



REVIEW REPORT 002-2017

District of Lakeland No. 521

March 30, 2017

Summary:

The Applicant submitted an access to information request to the District of Lakeland No. 521 (Lakeland). The Applicant did not receive a response. He appealed to the Office of the Information and Privacy Commissioner. The Commissioner found that Lakeland did not meet the requirements of section 7 of *The Local Authority Freedom of Information and Protection of Privacy Act* (LA FOIP). The Commissioner recommended that Lakeland implement policies and procedures to assist it in meeting its statutory obligations under LA FOIP.

I BACKGROUND

[1] On November 7, 2016, the Applicant submitted an access to information request to the District of Lakeland No. 521 (Lakeland) as follows:

All records referring to the drainage issue at Jacobson Dr. Bells Beach

[2] On January 11, 2017, the Applicant requested a review by my office. The Applicant had not received a response from Lakeland regarding his request. My office attempted to find an early resolution to the issues on the file. However, early resolution efforts were unsuccessful. Therefore, on February 1, 2017, my office notified both the Applicant and Lakeland that it would be undertaking a review.

II RECORDS AT ISSUE

- [3] At issue in this Review Report is Lakeland's lack of response to the Applicant. Therefore, there are no records at issue on this file.

III DISCUSSION OF THE ISSUES

- [4] Lakeland qualifies as a "local authority" as defined by subsection 2(f)(i) of *The Local Authority Freedom of Information and Protection of Privacy Act* (LA FOIP)

1. Did Lakeland meet the requirements of section 7 of LA FOIP?

- [5] Subsection 7(2) of LA FOIP requires local authorities to respond to access to information requests within 30 days after the request is made. Subsection 7(2) provides:

7(2) The head shall give written notice to the applicant within 30 days after the application is made

- [6] After some further negotiations with Lakeland, it did provide a response to the Applicant on February 15, 2017. However, Lakeland did not provide a response to the Applicant within 30 days after it received the access to information request. Therefore, I find that Lakeland did not meet the requirements of section 7 of LA FOIP. I recommend that Lakeland implement policies and procedures to assist it in meeting its statutory obligations under LA FOIP.
- [7] My office shared its finding and recommendation with Lakeland on March 24, 2017. On March 29, 2017, Lakeland responded advising that it would comply with the recommendation. Further, that it was in the process of completing a policy outlining the procedure for future requests. The procedure will include the correct access to information form on Lakeland's website.

IV FINDING

[8] I find that Lakeland did not meet the requirements of section 7 of LA FOIP.

V RECOMMENDATION

[9] I recommend that Lakeland implement policies and procedures to assist it in meeting its statutory obligations under LA FOIP.

Dated at Regina, in the Province of Saskatchewan, this 30th day of March, 2017.

Ronald J. Kruzeniski, Q.C.
Saskatchewan Information and Privacy
Commissioner