

170 FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

Background

The *Freedom of Information and Privacy Act*, which was passed by the province of Alberta on October 1, 1995, was extended to apply to school boards on September 1, 1998. The legislation aims to strike a balance between the public's right to know and the individual's right to privacy, as those rights relate to information held by public bodies in Alberta.

The Division will manage information in manner that supports the Board's commitment to providing the public with access, with only a limited number of specific exceptions, while protecting the personal privacy of the individual in accordance with provincial legislation.

The purposes of FOIP and Division administrative procedures are to:

1. Allow any person a right of access to the records in the custody or under the control of the Division subject to limited and specific exceptions as set out in the Act,
2. Control the manner in which a public body may collect personal information from individuals, to control the use that the Division may make of that information and to control the disclosure by the Division of that information,
3. Allow individuals, subject to limited and specific exceptions as set out in the Act, a right of access to personal information about themselves that is held by the Division,
4. Allow individuals a right to request corrections to personal information about themselves that is held by the Division and,
5. Provide for independent reviews of decisions made by the Division under the Act and the resolution of complaints under the Act

Procedures

1. The Superintendent has been designated by the Board as Head of Canadian Rockies School Division in accordance with the provisions of the *Freedom of Information and Protection of Privacy Act* and is responsible for ensuring that the Division complies with the provisions of the Act.
2. The Secretary-Treasurer has been designated as Coordinator in accordance with the provisions of the *Freedom of Information and Protection of Privacy Act* and is responsible for the overall management of the Act.

3. The Division shall prepare and make available to the public an information directory and corporate records file manual, which would provide a general listing of the records in its custody or under its control.
4. No personal information will be collected unless its collection is specifically authorized by provincial legislation or is necessary for an operating program or activity of the Division.
5. The Division may use or disclose personal information only for the purpose for which it was collected or compiled, or for a use consistent with that purpose, or if the individuals the information is about has identified the information and consented to its use, or for the purpose referred to in sections 30, 40 or 41 of the *Freedom of Information and Protection of Privacy Act*.
6. The Division has a duty to maintain accurate and complete personal information when that information is used to make a decision about the individual. The Act permits an individual to correct an error or omission that has been made on their personal information.
7. All publications, following their release, will be made available in the Division office for review by members of the public, or through free initial distribution, or on the Division's home page on the Internet.
8. Databases and data files are considered to be records and will be treated as such.
9. Persons requesting information shall first contact either the schools or Division office, whichever is responsible for creating or maintaining the information in question. The records management system may be reviewed to assist in locating readily available accessible information, documents or contact persons.
10. If the requested information is not readily available, then the person may attempt to access the information through the *Freedom of Information and Protection of Privacy Act* through application to the Superintendent who is the designated Head.
11. Request forms for application to the Superintendent are available from all schools and the Division office.
12. When fees are to be paid under the *Freedom of Information and Protection of Privacy Act*, the rates adopted by the Government of Alberta shall be the rates used by Canadian Rockies School Division.

References

Section 33,52,53,65,68,197,222 Education Act
FOIPP Act
FOIP Regulation 200/95

History

Developed: August 2003
Amended: January 2020