

## ACCESS TO INFORMATION PROCEDURE

This procedure is governed by its parent policy. Questions regarding this procedure are to be directed to the identified Procedure Administrator.

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| <b>Functional Category:</b>     | Operations  |
| <b>Parent Policy:</b>           | <i>Freedom of Information and Protection of Privacy (FOIP) Act Policy</i> |
| <b>Approval Date:</b>           | July 12, 2021   |
| <b>Effective Date:</b>          | July 12, 2021   |
| <b>Procedure Owner:</b>         | Vice President, Administration and Chief Financial Officer                |
| <b>Procedure Administrator:</b> | Manager, Compliance   |

### Overview:

NorQuest College (college) has an obligation to provide a right of access to the records in its custody and control, to comply with the *Alberta Freedom of Information and Protection of Privacy (FOIP) Act*. The college also has an obligation to allow individuals the right to access their own personal information and to request corrections to their personal information.

This procedure outlines the actions and expectations of members of the college community regarding access to information as defined by the FOIP Act.

Authority to establish this procedure is derived from the [NorQuest College Board of Governor's Policy No. 5](#), which delegates authority to the President and CEO to establish policies and procedures for the college's management and operation.

### Procedures:

An individual has a right of access<sup>1</sup> to any record held in the custody or control of the college, including access to their own personal information, subject to the discretionary and mandatory exceptions specified in sections 16 to 29 of the FOIP Act.

Access to records is provided in three (3) ways:

- Active Dissemination
- Routine Disclosure
- Formal Request for Information

#### **Active dissemination**

The college may publish and disseminate information for the public through college websites, printed materials, and social media forums. All dissemination of information is subject to the College Marketing and Communications Policy.

Access to manuals<sup>2</sup>, handbooks, or guidelines used in decision-making processes, that affect the public, by employees of the college in administering or carrying out programs or activities will be made available in the divisional offices.

<sup>1</sup> FOIP Act S6

<sup>2</sup> FOIP Act S89(1)

### **Routine disclosure**

Routine disclosure of information occurs in the following situations:

- to comply with the *Post-Secondary Learning Act*<sup>3</sup>
- to comply with other enactments of Alberta or Canada
- to support college operational requirements
- to permit employees access to their own personal information, in limited circumstances
- to permit students access to their own personal information, in limited circumstances
- for research purposes approved by the college

Activities associated with routine disclosure of information or records, to comply with legislative requirements or facilitate college operations, are undertaken by all college divisions in accordance with their operational practices.

### Student personal information that may be disclosed without consent

The following information may be disclosed except in situations where the student has requested that the information not be disclosed:

- confirmation that a student is or is not registered at the college
- full legal name of all graduates, name of the certificate or diploma obtained and for which program and the date of graduation
- names of recipients of awards and scholarships and the award or scholarship received

### Disclosure of personal information to Third Parties

Certain personal information collected by the college is disclosed to specific third parties in order to comply with provincial and federal law and to facilitate routine college operations by information sharing as allowable under the FOIP Act. Examples of these include, but are not limited to, the following:

- Students' Association of NorQuest College
- Alumni Association of NorQuest College
- Alberta Government Ministries
- Canadian Federal Government

Personal information of a specific individual may also be disclosed to third parties, upon the written consent of the individual to whom the information relates.

### Disclosure of student personal information to parents

A student's personal information, including personal information of a student who is a minor, is only disclosed to parents or guardians upon the written consent of the student.

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<sup>3</sup> Post-secondary Learning Act S80,118 and 124(m)

#### Disclosure of personal information to employees

Personal information collected by the college is disclosed to employees, only to the extent necessary, when it is required by that employee to do their job.

#### Employee access to their own personal information

Activities to facilitate employee access to their personal information are coordinated by the People division.

- Employees have the right to request access to their own personal information and records subject to the discretionary and mandatory exceptions in the FOIP Act.
- Employees who wish to review their own personal information must contact the People Services department and schedule an appointment.
- Viewing files will be conducted in a private office with at least one authorized college employee present. A note regarding the access event will be made in the employee file.

#### Student access to their own personal information

Activities to facilitate student access to their personal information are coordinated by the Office of the Registrar.

- Students have the right to request access to their own personal information and records subject to the limited and specific exceptions in the FOIP Act.
- Students who wish to review their own personal information must submit a written request for such access at least 48 hours prior to the time when they intend to view their file.
- Students will be required to produce appropriate photo identification (driver's license, passport, or student ID card) confirming their identity prior to being permitted to view their personal information.
- Viewing files will be conducted in a private office with at least one authorized college employee present. A note regarding the access event will be made in the student record.

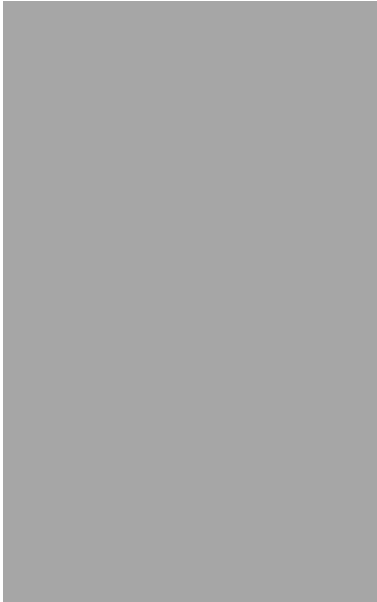
Costs associated with providing employees and students with copies of their personal information may be assessed but are limited to the costs specified in section 12 of the FOIP Regulation.

#### Access to personal information for institutional research purposes

Access to personal information for institutional research purposes may be approved by the college subject to specific conditions which includes student anonymity.

#### **Formal Request for Information**

Access to information other than that specified as active dissemination and routine disclosure, must be requested in writing. Individuals are required to complete and submit a [FOIP Request to Access Information form](#) to the Compliance Office. The college will process formal requests for information in accordance with the provisions of the FOIP Act.

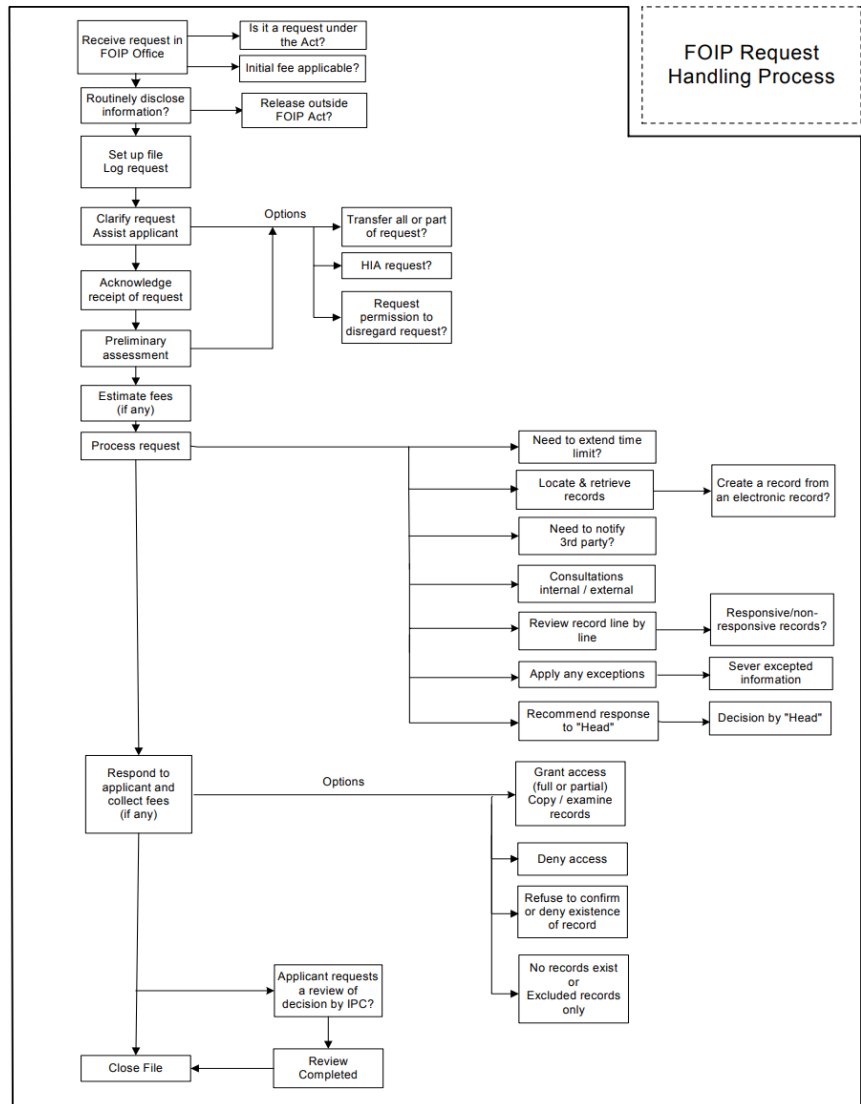


Anyone receiving a formal request from an individual regarding access to records is to immediately direct that request to the Compliance Office.

The Compliance Office:

- Shall assist the applicant in defining the information being requested and the time frame for the responsive records.
- Will assist the applicant by clarifying the request, coordinating the search for responsive records, and if appropriate, providing a fee estimate to the applicant.
- Will review, evaluate, and redact responsive records in accordance with sections 16-29, and will apply exceptions in a specific and limited manner.

The delegated authorities will review and authorize the release of the records, after Compliance has reviewed and redacted the records accordingly in accordance with the FOIP Act.



**Definitions:**

**Applicant:** is the person who submits a formal Access to Information Request. The right of access extends to all persons this includes students, employees, and members of the public.

**Custody:** means where the college has physical possession.

**College Community:** any student, faculty, administrative or staff member of the college, member of the public serving in a recognized capacity for the college, and employee of an agency contracted by the college.

**Control:** means where the college has the authority to manage the record.

**Personal Information:** means recorded information about an identifiable individual, including:

- the individual’s name, home or business address or home or business telephone number,
- the individual’s race, national or ethnic origin, colour or religious or political beliefs or associations,
- the individual’s age, sex, marital status or family status,
- an identifying number, symbol or other particular assigned to the individual,
- the individual’s fingerprints, other biometric information, blood type, genetic information or inheritable characteristics,
- information about the individual’s health and health care history, including information about a physical or mental disability,
- information about the individual’s educational, financial, employment or criminal history, including criminal records where a pardon has been given,
- anyone else’s opinions about the individual, and the individual’s personal views or opinions, except if they are about someone else.

**Record:** recorded information created, received, and maintained by an organization or individual in pursuance of its legal obligations or in the transaction of business. Means a record of information in any form and includes notes, images, audiovisual recordings, x-rays, books, documents, maps, drawings, photographs, letters, vouchers and papers and any other information that is written, photographed, recorded or stored in any manner, but does not include software or any mechanism that produced records.

**Request for Correction:** means a request by an individual to correct personal information which was recorded incorrectly by the college.

**Routine Disclosure:** means allowing access to records that do not contain personal information outside of a formal Access to Information Request.

**Related NorQuest College Information:**

- [College Marketing and Communications Policy](#)
- [FOIP Request to Access Information form](#)
- [Freedom of Information and Protection of Privacy \(FOIP\) Act Policy](#)

**Related External Information:**

- [Freedom of Information and Protection of Privacy Act](#)
- [Freedom of Information and Protection of Privacy Regulation](#)
- [Post-Secondary Learning Act](#)

**Next Review Date:**

March 2025

**Revision History:**

April 2013: new  
 August 2013: update for document links and branding  
 November 2014: update for change in procedure owner and administrator  
 June 2017: update to wording and Owner/Administrator



August 2019: Compliance Office template & reorganization update  
July 2021: review and minor updates