

Canadian Cattle Identification Agency

Procedure for Responding to Access to Information Requests

I. Informal Request (oral, by email or on paper not referencing any specific privacy legislation)

Step 1

All employees and contractors shall forward informal request to their manager who will review the request to determine which records contain the information the applicant wants. All Board members shall forward informal request to the General Manager who will review the request to determine which records contain the information the applicant wants and coordinate with the relevant department. If the records that respond to the request were not created in their department, the manager will forward the request to the relevant department manager. If it is unclear where the request should be directed it should be sent to the Privacy Officer.

Step 2

Department manager or General Manager determines whether records contain information to which privacy legislation exclusions or exemptions apply, or may apply.

- a. If there are no exclusions and/or exemptions because
 - the records contain no personal information about other individuals (i.e., someone other than the applicant), or
 - the records have at a previous time been sent to, or received from, the applicant, either directly or by a cc, or
 - the records contain personal information and are being disclosed to the individual to whom the information pertains as per normal practice, or
 - the records contain no general information the department believes should not be disclosed, and
 - the records are not excluded from the Privacy Act or PIPEDA,

then the request can be handled informally. Disclose the information to the applicant, either orally or by producing for the applicant a copy of the relevant records.

- b. If exclusions or exemptions apply, or may apply, because the records contain
 - personal information about other individuals, or
 - general information for which exemptions may apply, or
 - the records are excluded from the Privacy Act or PIPEDA,

then the request must be treated formally and a formal request submitted in writing. (See [Access to Information Request Form](#) on the CCIA website.)

II. Formal Request (written referencing Privacy Act or PIPEDA)

Step 1

If your office receives a written request (as a letter or email that references the Privacy Act or PIPEDA, or using the access request form), it must be handled formally. Notify the Privacy Officer immediately. The CCIA must provide a decision on access to records within 30 calendar days.

Step 2

The Privacy Officer will request the department to search for, locate and retrieve records responsive to a request. Instructions on how to document the search and photocopy or print records will be provided. Documenting the search is very important as the process may become part of an affidavit.

The Privacy Officer will assess the records in consultation with the department, communicate with the requester, prepare a recommendation for the department manager, and provide access to the requester as appropriate.

Summary of Process for Formal Request

This summary represents an ideal estimate of the time frame for certain activities. The actual time depends on the scope of the request, the volume of records which need to be reviewed, and the complexity of the issues involved.

Receive request and conduct preliminary assessment (Days 1-4)

1. Privacy Officer receives request and application fee and assigns tracking number.
2. Privacy Officer notifies Department Manager Area that request received and gathers preliminary information.
3. Privacy Officer works with requester, if necessary, to clarify and/or narrow the scope of the request.
4. Privacy Officer sends an Acknowledgement Letter to requester.
5. Privacy Officer provides instructions to Department Manager for conducting and documenting the search for responsive records. Department Manager liaises with department employees/contractors/Board members.
6. Privacy Officer, in consultation with Department Manager and/or employees/contractors/Board Members, completes preliminary assessment,

considering: transfer of request to a third party (ie, ATIP officer via CFIA); fees; need for fee estimate; third-party notices; need for consultation; creation of new records.

7. If applicable, Privacy Officer sends requester a Fee Estimate. If the fee estimate is more than \$100, request processing is put on hold until the requester sends a 50% deposit.

Search for records (Days 5-10)

1. Departments locate, retrieve and copy all records responsive to the request and forward to Department Manager who in turn, forwards them to the Privacy Officer.
2. If applicable, Privacy Officer sends third parties required notices. Third parties have 20 days to respond and request processing is put on hold during that time.

Review records and make decision on disclosure (Days 11-30)

1. Privacy Officer reviews records line by line to determine whether Privacy Act or PIPEDA exclusions and exemptions apply to the requester's right of access.
2. Privacy Officer reviews each record with Department Manager and/or General Manager to jointly make a decision on disclosure.
3. Privacy Officer severs and prepares records for disclosure; sends Decision Letter to requester with copy to Department Manager and General Manager.

This guideline has been developed to assist in establishing good practices and procedures. Additional questions or requests for advice on records and information management or information and privacy issues should be referred to the Privacy Officer: privacy@canadaid.ca