



**Meeting Date:** March 6, 2024

**Prepared By:** Megan Kamermans, Municipal Deputy Clerk

**Submitted by:** Megan Kamermans, Municipal Deputy Clerk

**Report No:** CLK-03-2024

**Subject:** Routine Disclosure Policy

---

**Recommendation:**

THAT Report CLK-02-2024 re: Routine Disclosure Policy be received;

AND THAT the Routine Disclosure Policy attached as Appendix 'A' be approved.

**Purpose:**

The purpose of this report is to provide an overview of the Routine Disclosure Policy. This policy is to formalize and define a process for the routine disclosure and active dissemination of records in the custody and control of the Municipality. Active dissemination establishes a process for municipal staff to automatically post or publish records in the public domain, typically on the Municipality's website. While most records are intended to be provided through active dissemination, others may be available through the Routine Disclosure Policy, which empowers municipal staff to provide copies of certain Records in response to requests from the public without requiring a formal Freedom of Information ("FOI") request under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). This policy serves to engage the public and further the accountability and transparency of the Municipality's operations by making information readily available to the public in accordance with the key principles of MFIPPA. There is an added cost-saving benefit for the Municipality, as this policy is intended to address the increasing volume of FOI requests received by the Municipality.

**Background:**

In line with the principles of MFIPPA and the Information and Privacy Commissioner, the Municipality of Middlesex Centre is committed to increased transparency in communication through a number of means. The implementation of this policy will assist the Municipality in continuing to cultivate such transparency. To improve public access to records and information, as well as increase transparency, this policy establishes

principles for the release of records and information without requiring the submission of a Freedom of Information (FOI) request. The Municipality is dedicated to identifying efficient and cost-effective ways to provide the public with greater access to information. A key principle of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is that information should be available to the public and that necessary exemptions from the right of access should be limited and specific.

### **Analysis:**

The purpose of this policy is to enhance access to records and information, make the public aware of their rights to access information, simplify access where possible and spend FOI staff time and resources on more complex requests. The Municipality is dedicated to implementing a culture of openness through this policy and is encouraging a more open and responsive relationship between the Municipality and the public it serves. By making the public and staff more aware of the types of information that can be routinely disclosed without a formal access request under MFIPPA (Municipal Freedom of Information and Privacy Protection Act) and ensuring accountability for routine disclosure, it is expected the public will have greater access to Municipal information and in timely manner.

### **ACCESSING RECORDS:**

There are three (3) ways that the public may access records under the custody and control of the Municipality of Middlesex Centre, they are as follows:

- Active Dissemination
- Routine Disclosure
- Freedom of Information Request

#### Active Dissemination

Active Dissemination is the practice of the release of government records in the absence of a request, these types of records are released proactively and usually include general records or statistics. The Municipality of Middlesex Centre is very active in their approach and have many such records that are publicly available on our website or publicly available upon request, such as: Council and Committee minutes, agendas, resolutions, reports to Council and Committee's, By-laws; Planning Department files; Budget documents and general Middlesex Centre information.

#### Routine Disclosure

Routine Disclosure is the routine or automatic release of certain types of administrative and operational records in response to informal rather than formal requests under MFIPPA, where sections 6-13 and 15 of MFIPPA would not apply. Having a Routine Disclosure Policy in place ensures that there is a balance between the ease of access to information and the protection of privacy and confidential information. The Municipality is committed to and is required to continue its adherence to the

requirements of MFIPPA in respect of exemptions to disclosure of Personal Information, third-party information, and other confidential information. It should be noted that Routine Disclosure is not to be used to generate records in order to respond to a request for information and only applies to records that are in the custody and control of the Municipality.

### Freedom of Information Request (FOI)

Records that do not qualify for Active Dissemination or Routine Disclosure would have to be formally requested through the FOI process and are governed by MFIPPA. For more information regarding the Municipality's FOI process please visit: [The Municipality of Middlesex Centre Website](#)

Benefits of having a Routine Disclosure Policy in Place:

Having a Routine Disclosure Policy in place is beneficial as it allows the Municipality to:

- make more of the Municipality's records available to the public and in an accessible manner;
- streamline access to information;
- provide greater accountability and transparency in its day-to-day operations;
- ensure a balance between providing greater access to information while at the same time protecting personal and confidential information; and
- reduce staff time in responding to formal requests for information and the increase of staff involvement it creates, resulting in greater cost efficiencies.

### **Financial Implications:**

There is a proposed fee structure for the retrieval and copying of records requested through routine disclosure. These costs are in lien with the fee structure applied to FOI requests.

### **Strategic Plan:**

This matter aligns with following strategic priorities:

- Responsive Municipal Government

The policy supports several objectives and initiatives under the strategic priority of Engaged Community, most notably:

- Objective 5.1 – Enhance customer service
- Objective 5.3 - Foster a culture of innovation, continuous improvement, and cost-effective service delivery

**Attachments:**

A1 – Routine Disclosure Policy Appendix 'A'