

# Duty to Assist ATIPP Applicants

ATIPP Office

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## Background

The Access to *Information and Protection of Privacy Act, 2015* (ATIPPA, 2015) requires a public body to assist an applicant in making a request. It is a statutory duty that must be upheld throughout the entire request process. This duty generally includes:

- Making a reasonable effort to assist to applicant;
- Responding to a request in a timely manner; and
- Conducting a thorough search in order to return as complete a set of records as possible.

The fundamental underpinning of the duty to assist is exhibiting the qualities that are inherent in good customer service. The duty to assist must go beyond simply assisting applicants but must provide applicants with the kind of assistance that would be provided if the objective were to cause the applicant to return and seek more of the good service.<sup>1</sup>

Some examples of good practices to follow when processing an access to information request include:

## Maintain and Document Communication

- Contact the applicant as soon as possible after receiving the request for information, and keep them informed by maintaining a dialogue with them throughout the process;
- Ensure that any correspondence with the applicant is in their preferred format (i.e., phone call, email) whenever possible;

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<sup>1</sup> 2014 Statutory Review of the Access to *Information and Protection of Privacy Act*, [Executive Summary](#), p. 11

- Ensure that all communication between you and the applicant regarding their request (e.g., clarifications, questions etc.) are documented.

## Consider the Applicant's Perspective

- Always consider the process from the applicant's perspective and consider ways that you can improve their experience;
- Work towards satisfying the requestor and providing the best customer service possible;
- If information has been withheld under an exception to disclosure, you should provide the applicant with the opportunity to discuss the reasons behind the use of these exceptions.

## Provide the Proper Formats

- Ask the applicant in what format they would like their records to be provided in (e.g., electronically, paper, excel, pdf, etc.) and provide the records in that format whenever possible;
- If the information cannot be provided in the format requested, discuss with the applicant the formats that are available and confirm in what format they would like to receive the records.
- For a full discussion on the duty to assist under section 13 of ATIPPA, 2015, see the [Access to Information Policy and Procedures Manual](#), Chapter 3.2.