



F09-18-MS Reporter Requests Electronic Records, Gets Paper Response

A newspaper reporter sent identical requests to eight municipal police departments asking for records relating to police salaries. In each case, he asked that the responsive records be provided in Microsoft Excel so he could include them in a searchable database he was constructing. Five of the police departments sent him the records in Excel as requested; the other three provided paper copies, without explanation. The reporter complained to us that the three police departments had not responded appropriately to his request.

Section 6(1) of FIPPA requires a public body to make every reasonable effort to assist applicants and to respond without delay to each applicant openly, accurately and completely, while 6(2) requires it to create a record for an applicant if doing so “would not unreasonably interfere with the operations of the public body”. We explained to the three police departments that in previous orders the Commissioner had found, for example, that requiring a public body to hire a programmer for 48 hours to respond to an applicant’s request to produce records did not unreasonably interfere with the operations of the public body. It seemed very likely that responding to the reporter’s request for an Excel response would take a small fraction of that effort.

The result of our mediation was that all three police departments agreed to provide the reporter the records in electronic form. As the requested records did not exceed two to three pages, it was easy to enter them in Excel if they were not already in this format. The reporter was happy with the resolution.