

ACCESS

Access to Information Under Ontario's Information and Privacy Acts



Information and Privacy
Commissioner of Ontario

Commissaire à l'information et à la
protection de la vie privée de l'Ontario

Ontario's *Freedom of Information and Protection of Privacy Act* and *Municipal Freedom of Information and Protection of Privacy Act* give you the right to request access to government-held information. You also have a right to access and correct information about yourself. The Information and Privacy Commissioner of Ontario (IPC) works to protect these rights.

These laws apply to institutions such as:

- provincial ministries
- agencies
- universities
- hospitals
- municipalities
- police services
- school boards

The laws also allow institutions to deny you access to certain types of information, such as the personal information of another person. They can also refuse your request for correction.

A third law, the *Personal Health Information Protection Act*, gives you the right to request access to, or correct, your personal health information. See the IPC website for details about *PHIPA*.

FREQUENTLY ASKED QUESTIONS

WHAT KIND OF INFORMATION CAN I REQUEST?

You can request general records held by public sector organizations. The information may be recorded in printed form, on film, or in electronic format. It includes things like photographs and maps.

You can also request access to, and correction of, your *personal* information. Your personal information includes your address, sex, age, education and other recorded information about you.

CAN I REQUEST INFORMATION FROM NON-GOVERNMENT ORGANIZATIONS UNDER THESE LAWS?

No. These two laws apply only to provincial and local government institutions. They do not apply to private companies, banks, credit bureaus or federal government organizations.

HOW DO I FIND OUT WHAT TYPES OF RECORDS PROVINCIAL AND LOCAL GOVERNMENT INSTITUTIONS HAVE?

The Government of Ontario has a **Directory of Records** that lists the provincial institutions and the types of records they hold. You can search the directory at www.ontario.ca or contact your nearest ServiceOntario office.

Most municipalities and other local government institutions have directories of records. They are usually available at their offices or on their websites.

I KNOW WHICH ORGANIZATION HAS THE INFORMATION. HOW DO I ASK FOR IT?

Most institutions post a lot of information online. In many cases, you can get the information you want by searching the website or just by calling or visiting the appropriate office.

THAT DIDN'T WORK—NOW WHAT?

If you did not get the information you want, send a written request to the freedom of information coordinator at the institution. You can find their address

and telephone number by searching the **Directory of Institutions** at www.ontario.ca.

THAT SOUNDS COMPLICATED. IS IT?

Not at all. Simply follow these steps:

1. Complete the institution's request form or write a letter requesting the information. You can also use the **request form** found on the IPC website at www.ipc.on.ca.
2. Send the completed request form or letter to the freedom of information coordinator at the public institution that has the information you want. You must include a \$5 application fee, payable by cheque or money order, to "The Minister of Finance" or the appropriate local government institution.

DO I HAVE TO PAY ANY OTHER COSTS?

The institution will not charge you for the time it takes to manually search for records that contain your personal information or to prepare the files for release. However, it may charge certain other fees, including photo-copying fees.

For all other records, the institution may charge you for photocopying, shipping, manually searching and preparing the files, and other costs involved in responding to your request.

HOW LONG DO I HAVE TO WAIT FOR A RESPONSE TO MY REQUEST?

In most cases, you should get a response to your request within 30 days.

WILL I RECEIVE ALL THE INFORMATION I WANT?

Not necessarily. While Ontario's access laws provide a general right of access to government-held information, they also allow institutions to deny access to certain types of information (for example, the personal information of another person).

WHAT WILL HAPPEN IF THE INSTITUTION REFUSES MY REQUEST FOR INFORMATION?

If a public institution denies you access to information that you requested, it must give you written notice of its decision, and inform you of your right to appeal to the IPC.

WHAT IS AN APPEAL?

An appeal is a way to ask for a review of a public sector organization's access or correction decision.

DO I HAVE TO PAY TO FILE AN APPEAL?

Yes, in most cases. If you requested access to your personal information or correction of your personal information, the appeal fee is \$10. For a request of other records, the appeal fee is \$25.

Include the fee when you send the appeal to the IPC. You can pay by cheque or money order, payable to "The Minister of Finance."

IS THERE A TIME LIMIT FOR FILING AN APPEAL?

Yes. After the institution sends you its decision, you have 30 calendar days to file an appeal with our office. For more information on your right to appeal, go to the IPC website or contact our office.

HOW DO I ASK A PUBLIC ORGANIZATION FOR CORRECTION OF MY PERSONAL INFORMATION?

Fill out the request form or write a letter requesting a correction and send it to the freedom of information coordinator at the institution. Make sure you include details of what information is incorrect and how you would like it corrected. You don't have to pay a fee when you request a correction.

I HAVE MORE QUESTIONS ABOUT ACCESS TO INFORMATION OR CORRECTION REQUESTS. WHO CAN ANSWER THEM?

If you have questions of a general nature about access to government-held information, the appeal process, or about Ontario's access and privacy laws, please contact our office.

About the IPC

The role of the Information and Privacy Commissioner is set out in the *Freedom of Information and Protection of Privacy Act*, the *Municipal Freedom of Information and Protection of Privacy Act*, and the *Personal Health Information Protection Act*. The commissioner is appointed by the Legislative Assembly of Ontario and is independent of the government of the day.



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