

Policy

Freedom of Information and Protection of Privacy

Policy No.:	4168
Department:	Administration
Authority:	Council
Current Approved Date:	September 8, 2009

Policy Statement:

As a public sector organization, Lamont County is subject to the Alberta Freedom of Information and Protection of Privacy Act (the

- o Securely maintaining records to protect the privacy rights of persons about whom Lamont County collects and maintains records
- o Preventing the unauthorized collection, use, or disclosure of personal information
- o Continuing to provide routine information to the public, with the exemption of personal information, which may be released only to the individuals about whom the information relates, or to other parties with an individual's written consent.
- o Providing the public with the right of access to, and a right to request correction of personal information about themselves.
- o Withholding from disclosure certain records as specified in the Act.

Purpose:

The purpose of this policy is to:

- o Ensure compliance with the Alberta Freedom of Information and Protection of Privacy Act.
- o To reduce the County's liability and risk of litigation due to inappropriate handling of information.
- o Protect the County's reputation.

Related Documents & Legislation:

Lamont County Policies:

- o Policy 4169, Records Management

Legislation:

- o Alberta *Freedom of Information and Protection of Privacy Act*

Definitions:

Lamont County Internal Use

Lamont County Internal Use is information that is available to authorized users and is not routinely disclosed. By default, data is Lamont County Internal Use until it is assessed and otherwise classified.

Confidential Information

Confidential Information is material that is sensitive County information and is available to authorized users only.

Formal FOIP Request

A formal Freedom of Information and Protection of Privacy request is a request for access to Lamont County information that involves records that are not routinely available to the public, or a request for personal information about someone other than the requestor. A formal FOIP request falls within the provisions of the Alberta *Freedom of Information and Protection of Privacy Act* .

Informal Information Request

An informal information request is a request for routine or public Lamont County information, such as an employee requesting to view their employee record, a member of the public requesting copies of the minutes of a Council meeting, or a ratepayer requesting a copy of a specific County policy.

Personal Information

Personal information is information that contains sensitive personal information and is available to authorized users only. A formal FOIP request is required for non-routine disclosure.

Privacy Impact Assessment (PIA)

A Privacy Impact Assessment (PIA) is an assessment that is conducted to determine if an existing or new enactment, information system, project or program meets the privacy protection requirements of the Act.

Public Information

Public information is information that is available to the general public and is routinely disclosed.

Records

Records are information created, received, and maintained as evidence in the transaction of business or in the pursuance of legal obligations that holds operational, legal, fiscal, vital or historical value to the County regardless of media.

Requestor

A requestor is the person seeking Lamont County records.

Other Information:**Personal Information Handling****Collection and Use**

Lamont County establishes the minimum personal information needed for program delivery and only collects and uses this amount. Lamont County notifies the individuals of the purposes and uses for collecting their personal information and the authority by which it is collected. When the use extends beyond the minimum needed, Lamont County obtains written consent.

Personal information may be exchanged between Lamont County departments on a need-to-know basis as part of the regular duties of employees and contractors, provided it is only used for the purpose for which it was collected.

Disclosure and Correction

Lamont County recognizes the rights of individuals to correct the personal information about them and facilitates those rights by:

- o Providing individuals access to their personal information
- o Responding to requests to correct factual information about individuals, and
- o Preventing the disclosure of personal information to unauthorized parties or persons.

Personal information disclosure is in accordance with the Alberta *Freedom of Information and Protection of Privacy Act* .

Information Requests

Informal

Individuals, including Lamont County employees, contractors, and the public routinely make informal information requests. When appropriate, Lamont County makes records available to the requestor or the general public through documented procedures and routine avenues such as providing information over the telephone, website, or at service counters.

Formal

Formal FOIP requests are only required when the requested record is not available through routine channels or when the information contained in the record does not constitute public information.

Compliance

Failure to comply with this policy may result in disciplinary action, which may include the suspension or dismissal of the employee or contractor.

Duties & Responsibilities:

CAO

The CAO, as the designated head of Lamont County, makes the final decision on any formal FOIP request.

Records Manager and FOIP Coordinator

The Records Manager and FOIP Coordinator is responsible for:

- o Assuring privacy protection in new or revised Lamont County processes
- o Responding to privacy complaints and formal FOIP requests
- o Determining the appropriateness of fee charges for formal FOIP requests
- o Ensuring that personal information repositories (paper and electronic) are reviewed periodically using a Privacy Impact

Assessment tool

- o Training and advising employees and contractors regarding FOIP

Lamont County Employees and Contractors

Lamont County employees and contractors are responsible for:

- o Understanding and complying with the FOIP Act in the delivery of services and programs
- o Providing adequate security to prevent unauthorized access, collection, use, disclosure, or improper disposal of Lamont County

Internal Use, Confidential, and Personal information

- o Obtaining permission from the Records Manager and FOIP Coordinator to collect personal information
- o Assisting the Records Manager and FOIP Coordinator if required in the event of a formal FOIP request
- o Submitting formal FOIP requests to the Records Manager and FOIP Coordinator immediately upon receipt

For more information, refer to Procedure 4102-ADM, FOIP.

Procedures Associated With This Policy:

Procedure 4XXX-ADM, FOIP

Procedure 4XXX-ADM, Records Management

Forms Associated With This Policy:

Refer to Procedure 4XXX-ADM, FOIP

Amendment History:

09-345

Scheduled Review Date:

September 2011