

ACCESS TO UNIVERSITY RECORDS PROCEDURE

PURPOSE

The purpose of this document is to provide instructions to members of the University community on how to respond to requests for access to University Records in compliance with the University's Access to Information and Protection of Privacy Policy ("Access and Privacy Policy").

PART A

What to do if you receive a request for access to a University Record

- 1. Provide information access where possible**

If you receive a request for access to a University Record, as defined in the Policy, you should consider whether access may be provided informally. For example, if the Record is the kind of Record that is routinely disclosed by the University (such as the expenses of senior administrators or the University budget), you may provide access to the requester without following the process provided for in the *Freedom of Information and Protection of Privacy Act* ("FIPPA").

- 2. Student Records**

If the Record concerns a student Record (e.g. a transcript), you should forward the request to the Registrar's Office, for undergraduate students, or the Faculty of Graduate Studies, for graduate students, for processing in accordance with the Access to Student Records and Disclosure of Information Procedure.

- 3. Records containing personal information**

If the Record contains the personal information of an individual other than the requester, you should ask the requester to submit a FIPPA request using the [FIPPA Request Form](#). For guidance on what constitutes personal information, you should contact the University's Manager, Privacy & Records Management).

- 4. Records containing confidential or proprietary information**

If the Record contains potentially confidential or proprietary information of the University or third parties, you should ask the requester to submit a FIPPA request using the [FIPPA Request Form](#).

5. Where to go for help

If you are uncertain whether the Record may be disclosed informally, you should consult with the Manager, Privacy & Records Management who will advise as to whether a FIPPA request is necessary.

PART B

How the University will process FIPPA requests

1. Request to be in writing

If a formal request under FIPPA is deemed necessary, the requester should be advised to submit the request in writing using the [FIPPA Request Form](#). See [Making a Request](#) guidelines.

2. Fees

The Manager, Privacy & Records Management will require that the requester pay the fee prescribed by FIPPA for making an access request. The fee is currently set at \$5.

3. Identification

The Manager, Privacy & Records Management will require a requester who wishes to access University Records containing their own Personal Information to provide government issued identification.

4. Timelines

The University will process FIPPA requests within the timelines provided for in FIPPA. In general, a decision is provided within 30 days of the request, though this may be extended in certain circumstances.

5. Decisions

The Manager, Privacy & Records Management will assess whether to provide access to a Record based on FIPPA. Decisions to provide access, in full or in part or to deny access will be made by the President or General Counsel on the advice of the Manager, Privacy & Records Management. The right of access may be subject to the payment of additional fees as set out by FIPPA.

PART C

When the University may withhold information

The University may refuse to disclose records when FIPPA does not apply. The University may also refuse to disclose part or all of a record if it is covered by a FIPPA exemption. Decisions to withhold access, in full or in part will be made by the President or General Counsel on the advice of the Manager, Privacy & Records Management. Grounds for withholding information, except for specific and limited

circumstances are listed below:

1. Records donated to archives

Records which were privately donated to the University archives by a person or an organization (unless the donating organization is an institution covered by FIPPA or MFIPPA or a health information custodian as defined by PHIPA).

2. Employment related Records

Records collected, prepared, maintained or used by or on behalf of the University in relation to labour relations; employment-related matters; labour negotiations; and meetings, consultations, discussions or communications about the labour relations and employment related matters.

Exceptions to this exclusion:

- Labour relations agreements: Agreements between a University and a trade union, settlement agreements between a University and employee(s) that end a judicial or tribunal proceeding about labour relations or employment-related matters, and agreements between a University and employee(s) resulting from negotiations about employment-related matters
- Expense Records: An expense account incurred by an employee in his or her employment with the University that is submitted for reimbursement.

3. Research Records

Record about or associated with research conducted or proposed by an employee or a person associated with the University.

Exceptions to this exclusion:

- Subject matter and amount of funding: the University shall disclose the subject matter and amount of funding being received by an employee or person associated with the university for research.

4. Teaching materials

Record of teaching materials collected, prepared or maintained by an employee or a person associated with the University for use at the University.

Exceptions to this exclusion:

- Evaluative or opinion material compiled about teaching materials or research, supplied explicitly or implicitly in confidence, for the sole purpose of assessing those materials of an employee or person associated with the University. [Note: Access to the Personal Information in the material, which is about the employee or person associated with the

University, may be refused under FIPPA.]

5. FIPPA exemptions

The University may decline to disclose a record or a portion of a record where a FIPPA exemption applies. Examples of common FIPPA exemptions include:

- Where the record contains advice or recommendations of a University employee or consultant
- Where disclosure of the record could reasonably be expected to interfere with an investigation from which a law enforcement proceeding is likely to result
- Where the record reveals confidential third party information and the disclosure could be reasonably expected to cause certain losses specified in FIPPA;
- Where the record contains information where the disclosure could reasonably be expected to prejudice the economic interests or competitive position of the University.
- Where the record contains plans related to the management of personnel or the administration of the University that have not yet been put into operation or made public.