



Medicine Hat College Policy FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

Policy #:	GA-04
Policy Authority:	Executive Advisor and Government Liaison
Executive Sponsor:	President and CEO
Approved by:	President and CEO
Effective Date:	May 22, 2019
Next Mandatory Review Date:	May 22, 2024
Frequency of Review:	Every 5 years

1. POLICY OBJECTIVE

The purpose of this policy is to ensure that actions taken by members of the Medicine Hat College (MHC) community are consistent and lawful with regard to the collection, use, disclosure, and protection of personal information relating to MHC, in accordance with the *Freedom of Information and Protection of Privacy (FOIP) Act of Alberta (Act)*.

2. POLICY SCOPE

This policy applies to all members of the Medicine Hat College Community and members of the general public who want to access information under the *FOIP Act*.

3. DEFINITIONS

- **Designated Head of Public Body:** the President and CEO of MHC.
- **FOIP Act (the Act):** the Freedom of Information and Protection of Privacy Act.
- **FOIP Coordinator:** the position appointed by the designated head of the public body that is responsible for the overall management of its access to information and protection of privacy functions and responsibilities.
- **Information & Privacy Commissioner:** the individual appointed by the Lieutenant Governor as specified in Part 4 of the Act.
- **MHC or the College:** Medicine Hat College.
- **MHC College Community:** members under this Policy includes but is not limited to the following
 - (a) **Employee:** any person who is employed by MHC or who provides services to MHC under an employment contract.
 - (b) **Student:** any person enrolled in study at MHC.
 - (c) **Volunteer:** any person performing work for MHC in an unpaid capacity who has access to personal information of others.

- (d) Contractor: an individual or company (and its employees) who provides services to MHC under a service contract (i.e. a non-employee-employer relationship) who has access to personal information of others.
- (e) Community Member: any person working in collaboration with MHC for a business or an academic purpose, or a visitor to campus.

- **Personal Information:** recorded information about an identifiable individual, including those points in Section 1(n) of the Act.
- **Public Body:** an educational body.

4. PRINCIPLES

- 4.1 To allow access to any person to the records in the custody or control of a public body subject only to limited and specific exceptions.
- 4.2 To control the manner in which a public body may collect personal information; to control the use that a public body may make of that information; and to control the disclosure by a public body of that information.
- 4.3 To allow individuals, subject to limited and specific exceptions, the right to have access to information about themselves which is held by a public body.
- 4.4 To allow individuals the right to request corrections to information about themselves held by a public body.
- 4.5 To provide an independent review of decisions made by the public body under the legislation.
- 4.6 MHC is committed to respecting the privacy of the Medicine Hat College Community.
- 4.7 The college, pursuant to the Act, may charge a fee for FOIP requests. Any fees charged for services shall be in accordance with the guidelines provided within the Alberta Freedom of Information and Protection of Privacy Regulations.
- 4.8 MHC recognizes the seriousness of failure to meet both the statutory privacy and information management requirements set by the Act and relies on all employees to maintain compliance. Violations of the policy and/or the Act will be subject to disciplinary measures by the college commensurate with the seriousness of the violation, up to and including termination for cause. The individual could also be held liable by the Information & Privacy Commissioner.

5. RESPONSIBILITIES

5.1 The **President and CEO**

- (a) Under the Act, the President and CEO of MHC has been appointed as the designated head of the local public body (MHC). The President and CEO is ultimately responsible for MHC's implementation and adherence of the Act.

- (b) The President and CEO, can and has the authority to delegate the day to day operational issues to the FOIP Coordinator.

5.2 The **FOIP Coordinator** is responsible for MHCs implementation and adherence of the Act on behalf of the President and CEO.

5.3 **Employees** are responsible for

- (a) understanding their obligations and responsibilities, and their adherence to the Act, and
- (b) completing the required training on an annual basis.

5.4 **Volunteers (e.g. assistant coaching staff)** are responsible for

- (a) understanding their obligations and responsibilities, and their adherence to the Act, and
- (b) completing the required training on an annual basis.

6. APPLICABLE LEGISLATION/REGULATIONS

Freedom of Information and Protection of Privacy Act

Post-secondary Learning Act

Freedom of Information and Protection of Privacy Regulations

7. RELATED POLICIES

1.4: Retention of Student Records: Graded Course Materials

8.3: Information Technology, Email Communication Standard

8.13: Video Surveillance and Use of Recorded Images

Board EL-2: Treatment of People

8. RELATED PROCEDURES

PR-GA-04-01: Freedom of Information and Protection of Privacy

ORIGINAL COPY SIGNED

Kevin Shufflebotham
President and CEO

Date: May 22, 2019

DOCUMENT HISTORY

April 2017 Policy approved

May 2019 Revised policy approved