



General Operating Administrative

Title: Access to Information – LAFOIP Policy	Policy Number: GA-06
Authority: Resolution 2026-238 - August 18, 2026 Council Minutes	Next Review: August 2030

Purpose:

This policy is to provide guidelines and fee regulations when receiving a request to access information under the *Local Authority Freedom of Information and Pricing Act, (LAFOIP)*.

The purpose of this policy is to:

- Recognize the right of access by the public to information in the possession, or under the control of, the Town of Carrot River (the “Town”);
- Recognize the Town’s responsibility to protect the privacy of individuals by controlling how the municipality collects, makes use of, and discloses personal information;
- Fulfill the Town’s obligations and duty to assist under both the spirit and requirements of *The Local Authority Freedom of Information and Privacy Act (LAFOIP)* and *The Local Authority Freedom of Information and Privacy Regulations (LAFOIP Regs)*.

The Town’s duty to assist does not require the Town to:

- Create documents if they do not exist (example, transcripts of voice/video recordings, telephone conversations);
- Provide a technical explanation or understanding of a document or transcript;
- Provide a legal interpretation of the information in records;
- Disclose the nature or content of records that are withheld or that are not responsive to the request; or
- Give an opinion or judgment that is not already recorded.

Authority

Section 23.1 of *The Local Authority Freedom of Information and Protection of Privacy Act* provides local authorities with the ability to establish policies and procedures to maintain administrative, technical, and physical safeguards to protect the integrity, accuracy, and confidentiality of the personal information in its possession or under its control.

Scope

This policy applies to all employees, contractors/consultants, and municipal departments of the Town who collect, access, use, process, store, modify, share, disclose and/or destroy information in the possession, or under the control of the Town of Carrot River. It shall also apply to persons requesting access to information.



Definitions

- a) **“Access to Information Request”** – the formal process by which an individual may request access to the Town’s records under the provisions of *The Local Authority Freedom of Information and Protection of Privacy Act (LAFOIP)*. The term freedom of information request (FOI) is also used to describe an access to information request.
- b) **“Act”** – means *The Local Freedom of Information and Protection of Privacy Act*.
- c) **“Applicant”** – any individual who requests access to a record under *LAFOIP*.
- d) **“CAO”** – the Chief Administrative Officer/ Administrator for the Town of Carrot River appointed pursuant to Section 110 of *The Municipalities Act*.
- e) **“Contractor”** – an individual or company retained under a contract to perform services for the Town including any information management service providers (IMSP).
- f) **“Control”** – is where the Town has the authority to manage the record including restricting, regulating, and administering its use, disclosure, or disposition when the record is in the Town’s possession and/or control.
- g) **“Duty to Assist”** – the Town’s obligation to provide assistance to an applicant including responding to a request for access openly, accurately and completely.
- h) **“Employee”** – an individual employed by the Town, including an individual retained under a contract to perform services for the Town. (*LAFOIP* Sec. 2(1) (b.1)).
- i) **“Exemption”** – a mandatory or discretionary provision under *LAFOIP* that authorizes the Town to refuse to give access to information contained in a record.
- j) **“Informal Request”** – a request for inform, which is general in nature, can be easily accessed in a minimal amount of time and can typically be handled by the area, branch or unit responsible for the information.
- k) **“LAFOIP”** – *The Local Authority Freedom of Information and Protection of Privacy Act*.
- l) **“Personal Information”** – means information about an identifiable individual of a personal nature which may include but is not limited to: information about an individual’s race; religion; family status; age; birthdate; place of origin; employment or criminal history; financial information; health services number; driver’s license number; social insurance number; home address; email address or telephone number; physical or mental condition of an individual; an individual’s personal views or opinions except where they are about another individual.



- m) **“Possession”** – records, information, or content regardless of the form, all recorded information in the possession or under the control of the Town.
- n) **“Privacy”** – is the right to keep certain information private; freedom from unauthorized access to, use, or disclosure of one’s personal information.
- o) **“Record”** – means any record of information in any form and includes information that is written, photographed, recorded, digitized, or stored in any manner, but does not include computer programs or other mechanisms that produce records (*LAFOIP* Sec. 2(1)(j)).
- p) **“Third Party”** – means a person, including an unincorporated entity, other than an applicant or Town.

Personal Information

No local authority shall disclose personal information in its possession or under its control without the consent, given in the prescribed manner, or the individual to whom the information relates except in accordance with Section 28 or Section 29 of *LAFOIP*.

Personal information including, but not limited to the following, shall be redacted before being disclosed through the access to information process:

- home and business phone numbers
- civic addresses
- mailing addresses
- birthdates
- social insurance numbers
- family member names and information
- pension plan information
- health card numbers

The following are not classified as personal information and shall not be redacted, (Section 23(2)(a) of *LAFOIP*):

- employee classification
- salary
- discretionary benefits
- job responsibilities

Individuals have the right to access records containing their personal information, with limited exceptions, subject to Section 30 of *LAFOIP*. Individuals have the right to request the correction of their personal information if the information is incorrect. If the change request is reasonable, the CAO shall make the correction. If the request is not reasonable, the CAO shall note an objection not the change on the file.



Property owners and legal land descriptions are freely available through Information Services Corporation (ISC) and are thus considered public information. However, civic and/or mailing addresses are considered personal information and shall only be disclosed according to Section 3(1) of *LAFOIP*.

Property tax information may also be released in accordance with Section 279 of *The Municipalities Act* upon request in the form of a Tax Certificate and payment to the Town of Carrot River for the Tax Certificate. The Tax Certificate shall not identify any landowner personal information such as civic addresses, phone numbers, etc.

Section 3(1) of the *LAFOIP*:

This Act does not apply to:

- a) published material or material that is available for purchase by the public;*
- b) material that is a matter of public record; or*
- c) material that is placed in the custody of a local authority by or on behalf of persons or organizations other than the local authority for archival purposes.*

Section 279 of *The Municipalities Act*:

- 1) On request, a designated officer shall issue a tax certificate showing:*
 - a. The amount of taxes imposed in the year with respect to the property specified on the certificate and the amount of taxes owing;*
 - b. The total amount of tax arrears, if any;*
 - c. The amount of any local improvement special assessment"*
 - i. Due with respect to any parcel of land; or*
 - ii. Shown on a special assessment roll for a local improvement, certified by the assessor, but not due at any time;*
 - d. Notice of any intention to undertake a local improvement that the Saskatchewan Municipal Board has approved and that may affect the land;*
 - e. If known by the municipality, whether there is an outstanding assessment appeal regarding the property before a board of revision or the Saskatchewan Municipal Board; and*
 - f. If known by the municipality, whether there are outstanding amounts that might be added to the taxes with respect to the property pursuant to section 369.*
- 2) A tax certificate issued pursuant to this section is deemed to have been properly executed and is binding on the municipality.*
- 3) Subject to the regulations made by the minister, the council shall, by bylaw, set the amount of the fee that may be charged for issuing a tax certificate pursuant to this section.*
- 4) The minister may make regulations prescribing the maximum fee that may be charged pursuant to this section.*

Personal information shall be safeguarded and kept in locked filed cabinets, the fire safe vault, or other secure areas. This information will be restricted to the CAO and the appropriate Town



department employees. Employment records shall be maintained pursuant to the Town's record retention bylaw.

Administration

The CAO (being the Administrator of the Town of Carrot River appointed pursuant to Section 110 of *The Municipalities Act*) shall be accountable for all decisions, duties, and obligations pursuant to *LAFOIP*.

Access to Information

Pursuant to *LAFOIP*, an individual has the right to request access to any information in the possession of, or under the control of, the Town. The Town shall provide as much information as possible to the applicant while ensuring personal, confidential, and third party information is protected in accordance with *LAFOIP*.

Personal information includes, but is not limited to, information about an identifiable individual of a personal nature, including information about an individual's race, religion, family status, age, birthdate, place of origin, employment or criminal history, financial information, health services number, driver's license number, social insurance number, home address, email address or telephone number, physical or mental conditions, and personal views or opinions except where they are about another individual.

Third-party information includes information that is controlled or managed by an entity other than the Town.

Access to information that is in the possession of, or under the control of the Town will be provided in accordance with the Town's record retention bylaw and/or policy.

Routine Requests

Routine requests are handled by the employee or department responsible for the information, in consultation with the CAO, as necessary. Routine requests are requests for information that are general in nature. Routine requests can be easily accessed in a minimal amount of time and can typically be handled by the department responsible for the information. Routine information includes, but is not limited to:

- Job postings
- Election results
- Bylaws
- Policy manuals
- Budgets
- Annual reports
- Approved contracts/agreements
- Approved minutes
- Basic historical data
- Information bulletins



Whenever possible and where appropriate, requests for general information shall be processed without the requirement for a formal access of information application. This supports the Town's commitment to transparency, accountability, accessibility, and participation.

Formal Requests

An applicant who wishes to make a formal request under *LAFOIP* is required to complete the "Access to Information Request Form A," (Appendix A). The applicant shall send the request to the CAO. If an employee receives a formal access request, they shall forward it to the CAO and keep any information contained in the application confidential. Each application shall pertain to only one subject matter.

Note: an applicant may submit an access to information request in another format other than the prescribed Form A, (Appendix A), provided it has all the required elements – LAFOIP Guide Chapter 3, Section 6(1)(a).

Formal requests shall be handled confidentially and immediately. The name of the applicant should be kept private. Following application acceptance and date stamping, the CAO shall process the access to information request in a complete, accurate, and timely response pursuant to *LAFOIP*. Other Employees may assist the CAO, as necessary, in obtaining information outlined in the access to information request.

The CAO shall keep all *LAFOIP* Applications and details in a confidential location. When an application is received, a *LAFOIP* file shall be set up, and the details entered into the *LAFOIP* Logbook which includes assigning a file number. The 30-day clock starts when the application is received by the Town and the application fee is paid.

Once the file is set up, a Responsive Records Search Checklist, (Appendix B), will be used to guide the retrieval process and to note if the search may cause a "fee estimate" to be sent to the applicant. The search checklist must be kept on file as proof of time spent and records searched should be a review of the application requested by the Privacy Commissioner (IPC).

Exemptions

LAFOIP provides for the protection of certain information. There are mandatory and discretionary provisions under *LAFOIP* authorizing the CAO to refuse to provide access to information contained in a record, and the authorization to refuse to confirm or deny the existence of a record in response to an access to information request. When determining whether to apply discretionary exemption, the CAO will exercise good faith in balancing the Town's legitimate business or legal concerns with the principles of open government.

Mandatory Exemptions:

- Records from other governments obtained and kept in confidence ***LAFOIP 13(2)***
- Certain third-party information ***LAFOIP 18***
- Where another act prevails ***LAFOIP Section 22 and LAFOIP Regs 8.1*** (example: parts of the Police Act)

Discretionary Exemptions:



- Information received in confidence from another local authority **LAFOIP 13(2)**
- Information regarding law enforcement and ongoing investigations **LAFOIP 14**
- Documents of a local authority including draft resolutions, bylaws, and in-camera meetings **LAFOIP 15**
- Information that is advice from officials, unless record has been in existence for more than 25 years **LAFOIP 16(1)(2)**
- Information regarding economic or other interests **LAFOIP 17**
- Information regarding testing procedures, tests, and audits **LAFOIP 19**
- Information that may result in danger to the health and safety of an individual **LAFOIP 20**
- Information covered under solicitor-client privilege **LAFOIP 21**
- Information that you know will be published within 90 days **LAFOIP 7(2)(C)**

Privacy Practices

The Town has the authority to collect personal information pursuant to specific legal obligations. The Town shall inform the individual of the purpose of collecting information and will only collect necessary information. Town employees and the CAO must take reasonable steps to ensure collected information is accurate and complete. Collected information in the Town's possession and/or control shall only be used for the purpose for which it was collected.

Privacy Breach

The Town shall make every effort to mitigate breaches of privacy; however, should a breach occur, the following steps will be taken immediately:

1) Contain the Breach

As soon as the Town learns of a privacy breach, it should contain and recover any personal information involved. Retrieving this information will require determining how broad the privacy breach is and what type of records are involved. If paper records are involved, efforts should be made to physically recover the paper records. If electronic records are involved, efforts should be made to physically recover any devices that contain information, including USB keys, CDs and DVDs; recall emails and request recipients destroy the email containing personal information; and immediately take down personal information if it is posted online.

2) Notify Affected Individuals

LAFOIP 29(1) requires that local authorities take all reasonable steps to notify an individual of unauthorized use or disclosure of that individual's personal information by the local authority if it is reasonable in the circumstances to believe that the incident creates a real risk of harm to the individual.

3) Identify

The Town should make attempts to answer the following questions: Who are the affected individuals? How many individuals are affected? What are the risks that the affected individuals will be exposed because of the privacy breach?



The Town should also immediately make a voluntary disclosure to the Information and Privacy Commissioner's Office.

4) Investigate the Privacy Breach

The Town should investigate the privacy breach to identify the root cause of the breach. Identifying the root cause of the privacy breach will prevent similar breaches in the future and can be done by answering the following questions:

What happened? When and where did the privacy breach occur? When and how did the Town learn of the breach? What efforts has the Town made to contain the privacy breach? Has the breach been contained completely (why or why not)? Who was involved/which employees were involved or witnesses the privacy breach? What type of personal information was made public? Who has been affected by this privacy breach?

5) Prevent Similar Privacy Breaches

The Town should do its best to safeguard personal information. The CAO should review all administrative, physical, and technical safeguards following a privacy breach to determine their adequacy in protecting information. These safeguards should also be reviewed regularly to ensure they meet best practice standards.

Application and Fees

All persons requesting a formal access to records not normally or regularly provided by the Town must complete an "Access to Information Request Form", Appendix A.

The "Access to Information Request Form" is subject to the *LAFOIP Regs* and shall be accompanied by an **application fee of twenty (\$20.00) dollars**. If the applicant believes the application fee will cause substantial hardship, they may request the CAO waive the fee by providing the reason.

The CAO will ensure that each application pertains to only one subject matter.

Additional charges may also be levied beyond the initial \$20.00 application fee as per *LAFOIP* Section 9.

1st hour – Free

\$15.00 – per ½ hour or portion thereof after the initial hour

\$0.25 – per photocopy/printout

\$ Actual Cost – of all other reproductions and/or storage devices

Search Time

Includes:

- a) Staff time involved with searching for records;
- b) Examining file indices, file plans or listings of records (paper or electronic);
- c) Pulling paper files/specific paper records out of files; and
- d) Reading through files to determine responsiveness.



Does not include:

- a) Time spent copying the records;
- b) Time spent going from office to office or off-site storage to look for records (ie. travel time);
- c) Having someone review the results of the search.

Preparation Time

Includes:

- a) Time spent physically severing exempt information from records

Does not include:

- a) Deciding whether or not to claim an exemption;
- b) Identifying records requiring severing;
- c) Packing records for shipment;
- d) Identifying and preparing records requiring third party notice;
- e) Transporting records to the mailroom or arranging for a courier;
- f) Time spent by a computer compiling information;
- g) Assembling information and proofing data;
- h) Photocopying; and
- i) Preparing an index of records.

Fee Estimate

If the initial record search review shows that the charges will exceed \$100.00, a fee estimate MUST be provided to the applicant for approval with a request for a 50% deposit. The 30 day response time stops until payment is received, or the applicant approved to narrow the access request.

The applicant may clarify or narrow the access request to potentially lower the fee estimate. If the applicant narrows the access request, the fee estimate may be lowered. If the estimate is higher than the final cost, the applicant must be refunded the difference.

Frivolous or Vexatious Access to Information Requests

If there is an abuse of the right to access by making “nuisance requests” to harass the Town, the Municipality may apply under Section 43.1(1) of *LAFOIP* to the Commission to disregard the access request.

The Commissioner may authorize a municipality to disregard an access request if the request meets one or more of the following criteria:

- The request would unreasonably interfere with the operations of the government institution because of the repetitious or systematic nature of the request;
- The request would amount to an abuse to the right of access because of the repetitious or systematic nature of the request; or
- The request is frivolous, vexatious, not in good faith or concerns a trivial matter.