A. Introduction
Niagara College is subject to Ontario’s Freedom of Information and Protection of Privacy Act (FIPPA) which came into effect on January 1, 1988. This provincial legislation has two purposes; a) to provide individuals with a right of access to certain information held by the college, and b) to give individuals a right of access to their own personal information while establishing standards to ensure that this information is protected.

B. Purpose
Niagara College routinely provides information to our staff, students, and the public through our administrative and academic units, our Corporate Communications office, and our website. The purpose of this policy is not intended to replace those existing procedures and practices within the College community. Instead, it will provide an alternative access to information that is not available through the usual channels by allowing an individual to make a formal request (through FIPPA) to the Freedom of Information (FOI) Coordinator at the college.

C. Exemptions to the Right of Access to Information
Generally, every person has a right of access to a record under the control of Niagara College. However, some restrictions may apply, including if the request is deemed to be frivolous or vexatious. There are also a number of exemptions to this right of access such as when the request involves a violation of another individual’s personal privacy. For a complete listing of the various exemptions, refer to the FIPPA legislation (www.e-laws.gov.on.ca). There is also a copy of this legislation in Human Resources that is available for public viewing.

D. Formal Process for FOI Requests
Formal requests for access to information can be made under FIPPA and should be submitted to the college’s FOI Coordinator. All requests must be submitted in writing and be accompanied by a $5.00 application fee (payable to Niagara College). An Access/Correction Request form is available in Human Resources, but any request made in writing that makes reference to the Act will be accepted. Once a request is received, an acknowledgement letter will be sent to the requester, and the college will make every reasonable effort to respond to the specific request within 30 days. However, if this isn’t possible, the requester will be notified of the need for an extension.
E. Fees
In addition to the $5.00 application fee, some other fees may apply for such things as; the time required to manually search for the record, the costs to prepare the record, and any other costs incurred in responding to the request. For any request with costs that are expected to exceed $100, the college will provide the requester with a reasonable estimate of the cost before the request is processed, and may require the requester to pay a deposit equal to 50% of the total estimate. The requester also has the right to request a fee waiver, or to appeal the fee estimate.

F. Appeals
Generally, any decision made by the college may be appealed to the Information and Privacy Commissioner (www.ipc.on.ca). This includes, but is not limited to, a refusal to grant access to information, a time extension on providing the requested information, and the fees involved.

G. Helpful Websites
Ontario Statutes and Regulations (e-Laws)
- the entire Freedom of Information and Protection of Privacy Act can be viewed at this website
- www.e-laws.gov.on.ca

Information and Privacy Commissioner (IPC) of Ontario
- the role of the IPC is to resolve appeals and investigate privacy complaints which arise as a result of FIPPA
- www.ipc.on.ca

H. College Contact
For any questions or concerns, or for more detailed guidelines regarding the right of access to information at the college, contact the FOI Coordinator in Human Resources.