

## **Routine Access Transportation and Infrastructure Renewal**

### **Policy Statement**

Consistent with the spirit and intent of the *Freedom of Information and Protection of Privacy (FOIPOP) Act*, Nova Scotia Transportation and Infrastructure Renewal 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, Nova Scotia Transportation and Infrastructure Renewal, classifies certain records or 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 Schedule “A” which forms part of this policy.

### **Rationale**

This Routine Access policy is designed to provide persons with an opportunity to obtain certain categories of records without having to submit a *FOIPOP* application.

### **Policy Objectives**

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

### **Application**

This policy applies to:

- Those records and categories of records designated under this policy as available on a routine access basis as listed in Schedule “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 repetitious, systematic, frivolous or vexatious nature that in the opinion of the Deputy Minister, or his/her delegate, constitute an abuse of the opportunity for access under the Routine Access policy
- Draft documents or draft reports.

### **Accountability**

#### Deputy Minister or his/her delegate

- 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, or his/her delegate.

## **Directives**

This policy must be read in conjunction with the *Freedom of Information and Protection of Privacy Act*.

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

### **a. Third Party Privacy / Confidentiality**

Records containing personal information of identifiable individual or confidential business information of a third party shall not be disclosed by Nova Scotia Transportation and Infrastructural Renewal without the written consent of the third party.

### **b. Timeliness**

Nova Scotia Transportation and Infrastructure Renewal shall apply best efforts to respond to Routine Access requests in a reasonable and timely fashion.

### **c. Transparency**

This policy shall be available upon request and posted on the Nova Scotia Transportation and Infrastructural Renewal's website.

## **Guidelines**

- Requests may be made by phone, fax, mail, or e-mail
- A person making a request under this policy will be required to provide the following: name, contact information, including: mailing address, phone number and specific reference to Schedule "A."
- When Nova Scotia Transportation and Infrastructure Renewal 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 Schedule "A."
- If the requested record(s) is subject to this policy, as listed in Schedule "A" the Administrator will have the requested record(s) retrieved and sent to the Applicant / Requestor.

- 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.
- If the requested record(s) is not listed in Schedule “A” the Administrator will notify the Requestor and provide him/her with information about procedures for obtaining access including, where appropriate, procedures for making an application under the *FOIPOP Act* can be found.
- Applicants, who apply under the *FOIPOP Act* for records that are available under the Routine Access Policy, will have their application fee returned and the records will be provided, free of charge, under the Routine Access Policy.

## References

- *Freedom of Information and Protection of Privacy Act* and Regulations
- Government Records Act
- Corporate Records Management Policy
- Nova Scotia Transportation and Infrastructure Renewal Records Management Policy

## Enquiries

Information Access and Privacy Administrator  
1672 Granville Street, 2<sup>nd</sup> Floor, Johnston Building  
P.O. Box 186  
Halifax, NS B3J 2N2  
Tel: (902) 424-6726  
Fax: (902) 424-1163  
E-mail: [singleb@gov.ns.ca](mailto:singleb@gov.ns.ca)

The Department’s website at: <http://iweb.tpw.gov.ns.ca/> or Public website at: [www.gov.ns.ca/tran/](http://www.gov.ns.ca/tran/)

## Appendices

Schedule “A” – Routine Access Records  
Appendix 1 – Definitions  
Appendix 2 – Reference Legislation

*Division: Department Wide  
Section: Policy & Planning  
Function: FOIPOP  
Policy Number: **PO1353***

---

---

*Approved by: Paul LaFleche, DM  
Approval date: 30-Mar-2007  
Effective date: 01-Sep-2012*

*Transportation & Infrastructure Renewal  
Manual of Policies, Processes and Procedures  
Revision date: 23-Aug-2012*

---

## Schedule “A” Routine Access Records

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. This list is subject to change, and will be updated as needed. Records, other than those listed here, may be available on a routine access basis at the discretion of the head of the public body.

RECORD DESCRIPTION*	RESTRICTIONS	PROGRAM AREA
<b><u>ADMINISTRATION</u></b>		
Approval policy manuals		Department
Statistics, statistical research and public opinion poll results	<ul style="list-style-type: none"> <li>• Subject to available reports in current fiscal year</li> <li>• Subject to FOIPOP restrictions</li> </ul>	Department
Routine inspection reports	<ul style="list-style-type: none"> <li>• Subject to FOIPOP restrictions</li> </ul>	Department
Final audits of programs or activities	<ul style="list-style-type: none"> <li>• Subject to FOIPOP restrictions</li> </ul>	Department
<b><u>FINANCIAL SERVICES</u></b>		
Individual expense claim report	<ul style="list-style-type: none"> <li>• For a 3 month period within current fiscal year; or within 3 months of the start of the new fiscal year.</li> <li>• For maximum 3 individuals in TIR at any one time</li> </ul>	Financial Services
Cost of renovations to specific offices	<ul style="list-style-type: none"> <li>• Within previous 6 months</li> </ul>	Financial Services
Cost of special or specific event (i.e., Conferences, luncheons, workshops,	<ul style="list-style-type: none"> <li>• Within three 3 months of event having taken place</li> </ul>	Financial Services

RECORD DESCRIPTION*	RESTRICTIONS	PROGRAM AREA
training)		
Cost of sending a delegation out of the province or out of the country		Financial Services
Overtime expenditures for specific departments or divisions	<ul style="list-style-type: none"> <li>• Within current fiscal year</li> </ul>	Financial Services
Detailed expenditure reports, by category, (e.g., salaries, travel, etc.)	<ul style="list-style-type: none"> <li>• For maximum three per current fiscal year</li> </ul>	Financial services
<b><u>HUMAN RESOURCES</u></b>		
Generic information on benefits and hours of work		Human Resources
Personal service contracts of individuals not appointed pursuant to Civil Service Act	<ul style="list-style-type: none"> <li>• Excluding personal information, and service of product trade secrets</li> </ul>	Human Resources
Secondment agreements, both within government and outside government	<ul style="list-style-type: none"> <li>• Excluding personal information and subject to FOIPOP restrictions</li> </ul>	Human Resources
Organizational charts	<ul style="list-style-type: none"> <li>• Without names and subject to FOIPOP restrictions</li> </ul>	Human Resources
Position job descriptions, pay scale and classification of positions		Human Resources
Union vs. non-unionized positions		Human Resources
Department attendance management statistics	<ul style="list-style-type: none"> <li>• Excluding personal information only</li> </ul>	Human Resources
Hiring: <ul style="list-style-type: none"> <li>• # of applicants per competition</li> <li>• # of persons interviewed / eligible for interview</li> <li>• Screening criteria contained in the job posting</li> <li>• Identity of selection panel</li> </ul>	<ul style="list-style-type: none"> <li>• To person interviewed</li> </ul>	Human Resources

RECORD DESCRIPTION*	RESTRICTIONS	PROGRAM AREA
<ul style="list-style-type: none"> <li>Name of successful candidate Once offer has been accepted</li> </ul>		
<b><u>HIGHWAY PROGRAMS</u></b>		
Financial information on operational expenditures	<ul style="list-style-type: none"> <li>Subject to available reports in current fiscal year</li> </ul>	Highway Programs
Road inventory information	<ul style="list-style-type: none"> <li>Subject to available reports in current fiscal year</li> </ul>	Highway Programs
Road maintenance lists for individual roads	<ul style="list-style-type: none"> <li>Subject to available reports in current fiscal year</li> </ul>	Highway Programs
Routine bridge and/or technical inspection reports	<ul style="list-style-type: none"> <li>Subject to available reports</li> </ul>	Highway Programs
Approved operational/traffic policies		Highway Programs
Manuals for standards or specifications		Highway Programs
<b><u>PUBLIC WORKS</u></b>		
List of standing offers and eligible consultants, with expiry dates		Public Works
Insurance Policies	<ul style="list-style-type: none"> <li>No reference to specific claims, incurred payments or claim reserve</li> </ul>	Risk Management & Claims
Self-insured funds	<ul style="list-style-type: none"> <li>No reference to specific claims, incurred payments or claim reserve</li> </ul>	Risk Management & Claims
List of consultants working for Department and their current projects		Public Works
Office space and furniture standards		Real Property
Facilities procurement guide		Real Property



---

<b>RECORD DESCRIPTION*</b>	<b>RESTRICTIONS</b>	<b>PROGRAM AREA</b>
Material Inventory-NSIMRS Equipment Inventory		Public Safety & Field Communications
Material Inventory-NSIMRS Equipment Inventory		Public Safety & Field Communications
NSIMRS Equipment Inventory		Public Safety & Field Communications

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

## **APPENDIX 1 -DEFINITIONS -**

### **DEFINITIONS**

#### ***Active Dissemination***

*Periodic and pro-active release of information or records in the absence of a request using mechanisms, such as, the Internet, Libraries, etc.*

#### ***Administrator***

*The officer responsible for receiving and responding to applications made to Nova Scotia Transportation and Infrastructure Renewal under the FOIPOP Act.*

#### ***Confidential Business Information***

*As referenced in the FOIPOP Act (Reference – s. 21) means “information that would reveal:*

*trade secrets; commercial, financial, labour relations, scientific or technical information; supplied, implicitly or explicitly, in confidence ... [or] obtained on a tax return or gathered for the purposes of determining tax liability or collecting a tax.”*

#### ***FOIPOP access***

*The release or a record in response to a formal application made under the FOIPOP Act.*

#### ***Personal Information***

*As defined in the FOIPOP Act (Reference – s. 3(1)(i)) “means recorded information about an identifiable individual, including*

*individual’s name, address or telephone number;  
race, national or ethnic origin, colour, or religious or political beliefs or associations;  
age, sex, sexual orientation, marital status or family status;*

*an identifying number, symbol or other particular assigned to the individual;*

*fingerprints, blood type or inheritable characteristics;*

*the individual's health-care history, including a physical or mental disability;*

*educational, financial, criminal or employment history;*

*anyone else's opinion about the individual; and*

*the individual's personal views or opinions, except if they are about someone else."*

**Record**

As defined by the FOIPOP Act (Reference – s. 3(1)(k))

*"includes books, documents, maps, drawings, photographs, letters, vouchers, papers or 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."*

**Requestor**

The person requesting access under the Routine Access Policy.

**Routine Access**

The routine or automatic release, in full or in part, of a specified record in response to request without the need for a formal application for records under the FOIPOP Act.

## **APPENDIX 2 - REFERENCE LEGISLATION -**

### *Freedom of Information and Protection of Privacy Act*

#### **Section 2 – Purpose of Act**

“s. 2 The purpose of this Act is

*(a) to ensure the public bodies are fully accountable to the public by*

*(i) giving the public a right to records,*

*(ii) giving individuals a right of access to, and a right to correction of, personal information about themselves,*

*(iii) specifying limited exceptions to the rights of access,*

*(iv) preventing the unauthorized collection, use or disclosure of personal information by public bodies, and*

*(v) providing for an independent review of decisions made pursuant to this Act; and*

*(b) to provide for the disclosure of all government information with necessary exemptions, that are limited and specific, in order to*

*(i) facilitate informed public participation in policy formulation,*

*(ii) ensure fairness in government decision-making,*

*(iii) permit the airing and reconciliation of divergent views;*

*(c) to protect the privacy of individuals with respect to personal information about themselves held by public bodies and to provide individuals with a right of access to that information.”*

*Division: Department Wide*  
*Section: Policy & Planning*  
*Function: FOIPOP*  
*Policy Number: **PO1353***

---