

**Report to / Rapport au:**

**OTTAWA POLICE SERVICES BOARD  
LA COMMISSION DE SERVICES POLICIERS D'OTTAWA**

**31 May 2021 / 31 mai 2021**

**Submitted by / Soumis par:**

**Chief of Police, Ottawa Police Service / Chef de police, Service de police d'Ottawa**

**Contact Person / Personne ressource:**

**Chief Information Officer Anna Beatty/ Chef de l'information Anna Beatty  
*BeattyA@ottawapolice.ca***

**SUBJECT: RESPONSE TO INQUIRY I-21-10: WAIT TIMES AND FEES  
ASSOCIATED WITH THE *MUNICIPAL FREEDOM OF INFORMATION  
AND PROTECTION OF PRIVACY ACT***

**OBJET: RÉPONSE À LA DEMANDE DE RENSEIGNEMENTS I-21-10: TEMPS  
D'ATTENTE ET FRAIS ASSOCIÉS À LA *LOI SUR L'ACCÈS À  
L'INFORMATION MUNICIPALE ET LA PROTECTION DE LA VIE  
PRIVÉE***

**REPORT RECOMMENDATIONS**

**That the Ottawa Police Services Board receives this report for information.**

**RECOMMANDATIONS DU RAPPORT**

**Que la Commission de services policiers d'Ottawa prenne connaissance du  
présent rapport à titre d'information.**

**INQUIRY**

Can the OPS please detail how long it takes for an individual's request under said act (Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) ) to be fulfilled. In doing so, please also indicate the average amount of time it takes for the request to be acknowledged and the average amount of time it takes to gain access to the requested information. Are there provisions in the regulation of the accompanying Act to waive fees for community members experiencing financial hardship? What about

subsequent fees for photocopying and manual searches? Given the current public health restrictions, are cash payments accepted and if so, how?

## **RESPONSE**

Responses to requests created under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) are required to be acknowledged within 30 days of receipt, barring interruptions that may occur due to the ongoing COVID 19 pandemic. Most queries are provided with a receipt acknowledgement within 48 hours.

The fulfillment time is dependent on many factors, for example:

- The clarity of the request (do we need to correspond back and forth with the requestor);
- All elements of request present: application explaining request, consent, and the appropriate fee;
- Third-party petitions for consent;
- Third-party consent acknowledgement;
- Gathering of officer notes, photos, technical reports;
- Preparation of information to be released and notification of approximate fee to be applied; and
- Extensions can be requested from either side.

As a result of the complexity of some requests and mitigating factors such as the time needed to gain consent for third-party petitions, there is no average time that can be calculated as no two requests are the same.

The Freedom of Information (FOI) Section received 487 requests in 2020. Of those requests, 309 were completed and returned to the petitioner within 30 days or less (63%); 70 required more time to respond within 31 to 60 days (14%); 38 within 61 to 90 days (8%) and only 70 required time beyond 91 days to respond (14%).

In terms of fee schedules, the MFIPPA requires that a fee must be submitted for each inquiry under sec. 17.1 (c) of the Act. However, it also provides, under sec. 45 (4) that fees can be waived if “it is fair and equitable to do so after considering” costs of processing, collecting and copying the records, whether the fee will cause financial hardships to the petitioner, and whether the sharing of this information will benefit public health and/or safety.

Any person who has been required to pay a fee may ask the Information Privacy Commissioner (IPC), Patricia Kosseim, to review the amount and the decision made by the OPS' Freedom of Information (FOI) Section whether or not to waive the fee. In 2020, the IPC reviewed two files and asked us to reconnect with the petitioner to mediate an acceptable fee.

Due to the ongoing pandemic, our FOI section is not accepting walk-ins or taking requests at our counter service. All requests must be sent to [FOIRequests@ottawapolice.ca](mailto:FOIRequests@ottawapolice.ca), which is monitored Monday to Friday between 8 a.m. and 3:30 p.m. An agent will arrange for payment by cheque, money order or credit card after they contact the petitioner. They are not accepting cash at this time.