



## Medicine Hat College Procedure FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

Procedure #: PR-GA-04-01  
Procedure Authority: Executive Advisor and Government Liaison  
Executive Sponsor: President and CEO  
Approved by: President and CEO  
Effective Date: May 22, 2019

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### 1. PURPOSE

This procedure provides direction on the process to be followed for the consistent and lawful disclosure of personal information in accordance with the *Freedom of Information and Protection of Privacy (FOIP) Act of Alberta (Act)*.

### 2. SUPPORTING

- **GA-04** Freedom of Information and Protection of Privacy (the **Policy**)

### 3. DEFINITIONS

All terms used throughout these procedures that are not otherwise defined herein shall have the meanings ascribed to as such under the Policy.

- **Personal Information Bank:** a collection of personal information that is organized or retrievable by the name of an individual or by an identifying number, symbol or other particular assigned to an individual.

### 4. PRACTICE

4.1 This standard practice is established in compliance with the *FOIP Act of Alberta*:  
“An applicant has a right of access to any record in the custody or under the control of a public body, including a record containing personal information about the applicant”.

4.2 The right of access to a record does not extend to information excepted from disclosure under Division 2 of this Part [of the FOIP Act], but if that information can reasonably be severed from a record, an applicant has a right of access to the remainder of the record.

4.3 The right of access to a record is subject to the payment of any fee required by the regulation. [FOIP Act Sec 6 (1) to (3)].

## 5. PROCEDURE

The FOIP Act is in addition to and does not replace any existing procedures for access to information or records. A request for information which cannot be answered through any existing procedures becomes a formal access request.

A formal access request received anywhere on campus shall be directed to the Information and Privacy Coordinator (FOIP Coordinator) immediately. The following process applies

- (a) The FOIP Coordinator will receive the written request and the application fee.
  - \$25 for general information requests.
  - No fee will be required for access to the applicant's own information.
- (b) The FOIP Coordinator will, if required, assist the applicant in clarifying the request and ensure that the appropriate records are named.
- (c) The FOIP Coordinator will determine who has custody of the records requested, will contact the appropriate staff member(s) in control of the records and will determine the volume and complexity of files to be retrieved.
- (d) The FOIP Coordinator will estimate the fee for services as per the Alberta Freedom of Information and Protection of Privacy Regulations and present the estimate to the applicant.
- (e) The FOIP Coordinator will review the records to determine what should be released, what the institution must refuse to disclose and what it may choose to refuse to disclose and if necessary, will consult with the Dean / Director responsible for the record for this determination. If the records deal with information of third parties (either corporate or individual), the FOIP Coordinator will send out the required third party notification.
- (f) The FOIP Coordinator will prepare a package for access. It will include reasons for refusals and the provision of the Act on which refusals are based. It will also include any third party representations.
- (g) The FOIP Coordinator will prepare the records for disclosure, and if required, will share results with the Communications department if there is any reasonable expectation that the information could be in the media.
- (h) The FOIP Coordinator will collect the balance of the fees owing and either provide copies of the records or opportunity to examine the original records as required. The applicant will also be notified that they may ask for a review of that decision by the Information and Privacy Commissioner of Alberta or an adjudicator appointed by the Commissioner.
- (i) Every effort will be made to comply with the 30 day timeline specified in the FOIP Act. Extensions will be made in consultation with the applicant and in compliance with the FOIP Act.

- (j) The FOIP Coordinator shall document all requests for information as well as inquiries of clarification and will report on these annually to the Board of Governors Finance and Audit Committee.
- (k) The main FOIP Disclosure Statement that it is to be used on all college documents (which collect private information and a FOIP disclosure statement is required) is as follows:

*The personal information requested on this form is collected under the authority of the Post-secondary Learning Act and Section 33(c) of the Alberta Freedom of Information and Protection of Privacy Act and will be protected under Part 2 of that Act. The information collected will only be used for the purposes of delivery and administration of educational training and services. Questions concerning the collection, use or disposal of this information should be directed to the FOIP Coordinator, Medicine Hat College, 299 College Drive SE, Medicine Hat, AB, T1A3Y6, or 403-529-3800 or [foip@mhc.ab.ca](mailto:foip@mhc.ab.ca).*

The statement may be amended for specific purposes with the prior authorization of the FOIP Coordinator.

- (l) The FOIP Coordinator shall work with all departments of the college to maintain the Personal Information Bank Directory as required by Section 87.1 of the Act and shall have it published either in print or electronic format.

**ORIGINAL COPY SIGNED**

Kevin Shufflebotham  
President and CEO

Date: May 22, 2019

**DOCUMENT HISTORY**

April 2017	Procedure approved
January 2018	Minor amendment approved
May 2019	Revised procedure approved