



Access Request Checklist Third Party Notification Required

This is an appendix to the Access Request Checklist where third party notification is necessary, as there are legislated timeframes to follow when third party notification is required. When it is determined that third party notification will be required, the notification process should begin within the initial 30 day response time. This is intended as a guide only and can be modified to suit the needs of your institution.

Calendar Day Guidelines	Key Tasks	FOIP Tips	
Day 1 (where it is determined third party notification is required)	- Notification to third parties (as described in section 19(1) or 29(2)(o) of the Act. - Depending upon where the time is at in the initial 30 days, give thought to whether an extension letter to the applicant will be required.	- Third party notification must commence within the initial 30 days. - Notification should include the that an access request has been received and the intention to release the information; - A description of the record which affects the third party (or copy where appropriate); and - Provisions for the third party to make representations within 20 days of the letter.	
Day 2 – 20	Continue on with other tasks that need to be completed for the access request.	Refer to main <u>Access Request Checklist</u> to review activities that should be proceeding.	
	Determine if extension notification will be necessary due to third party consultations.	Send extension letter if third party notification process will go beyond the initial 30 day response time.	
Day 20	Ensure that any submissions from affected third parties have been received and if not verbally follow-up with third party.	Remind them of the timeframes you are legislated by to respond to the applicant.	

Calendar Day Guidelines	Key Tasks	FOIP Tips	
Day 21 – 27	Based upon third party representations, decide if access will be provided or not to the applicant.		
Day 27 - 30	- Draft decision letter to the applicant and the third party which includes what the decision of the Access Officer will be; - provides the third party and the applicant the right to request a review to the Information and Privacy Commissioner within 20 days of the notification; and - where access will be granted, advises the third party that access will be given once the 20 days expires unless the third party requests a review.	If you do not hear from the third party or the Information and Privacy Commissioner within the 20 days, a best practice is to follow up with the third party to ensure they are not exercising their right to request a review <u>prior</u> to granting access to the applicant.	
Day 40	Review by Applicant/Third Party The formal review process commences. Application stops until review process is complete.	See section 49 of the Act regarding review process.	
Day 40	No review to the Commissioner by the Applicant or third party - Finalize the request and send correspondence to the applicant. - Close file		