



November 4, 2020

Ms. Gritt Koehl
104 Bowman Court South
Grafton, ON K0K 2G0

Dear Ms. Koehl,

The Township of Alnwick/Haldimand has received a complaint under the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) regarding a recording of the October 27, 2020 Draft 2021 Budget Meeting that was posted on your website, <https://abc-activism.ca/> Alnwick/Haldimand, Brighton & Cramahe. The Township has reviewed the complaint and the recording you have posted and are in agreement with the Complainant that you have not received consent from any individual at the meeting, nor have you received permission from Council to record any portion of the meeting on October 27th, 2020.

As a municipality, we are required under MFIPPA to protect the privacy of an individual which exists in any government record. Your recent actions are in contravention of MFIPPA as well as the Township of Alnwick/Haldimand's By-law No. 03-2019, The Procedure By-law. As per section 4.1 of MFIPPA:

"Every head of an institution shall ensure that reasonable measures respecting the records in the custody or under the control of the institution are developed, documented and put into place to preserve the records in accordance with any recordkeeping or records retention requirements, rules or policies, whether established under an Act or otherwise, that apply to the institution. 2014, c. 13, Sched. 6, s. 3."

The proceedings of the October 27th, 2020 meeting and the records associated with it are under the custody and control of the Township; therefore, you do not have the authority to produce and reproduce such records. In addition, you have disregarded Section 6 of the Procedure By-law by recording the October 27th, 2020 meeting and proceeded to post the recording on your website. Section 6 states the following:

"The use of any audio or video recording equipment by the general public during any meeting is not permitted."

Based on the previous, you are to remove the recording immediately and confirm with us by writing that you have done so.

Please be advised that you will no longer be able to participate in our virtual or in-person meetings if you continue to contravene the Procedure By-law and do not respect an individual's right to protection of privacy.

Sincerely,



Troy Gilmour
Acting CAO/Public Works Manager



Alexandra Smith
Acting Clerk

Cc. Complainant