

1.0 ASSOCIATED POLICY

- Privacy Policy

2.0 DEFINITIONS

Access to Information Request

An Access to Information Request is a formal process through which individuals can seek access to records held by the University.

Applicant

A person who, personally or through an authorized representative, submits a formal access request for records and may include a Member of the University Community.

Office of Record

The University department or business unit that is responsible for maintaining a University record;

Personal Information

Recorded information about an identifiable individual as defined under the FOIP Act which includes but is not limited to an individual's name, age, ID number, ethnic origin, financial information biometric information, medical history, or an opinion about the individual.

Record

Recorded information in any form which includes any notes, images, audio-visual recordings, documents, videos, text messages, social media posts, and any other information that is written, photographed, recorded or stored in any manner, but does not include software or any mechanism that produces records.

3.0 PROCEDURE ELEMENTS

3.1 Access to Records Without a Formal Request

- 3.1.1 An individual may contact a relevant University department to request access to Records.
- 3.1.2 Upon receiving a request to access records, the relevant decision maker in the Office of Record shall determine whether to grant access within a reasonable amount of time.
- 3.1.3 Decisions to provide access or deny access should be communicated to the requestor in writing.
- 3.1.4 In order to grant access to Records, the relevant decision maker in the Office of Record must determine that disclosure of the Record:
 - 3.1.4.1 is in accordance with University policy;
 - 3.1.4.2 is not contrary to any enactment of Alberta or Canada;
 - 3.1.4.3 is consistent with the purpose for which the personal information was collected or created;

3.1.4.4 is made to an appropriate individual, which may require the individual to provide proof of identity or authority; and

3.1.4.5 it would not be an unreasonable invasion of an individual's privacy.

3.1.5 If access to information is denied, the individual can file a formal Access to Information Request under the *Freedom of Information and Protection of Privacy Act*.

3.2 Formal Access to Information Requests

3.2.1 Access to Information Requests may be made as a point-in-time request or on a continuing basis, which will be processed more than once at predetermined intervals over a period of up to 2 years.

The Information and Privacy Office Lead will decide whether to accept or deny a Continuing Request.

3.2.2 Access to Information Requests must contain enough detail to identify the Records being requested, including the date range, proof of identity or authority of the Applicant where Personal Information is being requested, and be accompanied by the following initial processing fee:

3.2.2.1 for an Access to Information Request for an Applicant's own Personal Information, no initial processing fee will apply;

3.2.2.2 for all other point-in-time Access to Information Requests, the initial processing fee will be \$25.00; and

3.2.2.3 for all other continuing Access to Information Requests, the initial processing fee will be \$50.00.

3.2.3 The following additional processing fees apply upon the acceptance of the request by the Information and Privacy Office:

3.2.3.1 for an Access to Information Request for an Applicant's own Personal Information, the cost of producing a copy of the records applies when those fees exceed \$10.00.

3.2.3.2 for all other point-in-time Access to Information Requests, when the cost of processing the Request exceeds \$150.00, a 50% deposit is required, with the remaining balance due upon completion of processing.

3.2.3.3 for all other continuing Access to Information Requests, additional cost may apply as the information becomes available.

3.2.3.4 If an applicant is unable to pay the fees, they believe that there is a significant public interest in the records, or for other reasons of fairness, they can request a waiver of the fees. The Information and Privacy Office will assess the request and make the decision to waive the fees accordingly.

3.2.4 On determining completeness of an Access to Information Request, the Information and Privacy Office will initiate a call for records as follows:

- 3.2.4.1 a written call for Records will be issued to each applicable Office of Record to provide copies of all Records that are responsive to the Access to Information Request;
 - 3.2.4.2 once a written call for Records is issued, the Office of Record will not destroy, delete or alter a Record that is responsive to the request;
 - 3.2.4.3 upon the receipt of a call for Records, the Office of Record will conduct a search for the Records that are responsive to the request and, if located, forward copies of the Records to the Information and Privacy Office;
 - 3.2.4.4 if a large number of Records are being requested or must be searched, the Office of Record must contact the Information and Privacy Office to determine if a time extension under the FOIP Act is required or if additional processing fees apply;
 - 3.2.4.5 if the Office of Record believes another department may have responsive Records, they must contact the Information and Privacy Office as soon as possible so an additional call for Records can be initiated; and
 - 3.2.4.6 if no responsive Records are located, the Office of Record will inform the Information and Privacy Office.
- 3.2.5 The Information and Privacy Office will review the records provided and will:
- 3.2.5.1 assist an Applicant in clarifying or redefining an Access to Information Request to enable an adequate search for responsive Records;
 - 3.2.5.2 consult with an Office of Record on any concerns related to disclosure of Records;
 - 3.2.5.3 conduct all necessary consultations with third parties, including setting and communicating appropriate time extensions and notifications;
 - 3.2.5.4 apply any relevant exemptions and exceptions to the Records in accordance with the FOIP Act;
 - 3.2.5.5 inform the Applicant of the University's decision on disclosing the Records and any outstanding fees; and
 - 3.2.5.6 hold the final package of Records until all fees are paid.
- 3.2.6 The Information and Privacy Office will provide a response to Access to Information Requests within the timelines established under the FOIP Act.
- 3.2.7 If an Applicant is unsatisfied with the University's response to their Access to Information Request, the Information and Privacy Office will advise them of their right to contact the Information and Privacy Commissioner's Office within the 60-day review period.

4.0 RELATED POLICIES, PROCEDURES, FORMS AND OTHER DOCUMENTS

- Correction of Personal Information Procedure
- Legal Hold Procedure
- Managing Personal Information Procedure
- Management of Student Records and Information Policy
- Records Retention and Destruction Procedure
- Records Management Policy
- Use of Personal Information for Academic Research and Creative Activity Procedure

5.0 ACCOUNTABILITY

Responsible Office

Information and Privacy Office

6.0 HISTORY

Relevant Dates

Approved: **2024.08.27**

Effective: **2024.08.27**

Next Review: **2029.08**

Modification History

- 15.02.26:** This is a new procedure which supports policy D7500 – Privacy – approved by Board Motion 02-02-26-2014/15.
- 21.11.01:** Minor revision to update position title. Approved by Policy Sponsor.
- 24.08.27:** Comprehensively revised to ensure compliance with legislative requirements and alignment with current processes. Previously titled Access to Records and Correction of Personal Information Procedure. Approved by President’s Policy Committee (#2024.08.27-03.3 EC).