



Town of Watertown Policy and Procedure Compliance with Freedom of Information Act Requests

Policy

The purpose of this policy is to provide clarification, guidance and procedures to assist the Town's compliance with the Freedom of Information Act ("FOIA"), Connecticut General Statutes §1-200, *et seq.*, which generally provides to the public access to all public records created, possessed or maintained by a public agency, subject to certain exemptions. This Policy further sets forth the procedures necessary to promptly respond to such FOIA requests.

1. The Town shall promptly provide requested information in compliance with the law.
2. Records maintained in the Town Hall are public records and are available for public inspection during regular business hours. In addition, the public has the right to receive copies of records, subject to FOIA fees and payment procedures.
 - a. The FOIA does not require agencies to respond to written questions. As such, the Town has no obligation to, and will not perform analytical work, studies, investigations, calculations or program reviews, or create any document in response to a FOIA request.
3. Public inspection of documents may be viewed in the Town Manager's Office or the Town Clerk's Office. The Town reserves the right to take such measures to safeguard such records, including having someone monitor the person inspecting the records.
4. Full or limited access to Town records may be available in accordance with the FOIA. Certain personnel records, including such documents that contain confidential and personal information, including Social Security numbers and personal bank account information, may require redaction of personal or confidential information prior to release.

Procedure

1. It is recommended that FOIA requests be submitted to the Town Manager's Office using the Town's FOIA request form which is on the Town's website at Watertownct.org. Hard-copy and verbal requests are also acceptable. **Please note:** While the Town requires that requests for copies of records be put into writing, it cannot mandate that requests to merely inspect records be put into writing.

2. The Town Manager's Office will process the request in accordance with this policy and the law.
3. The Office will notify the requester if the information being sought is available on the Town's official website (www.Watertownct.org). Should the information not be available, or if the requester still seeks to have the document provided by Town Manager's Office, the request will be processed and the information provided in a timely manner.
4. The Town Manager's Office will acknowledge receipt of the request within four business days. The Office will also advise the requesting party the general status of compliance with the request and, more specifically, whether it will be to denying or withholding certain (or all of the) documents that have been requested.
 - a. However, following the acknowledgement of the receipt within four business days, if the disclosure of a personnel, medical or similar file that the Office believes may lead to a lead recognized invasion of privacy, the Office may take up to ten business days in order to allow for the employee or applicable union representative to object to the disclosure.
 - b. With respect to any personnel records, the Town (**after** disclosure) shall make a "reasonable attempt" to notify the employee and union representative, if any, of a request for (and release of) records.
5. The Town Manager's Office will forward the FOIA request to the appropriate Town department.
6. If any employee with the Department has any concerns or questions as to whether a particular records or item may be disclosed, he or she should be promptly contact the Town Manager's Office, and if necessary the Town Attorney.
7. Should the material not be available or if clarification is needed, the requester will be contacted.
8. If the requested material is voluminous or if there are other difficulties or confusion with respect to a FOIA request:
 - a. the requester will be notified of a reasonable date in which the documents will be made available, or
 - b. it may be suggested to the requester that he/she i) come into the Town Hall to view the records prior to copying, ii) provide greater clarification, or iii) narrow the scope of the request so as to facilitate prompter compliance.
9. The Town may charge for fees for copies consistent with Connecticut General Statutes §1-212. Payment for copies of documents may be made as itemized on the Town's FOIA fee schedule. Generally, the fees for copies of records shall be \$.50/page. If a member of the public chooses to use a cell phone or hand- held scanner for copies, the member shall be charged \$20.

Payment must be received in the Town Clerk's Office prior to the release of the documents. Fees will be waived if the requester can show an inability to pay due to indigence

10. Records that are exempt from disclosure under Connecticut General Statutes §1-210(b) and other applicable federal and state laws will not be produced. However, a record that contains exempt or confidential information may be produced if the redaction of such exempt or confidential information will protect the privacy rights at issue.

11. These procedures apply to both paper and electronic records.

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