

## **City of Mount Pearl ATIPP Procedure**

### **City of Mount Pearl ATIPP Process Overview**

The City of Mount Pearl will follow the prescribed process for public bodies directed in the ATIPP Act, 2015 and detailed in the companion documents *Protection of Privacy Policy and Procedure Manual* and *Access to Information Policy and Procedure Manual*.

To ensure that the City of Mount Pearl abides by the associated responsibilities included in the ATIPP Act, 2015 and from guidance provided from the Office of the Information and Privacy Commissioner (OIPC), the City of Mount Pearl has developed an *ATIPP Information Request Policy* and this *City of Mount Pearl ATIPP Procedure Manual* for the internal processing of ATIPP information requests and protection of privacy.

### **Assignment of Duties**

#### **ATIPP Coordinator**

The City of Mount Pearl has assigned the role of ATIPP Coordinator to the position Records and Information Management Officer. The ATIPP Coordinator has primary responsibility in processing information requests and ensuring protection of privacy. For information requests, the ATIPP Coordinator is the person responsible for corresponding with the applicant.

#### **Back-up ATIPP Coordinator**

The City of Mount Pearl has assigned the role of Back-up ATIPP Coordinator to the position of Director of Corporate Services. The Back-up ATIPP Coordinator is only engaged in the ATIPP process when the ATIPP Coordinator is unavailable for an extended period of time.

#### **Head of the Public Body**

The City of Mount Pearl has assigned the role of Head of the Public Body to the position of Chief Administrative Officer (CAO).

### **Anonymity of Applicants**

Section 12 of the ATIPP Act, 2015 requires that the name and type of applicant remain confidential and only be known to the ATIPP Coordinator, and where necessary the Coordinator's Assistant. Anonymity throughout the process ensures that requests are responded to in an open, accurate, and complete manner and processed fairly and without bias or the perception of bias.

The ATIPP Coordinator is to ensure anonymity during consultations in processing the request. Only the ATIPP Coordinator can correspond with the applicant. Even after the final response has been sent, the identity of the applicant is not to be disclosed.

### **Duty to Assist**

The ATIPP Coordinator is obligated under the ATIPP Act, 2015 to assist the applicant in their request for information. Section 13 describes this duty as the "*public body shall make every reasonable effort to assist and applicant in making a request and to respond without delay to an applicant in an open, accurate and complete manner.*"

## **Reasonable Search**

In the Office of the Information and Privacy Commissioner's Guidance document on *Reasonable Search*, that office concluded: *"the public body must provide evidence to show that it has made a reasonable effort to identify and locate records responsive to the request. The public body's evidence should include a description of the business areas and record types searched (for example emails, paper files, databases), identify the individuals who conducted the search (by position type), and indicate the time taken to conduct the search. If there is an explanation for why a requested record may not exist, it should be provided."*

Therefore, it is essential that the ATIPP Coordinator effectively document the search for records.

## **Work Instructions for Processing Information Requests**

### **1. Determine if the information request is clear or if you need to contact the applicant for clarification.**

The City has five days to register the information request with the ATIPP Office. The time starts as soon as the request is received, not when it is registered. So, if necessary, contacting the applicant for clarification should be done as soon as possible.

### **2. Complete ATIPP form Form1A-Notification-Form-of-Application and send to the ATIPP Office.**

Form Sections

**Access Request Information:** City of Mount Pearl + Date request received

**Type of Request:** most likely will be *General Information*.

**... following information/records:** copy the text of the information request here. If there is personal information included in the request DO NOT include in this description area.

**ATIPP Coordinator:** e.g. Todd Sauvé

**Date:** date the form was submitted to ATIPP Office

Once complete, send the form to [atippoffice@gov.nl.ca](mailto:atippoffice@gov.nl.ca)

**E-mail Subject:** *Form 1A - Notification - City of Mount Pearl [today's date]*

**E-mail Content:**

*Hi [name],*

*Please find the attached completed Form 1A - Notification.*

- *Mount Pearl Form1A-Notification [today's date]*

*Thank you,*

*Name*

### **3. Once the ATIPP Registration Number (PB/xxx/2017) is received complete Form 2 – Acknowledgement of request and send to the applicant.**

When completing the Acknowledgement form, the parts that change are:

- Date, Applicant Name, ATIPP Registration Number
- *copy the information request verbatim in the place on the City's template*
- All of the other sections stay the same as they required by the ATIPP office.



**4. There may be a need to send a Form 3 Advisory Response.**

The City has 10 business days to inform the applicant whether or not records will be released, and whether or not there will be a cost. In most cases, we respond to the applicant prior to needing to send out this form. There will not be a time where the City will take that long (the first ten hours are free) to *find* records where there will be a cost to the applicant.

**5. Most requests will result in Full Disclosure. However, there are different forms for Partial Access, Full Disclosure, or No Records Responsive.**

Follow the directions on the Form 4A Response to Applicant – Full Disclosure. Please refer to *Form 4 Response Letters* with the City of Mount Pearl letterhead and wording.

**6. ATIPP Request Summary Report**

The final step is to notify the ATIPP Office that the request has been completed. The form is called the *Form 8 ATIPP Request Summary Report*.

Use the file number given to you by the ATIPP Office (PB/xxx/2017), City of Mount Pearl, Date Response Sent, General Access, etc. Outcome: Full Disclosure. Response Time: within 20 Business Days. Page 2 Advisory response: if it is within 10 days then it is the same as date sent to applicant. Time Spent: will be very minimal as the time spent processing the request means “finding the records”, and not actually processing the request.

Once complete, send to the same address [atippoffice@gov.nl.ca](mailto:atippoffice@gov.nl.ca).

**Approvals**



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Steve Kent, Chief Administrative Officer

February 20, 2018  
Date