



Routine Access Policy

Policy Statement

Consistent with the spirit and intent of the *Freedom of Information and Protection of Privacy (FOIPOP) Act*, the Department of Energy attempts first to respond to requests for information by means other than requiring a formal application for records under the *FOIPOP Act*. Formal FOIPOP applications are treated as an avenue of last resort when other means of access to information have been exhausted.

In keeping with this approach and to facilitate access to information, the Department of Energy releases categories of records as available through routine access subject to the limitations specified in this policy. Categories of records available through routine access are listed in "Appendix A" which forms part of this policy.

Purpose / Objectives

The purpose of this policy is to provide a pro-active approach to access information that reflects the spirit of openness and accountability embodied in the *FOIPOP Act*; specifically to identify categories of records available on a routine access basis.

This Routine Access Policy shall be administered in accordance with the following principles:

(A) Third Party Privacy / Confidentiality

Records containing personal information of an identifiable individual or confidential business information of a third party shall not be disclosed by the Department of Energy unless that information has been severed from the record or with the written consent of the third party.

(B) Timeliness

The Department of Energy shall apply best efforts to respond to routine access requests in a reasonable and timely fashion. Best efforts will be applied to respond to routine access requests within 30 days of receipt of the written application.

(C) Transparency

This policy shall be available upon request and posted on the Department of Energy website.

Application

*This information does not apply to information subject to exemptions under FOIPOP or solicitor/client privilege.

This policy applies to:

- those records and categories of records designated under this policy as available on a routine access basis as listed in “Appendix A”.

This policy does not apply to:

- records created prior to October 23, 2003.
- requests that comprise more than 50 pages of records whether made as one large request or a series of small requests by one Requestor or a group of associated Requestors.
- requests of a repetitious, systematic, frivolous or vexatious nature, that in the opinion of the Minister/Deputy Minister, Department of Energy, or the Executive Director/CEO of the Agency as appropriate, or his/her delegate, constitute an abuse of the opportunity for access under the Routine Access policy.

Policy Directives

1. The FOIPOP Administrator will coordinate responses to routine access requests.
2. Routine access requests must be made in writing.
3. Fees do not apply for responding to routine access requests.
4. Staff who receive routine access requests must forward them without delay to the Administrator for response.
5. All FOIPOP applications will be screened to determine if they can be responded to entirely, or in part, through routine access. Therefore, no fees will be processed until this determination has been made.
6. Records classified as available on a routine access basis will be reviewed for personal information, confidential business information and other information that may be exempted from disclosure in accordance the FOIPOP Act and any such identified information may be severed from the record prior to disclosure.

7. Routine access requests will be tracked in accordance with requirements of the Department of Justice.
8. The Routine Access Policy will be posted on the Department of Energy's website.

Policy Guidelines

1. When the Department of Energy receives a FOIPOP application or routine access request, the application / request will be reviewed against the list of records approved for routine access as listed in "Appendix A".
2. If the requested record is subject to this policy, as listed in "Appendix A", the Administrator will promptly have the requested record retrieved and sent to the Applicant / Requestor.
3. Best efforts will be applied to respond to routine access requests within 30 days of receipt of the written application / request by the office of the Administrator.
4. If the requested record is not listed in "Appendix A", the Administrator will notify the Requestor and provide the Requestor with information about procedures for obtaining access including, where appropriate, procedures for making an application under the *FOIPOP Act*.

Accountabilities

Deputy Minister, Department of Energy

- overall management responsibility for the policy
- champion annual review of the policy

Administrator

- day to day implementation of the policy
- track routine access requests in accordance with Department of Justice requirements
- monitor and report on compliance with the policy
- evaluate the policy and make recommendations for the annual review

Staff

- forward routine access requests without delay to the Administrator for response

- respond in a timely fashion to requests from the Administrator to locate and retrieve records requested under the routine access policy

Monitoring

Compliance with the policy directives will be monitored on an ongoing basis by the Administrator

The policy will be formally evaluated and reviewed on an annual basis by the Deputy Minister, Department of Energy.

References

- Appendix A: Routine Access Records
- FOIPOP Act <http://www.gov.ns.ca/legislature/legc/statutes/freedom.htm>
- Government Records Act <http://www.gov.ns.ca/legislature/legc/statutes/govtrec.htm>

Inquiries

For more information about this policy please contact:

Department of Energy
5151 George Street
Suite 400
P.O. Box 2664
Halifax, NS B3J 3P7
Tel: (902) 424-4575
Fax: (902) 424-0528

APPROVED BY:

APPROVAL DATE:

REVIEW DATE: January, 2009

Appendix A
Department of Energy
Routine Access Categories

The following list includes those records and categories of records that have been classified under the Routine Access Policy as available on a routine access basis.

*All information listed is subject to the FOIPOP Act.

RECORD DESCRIPTION	RESTRICTIONS
FINANCIAL	
Contracts for goods and services	- subject to confidentiality and privacy issues.
Cost of renovations	- for specific offices carried out within the previous six months. General expenses only, subject to privacy issues.
Cost of sending a delegation out of the province or out of the country	- Information to be released by category i.e. travel, lodging, meals etc., subject to privacy issues.
Cost of special or specific events	- e.g., conferences, luncheons, workshops, training, etc. within three months of event having taken place. General information only, subject to privacy issues.
Detailed expenditure reports	- by category, (e.g. salaries, travel, etc.) for a maximum of three per fiscal year, subject to privacy issues.
Final audits of programs/activities	- by Finance, Justice or other government departments.
Individual expense claims	- for a three month period within the current fiscal year and for a maximum of three individuals in one department at any one time. Information to be released by category e.g. travel, lodging, meals etc., subject to privacy issues.
Ministerial monthly expenses	- per summary provided to Executive Council office.
Overtime expenditures	- (current year-to-date) for specific departments or divisions, subject to privacy issues.
HUMAN RESOURCES	

Generic information on benefits and hours of work.	
Generic job descriptions, pay scale and classification of positions	
Organizational charts	- without names and subject to privacy issues.
Secondment agreements	- both within government and outside government (excluding personal information).

Adjudication decisions	<ul style="list-style-type: none"> • subject to privacy issues
Department attendance management statistics	- excluding personal information
Hiring process:	- subject to privacy issues.
<ul style="list-style-type: none"> • # of applicants per competition 	
<ul style="list-style-type: none"> • # of persons interviewed/eligible for interview 	
<ul style="list-style-type: none"> • screening criteria contained in the job posting 	
<ul style="list-style-type: none"> • identity of selection panel (to persons interviewed only) 	
<ul style="list-style-type: none"> • name of successful candidate, once offer has been accepted 	
Management Policy Manuals	
Personal Service Contracts	Personal service contracts of individuals not appointed pursuant to the Civil Service Act, excluding personal information and trade (service or product) secrets.
Union vs. non-Unionized positions	- percentage of unionized v non-unionized position in specific department or government.
GENERAL	
Accountability Reporting	<ul style="list-style-type: none"> • subject to privacy issues.
Acts & Regulations for the Department of Energy	<ul style="list-style-type: none"> • subject to privacy issues.
News releases	
Policies	<ul style="list-style-type: none"> • subject to privacy issues.
Publications / Maps / Digital Data / Brochures / Fact Sheets / Newsletters	<ul style="list-style-type: none"> • subject to privacy issues.
Reports	<ul style="list-style-type: none"> • subject to privacy issues.

* Does not apply to records created prior to October 23, 2003.