



Freedom of Information and Protection of Privacy (FOIP) Policy

This document is the parent policy for any College procedures or regulations. Questions regarding this policy are to be directed to the identified Policy Administrator.

Policy Statement:

Northern Lakes College is a public body pursuant to the *Freedom of Information and Protection of Privacy Act (Alberta)* (“the Act”) and, therefore, its collection, use, disclosure, and protection of personal information is governed by the Act. The Policy will support a culture of information openness and accessibility, and accountability for the privacy of the individuals whose information we collect.

Sponsor:	Governance
Policy Owner:	Board of Governors
Policy Administrator:	FOIP Coordinator
Approved By:	Board of Governors
Approval Date:	January 20, 2022
Effective Date:	January 20, 2022

Objective:	<p>The purpose of the Freedom of Information and Protection of Privacy Policy is to ensure that actions by members of the College community are consistent and lawful with regard to the collection, use, disclosure, and protection of personal information stored within records under the custody and control of the College and created or generated during the course of College operations.</p> <p>This Policy serves to communicate standards under the Act which comprises of five key principles:</p> <ol style="list-style-type: none"> 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. To provide an independent review of decisions made by the College under the Act.
Guidelines:	<p>Responsibilities</p> <ol style="list-style-type: none"> 1. Under the Act, the President & CEO has been appointed as the designated ‘Head’ of the local public body (the College). The President & CEO is ultimately responsible for College implementation and adherence to the Act. 2. The President & CEO can and has the authority to delegate the day-to-day operational issues to the Freedom of Information and Protection of Privacy

Coordinator.

3. The College shall appoint a Freedom of Information and Protection of Privacy Coordinator (FOIP Coordinator) who will be responsible for processing of formal information (FOIP) requests related to this legislation.
4. The FOIP Coordinator and the 'Head' of the College will represent the College at any inquiries or appeals conducted by the Office of the Information and Privacy Commissioner of the Province of Alberta.
5. Employees are responsible for understanding their obligations and responsibilities, for their adherence to the Act, and for completing the required training on an annual basis.
6. Managers are responsible for ensuring departmental work practices adhere to the Act.
7. Operating units are the custodians of College information. Therefore, all employees are responsible for adhering to the Freedom of Information and Protection of Privacy Policy.

A. 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. Directory of Personal Information Banks: According to Section 87 of the Act, public bodies must maintain a directory that lists the personal information banks belonging to that organization. Department managers are responsible to report to the FOIP Coordinator the Personal Information Banks in their work unit for inclusion in the College's directory. The FOIP Coordinator will be responsible for updating and publishing the directory.

B. Protection of Privacy

- i. Information security will be governed by the Protection of Privacy Procedure, 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 Acceptable Use of Information Technology Regulation.
- ii. In the case of privacy protection, the responsibilities centre 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.
- iii. All information privacy breaches that occur by an employee of Northern Lakes College will be reported immediately to the FOIP Coordinator and the 'Head' of the College.

C. Freedom of Information

- i. Access to information will be governed by the Access to Information Procedure.
- ii. In the case of freedom of information, the responsibilities centre mostly on the processing of a formal access request and the decision of whether or not to release all or part of a record.

	<ul style="list-style-type: none"> iii. Each department will be required to appoint a contact person who will act as the conduit for processing formal information requests, specific to their department, in collaboration with the FOIP Coordinator. <p>D. Notification Practices</p> <ul style="list-style-type: none"> i. Department managers 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 a department representative or the FOIP Coordinator. All FOIP notification statements are to be approved by the FOIP Coordinator. <p>E. Delegation and Assignment of Responsibility</p> <ul style="list-style-type: none"> i. The Northern Lakes College President and CEO 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, 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 delegation of responsibility as related to freedom of information and those related to protection of privacy. v. It is the responsibility of the person(s) indicated in the Delegation of Authority Matrix to perform decision-making duties or carry out responsibilities of the College under the FOIP Act with respect to their areas of responsibility.
<p>Definitions:</p>	<p>Act means the Freedom of Information and Protection of Privacy Act.</p> <p>College means Northern Lakes College.</p> <p>The Head means the President and Chief Executive Officer.</p> <p>Personal information means recorded information about an identifiable individual, including those points in Section 1 (n) of the Act.</p>
<p>Related Northern Lakes College Documents:</p>	<p>Governance - Delegation of Authority: Information and Technology Policy Human Resources – Delegation of Authority: Human Resources Policy Human Resources – Employees Code of Conduct Policy Academic - Management of Student Records / Information Procedure Governance – Access to Information Procedure Governance – Protection of Privacy Procedure Governance - Delegation of Authority Matrix Information Technology - Acceptable Use of Information Technology Regulation Northern Lakes College Personal Information Bank</p>
<p>Related External Information:</p>	<p>Post-secondary Learning Act Freedom of Information and Protection of Privacy Act</p>
<p>Stakeholders Consulted:</p>	<p>Employee Management Advisory Committee: Dec 16, 2015; Dec 14, 2021 Operations Committee: Oct 13, 2015 (defunct) Senior Leadership Team: Sep 6, 2016</p>

	Information Technology Services: Nov 8, 2021 Human Resources Services: Nov 9, 2021 Student Services: Nov 10, 2021 Finance Services: Nov 10, 2021 President’s Advisory Committee: Jan 11, 2022
Next Review Date:	January 21, 2027
Revision History:	December 15, 2016: New February 24, 2020: New template January 20, 2022: Edit of purpose statement, update to reflect Act, general housekeeping.