



F09-03-MS Patient Reporter Rewarded with City Severance Agreements

A city denied a newspaper reporter access to copies of the severance agreements for two senior employees, reasoning that one was not yet finalized and withholding the other citing section 17 of the *Freedom of Information and Protection of Privacy Act* as its release might compromise the negotiation of the yet to be finalized agreement.

Before we had an opportunity to draw final conclusions about the validity of the city's position, the city finalized the second severance agreement. The former employee to which it applied consented to its disclosure and the city sent the applicant a copy.

Now that this agreement was concluded, the city notified the other former employee to whom the previously completed agreement applied of its intention to release that agreement, complying with FIPPA's section 23 provision requiring a public body to notify a third party of its intent to give access to a record that the public body believes may contain information that might be excepted from disclosure under section 21 or 22. On receiving the response that he objected to the release, the city told him it had considered his objection and intended to release the agreement despite his objections. The city advised him that he had 20 days to ask us to review that decision in accordance with section 24(3) of FIPPA. Since he did not do so, the city proceeded to release the agreement, severing only the names and signatures of witnesses.