

**OLDS COLLEGE
POLICIES AND PROCEDURES MANUAL**

CATEGORY: **A. General**

SUBJECT: **Olds College Access and Protection of Privacy**

POLICY NUMBER: **A18**

CROSS-REFERENCE: **Freedom of Information and Protection of Privacy Act
(Alberta Regulation 200/95 with amendments up to and
including Alberta Regulation 161/98)
Olds College Records Management Policy**

APPROVALS New/Revision

Board of Governors	Academic Council	Academic Coordinating Committee	Human Resources, Finance & Facilities	Executive Committee
Date: 98/11/26	Date:	Date:	Date: 98/11/09	Date:

POLICY STATEMENT

In 1993, the Alberta government drafted a Freedom of Information and Protection of Privacy Act. The current Act was passed by the Legislature in June, 1994 and came into effect on October 1, 1995. Local public bodies, such as post secondary institutions in the Province, will be required to adhere to the regulations set out in the Act as of September 1, 1999.

Olds College, as a post secondary institution in the Province of Alberta, will adhere to the five basic principles and objectives of the Freedom of Information and Protection of Privacy Act. It will support a culture of openness, accessibility and accountability for the privacy of the individuals whose information we collect and hold confidential.

The five principles are:

1. The public has the right to access records held by local public bodies (fundamental principle); access is not unlimited, the Act specifies the limited and specific circumstances when records cannot or may not be released.
2. The right of access is balanced by the need to protect the privacy of individuals.
3. Individuals have a right to copies of their own personal information.
4. Individuals can request that personal information which they believe contains errors or omissions be corrected.
5. An independent review by the Information and Privacy Commissioner can be requested for decisions about disclosure of information and the possible violation of an individual's privacy.

SPECIFIC GUIDELINES

As recommended and approved by the Olds College Board of Governors, the Head of this institution is responsible for ensuring compliance with this Act. The powers and duties of the Head may be delegated in writing to an officer or officers of the College.

The College shall appoint a Freedom of Information and Protection of Privacy Coordinator (FOIP Coordinator) who will be responsible for the coordination and implementation of activities as well as the processing of FOIP requests related to this legislation. The FOIP Coordinator will be an active member of the Provincial FOIP Network Committee.

The application of this Act shall not preclude the College from giving access to information in response to an oral request or in the absence of a request as long as the request coincides with that information which the College determines to be eligible for release under such conditions.

Delegation of Authority

The 'Head' of Olds College, with approval of the Board of Governors have approved the delegation of authority to the FOIP Coordinator (or designate) to receive, process and respond to all FOIP requests. The interpretation of the Act will be the responsibility of those who have the delegated authority and the 'Head' of the College.

The FOIP Coordinator and the 'Head' of the College (or designate) will represent the College at any enquiries or appeals conducted by the Information and Privacy Commissioner of the Province of Alberta.

Records

All Departments will be responsible for providing the FOIP Coordinator with the name of their designated records custodian, who will be responsible for adhering to the records management procedures defined within the Olds College Records Management Policy A19.

Alberta Directory of Records: The FOIP Coordinator will be held responsible for updating the submissions to the Directory (including all Personal Information Banks).

Collection of Personal Information

The FOIP Coordinator will ensure that all forms used for the purpose of collecting personal information will include:

- the legal authority for the collection
- the purpose(s) for which the information is to be used; and
- the address and telephone number of an employee who can answer questions about the collection.

It is recognized that the storage of this personal information is generally housed in a Personal Information Bank (PIB) such as the student information system, residence system, etc. The FOIP Coordinator will regularly liaise with the Information Systems Department to ensure appropriate security of the personal information is established and monitored. These security regulations will be the responsibility of Information Systems in consultation with the Registrar and/or designate.

Furthermore, the Business Services Department of Olds College will ensure that Purchasing, Duplicating Services and all other departments will not order or print any forms unless it has a declaration with the above information and has been authorized by the Department Manager.

Compliance and Monitoring Practices

Each department will be required to appoint a contact person who will act as the conduit for processing FOIP requests specific to their department. This contact person will differ from the records custodian appointed for each department. These two will work collectively in order to meet the deadlines for processing FOIP requests.

PROCEDURES

Receipt and logging of requests

All requests for access will be received by, or directed to the FOIP Coordinator. This will include requests referred to the College from any or all other government departments and/or agencies. Requests must be submitted:

- in writing
- on the appropriate Olds College forms (Request for Information; Request to Correct Personal Information)
- provide complete details about the information sought
- each request must be accompanied by a \$25.00 administrative fee (as per Addendum A)
- each request from a third party for personal information will be required to pay an additional \$25.00.

Upon the receipt of the request, the person making the enquiry will be contacted by the FOIP Coordinator to clarify the request and/or determine if the information requested can be provided orally. If this is the case, there will be no fee levied for the request. If the request cannot be answered through normal channels, the FOIP Coordinator will inform the individual making the request of the deadlines for the response and an estimated fee levied for the service.

All the requests will be logged by the FOIP Coordinator from the date and time of receipt through to release of the information or decision regarding the request.

All FOIP related fees are set and included in Addendum A (attached).

The FOIP Coordinator will utilize the 'Master File Checklist'; 'Locating Records Checklist'; 'FOIP Fees Estimate Worksheet'; 'Time Tracking Worksheet', and the 'Document Log and Detailed Review' sheet, as provided in the FOIP Policy Manual, when processing a request. (Attached Schedules B-F)

Approval for Release

The 'Head' for Olds College will review the request, the information retrieved, and the recommendation for the release of the information in consultation with the FOIP Coordinator and initial the documentation as 'Approved'.

Release of Information

The FOIP Coordinator will notify the individual making the request for the release of information and/or the decisions made with respect to the request in writing. If access is to be provided, the information will be provided in a secure environment; ensuring privacy of the individual.

In the case of a request denial, the FOIP Coordinator will prepare the appropriate letter for the signature of the 'Head' and the FOIP Coordinator.

The notification to the individual making the request for release or denial, along with any records to be released, will be sent within the 30-day limit for response [Sec.10(1)] from the date and time of receipt by the College. Appropriate extension of time required to respond may be considered as per Section 13 (1). The individual will be advised of the extension as per Section 13(2) of the Act. If a request has been transferred from another public body to Olds College, Olds College will make every reasonable effort to respond to the request not later than 30 days after receiving the request [Sec. 14 (1)(2)].

Reading Room

The Olds College FOIP Coordinator will provide an appropriate environment for the site of its Reading Room as stipulated under the Act. The area will provide the public with the applicable Act and its Regulations, Directories, Freedom of Information Policy Manual, College calendar, Annual Report, and other materials or records pertinent to the request.

IMPLEMENTATION AND ADMINISTRATIVE RESPONSIBILITY

This policy is effective January 4, 1999. Originator: FOIP Coordinator
Policy review/update required: Annually by the Head and FOIP Coordinator.