

Ready, set...participate!

Make an Access to Information Request

TEACHER'S NOTES

For grade 9, this activity can be done in small groups or as a class. For grade 12, this activity can be done individually by students working on Global Issues or Law projects.

The “Information is empowering” activity is a good lead-in, as students can use that activity to generate some responses to the question “think of specific examples where it would be helpful for you to have information from government.”

The links in the “for ideas” section of this activity will give examples of what other people have requested from the Manitoba government and City of Winnipeg.

Under FIPPA, the first two hours of search and preparation time are free; after that, public bodies may charge for time. There also may be charges for computer/data processing and copying of records. Limiting the scope of student requests and being very specific will help to minimize costs. If costs are involved, a public body will issue an Estimate of Costs which must be approved by the requester before any fees will be incurred. You have the option of discontinuing the request if you do not wish to incur fees.

For more information on making access requests, fees and fee estimates, see our guide *Your Information Rights Under FIPPA* at: <https://www.ombudsman.mb.ca/uploads/document/files/fippa-guide-2018-web-en.pdf>

Before filling out the Application for Access form, decide who the contact will be. **If you are doing the activity as a class, you might choose to be the contact in order to maintain control over the process.**

The public body must respond to the access request within 30 calendar days, unless the public body has transferred the request to another public body or extended the response time, so plan for follow-up accordingly.

If students decide to make a request under the federal Access to Information Act, please see instructions on the Government of Canada’s website at: <https://www.canada.ca/en/treasury-board-secretariat/topics/access-information-privacy/access-information.html>

GRADE 9 CURRICULUM CONNECTIONS

Grade 9 Social Studies Skills Outcomes that correspond to this activity:

Critical and Creative Thinking Skills

S-301 Analyze the context of events, accounts, ideas, and interpretations.

S-307 Propose and defend innovative options or solutions to address issues and problems.

Communication Skills

S-400 Listen to others to understand their perspectives.

S-401 Use language that is respectful of human diversity.

S-402 Express informed and reasoned opinions.

S-404 Elicit, clarify, and respond to questions, ideas, and diverse points of view in discussions.

S-405 Articulate their perspectives on issues.

S-406 Debate differing points of view regarding an issue.

Grade 9 Social Studies Knowledge and Values Outcomes that correspond to this activity:

Cluster 2: Democracy and Governance in Canada

Learning Experience 9.2.2: Representing Canadians

KP-046 Give examples of ways in which people can individually and collectively influence Canada’s political and social systems.

VC-002 Value their democratic responsibilities and rights.

Learning Experience 9.2.5: Democratic Ideals in Canada

VC-001 Appreciate democratic ideals in Canadian society.

Learning Experience 9.2.4: Citizen Participation

KC-013 Describe their responsibilities and rights as citizens of Canada and the world.

VP-015 Be willing to exercise their responsibilities and rights as citizens living in a democracy.

GRADE 12 CURRICULUM CONNECTIONS

Global Issues: Citizenship and Sustainability – “Active Democratic Citizenship” core concept and “Take Action” community-based projects

Law – Module 1 Fundamentals of Law learning experiences

Depending on the circumstances, requests for information could have different outcomes. Use the following questions to guide your discussion:

- Discuss the application process – was it straightforward? Did the government organization ask you to clarify your request?
- Discuss the outcome – did you get what you asked for? If yes, did you get all of the information you expected or only some? Was any of it redacted or severed (blacked-out)? If some information was not released, why was it not released?
- What lessons did you learn? Would you do anything differently next time?
- If you are not satisfied with the outcome, you have the right to complain to Manitoba Ombudsman – see below. Also consult the guide *Your Information Rights Under FIPPA* for more information about making a complaint.

FREEDOM OF INFORMATION LEGISLATION

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT (FIPPA)

Manitoba has had “freedom of information” legislation since 1988 when the province’s first Freedom of Information Act came into effect. It was replaced by the Freedom of Information and Protection of Privacy Act (FIPPA) in 1998. The first law focused only on access to information. The current law (FIPPA) focuses on access to information and protection of privacy.

FIPPA allows people to request documentation and other recorded information from public-sector bodies such as provincial government departments, school divisions, universities, hospitals and municipalities. Examples of records are letters, emails, memos, reports, notes, blueprints, financial transaction records, photographs and audiovisual materials, whether stored in hard copy or electronic format.

Access is the rule. However, there are circumstances in which a public body is allowed to withhold information or can choose to withhold the requested information. When information is withheld, the public body must tell a person why it is doing so and refer to the specific provision in FIPPA on which its decision is based. It is possible that part of a record will be released, and part will be withheld (sometimes by blacking out or severing the record).

FIPPA gives people the right to complain to Manitoba Ombudsman about not getting access to the information requested or about how a FIPPA request for information was handled. For example, a complaint can be made that:

- a response to a FIPPA request for information was not received within 30 days (the time limit for a response set in FIPPA)
- the proposed fee for the information is too high (FIPPA allows the public body to produce a fee estimate for search, preparation and copying)
- access to all or some of the requested information was not provided

In addition to establishing the right of access to government-held information, FIPPA also requires public bodies to protect the privacy of personal information that it holds. People can make a complaint to the ombudsman that a public body:

- should not have gathered his or her personal information
- used his or her personal information for an unauthorized purpose
- shared his or her personal information with some other person or organization inappropriately

For more information about FIPPA, see Manitoba Ombudsman’s publication *Your Information Rights Under FIPPA* at: <https://www.ombudsman.mb.ca/uploads/document/files/fippa-guide-2018-web-en.pdf>

ACCESS TO INFORMATION ACT

The Office of the Information Commissioner of Canada was established under the Access to Information Act – Canada’s freedom of information legislation that came into effect in 1983. The act provides a right of access to information in records under the control of a federal government institution. For more information about the OIC, visit: <http://www.oic-ci.gc.ca/eng/>