opinions.
- Information relating to businesses, including operating name, corporate name and names of individuals who own the business is not considered personal information and can be disclosed.

RECORDS THAT CAN BE ROUTINELY DISCLOSED

*** All personal information must be redacted prior to release ***

Department	Record
City Council	<ul style="list-style-type: none"> • By-Laws and Resolutions • Minutes and proceedings of Council meeting (once adopted by Council) • Records considered at a meeting, except records considered during a part of meeting that was closed to the public “in-camera” • Statement of remuneration and expenses paid in the previous year to each Member of council • Public Meeting Minutes • Council Agendas • Delegation Information (including presentation)
Administration	<ul style="list-style-type: none"> • Policy and Procedures • Community Profile • Strategic Plan • Transit Route maps • Approved studies and reports • Media Releases <p style="text-align: center;"><u>HUMAN RESOURCES</u></p> <ul style="list-style-type: none"> • Internal job postings (available to employees) • External job postings • Organizational Chart • Job descriptions (available to employees) • Employee information (contact information, seniority date, service info, salary and increment history) – (available to employee and supervisor) • Employee training records – (available to employee and supervisor) • Collective Agreements

	<ul style="list-style-type: none"> • Requests from CRA for confirmation of employment • Requests from HRDC for payroll records • Payroll information specific to individual employees – employee authorization is required.
Clerk's Department	<ul style="list-style-type: none"> • Access and privacy guidelines • Assessment rolls • Petitions (excluding personal information) • Statistics on death and marriage licences • Community events • Statistics on number of FOI requests received • Statistics on number of lottery licences issued • Confirmation of lottery licence issued (including licence number, date and event location) • Statistics on Municipal Clearance for Liquor Licence • Record of destroyed documents with description • City Council reports • Room bookings • Contract information and tendering information • Bid opportunities • Paratransit application forms • Community Directory • Heritage Index • Meeting notifications and cancelations • Executed agreements – view only • Public notices • Accessibility Plans • Election nomination paper and declaration of qualifications • Financial activities including all expenses and contributions related to Elections • Proxy certificates that been certified by the City Clerk • Revision applications to amend the Voter's List

	<ul style="list-style-type: none"> • Voter's List • Poll Locations
Planning and Building Services	<ul style="list-style-type: none"> • Statistics related to buildings • Available lands and buildings • Land Use and Location maps • List of building permits issued by year (includes property address, permit number, permit date, construction value and permit fee) • Zoning By-Law/Official Plan and all Amendments • Site Plan, Subdivision agreements • Zoning compliance letters – applicable fee • Census Data • Committee of Adjustment and variance decisions • Property Standards Order – (available to property owner) • Heritage Information • Statutory Planning Notices • Application forms • Drawings – at the discretion of the Chief Building Official • Property Surveys • Public Meeting sign in sheet • Approved site plans
Finance Department	<ul style="list-style-type: none"> • Budgets (Capital and Operating) • Tax and Water Certificates – applicable fee • Receipt of payment (without bill) – (provided to person paying a bill) • Property Assessment information – MPAC Roll book is available • Water Rates • Tax Rates • Audited Financial Statements • Financial Information Return • Investment information/reports • Salary disclosure (+100,000) • Accounts payable listings

	<ul style="list-style-type: none"> • Reserves and Reserve Fund balances • Asset Management Plan <p><u>The following items are provided to the property owner or the authorized agent only</u></p> <ul style="list-style-type: none"> • Water & Tax reminder notices • Water & Tax disconnect notices • Water & Tax bills • Water & Tax account information
<p>Public Works and Community Services</p>	<ul style="list-style-type: none"> • Application for entrance permits, curb cuts etc. • Bid Documents (not including official bids) • Design drawings (bridges, subdivision, roads) • Summary reports, annual reports, analysis completed related to water system • Service Maintenance Reports (i.e. plowing street) • Easements • Drainage Maps • Traffic Calming Reports • Levels of Service • Applications for Encroachment Agreements • Infrastructure history, condition and planned work • Water Distribution Systems <p style="text-align: center;"><u>PARKS, CEMETERY & ARENA</u></p> <ul style="list-style-type: none"> • City Recreation program information • Applications for special events • Park and Facility permits • Parks Master Plan
<p>Fire Department</p>	<ul style="list-style-type: none"> • Master Fire Plan • Annual Reports • Fire prevention and public safety information • Emergency Response Plan