



Policy

Title: Freedom of Information and Protection of Privacy (FOIP)

Policy Statement:

Northern Lakes College, as a post-secondary institution of the Province of Alberta, will adhere to the five basic purposes or principles 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.

Approved: Original copy signed by the Chair of the Board
(Daniel Vandermeulen, Chair of the Board)

December 15, 2016
(Date)

Sponsorship: Governance

To Be Reviewed: December 15, 2021

Review and Revision Date(s):

First Approval Date: December 15, 2016

Stakeholders Consulted (Date):

Senor Leadership Team – September 6, 2016;
Employees Management Advisory Committee – December 16, 2015;
Operations Committee – October 13, 2015.

Reference to other Documents:

Alberta Freedom of Information and Protection of Privacy Act; Alberta Post-Secondary Learning Act; Access to Information Procedure; Protection of Privacy Procedure.

Definitions:

Act means Freedom of Information and Protection of Privacy Act.

College means to Northern Lakes College.

The **Head** means the President and Chief Executive Officer.

Purpose:

The purpose of the policy is to ensure Northern Lakes College complies with the Freedom of Information and Protection of Privacy Act in accordance with the following principles:

1. To allow any person a right of access to the records in the custody or under the control of the College subject to limited and specific exceptions set out in the Act.
2. To control the manner in which the College may collect personal information from individuals; to control the use made of the information and the disclosure by the College of that information.
3. To allow individuals, subject to limited and specific exceptions set out in the Act, a right of access to personal information about themselves held by the College.
4. To allow individuals a right to request corrections to personal information about themselves held by the College.
5. Provide the ability to the applicant for an independent review of decisions made by the College under the Act.

Guidelines:

1. The FOIP Act authorizes the head of Northern Lakes College to delegate, in writing, to any person any duty, power or function of the Head under this Act, except the power to delegate.
2. The College shall appoint a Freedom of Information and Protection of Privacy Coordinator (FOIP Coordinator) who will be responsible for processing of FOIP requests related to this legislation. The FOIP Coordinator will be an active member of the Provincial FOIP Network Committee.
3. In the case of privacy protection, the responsibilities center on the collection, handling and protection of personal information. The privacy delegation is essentially an assignment of responsibility and accountability for assuring that a wide range of management activities in regard to the collection, accuracy, protection, use, disclosure and retention of personal information are carried out in accordance with the requirements set out in Part 2 of the Act.

A. Delegation of Authority

The 'Head' of Northern Lakes College, with approval of the Board of Governors, has approved the delegation of authority to a FOIP Coordinator (or designate) to receive, process and respond to all FOIP requests as per the Delegation and Assignment of responsibility Table.

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.

B. Records

- i. Records created by an employee of Northern Lakes College as defined by the FOIP Act are under the authority of Northern Lakes College.
- ii. Alberta Directory of Records: The FOIP Coordinator will be held responsible for updating the submissions to the Directory.

C. Protection of Privacy

- i. Information security will be governed by the Protection of Privacy Procedure, Delegation of Authority: Financial Resources Policy, Delegation of Authority: Human Resources Policy, Delegation of Authority: Information and Technology Policy, Delegation of Authority Matrix, Management of Student Records / Information Procedure, and the Collection Development Procedure of Northern Lakes College.
- ii. In the case of privacy protection, the responsibilities center on the collection, handling and protection of personal information. The privacy delegation is essentially an assignment of responsibility and accountability for assuring that a wide range of management activities in regard to the collection, accuracy, protection, use, disclosure and retention of personal information are carried out in accordance with the requirements set out in Part 2 of the Act. A delegation of Authority is attached as Appendix A in this policy.
- iii. All breaches of privacy of a person(s) that occur by an employee of Northern Lakes College will be reported immediately to the FOIP Coordinator of the College and the Head of the College.

D. Compliance and Monitoring Practices

- i. Each department will be required to appoint a contact person who will act as the conduit for processing FOIP requests in collaboration with the FOIP Coordinator specific to their department.
- ii. The FOIP Coordinator will ensure that every document that requests personal information will have a statement that identifies the FOIP Act as the governing legislation and provides contact information for the FOIP Coordinator.

- E. Delegation and Assignment of Responsibility Table.
- i. The Northern Lakes College President and Chief Executive Officer is the head for the purposes of the FOIP Act, as appointment by the Board of Governors.
 - ii. The Head may at any time and without further notice override this Delegation Table, make decisions and carry out actions under the authority given to the Head under this Act.
 - iii. In the event of the absence or incapacity of the official to which authority has been delegated, the delegation of authority passes to the person acting for that official.
 - iv. There is a substantial difference between delegations related to freedom of information and those related to protection of privacy.
 - v. In the case of freedom of information, the delegations relate mostly to the processing of an access request and the decision of whether or not to release all or part of a record. Delegated authority empowers certain officials and employees to make decisions or take action in regard to this process.
 - vi. In the case of privacy protection, the responsibilities center on the collection, handling and protection of personal information. The privacy delegation is essentially an assignment of responsibility and accountability for assuring that a wide range of management activities in regard to the collection, accuracy, protection, use, disclosure and retention of personal information are carried out in accordance with the requirements set out in Part 2 of the Act.
 - vii. It is the responsibility of the persons indicated in a Delegation Table to perform decision-making duties or functions of the Head or carry out responsibilities of the College under the FOIP Act with respect to their areas of responsibility.
 - viii. Changes to the Delegation and Assignment of Responsibility Table must be approved by the Northern Lakes College Head.