

September 27, 2007

Letter sent to Municipal and Provincial Heads of Institutions

Dear -----:

Over the past 6 years we have phased in a more interactive approach to mediation under the *Freedom of Information and Protection of Privacy Act* and the *Municipal Freedom of Information and Protection of Privacy Act* (the *Acts*). We are delighted to report that participating parties have advised that this interactive model has resulted in more mediation successes and more satisfying and effective results overall.

This approach allows the mediator to facilitate a process where the parties speak to each other face to face or through teleconference. As well, a decision maker or a representative who has quick access to the decision maker is present during the mediation. Previously, we had used a shuttle mediation model where the mediator spoke to the Freedom of Information Coordinator and the appellant separately, and shuttled back and forth between them.

I am writing to advise you that starting January 2, 2008, the more interactive approach will become the way we conduct mediation at the IPC under the *Acts*. Of course the mediator will continue to exercise his/her discretion, in consultation with the parties, for particular appeals where this process may not be beneficial; however, for the majority of appeals this will be our method of mediating.

By way of background, in co-operation with the Ministry of Attorney General, and then the Ministry of Environment and the Ministry of Natural Resources, we developed and refined this more interactive mediation model, and during the past two years we have rolled it out to more and more institutions on a case by case basis.

We view this change as a very important management initiative affecting all Provincial and Municipal institutions who participate in mediation under the *Acts*. Therefore, we have invested in training and development products available to institutions participating in our mediation process. We have developed a training video, a tool kit available in hard copy as well as on line together with a half day training session. The training session titled *Get Together – Win Together – Mediation at the IPC* incorporates our video, which discusses processes and best practices. As well, during the session participants will have the opportunity to identify challenges and brainstorm solutions, clarify roles and responsibilities and review supports available.

We have held a number of training sessions and will continue to offer training sessions throughout the year. We will also have an information table at the upcoming Access and Privacy Workshop where individuals who are interested could sign up for training. However, in the meantime, if you are interested in arranging a training session for your staff, please feel free to contact Mona Wong, Manager of Mediation at 416-326-3905 or Frances Soloway, Mediator at 416-326-0002.

I am confident that with this move to using a more interactive approach as our method of mediating, we will have many more successes in resolving appeals.

Yours truly,

A handwritten signature in black ink, appearing to read "B. Beamish". The signature is fluid and cursive, with a large initial "B" and a stylized "Beamish".

Brian Beamish
Assistant Commissioner (Access)

cc: Freedom of Information Co-ordinator