



## Routine Access Policy

<b>Approved by:</b>	Original signed by Frances Martin, Deputy Minister
<b>Effective date:</b>	January 30, 2017
<b>Version control:</b>	Replaces: Nova Scotia Environment and Labour Routine Access Policy – Effective July 1, 2007 Revised: January 5, 2009 – Administrative Amendments – Department name change, visual identity update, editing Revised: January, 2017 – Administrative Amendments

### I. POLICY STATEMENT

This routine access policy for Nova Scotia Environment is designed to provide persons with an opportunity to obtain certain categories of records without having to submit a *Freedom of Information and Protection of Privacy Act* (FOIPOP) application. It shall be administered in accordance with the following principles:

- (i) Personal Privacy**  
Records containing the personal information of third parties as defined in the *FOIPOP Act* will not be disclosed by Nova Scotia Environment without the need for a formal FOIPOP application, unless the personal information has been severed.
- (ii) Timeliness**  
Nova Scotia Environment will respond to any routine access requests on a reasonable and timely fashion.
- (iii) Cost Recovery**  
Fees for the reproduction and provision of records may be charged in accordance with this policy and where authorized by regulations or statutes.
- (iv) Transparency**  
This policy shall be made available to the public
- (v) Reasonableness**  
The policy shall apply only to requests for reasonable quantities of records. Repetitive requests by a person for significant volumes of records, or the separation of a request into several small requests totaling a large volume, shall not be subject to this policy. Documents which would normally be released in

keeping this policy, but which may for other reasons contain information subject to provisions of FOIPOP, shall not be subject to this policy and the requester shall be advised that they may request access to the documents by formal application through FOIPOP

## II. DEFINITIONS

For the purposes of this policy, the following definitions shall apply. These definitions are not to be construed as over-riding any statutory definition as provided in legislation.

Routine disclosure	The release, in full or in part, of certain types of administrative or operational records as a matter of course in response to a request without the need for a formal application for records under the NS <i>FOIPOP Act</i> .
Active dissemination	The periodic and proactive release of information or records in the absence of a request using mechanisms such as the Internet, libraries, etc.
FOIPOP	NS <i>Freedom of Information and Protection of Privacy Act</i>
FOIPOP access	The release of a record in response to a formal FOIPOP application made under the <i>Freedom of Information and Protection of Privacy Act</i>
Record	Includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records (s. 3(1)(k) FOIPOP Act)
Staff	All persons in the employ of, seconded to, or under contract to Nova Scotia Environment, including members of agencies, boards, commissions or tribunals, outside contractors and consultants, volunteers, students, and interns who have access to records of Nova Scotia Environment and its agencies, boards, commissions, or tribunals
Personal information	Recorded information about an identifiable individual including:

- (i) The individual's name, address or telephone number,
- (ii) The individual's race, national or ethnic origin, colour, or religious or political beliefs or associations,
- (iii) The individual's age, sex, sexual orientation, marital status or family status,
- (iv) An identifying number, symbol or other particular assigned to the individual,
- (v) The individual's fingerprints, blood type or inheritable characteristics,
- (vi) Information about the individual's health-care history, including a physical or mental disability,
- (vii) information about the individual's educational, financial, criminal or employment history,
- (viii) anyone else's opinions about the individual, and
- (ix) The individual's personal views or opinions, except if they are about someone else (s. 3(1)(l) FOIPOP Act)

Third party

In relation to a request for access to a record, means any person, group of persons or organization other than the person who made the request, or Nova Scotia Environment

### **III. POLICY OBJECTIVES**

The objective of this policy is to provide and maintain routine access to certain departmental records without the need for a formal FOIPOP application. It is also to provide ease of access for those requesting information, in keeping with the spirit of openness, accountability, and the provisions of information access and privacy legislation.

### **IV. APPLICATION**

This policy applies to all staff as defined in this policy, and to all records designated under this policy in accordance with the attached appendices.

In addition to this policy, application is governed by the following legislation and policies:

- (i) *NS Freedom of Information and Protection of Privacy Act*
- (ii) *NS Government Records Act*
- (iii) *NS Public Archives Act*
- (iv) NS Environment Records Management Policy
- (v) NS Government Records Management Policy
- (vi) NS Government Management Manuals

## **V. POLICY DIRECTIVES**

- (i) The FOIPOP Administrator is mandated by the Deputy Minister of Nova Scotia Environment to make routine disclosure decisions under this policy.
- (ii) Records to be released under access are listed in the Appendices to this policy. Others will be identified by the FOIPOP Administrator.
- (iii) The identity of persons requesting information under this policy will be held confidential by all staff.
- (iv) This policy will be posted on the departmental website.
- (v) This policy will be communicated to all staff.
- (vi) The FOIPOP Administrator will follow the process to track routine access requests.

## **VI. POLICY GUIDELINES**

- (i) To aid in the administration of this policy, written procedures will be prepared for the disclosure of identified records
- (ii) The FOIPOP Administrator will prepare and deliver training information pertaining to this policy to staff

## **VII. ACCOUNTABILITY**

- (i) The Deputy Minister of Nova Scotia Environment shall be accountable for the implementation of this policy.
- (ii) The FOIPOP Administrator shall be accountable for the administration of this policy.
- (iii) Directors shall be accountable for ensuring that staff are aware of and comply with this policy.

## VIII. MONITORING

- (i) The FOIPOP Administrator shall be responsible for ensuring compliance with this policy.
- (ii) All staff shall be responsible for compliance with this policy.

## IX. REFERENCES

- (i) *NS Environment Act*
- (ii) *NS Freedom of information and Protection of Privacy Act and Regulations*
- (iii) *NS Government Records Act*
- (iv) *NS Wilderness Areas Protection Act*
- (v) Routine Access Policy Development Guidelines for Public Bodies
- (vi) NS Government Records Management Policy
- (vii) NS Environment Records Management Policy
- (viii) NS Government Management Manuals

## X. INQUIRIES

FOIPOP Administrator	
IAP Services	ph.: (902) 424-2577
Department of Internal Services	e-mail: amy.m.nickerson@novascotia.ca
5161 George Street, 12 <sup>th</sup> Floor	ph.: (902) 424-6726
PO Box 72	e-mail: erna.slingluff@novascotia.ca
Halifax, NS	
B3J 2L4	

## XI. APPENDICES

- (i) Appendix A: Routine Disclosure
- (ii) Appendix B: Environmental Registry

## Appendix A: Routine Disclosure

Records containing the personal information of third parties as defined in the *FOIPOP Act* will not be disclosed by Nova Scotia Environment without the need for a formal FOIPOP application, unless the personal information has been severed. Subject to these requirements and provisions of the *Freedom of Information and Protection of Privacy Act*, the following types of records may be disclosed in keeping with this policy:

- (i) Requests made through the Environmental Registry (see Appendix B)
- (ii) Routine environmental inspection reports
  - (a) records will not be disclosed through this policy if there is an on-going investigation, pending prosecution, or charges have been laid
  - (b) any personal information or confidential business information will be severed from the record
- (iii) Final reports
  - (a) any reports still in draft format will not be disclosed through this policy
- (iv) Audits
  - (a) corporate audits of Nova Scotia Environment or its programs
- (v) Contracts for goods and services
- (vi) Test results
  - Any test results done on individuals or on a private property will not be disclosed through this policy
  - (a) public water test results
  - (b) public air quality test results
  - (c) test results on public properties
- (vii) Permits, registrations, approvals, certifications
  - (a) background or supporting documentation containing personal information or technical/trade secret information will not be disclosed through this policy
- (viii) Database information
  - (a) aggregate database information which is readily available and which will not identify any particular individual or private sector company
- (ix) Human resource records
  - (a) departmental organization charts with position titles
  - (b) generic information on benefits and hours of work
  - (c) job descriptions, pay scale, classification of positions (unionized, nonunionized)
  - (d) personal service contracts of individuals not appointed pursuant to the *Civil Service Act* — excluding personal information, and service or product trade secrets
  - (e) secondment agreements, both within and outside government --excluding personal information
  - (f) selection and hiring process:
    - (1) number of number of applicants for a specific job position

- (2) number of persons interviewed for a specific job position
- (3) name of successful candidate, once offer of employment has been accepted
- (4) confirmation as to whether a position is permanent vs temporary, once a decision has been made on a course to follow

(x) Financial records

- (a) individual expense claims for a three-month period within the current fiscal year-  
excluding personal information
- (b) cost of renovations for a specific office
- (c) cost of special or specific events (i.e. — conferences, luncheons, workshops,  
training, etc.)
- (d) cost of sending a delegation out of province, or out of country
- (e) aggregate overtime expenditures for the department or specific divisions
- (f) detailed departmental expenditure reports, by category (e.g.— salaries, travel,  
etc.)
- (g) ministerial monthly expense summary provided to Executive Council Office

## Appendix B: Environmental Registry

As indicated in s.10(1) of the *Environment Act*, the following records may be accessed through the Environmental Registry:

- (i) Environmental approvals and notification
- (ii) Certificates of qualification
- (iii) Certificates of variance
- (iv) Orders, appeals, decisions and hearings made under the *Environment Act*
- (v) Notices of designation given pursuant to the *Environment Act*
- (vi) Notices of a charge or lien given pursuant to s. 132 of the *Environment Act*
- (vii) Policies, programs, standards, codes of practice guidelines, objectives, directives and approval processes established under the *Environment Act*
- (viii) Convictions, penalties and other enforcement actions brought under the *Environment Act* information or documents required by the regulations pursuant to the *Environment Act* to be included in the registry
- (ix) Annual reports; and
- (x) Any other information or document considered appropriate by the Minister

As indicated in S.10(4) of the *Wilderness Areas Protection Act*, the following records may be accessed through the Environmental Registry:

(4) The Minister shall file, in the environment registry established pursuant to the *Environment Act*, a copy of

- (a) Licenses licences issued, and orders and decisions made, pursuant to this Act or the regulations;
- (b) Notices of designation served pursuant to this Act or the regulations;
- (c) Descriptions of wilderness areas designated pursuant to this Act;
- (d) Descriptions of wilderness areas changed by any actions taken pursuant to subsection 11(3) or (4)
- (e) A management plan prepared for a wilderness area and a revised management plan;
- (f) The Memorandum of Understanding dated June 24, 1998 referred to in subsection 11(2);
- (g) Policies, programs, standards, codes of practice, guidelines, objectives, plans, directives and approval processes established pursuant to this Act or the regulations;
- (h) Convictions, penalties and other enforcement actions brought pursuant to this Act or the regulations;
- (i) Information or documents required by the regulations to be included in the environmental registry; and
- (j) Any other information or document considered appropriate by the Minister. 1998, c. 27, s.10.