

10 TIPS FOR PUBLIC BODIES MANAGING REQUESTS FOR RECORDS

The *Freedom of Information and Protection of Privacy Act* (FIPPA) regulates the information and privacy practices of public bodies, including BC government ministries, local governments, crown corporations, and local police forces.

FIPPA gives individuals the right to access records held by public bodies. Here are our top 10 tips to help public bodies meet the timelines and requirements for responding to requests for records under FIPPA.



1. DESIGNATE AN FOI DIRECTOR/MANAGER

Designate and empower an FOI director or manager and ensure the FOI department is staffed appropriately.

Make sure the position is known across the public body. Delegate as many decisions as possible to the director/manager and their staff.



2. ASSIST APPLICANTS

Appropriate communication can: help to clarify records sought; inform applicants of reasons for severing, denial of records, or reasons why no responsive records were found; and minimize complaints.

Make sure to interpret requests in a manner that a fair and rational person would consider appropriate in the circumstances. Avoid overly literal or narrow interpretations of requests.



3. ADOPT EARLY RESOLUTION TACTICS

FIPPA requires public bodies to respond without delay. Employing early resolution tactics can help public bodies achieve this. Replying to straightforward requests for records early, and releasing large numbers of records in phases are a few examples of early resolution tactics.



4. PAY ATTENTION TO TIMELINES

Set timelines are more than just a target: they are required by FIPPA.

Case management software can help public bodies track legislated timelines for responding to applicants. Public bodies should also monitor how frequently they rely on consent for granting time extensions and have a plan in place in the event of a downward trend in applicants providing this consent.

Public bodies may also need to seek approval from the Information and Privacy Commissioner for a time extension. In these cases, public bodies must complete a [time extension application](#) at least three business days before the time limit is set to expire.



5. KEEP ADEQUATE DOCUMENTATION

Adequate documentation is important to effectively manage requests for records. Documentation may include: original requests, communications to clarify requests, acknowledgement letters, communications with department staff, fee estimates and invoices, reasons for early closures of files, summary of the search for records, records (originals, working copies and severed versions), extensions, consultation with third parties, and response letters to applicants.



6. MAINTAIN POLICIES AND TRAINING

Make sure you have policies for records management, access to records, and responsibilities under FIPPA. Make sure all staff are up-to-date on access and privacy related training. Review policies and training on a regular basis to ensure they are current.



7. STAY UP TO DATE ON OIPC GUIDELINES

The OIPC publishes guidance documents, orders, reports, and other publications that can help you comply with FIPPA.



8. ADOPT ROUTINE RELEASE

A successful way to meet the public's need for information is to routinely make information available to the public. Doing so is more expedient than requiring a formal request for records. Public bodies should consider efforts to expand routine release.

Information suitable for routine release includes information useful to the public, information that is likely to be the subject of an access request, and records released in response to general access requests (excluding requests that contain personal information).



9. MAKE INFORMATION EASILY ACCESSIBLE

If you collect information from individuals, make it available electronically when possible. A secure online portal where individuals can access their own information provides individuals with fast and efficient access to their information.



10. IF IN DOUBT, CONTACT US

We are here to help! If you have any questions about your responsibilities under FIPPA, contact us for assistance. Email: info@oipc.bc.ca
Phone: (250) 387-5629