

# How To...

## File a FIPPA Request

(A Practical Guide)

Filling a FIPPA v.1 April 2013

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# What is FIPPA

FIPPA stands for the “Freedom of Information and Protection of Privacy Act.”

The purpose of the act is two-fold:

1. It allows the public access to information held by institutions (and outlines the procedure that must be followed), and
2. It controls what type of personal information institutions are legally allowed to ask for and keep on record.

We use the term FIPPA to describe the process of formally and legally requesting information from an institution.

There are limits to the type of information that can be requested in a FIPPA. You cannot ask for things such as<sup>1</sup>:

- Personal information
- Trade secrets (in our sector for example, anything considered under intellectual property)
- Information that may interfere with a legal matter
- Information that may compromise the security of an institution
- Information about third parties
- Information that was given in confidence
- Information protected under solicitor-client privilege
- Information from a labour relations matter (i.e. content of a resolution from a grievance<sup>2</sup>)
- Information considered frivolous or vexatious<sup>3</sup>

FIPPA requests must be specific enough to allow the institution to locate the requested document(s). We have had experiences where the institution will intentionally avoid giving information by claiming that the request was not specific enough.

The institution must give the requested documentation within 30 days of receiving the request. Thus requests must be submitted a head of the time they are needed.

Universities typically charge a nominal submission fee, \$5.00. But it is important to note that if there is a high volume of paper being requested the institution has the right to charge additional photocopying fees.

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<sup>1</sup> To be more accurate, requests for any information in the list will be denied

<sup>2</sup> This is not to be confused with the information a union has privileged access to. Rather, a third part cannot fill out a FIPPA and request the settlement to a grievance

<sup>3</sup> This is used to apply to situations where an individual(s) are making numerous requests for no apparent purpose, or for the purpose of being a nuisance

# Why is FIPPA Important

We need information to defend our work and make advancements in bargaining. In this section we outline a few specific reasons why FIPPA requests are important in our Sector.

## **Budget Information**

The budget information Ontario universities publish does not contain nearly enough detail; particularly as it relates to certain revenue sources and expenditures (for example there is typically a large amount of information and break-down of tuition fees, but little to no information about the “non-governmental contracts and donations<sup>4</sup>”). This is why we are calling for greater transparency and accountability. A FIPPA request can give you access to these details.

Be aware, Ontario universities have 2 budgets:

1. Operating budget for income and expenses
2. Capital budget for assets and holdings

We should initially be more focused on Operating budgets, which will detail where the funding is coming from and how it is spent.

Ontario universities typically project deficits in their operating budget each year. While we agree Ontario universities are underfunded, how do they afford ½ million dollar salaries for presidents or the purchase of prime downtown Toronto real estate while simultaneously crying poverty?

The question is not about how much they receive, it is about WTF!

## **Salaries and Expense accounts**

FIPPA requests will get your local detailed information about employment contracts for administrators, many of who have 6 figure salaries, various perks and expense accounts.

As an example, those university administrators on the Sunshine List, making over \$100,000 a year, have taken wage increases of 10% in 2008, 7% in 2009, 9% in 2010 and 3% in 2011.

## **Contracts with private corporations**

After we have reviewed the detailed financial information, we will have a better idea of the sources of privatization on campuses. FIPPA requests can then give us access to the contents of any contracts with private corporations.

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<sup>4</sup> These are the most direct sources of private donations

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## How Do I File a FIPPA Request

Every Ontario university will have a FIPPA request procedure. You can locate a FIPPA request form on your university's webpage or through the Ministry of Government Services webpage: [http://www.mgs.gov.on.ca/en/infoaccessandprivacy/STDU\\_102686.html?openNav=freedom\\_of\\_information\\_%28foi%29](http://www.mgs.gov.on.ca/en/infoaccessandprivacy/STDU_102686.html?openNav=freedom_of_information_%28foi%29) (scroll down and click "Access or Correction Request Form")

Here are a few examples to help guide you through your institution's webpage, and to show you what you are looking for.

We recommend you start with a google search (i.e. Queen's University FIPPA)

Queen's University FIPPA requests:

- Request Access to Information (red circle) will take you to a PDF of the request form
- The Act (pink circle) gives you information about The Freedom of Information and Privacy Protection Act
- Requests (green arrow) gives you some information about making a request and also gives you information about supplemental fees you may be charged
- Resources (blue arrow) gives you information about how your University deals with these requests
- Contact (red arrow) contains FAQs and contact information for the department that handles these requests

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### University of Toronto FIPPA requests:

The screenshot shows the University of Toronto's Freedom of Information and Protection of Privacy (FIPPA) website. The browser address bar shows 'www.fippa.utoronto.ca/procedure.htm'. The page features a navigation menu with 'About FIPPA' (circled in pink), 'About the FIPP Office', 'Policies & Procedures', 'Requests Procedures' (circled in red), and 'Operations & Administration'. A sidebar on the left lists 'About FIPPA', 'About the FIPP Office', 'Policies & Procedures', 'Requests Procedures', 'Forms' (with a green arrow pointing to it), 'Fees', 'Appeals', and 'Operations & Administration'. The main content area is titled 'Requests Procedures' and includes sections for 'Informal Request' and 'Formal Request'. A green arrow points to the 'Formal Request' section, which contains a link to the 'Request Form (PDF)'. A 'Please note' section is also visible at the bottom of the 'Formal Request' section.

- About FIPPA (pink circle) tells you about the University's FIPPA policy and some background information
- Requests Procedure (red circle) tells you about the process of filling out the form
- Forms (green arrows) take you to the PDF request form

On your university's website, you are looking for a page with a link to "forms" or "request form". The form itself will give you directions as to who/where to submit the FIPPA request form, as well as any fees for the request.

If your institution does not appear to have a form itself, there will at least be a page wherein the procedure is described.

The example below is from Brock University.

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The screenshot shows the Brock University website. The main content area is titled "Making a Request for Information" and includes the following steps:

- Step 1**: Begin the process with an informal request by contacting the department or office you believe may hold the record(s) you seek. Discuss your request with a staff member to determine if the record(s) exist that respond to your request and if the record(s) can be disclosed to you routinely through regular procedures. Access to information is subject to limited and specific exemptions, some of which are mandatory while others are discretionary.
- Step 2**: If the department does not provide access to the record(s), you may submit a formal request in writing with the required \$5 fee, either delivering it by hand or mailing it to the Freedom of Information and Privacy Coordinator. Make your check or money order payable to Brock University. Requests received by electronic mail are generally not accepted. See [Contact Information](#).
- Step 3**: When making a formal written request, include your name, address and day-time telephone number, and identify the specific record(s) or personal information to which you seek access. Also, specify dates or a time period for the record(s)/personal information you request. A clearly defined request will greatly assist the University to identify the record(s)/personal information sought.

Once you have found the form, you then need to fill it out. This can be the more tricky part of the procedure. On the next few pages you will see examples of forms that have been filled out to use as a guide.

If you need help filling out the forms contact the OUWCC and/or your National Staff Representative.

The OUWCC will be coordinating filing FIPPA requests both to the Ministry of Training, Colleges and Universities, as well as a coordinated FIPPA request among all the locals in Ontario to request specific information (the OUWCC will provide the appropriate language for the request).

Once you have successfully filed a FIPPA and received the requested documentation, you will need to be able to analyze the results. Keep this in mind when filing a request, you need to make sure the information you are requesting will be helpful to your local, and that you have someone available to help you analyze the data you receive.

### Tips:

- FIPPA requests must be specific to allow the institution to locate the requested document(s). Usually this means doing background research to know what to ask for
- The university must send you the requested documentation within 30 days of receiving the request. So plan ahead!
- Universities charge a nominal fee with the submission of a FIPPA requests, typically \$5.00. The institution has the right to charge for associated photo copying costs.

# Sample FIPPA Requests



## Access to Information and Correction of Personal Information REQUEST FORM

**Please Note:** a \$5.00 application fee is required to process all requests (cheque or money order, payable to YORK UNIVERSITY).

First, read the **FIPPA Access Request Procedure** at [www.yorku.ca/ipa/AccessDocs/FIPPAAccessRequestProcedure.pdf](http://www.yorku.ca/ipa/AccessDocs/FIPPAAccessRequestProcedure.pdf) on the Information and Privacy Office website. Complete this form by filling in the fields below, then print.

Request for (check one only):	Name of York University office to which you are making your request:
<input checked="" type="checkbox"/> Access to General Records	<input checked="" type="checkbox"/> Information and Privacy Office
<input type="checkbox"/> Access to own Personal Information	<input type="checkbox"/> Other, please specify:
<input type="checkbox"/> Correction of own Personal Information	

Last name: Wong		
First name: Ethan	Middle name:	
Street address, apartment: 301 Front Street West		
City, town: Toronto	Province: ON	Postal code: M5V 2T6
Email (optional):	Tel. no. (day) (416) 868-7937	Tel. no. (evening):
If request is for access to, or correction of, own personal information records: Last name appearing on records <input type="checkbox"/> same as above, or (specify):		

Please give a detailed description of requested records, personal information or personal information to be corrected.

A full and complete copy of the detailed audit or audits of finances, including expenditures and revenues, for the fiscal period of April 2010-March 2011

**NOTE 1:** if you are requesting access to or correction of your own personal information, please identify the personal information bank or record containing the personal information, if known. **NOTE 2:** if you are requesting a correction of personal information, please state the desired correction and, if appropriate, attach any supporting documentation. You will be notified if the correction is not made and you may require that a statement of disagreement be attached to your personal information.

Preferred method of access to records:	<input type="checkbox"/> examine original <input checked="" type="checkbox"/> receive copy	Signature:	Date:
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## Access to Information and Correction of Personal Information REQUEST FORM

**Please Note:** a \$5.00 application fee is required to process all requests (cheque or money order, payable to YORK UNIVERSITY).

First, read the **FIPPA Access Request Procedure** at [www.yorku.ca/ipo/AccessDocs/FIPPAAccessRequestProcedure.pdf](http://www.yorku.ca/ipo/AccessDocs/FIPPAAccessRequestProcedure.pdf) on the Information and Privacy Office website. Complete this form by filling in the fields below, then print.

Request for (check one only):	Name of York University office to which you are making your request:
<input checked="" type="checkbox"/> Access to General Records	<input checked="" type="checkbox"/> Information and Privacy Office
<input type="checkbox"/> Access to own Personal Information	<input type="checkbox"/> Other, please specify:
<input type="checkbox"/> Correction of own Personal Information	

Last name: <u>Brown</u>		
First name: <u>Liam</u>	Middle name:	
Street address, apartment: <u>350 Victoria Street</u>		
City, town: <u>Toronto</u>	Province: <u>ON</u>	Postal code: <u>M5B 2K3</u>
Email (optional):	Tel. no. (day): <u>(416) 979-5177</u>	Tel. no. (evening):
If request is for access to, or correction of, own personal information records: Last name appearing on records <input type="checkbox"/> same as above, or (specify):		

Please give a detailed description of requested records, personal information or personal information to be corrected.

A full and complete copy of the employment contract between Mamdouh Shoukr, for the position of President, and York University, included but not limited to: salaries, bonuses, properties, lease holdings or other such employment gratuities, housing, transportation, and any other emoluments.

**NOTE 1:** if you are requesting access to or correction of your own personal information, please identify the personal information bank or record containing the personal information, if known. **NOTE 2:** if you are requesting a correction of personal information, please state the desired correction and, if appropriate, attach any supporting documentation. You will be notified if the correction is not made and you may require that a statement of disagreement be attached to your personal information.

Preferred method of access to records:	<input type="checkbox"/> examine original <input checked="" type="checkbox"/> receive copy	Signature:	Date:
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**Access/Correction  
Request**  
Freedom of Information and Protection of Privacy

<b>Request for:</b> <input checked="" type="checkbox"/> Access to General Records <input type="checkbox"/> Access to Own Personal Information <input type="checkbox"/> Correction of Own Personal Information	<b>Name of Department request made to:</b> Privacy office
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If request is for access to, or correction of, own personal information records please indicate if the last name appearing on records is:  
 same as below      **OR**

Personal Details of Requester:					
Last Name: <u>Lee</u>	First Name: <u>Olivia</u>	Middle Name:	<input type="checkbox"/> Mr. <input type="checkbox"/> Mrs.	<input type="checkbox"/> Ms. <input checked="" type="checkbox"/> Miss	
Address (Street/Apt. No./P.O. Box No./R.R. No.) <u>75 Laurier Ave. East</u>		City or Town <u>Ottawa</u>	Province <u>ON</u>		
Postal Code <u>K1N 6N5</u>	Telephone Number (s): <u>Day</u>	Area Code <u>613</u>	<u>562-5700</u>	<b>Evening</b>	Area Code

**Please provide a detailed description of the requested records, personal information records or personal information to be corrected.**

If you are requesting a correction of personal information, please indicate the desired correction and, if appropriate, attach any supporting documentation. You will be notified if the correction is not made and you may require that a statement of disagreement be attached to your record of personal information.

(Note: If you are requesting access to, or correction of, your personal information, please include your date of birth and identify the personal information bank or record containing the personal information, if known.)

Detailed budget information for "unrestricted donations" income budget line, Carleton University Operating Budget 2010-2011 (pg 6). Including donation source, amount of each donation, and any contracts, agreements, applications, and other supporting documentation associated with each donation.

Preferred method of access to records <input type="checkbox"/> Examine Original <input checked="" type="checkbox"/> Receive Copy	Signature:	Date:	Day	Month	Year
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**EACH SEPARATE REQUEST MUST BE ACCOMPANIED BY A \$5.00 APPLICATION FEE**

(Payable by cheque or money order. Cheques should be made payable to Carleton University.)

All requests for personal information will require proof of identification before information can be released.

The personal information requested on this form is collected in accordance with Sections 38(2) and 41(1) of the *Freedom of Information and Protection of Privacy Act* (FIPPA), R.S.O. 1990, c.F.31 as amended. The information provided will not be used for any purposes other than those stated upon this form unless the applicant provides express written consent. Should you have any questions concerning your personal information please contact Linda White, FIPPA Officer at phone: (613) 520-2600 ext. 2935, fax: (613) 520-3731, e-mail [Linda.White@carleton.ca](mailto:Linda.White@carleton.ca) or mail: 607 Robertson Hall Carleton University 1125 Colonel By Drive, Ottawa Ontario K1S 5B6. Carleton University is fully compliant with FIPPA and endeavors at all times to treat your personal information in accordance with this law.

access\_form\_rev  
1 May 2009

## Request Form

Please Note: A \$5.00 application fee is required for all requests.

<b>Request for:</b> <input checked="" type="checkbox"/> Access to General Records <input type="checkbox"/> Access to Own Personal Information <input type="checkbox"/> Correction to Own Personal Information	<b>Name of Institution request made to:</b> University of Windsor
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If request is for access to, or correction of, own personal information records:  
 Last name appearing on records:  same as below, or: \_\_\_\_\_

<input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input checked="" type="checkbox"/> Ms. <input type="checkbox"/> Miss First Name: <u>Sophia</u> Address: (Street/Apt. No./P.O. Box/R.R. No.) <u>1280 Main Street West</u> Province: <u>ON</u> Telephone Number (Day): <u>(519) 253-3000</u>	Last Name: <u>Patel</u> Middle Name: _____ City/Town: <u>Windsor</u> Postal Code: <u>N9B 3P4</u> Telephone Number (Evening): ( ) _____
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Detailed description of requested records, personal information or personal information to be corrected. (If you are requesting access to or correction of your personal information, please identify the personal information bank or record containing the person information, if known.)

Listing/record of all funded (occupied or vacant) position numbers and descriptions that fall within the scope clause of CUPE Local 793, and all associated documentation of plans and/or discussions to eliminate any such positions

Note: If you are requesting a correction of personal information, please indicate the desired correction, and if appropriate, attach any supporting documentation. You will be notified if the correction is not made and you may require that a statement of disagreement be attached to your personal information.

Preferred method of access to records: <input type="checkbox"/> Examine Original <input checked="" type="checkbox"/> Receive Copy	Signature: _____	Date: _____
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<i>For Institution Use Only</i>		
Date Received:	Request Number:	Comments

Personal Information contained on this form is collected pursuant to the Freedom of Information and Protection of Privacy Act/Municipal Freedom of Information and Protection of Privacy Act and will be used for the purpose of responding to your request. Questions about this collection should be directed to the Freedom of Information and Privacy Co-ordinator at the institution where the request is made.