

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

GLOSSARY OF TERMS

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Inconsistent Use - (of personal information) - An inconsistent use occurs whenever an institution under the *Freedom of Information and Protection of Privacy Act* (the *Act*) uses or discloses **personal information** from its **personal information banks** differently from the way this information is used or disclosed on a regular basis.

Personal Information - See Section 2.1 of the Guide.

Personal Information Banks - A personal information bank is any collection of personal information your institution retains that is:

- organized, and
- allows **personal information** about an identifiable individual to be retrieved by that individual's name or some other personal identifier.

Personal information banks can be:

- about members of the public or employees of the reporting institution,
- recorded on computer disks, paper, fiche or other media.

Examples of Personal Information Banks

Job Competitions

Travel Expense Accounts

Hospital Admissions and Discharge Files

NSF Cheques

Claims Files

Ontario Tax Grant Program Files

Reporting Year - January to December.

Exemption (Exempt, Exempted) - An exemption is a specific provision in the *Act* that may be invoked by a **head** as justification for denying access to information, in whole or in part. Certain requests for access may be denied due to provisions of other Acts, and in these special cases, for purposes of the year-end statistical report, Section 67(2) (Other Acts) is the relevant exemption.

Exemption, **Frivolous or Vexatious** - A exemption is frivolous or vexatious when the head

considers the request:

- as abusing the right of access or interfering with the operation of the institution, or
- to be made in bad faith or for ulterior motives.

Head (of institution) - For ministries, the minister of the crown who presides over the ministry is considered to be the head. In the case of any other institutions, the person designated as the head of the institution is considered to be the head for the purposes of the *Act*. If no head has been designated, the minister responsible for the institution is considered to be the head.

The head is responsible for decisions made under the legislation on behalf of the institution and for overseeing the administration of the legislation within the institution. The head may delegate some or all of his or her powers and duties to an officer or officers of the institution, however the head is still accountable for all decisions made and actions taken under the *Act*.

Fee, **Additional** - See *Provincial Freedom of Information and Protection of Privacy Act*, s.57(1).

Fee, **Application** - See *Provincial Freedom of Information and Protection of Privacy Act*, s.24(1)(c).

Fee, **Waived** - A **head** may waive all or part of a fee that was estimated for releasing **general records** information, taking into account factors including: the requester's 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.

Notice of Extension - A notice sent to a requester by the **head** that a time extension is needed in order to **complete** the request. The notice must inform the requester of:

- the length of the extension,
- the reason for the extension, and
- the fact that the requester can ask the Information and Privacy Commissioner/Ontario to review the decision to extend the time period.

The extension may be made only if numerous records must be searched or consultation with a person outside the institution is required.

Notice to Affected Person - A notice sent by the **head** to a third party to whom the information relates before releasing the information. The notice must inform the third party of:

- the head's intention to disclose information that has something to do with the third party,

- a description of what's in the record or the part of the record that relates to the third party, and
- the fact that the third party has 20 days after the notice is given to advise the head why part or the whole record should not be disclosed.

Request, **Abandoned** - A request that an institution has been unable to proceed with because the requester has not responded to communications necessary to process the request (for example, a notice of fee estimate). This does not include requests returned to the requester due to insufficient detail.

Request, **Carried Forward From Previous Year** (requests for access to information **and** correction) - A request received in, or **carried over** from the previous reporting year that had to be carried forward to the current year for **completion**.

Request, **Carried Over to Next Year** (requests for access to information **and** correction) - A request received in the current reporting year that had to be **carried forward** to the next year for **completion**.

Request, **Completed** (requests for access to information **and** correction) (Complete) - A request for which the **head's** decision (to grant/deny access, or to make/refuse **corrections**) has been communicated to the requester, or a request that has been formally **withdrawn** or **abandoned** by the requester.

Request, **Correction** - A request to have one's own **personal information corrected** following access to the information.

Request, **Disposition of** - The outcome of a **completed** request: information disclosed/denied, request **abandoned/withdrawn**.

Request, **General Records** - A request for access to general records information or to another person's **personal information** (where permission has been given).

Request, **Personal Information** - A request for access to **personal information**, made by the person to whom the information relates or their authorized representative.

Request, **Transferred** - A request for access to **general records** or **personal information** that has been sent from one institution to another; the second institution having custody, control or a greater interest in the information. If Institution A receives a request that is

transferred (in whole) to Institution B, Institution A would count this as a “Request Transferred Out to Another Institution”, while Institution B would count it as a “Request Transferred In From Another Institution”.

Request, **Withdrawn** - A request for which the **head** has been informed by the requester that he/she no longer wishes to continue with the request (prior to its **completion**).