



**Information and Privacy
Commissioner/Ontario**
**Commissaire à l'information
et à la protection de la vie privée/Ontario**

ORDER M-80

Appeal M-9200373

Halton Board of Education



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ORDER

The Halton Board of Education (the Board) received a request under the Municipal Freedom of Information and Protection of Privacy Act (the Act) to examine and receive copies of "the purchase orders supplying the hardware and software to the ACT Lab in the Appleview Mall", an adult computer training centre operated by the Board (the Centre).

The Board responded to the request by providing the requester with a copy of a purchase order.

The requester appealed the Board's decision on the basis that additional records responsive to the request should exist.

In accordance with the usual practice, the appeal was assigned to an Appeals Officer who contacted the appellant and the Board. In the course of processing this appeal, the Board provided the appellant with a letter which indicated that the Board had responded to the request on the understanding that the request was for purchase orders for the initial set-up of the Centre, but that such understanding had subsequently been clarified. The Board also enclosed copies of additional purchase orders, and indicated that the purchase orders provided were all of the records responsive to the request.

The appellant maintained her position that further additional records responsive to the request should exist. Mediation was not successful, and notice that an inquiry was being conducted to review the Board's decision was sent to the appellant and the Board. Written representations were received from both parties.

In her representations, the appellant raises a number of concerns regarding the records requested. These include concerns regarding the validity of some of the purchase orders provided to her; concerns that some of the purchase orders may not be responsive to the request; and concerns regarding the types of additional records that the appellant believes should exist.

In response to the Notice of Inquiry, the Board has provided representations as well as an affidavit sworn to by the Program Manager of the Centre. In these documents, the Board identifies all the computer hardware and software acquired for the Centre; those products for which a purchase order was located and provided to the appellant; those products for which "purchase orders were never prepared"; and those for which purchase "orders may or may not have been prepared", and the nature of the searches made to locate those purchase orders.

The affidavit provided by the Board outlines the steps taken to locate any responsive records in its custody or control, and identifies that the searches failed to produce any additional responsive records.

Having carefully reviewed the representations of both parties, and the affidavit evidence submitted to me, I am satisfied that the Board has taken all reasonable steps to locate any records responsive to the appellant's request, and that the search conducted by the Board was reasonable in the circumstances of this appeal.

Original signed by: _____ January 29, 1993
Asfaw Seife
Inquiry Officer