

*provincial*

**The Year-End Statistical Report  
for the  
Information and Privacy Commissioner/Ontario**

**COMPLETION GUIDE**

# General Information

This Guide is designed to provide step-by-step instructions for the completion of the Information and Privacy Commissioner's (IPC) Year-End Statistical Report as required by the *Freedom of Information and Protection of Privacy Act* (the *Act*). We encourage you to follow along with it, especially if you are unfamiliar with the Report.

For your convenience:

- The Guide is organized into sections corresponding to those in the Report. For help with a certain section in the Report, turn to the same section in the Guide.
- Certain sections which appear in *italicized text* have been expanded to contain background information that may be helpful to you.
- All terms which appear in **bold** are defined in the **Glossary** at the back of the guide.
- The Reconciliation Chart is designed to help verify the figures in the Report.

If you have specific questions that are not answered by this guide, please call Valerie Via at the Information and Privacy Commissioner/Ontario **416-325-9160**, or our main switchboard **416-326-3333**. If you are calling long distance, use our toll free line: **1-800-387-0073**.

**Please note incomplete reports** may result in your institution's submission being **partly or entirely excluded** from the statistics generated for the annual report.

All institutions must return a report to the Information and Privacy Commissioner. If no requests for access to information or requests for correction of personal information were received, your institution must still complete and return Sections 1 and 2.

## Section 1: Identification

- 1.1 Please clearly indicate the name of the institution, name of the person responsible for the content of the report, phone and fax numbers, e-mail and mailing addresses, and the name of the person to contact with any questions regarding the content of the report.
- 1.2 Please indicate whether your institution is a ministry or agency by checking one of the boxes provided.

# Section 2: Inconsistent Use of Personal Information

## What is an Inconsistent Use?

An **inconsistent use** occurs when **personal information** from a **personal information bank** is used or disclosed differently from the way it is used on a regular basis (see Section 46 of the Act). The Act requires the institution to attach a record or notice of the **inconsistent use** or disclosure to the **personal information** involved. This record then becomes part of the **personal information** it is attached to.

2.1 Please enter the number of times your institution made **inconsistent use** of **personal information** contained in its **personal information banks**.

## What is Personal Information?

**Personal information** is recorded information about an identifiable individual including:

- the individual's address, telephone number, fingerprints or blood type,
- information about the individual's race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital or family status,
- information about the individual's educational, medical, psychological, criminal, or employment history or information concerning his or her financial transactions,
- any identifying number, symbol or other particular assigned to the individual,
- the individual's personal opinions or views except when they relate to someone else,
- private or confidential correspondence sent to an institution by the individual, and replies to that correspondence that would reveal the contents of the original correspondence,
- the views or opinions of someone else about the individual, and
- the individual's name when it appears with other **personal information** about that individual or when disclosure of the name would reveal other **personal information** about that individual.

If your institution received **no requests for access** to information **or correction** of personal information **PLEASE STOP HERE** AND RETURN ONLY SECTIONS 1 AND 2 OF THE REPORT.

If your institution received (or carried forward from last year) **at least one request for access** to information, **PLEASE COMPLETE THE REST OF THE REPORT.**

If your institution received **at least one request for correction** of personal information, PLEASE COMPLETE SECTION 11 AT THE BACK OF THE REPORT, AS WELL AS SECTIONS 1 AND 2.

## Section 3: Number of Requests Completed

**Please Note:** *There are two types of information requests, and these need to be entered separately:*

- **personal information** requests, where the requester, or authorized representative, is asking for information about himself or herself.
- **general records** requests, where the requester is asking for general information or information that includes **personal information** about someone else.

3.1 Enter the number of new **personal information** and **general records** requests received during the reporting year (January – December). This includes those requests that have been received directly by your institution and those that have been transferred in from other institutions to your institution to complete. Below is a template that you may want to use to determine the number of new requests.

New requests received directly from the requester during **reporting year**.

Indicate the number of **personal information & general records** requests that were transferred to you from other institutions to be **completed** by your institution.

Personal Information	General Records

TOTAL New Requests (Add the above two boxes)  
(reflect these totals in box 3.1 of the statistical report)

Personal Information	General Records

## How Are Requests Counted?

The information in this section is important to help you decide how many requests for information your institution received, since the form or letter the requester sends may actually contain a number of separate requests.

- for **general records** requests, if the request deals entirely with **one subject**, it should be counted as **one request**. This is still the case even if the information is retrieved from different locations in your institution, or
- if a **general records** request deals with information about **TWO (OR MORE) subjects**, the request should be divided into **TWO (OR MORE) REQUESTS**, or
- any **personal information** request is counted as **ONE REQUEST** because it is about only **ONE SUBJECT**, the person asking for the information, or
- if you receive a request that must be **RETURNED TO THE SENDER** for clarification, **DO NOT COUNT** this as a request received until the requester returns it to you with all the information you need to **complete** the request.

3.2 Enter the total number of **personal information** and **general records** requests that have been completed between January to December 31 of the reporting year.

To determine the total number of requests completed:

Add the following number of requests for personal information and general records separately:

- new requests received during reporting year (see section 3.1 of the statistical report) and requests that were carried forward from the previous year to the current year to complete

Subtract the following **personal information** and **general records** requests from the above:

- requests transferred out to other institutions to complete and requests carried over to the next year to complete

The total sum of the above calculation will result in the total numbers of **personal information** and **general records** requests that were completed for the reporting year.

Below is a worksheet to be used as a tool to determine the total number of requests for the **reporting year**.

New requests received directly from the requester during **reporting year**.

Personal Information	General Records

Requests carried forward from previous year. (Enter the number of **personal information** and **general records** requests that your institution could not **complete** in the previous **reporting year**, January-December, and **carried forward** to be **completed** in the current reporting year.)

TOTAL (Add the above two boxes)

Personal Information	General Records
A	A

Requests transferred out to other institutions to complete. (Enter the number of **personal information** and **general records** requests that were **transferred** to another institution because that institution had control or custody of the information, or a greater interest in the information.)

Personal Information	General Records

Requests carried over to the next year to complete. (Enter the number of **personal information** and **general records** requests your institution received that were **carried over** to the next reporting year.)

TOTAL (Add the above two boxes)

Personal Information	General Records
B	B

TOTAL REQUESTS COMPLETED (subtract B from A)  
(reflect these totals in box 3.2 of the statistical report.)

Personal Information	General Records

## Section 4: Source of Requests

- 4.1-4.8 Enter the number of **personal information** and **general records** requests you completed from the source listed. If the request comes from an employee of your institution, enter the request in the individual category. Use the “Don’t Know” category for those times when you are completely unsure which category to use.
- 4.9 Add all the requests you have entered for both **personal information** and **general records** and write the totals in Box 4.9. These totals should be the same as those in box 3.2 (Total Requests Completed).

## Section 5: Time to Completion

- 5.1-5.4 Enter the number of **completed personal information** and **general records** requests in the appropriate categories. If your institution received a **transferred** request from another institution, the time to **completion** starts when the first institution received the request.

When locating and reviewing records, an institution may **extend the time** to provide a response to the requester under s.27(1).

The time from when a fee estimate/interim decision letter has been issued (s.57, O.Reg 460 s.6, s.6.1 and s.7) up to the time the deposit has been paid is not included when calculating the number of days to complete a request.

- 5.5 Enter the totals of the previous entries (5.1–5.4) into this box. These totals should be equal to the **Total Requests Completed** in Box 3.2.

## Section 6: Compliance with the Act

*The Act states that requests for access to information should be completed within 30 days. In cases where there is a need to search numerous records or to make consultations with a person outside the institution, the head of the institution can **extend** the 30-day time limit and still be in compliance with the Act. This can be achieved by issuing a Notice of Extension (s.27(1)) and/or Notice to Affected Person (s.28(1)).*

*This section has been broken down into four different situations that are mutually exclusive and will be used to determine the number of requests that are in compliance or not in compliance with the statutory time lines under the Act.*

### **A. NO Notices Issued**

- 6.1 Enter the number of completed requests within the 30 days where neither a Notice of Extension nor a Notice to Affected Person was issued.
- 6.2 Enter the number of completed requests beyond the 30 days where neither a Notice of Extension nor a Notice to Affected Person were issued.
- 6.3 Add sections 6.1 and 6.2 to determine the total number of completed requests where no notices were issued.

### **B. BOTH a Notice of Extension (s.27(1)) and Notice to Affected Person (s.28(1)) Issued**

- 6.4 Enter the number of completed requests within the time limits permitted under **both** the Notice of Extension and Notice to Affected Person.
- 6.5 Enter the number of completed requests that exceeded the permitted time limit where a Notice of Extension and/or a Notice to Affected Person were issued.
- 6.6 Add sections 6.4 and 6.5 to determine the total number of completed requests where notices were issued.

### **C. ONLY a Notice of Extension (s.27(1)) Issued**

- 6.7 Enter the number of requests completed within the time limit stipulated in the Notice of Extension where a Notice to Affected Person was not issued.
- 6.8 Enter the number of requests completed that exceeded the permitted time limit stipulated in the Notice of Extension where a Notice to Affected Person was not issued.



6.9 Add sections 6.7 and 6.8 to determine the total number of completed requests where only a Notice of Extension was issued.

#### **D. ONLY a Notice to Affected Person (s.28(1)) Issued**

6.10 Enter the number of requests completed within the time limit stipulated in the Notice to Affected Person where a Notice of Extension was not issued.

6.11 Enter the number of requests completed that exceeded the permitted time limit stipulated in the Notice to Affected Person where a Notice of Extension was not issued.

6.12 Add sections 6.10 and 6.11 to determine the total number of completed requests where only a Notice to Affected Person was issued.

#### **E. Total Requests Completed (sections A to D)**

6.13 Enter the overall total number of requests completed for the year by your institution by adding sections A through D together. This total must equal the total number of requests shown in Section 3.8.

(6.3+6.6+6.9+6.12=6.13) and (6.13 **must equal** 3.2)

## Section 6a: Contributing Factors

Write any reasons that made it difficult to meet the 30-day time limit. Also, include circumstances that will improve your ability to be in compliance with the *Act*.

## Section 7: Disposition of Requests

*This section asks you to indicate how your institution dealt with each of the requests for access to information it received. The options are as follows:*

**7.1 All Information Disclosed** - Enter the number of **personal information** and **general records** requests that resulted in full disclosure of all information requested.

**7.2 Disclosed in Part** - Enter the number of **personal information** and **general records** requests for which the **head** of your institution disclosed only part of the information requested. Include those requests where some of the information was exempted, excluded, did not exist, was outside of the *Act*, i.e. Y.O.A., or frivolous or vexatious.

7.3 Nothing Disclosed - Enter the number of **personal information** and **general records** requests for which the **head** of your institution disclosed no information. Include those requests where all of the information was **exempted**, none of the information existed, outside of the *Act*, or frivolous or vexatious.

7.4 Request **Withdrawn** - or **Abandoned** - In this category enter the number of requests that were **withdrawn** or **abandoned** by the requester.

- A **withdrawn** request is one in which the requester notifies your institution that he or she does not wish to proceed with the request.
- A request is considered **abandoned** when the requester does not respond to your attempts to proceed with the request.
  - for **general records** the request can be considered **abandoned** if the requester does not respond to correspondence that is necessary to **complete** the request (for example, a notice of fee estimate), within 30 days of the date you sent the communication. The **head** of your institution may **extend** this time limit, and this practice is encouraged.
  - for **personal information** requests, the policy is to allow up to 365 days (one year) before considering the request **abandoned**.

7.5 Total Requests

The sum of all the entries in **personal information** and **general records** for all questions 7.1 to 7.4 should be equal to or greater than the amounts in 3.2 (**Total Requests Completed**).

## Section 8: Exemptions and Exclusions Applied

*To complete this section you will need to be familiar with the **exemptions** described in the *Act*. Please refer to the section on **exemptions** in:*

- *your copy of the *Act*, or*
- *the **Freedom of Information and Protection of Individual Privacy Manual** produced by the Ministry of Government Services.*

8.1-8.18 In this section you are asked to indicate **which exemptions** were applied to those requests where the **head** of your institution withheld some or all of the requested information. Every request that was exempted, (in part or in full) must have at least one **exemption** listed, but may have more than one. For example, two different **exemptions** may be used to account for why information was withheld.

**Please Note:**

- Section 21 **exemption**, Personal Privacy (of third party) applies only to **general records** requests.
- Section 49 **exemption**, Personal Information (of requester) applies only to **personal information** requests.

8.19 Enter the sum of all the requests you entered in the **personal information** and **general records** columns.

## Section 9: Fees

*This section concerns **additional fees** and **application fees**.*

9.1 Enter the number of *requests* for which your institution collected **additional** fees.

9.2 Write in the total amount, *in dollars*, that your institution collected for the **application** fees.

9.2.2 Write in the total amount, *in dollars*, that your institution collected for any **additional** fees.

9.2.3 Enter the sum of **application** and **additional** fees, in dollars, for **personal information** and **general record** requests.

*Under certain conditions, the **head** of your institution may **waive** all or part of the additional fees being charged. These conditions include: the requesters' ability to pay, whether release of the information will benefit public health or safety, how much difference there is between the fee being charged and the actual cost of processing the request, and whether the requester is ultimately given access to the information requested.*

9.3 Enter the total amount of fees that were **waived** by your institution, in dollars.

## Section 10: Reasons for Additional Fee Collection

This section concerns the reasons and the number of requests involved for the additional fee collection.

10.1-10.6 If your institution collected **additional** fees for any requests, please enter the appropriate number of requests in the given categories to indicate why the fee was charged. A request can be entered into more than one category. For example, an institution may have charged \$10 to process a request, \$5 for reproduction costs and \$5 for shipping costs.

Please note that **additional** fees for **personal information** requests can only be charged for reproduction and computer costs.

10.7 Please enter the sum of the requests you entered in Boxes 10.1–10.6. The total should be equal to or greater than the amount you listed in question 9.1 (Number of requests where **additional** fees were collected) since a request can be entered into more than one category.

## Section 11: Corrections and Statements of Disagreement

*If a person believes that an institution has **personal information** about himself/herself that is incorrect, under the Act, that person has the right to:*

- *request that the institution **correct** the information,*
- *require that the institution attach a statement of disagreement to the information if the requested **corrections** were not made,*
- *require that any person or organization to whom the **personal information** has been disclosed within the last 365 days be notified of the **corrections** or statement of disagreement.*

11.1 Enter the number of new **correction** requests your institution received in the reporting year.

11.2 Enter the number of **correction** requests that were **carried forward** from the previous year.

11.3 Enter the number of **correction** requests your institution **carried over** to the next year.

11.4 Subtract the number of requests **carried over** to next year from the sum of the **correction** requests received and **corrections carried forward** from the previous year to get the **Total Corrections Completed** [(11.1+11.2)–11.3=11.4]. If this number is zero, skip the rest of this section.

*If your institution received any requests for **correction** of **personal information**, what course of*

*action was taken with each?*

- 11.5 Enter the number of **correction** requests for which **all** requested **corrections** were made.
- 11.6 Enter the number of **correction** requests for which **part** of the requested **corrections** were made.
- 11.7 Enter the number of requests for which the **head** of your institution refused to make any of the requested changes.
- 11.8 Enter the number of **correction** requests that were **withdrawn** by the requester before **completion**.
- 11.9 The total of the requests you entered in the previous four questions (11.5–11.8) should equal the **Total Corrections Completed** from 11.4 above.
- 11.10 For any requests where **corrections** were denied, in part (11.6, Correction(s) made in part), or in full (11.7, Correction(s) refused), how many statements of disagreement were attached to the information?
- 11.11 For any requests where your institution either made **corrections** or attached a statement of disagreement, how many notifications of these changes did your institution send to third parties to whom the information was previously released?

*Thank you for your co-operation.*