



ACCESS TO INFORMATION PRP-AI-008

Effective Date: 1990/12/14
Reviewed: 2017/06/21

Policy Statement

The Regional Municipality of Peel Police Services Board ("Board") recognizes the purposes of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, C m.56 (M.F.I.P.P.A.), to be the right of access to information under the control of the institutions in accordance with certain principles and the protection of privacy of individuals with respect to personal information held by the institutions.

The Board is committed to compliance with the Act and therefore, the policy requirements set out in this document shall form part of the Board Policies and the Chief of Police is hereby directed to implement and comply with these requirements in the administration and operation of the Peel Regional Police.

1. Background

The *M.F.I.P.P.A.* provides a right to access to information under the custody and control of institutions in accordance with the following principles:

- a) the public has the right to information (records) held by institutions covered by the *M.F.I.P.P.A.*;
- b) exemptions from this right of access should be specific and limited; and
- c) individuals have a right to the protection of personal information held by institutions.

Subsection 3(2) of the *M.F.I.P.P.A Chapter 63*, provides that the Board may designate from among its members, a person to act as Head of the institution for the purposes of the *Act*; and

Subsection 49(1) of the *Municipal Freedom of Information and Protection of Privacy Act*, provides that the Head may delegate a power or duty as vested in the head to officers or employees of the institution subject to such limitations, restrictions, conditions or requirements as the Head may set out in the delegation.

2. Designation of Head of Institution

- 2.1 Pursuant to Section 3(2) of the *Act*, the Chair of the Peel Regional Police Services Board is designated as Head for the purposes of the *Act*.

3. Delegation of Powers

- 3.1 Pursuant to Subsection 49(1) of the *Act*, the Chair of Peel Regional Police Service Board delegates the power and duties vested in the Head under the *Act* to the Chief of Police, the Deputy Chiefs of Police, Chief Administrative Officer, and Information and Privacy Coordinator with respect to all records under the control of the Chief of Police.

- 3.2 Pursuant to Subsection 49(1) of the *Act*, the Chair delegates the power and duties vested in the Head under the Act to the Executive Director with respect to all records under the control of the Board.
- 3.3 Notwithstanding the delegation of powers and duties of the Head as authorized by Section 3.1 and 3.2, the Head remains accountable for actions taken and decisions made under the *Act* and retains the powers and duties granted or vested in the Head.

4. Administration

- 4.1 The Chief shall develop and implement written procedures to comply with the requirements of the *Municipal Freedom of Information and Protection of Privacy Act* and Part 0804.00 of the Policing Standards Manual, including provisions which ensure right of access to information under the control of the Service, as well as protection of personal privacy.
- 4.2 The Chief shall ensure that all members who receive a delegation of the duties under Section 3.1 of this policy, receive training on the *Act* and its administration.

5. Reporting

The Chief of Police shall report to the Board on an exception basis. This applies to those circumstances where significant issues of potential liability to the Board, the police service, are known or are believed to exist.

6. Authority/Legislative Reference

- Section 31(6) of the *Police Services Act*
- Subsection 3(2) of the *Municipal Freedom of Information and Protection of Privacy Act, 1989, Chapter 63*
- Subsection 49(1) of the *Municipal Freedom of Information and Protection of Privacy Act*

Replaces : Freedom of Information I-I-1 adopted December 14, 1990

7. Linkage to Appropriate Police Service Procedure/Directive

I-B-501 - Access to Information – Pursuant to the Municipal Freedom of Information and Protection of Privacy Act