

Information Access

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| Executive Sponsor: | VP Human Resources & People Development |
| Department Responsible: | Information and Privacy Office |
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Objectives

This procedure applies directly to Policy 6700, Freedom of Information and Protection of Privacy.

The purpose of this procedure is to establish and to communicate BCIT procedures for access to information requests made under the *Freedom of Information and Protection of Privacy Act* Part 2 - Freedom of Information.

The procedure does not address other types of access to information requests, which are governed by departmental procedures.

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Who This Procedure Applies To

This procedure applies to all BCIT employees (which includes service providers and volunteers), students, and members of the public who make or respond to BCIT access to information requests made under *Freedom of Information and Protection of Privacy Act* Part 2 – Freedom of Information.

Definitions

The following definitions apply to this procedure.

Administrative Authority: means an employee, department, administrative body or committee of BCIT with responsibility or accountability for directing or overseeing a distinct BCIT activity, program, unit, office or department.

Act or FIPPA: means the *Freedom of Information and Protection of Privacy Act*, including regulations.

applicant: means a person who has made a request for access, in the case of an application under section 42 of the Act, the party making the application.

Information Access and Privacy Office or “IAPO”: means the BCIT office under Human Resources that is tasked with the administration of the Act.

control (of a record): means the power or authority to manage the record throughout its life cycle, including restricting, regulating and administering its use or disclosure.

custody (of a record): means having physical possession of a record. Physical possession includes responsibility for accessing, managing, maintaining, preserving, disposing, and providing security.

employee: has the same meaning as in the Act, i.e. in relation to BCIT, includes a volunteer and a service provider, and the service provider’s associates.

personal information: has the same meaning as in the Act, i.e. recorded information about an identifiable individual other than business contact information.

record: refers to “record” as that term is defined in the Act, and includes any information created by or received by an employee that is evidence of a business transaction or activity, regardless of format or source, and includes the same meaning in the Act, i.e. includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records as defined under the Act.

request for access: means a request made under FIPPA, Part 2 – Freedom of Information, Division 1, section 5.

service provider: has the same meaning as in the Act, i.e. a person retained under a contract to perform services for BCIT.

third party: has the same meaning as in the Act, i.e. in relation to a request for access to a record or for correction of personal information, means any person, group of persons or organization other than the person who made the request, or a public body.

Procedure

An applicant who makes a request for access has a right of access to any record in the custody or under the control of BCIT, including a record containing personal information about the applicant.

Applicants will make requests for access through the following procedure.

1. An applicant must make a written request to the Information Access and Privacy Office and provide sufficient detail to enable identification of the records sought. It is recommended that applicants use the BCIT request form to ensure sufficient details are included (FOI-5, *Freedom of Information and Protection of Privacy Request for Access to Records*).
2. If the applicant is acting on behalf of a third party, the applicant must provide written proof of having authority to make the request on behalf of the third party. It is recommended that applicants use the BCIT third party authorization form (FOI-2, *Authorization for Disclosure of Personal Information to a Third Party*).
3. IAPO will respond to a request, and will do so within the timelines required by the Act, which is generally 30 business days or sooner (subject to those exceptions established in Act).
4. IAPO will determine whether fees are applicable to the request as provided for in section 75 of the Act, and if applicable will deliver a fee estimate to the applicant.

5. Upon receiving notice from IAPO, Administrative Authorities must make reasonable, thorough and comprehensive efforts to locate, produce, or create records and respond to IAPO without delay.
6. Employees are responsible for cooperating with IAPO to assist in responding to applicants.
7. IAPO will administer limited and specific exceptions to disclosures as provided for in the Act. Where an exception applies and information can be reasonably severed from a record, IAPO will disclose the remainder of the record to the applicant.

Forms Associated With This Procedure

FOI-2, Authorization for Disclosure of Personal Information to a Third Party

FOI-3, Authorization for Disclosure of Personal Information to Self

FOI-5, Freedom of Information and Protection of Privacy Request for Access to Records

Amendment History

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