



FOIP News is an electronic newsletter produced by Access and Privacy, Service Alberta, to highlight news relating to Alberta's *Freedom of Information and Protection of Privacy Act* (the FOIP Act). *FOIP News* is issued as needed. Website links are provided to allow you to easily obtain more information on a news item.

In This Issue...

Updates to the FOIP Regulation	1
FOIP Annual Report 2007-2008.....	1
OIPC Orders and Investigation Reports.....	2
OIPC Publications and News Releases	4
FOIP Training.....	4
Upcoming Events	5
Did you know?.....	5

Updates to the FOIP Regulation

The new *Freedom of Information and Protection of Privacy Regulation* (A.R. 186/2008) came into force on November 5, 2008 (Order in Council 512/2008). This Regulation repeals and replaces the *Freedom of Information and Protection of Privacy Regulation* (A.R. 200/95) and repeals the *Freedom of Information and Protection of Privacy (Ministerial) Regulation* (A.R. 246/2007). The Regulation updates the Schedule of public bodies (Schedule 1) and the paramountcy provisions, and clarifies the circumstances in which a public body may refuse to allow an applicant to examine records.

The updated printed office consolidation of the FOIP Act and Regulation is now available for purchase from the Alberta Queen's Printer. The legislation on the FOIP website has been updated to reflect the changes (see <http://foip.alberta.ca/legislation/regulation/index.cfm>).

FOIP Annual Report 2007-2008

The 2007-2008 Annual Report for the FOIP Act was tabled in the Legislative Assembly of Alberta on December 1, 2008. Some highlights for the fiscal year include:

- Launched the online *FOIP: Focus on Privacy* training course
- Trained more than 1,100 employees from the Government of Alberta and local public bodies on the FOIP Act
- Advised Government of Alberta ministries on access and privacy considerations in 41 new legislative initiatives
- Responded to more than 1,800 questions directed to the FOIP Help Desk
- Received over 1.2 million hits to the FOIP web site

The report can be viewed on the FOIP website at <http://foip.alberta.ca/resources/annualreports/index.cfm>.

Summary tables of annual statistical information on FOIP requests received by local public bodies in Alberta are also available at <http://foip.alberta.ca/resources/statistics/index.cfm>.

Highlights for 2007-2008 include:

- 1,630 FOIP requests were received by 958 local public bodies
 - 1005 requests for personal information (an increase of 216 from last period)
 - 625 requests for general information (an increase of 13 from last period)
- Top users of the “access” provisions of the Act were
 - the general public (44% of requests)
 - businesses (30% of requests)
- Records were totally or partially disclosed in 73% of general information requests
- Records were totally or partially disclosed in 78% of personal information requests
- 96% of requests were completed within 60 days

OIPC Orders and Investigation Reports

Since the last newsletter, the following Orders and Investigation Reports (that relate to local public bodies) have been released by the Office of the Information and Privacy Commissioner (OIPC) of Alberta. Summaries of Orders and Investigation Reports are available on the FOIP website. Where summaries are not yet available, links to the rulings are provided.

Note: The Commissioner or Adjudicators may also issue a “decision” to deal with preliminary procedural matters, which may be related but are separate from those issues that can be disposed by an “order” under section 72 of the FOIP Act.

F2008-009 Calgary Police Service (released August 29, 2008)

The OIPC ruled that the Calgary Police Service should release information requested regarding disciplinary decisions involving its members.

<http://www.oipc.ab.ca/ims/client/upload/Order%20F2008-009.pdf>

F2008-IR-001 Southwood Care Centre/Intercare Corporation (released September 3, 2008)

An investigation report confirms that a biometric sign-in system for employees at the Southwood Care Centre, a nursing home, does not contravene the FOIP Act.

http://foip.alberta.ca/commissioners_decisions/reports/summary/2008/2008-IR-001summary.cfm

F2006-031 Edmonton Police Service (released September 25, 2008)

The Information and Privacy Commissioner determines that he has authority to continue an inquiry despite a jurisdictional challenge related to the timelines set out in section 69(6) of the FOIP Act.

[http://www.oipc.ab.ca/ims/client/upload/Order%20F2006-031%20\(F3341\).pdf](http://www.oipc.ab.ca/ims/client/upload/Order%20F2006-031%20(F3341).pdf)

F2008-013 Edmonton Police Service (released October 15, 2008)

The OIPC determines that it has authority to continue an inquiry despite a jurisdictional challenge related to the timelines set out in section 69(6) of the FOIP Act.

[http://www.oipc.ab.ca/ims/client/upload/Order%20F2008-013%20\(F3890\)%20Prelim.pdf](http://www.oipc.ab.ca/ims/client/upload/Order%20F2008-013%20(F3890)%20Prelim.pdf)

F2007-014 Edmonton Police Service (released October 21, 2008)

The OIPC determines that it has authority to continue an inquiry despite a jurisdictional challenge related to the timelines set out in section 69(6) of the FOIP Act and rules that the Edmonton Police Service must release certain information regarding billings of a law firm for legal services provided in relation to complaints against the applicant.

http://foip.alberta.ca/commissioners_decisions/orders/summary/2007/2007-014summary.cfm

F2008-012 Caritas Health Group (released November 13, 2008)

The OIPC determines that the Caritas Health Group should disclose records related to an internal complaint about the applicant to the applicant, but that Caritas did not disclose information about the complaint to a third party in contravention of the FOIP Act.

http://foip.alberta.ca/commissioners_decisions/orders/summary/2008/2008-012summary.cfm

Decision F2008-D-003 Edmonton Police Commission (released November 27, 2008)

The OIPC determines that the Edmonton Police Service, or alternately, the Chief of Police, is an affected person in a request for review involving an applicant's request for records from the Edmonton Police Commission concerning dismissals made by the Police Chief.

http://foip.alberta.ca/commissioners_decisions/orders/summary/2008/2008-D-003summary.cfm

F2007-031 Grande Yellowhead Regional Division No. 35 (released December 4, 2008)

The Information and Privacy Commissioner determines that he properly delegated his authority to an adjudicator and did not lose jurisdiction to conduct an inquiry and issue a decision under section 69(6) of the FOIP Act concerning a complaint that the Grande Yellowhead Regional Division No. 35 improperly disclosed records to a third party that subsequently used them in a defamation lawsuit against the complainants.

[http://www.oipc.ab.ca/ims/client/upload/Order%20F2007-031%20\(F3728\).pdf](http://www.oipc.ab.ca/ims/client/upload/Order%20F2007-031%20(F3728).pdf)

F2007-025 County of Vermillion River No. 24 (released December 4, 2008)

The OIPC determines that the County of Vermillion River No. 24 must release portions of a settlement agreement with an employee and total amounts billed by law firms to an applicant, but not the employee's letter of resignation or lawyers' bill of account.

http://foip.alberta.ca/commissioners_decisions/orders/summary/2007/2007-025summary.cfm

F2008-IR-002 Calgary Parking Authority (released December 4, 2008)

An investigation report confirms that the Calgary Parking Authority is collecting licence plate and credit card information in compliance with the FOIP Act, has the proper safeguards and procedures in place to protect any information that is collected, and is not using the information for other purposes.

http://www.oipc.ab.ca/ims/client/upload/F2008_IR_002.pdf

OIPC Publications and News Releases

Access and Privacy Laws in Alberta

The Office of the Information and Privacy Commissioner has released a new brochure providing a summary of Alberta's access and privacy legislation.

See http://www.oipc.ab.ca/ims/client/upload/Access_and_Privacy_Laws-Alberta_09-29-2008.pdf

Privacy Commissioners formalize cooperation

Commissioners responsible for enforcing three private sector privacy laws in Canada have signed a Memorandum of Understanding that sets out a framework for collaboration and cooperation.

See <http://www.oipc.ab.ca/home/DetailsPage.cfm?ID=3848>

Commissioner concerned by amendments to *Health Information Act*

Information and Privacy Commissioner comments on proposed changes to Alberta's HIA.

See <http://alberta.ca/home/NewsFrame.cfm?ReleaseID=/acn/200812/24863F3E7A76A-EDD9-5E76-23FDD5D2CB09C4B4.html>

FOIP Training

Registrations are now being accepted for the following FOIP courses.

- *General Awareness*
 - Edmonton: May 4 (half-day course, 1:00 to 4:30 pm)
- *Introduction and Privacy / Access to Information / Managing a FOIP Program*
 - Edmonton: March 18-20; and May 5-7 (8:30 am to 4:30 pm daily)
 - Calgary: April 21-23 (8:30 am to 4:30 pm daily)

For more information about the courses and how to register, please see the training calendar on the FOIP website at <http://foip.alberta.ca/training/pdf/calendar.pdf>.

Public body employees who are interested in taking these courses are encouraged to register early as spaces will fill up quickly. **All registrations should be faxed or mailed to our training delivery contractor, Deloitte & Touche LLP, whose contact information is in the calendar.**

If you would prefer to have any of these courses delivered at your workplace for a fee, contact Karen Hesson by email at karen.hesson@gov.ab.ca or by phone at 780-427-3950.

Public body employees can also take the free online course, *FOIP: Focus on Privacy*, available at <http://foip.alberta.ca/training/onlinetraining.cfm>.

Upcoming Events

10th Annual Privacy and Security Conference

February 2-4, 2009 - Victoria Conference Centre, Victoria, British Columbia

- The theme for 2009 is *Life in a Digital Fishbowl - A Struggle for Survival or a Sea of Opportunity?* This conference and exposition is recognized as one of the pinnacle events on privacy and security in North America. Nearly 1,200 delegates attended the 2008 conference. For more information, go to <http://www.rebootconference.com/privacy2009/>.

Access and Privacy Conference 2009

The dates for the Access and Privacy Conference 2009 have been set. Clear your calendars for June 11 and 12, 2009. Workshops will also be held on June 10th. The location is the same as the 2008 conference – the Edmonton Marriott at River Cree Resort. More information will be available in the new year on the conference website at www.accessandprivacy.ca.

Did You Know...

The 2009 winter semester for the Information Access and Protection of Privacy (IAPP) Certificate Program at the University of Alberta is scheduled to commence on January 12th to April 9, 2009. The cut-off date for registering for these courses is December 19, 2008. To register for or receive more information about the IAPP program please visit the website at: www.govstudies.ca

The following IAPP courses will be offered for the 2009 winter semester (January 12 to April 9, 2009):

- (8171) Information Access and Protection of Privacy (IAPP) Foundations
- (8174) Privacy Applications: Issues and Practices
- (8176) Information Access Applications: Issues and Practices

The following IAPP courses will be offered for the 2009 spring semester (April 20 to June 27, 2009):

- (8171) Information Access and Protection of Privacy (IAPP) Foundations
- (8173) Privacy in a Liberal Democracy
- (8175) Information Access in a Liberal Democracy
- *(8177) Health Information Access and Privacy

*Due to demand, the 8177 course not contained in the University calendar has been added to the 2009 spring offering. For further information, and to register, please visit the Government Studies website at <http://www.extension.ualberta.ca/govstudies/index.aspx>.

For the 2009 winter semester the IAPP program will be offering French-speaking students the opportunity to submit all assignments to their instructors in French for evaluation.

Students wishing to access this service must advise the course instructor and appropriate arrangements will be made.

 Necessity is the mother of invention. The Get Out Clause, a UK rock band, wanted to make a video for their single, *Paper*. But, like many up-and-coming bands, they lacked the funds to film it. So, the group took their instruments – drums, guitars, etc. – and performed *Paper* in various locations across London that are monitored by CCTV cameras. The group then made access to information requests to the various public institutions and organizations responsible for the cameras for the footage. Lo and behold, the Get Out Clause had the footage they needed to piece together their video! To view the video, go to <http://www.youtube.com/watch?v=98u1HuqS7Nk> and *crank it up!*

Happy Holidays from the staff at Access and Privacy, Service Alberta!

Service Alberta
Access and Privacy
3rd Floor, 10155 – 102 Street
Edmonton, Alberta T5J 4L4
Phone: 780-422-2657
Fax: 780-427-1120
Web site: <http://foip.alberta.ca>

FOIP Help Desk:
Phone: 780-427-5848
Toll free dial 310-0000 first
E-mail: foiphelpdesk@gov.ab.ca

If you have an e-mail address, please let us know. Send an e-mail to foiphelpdesk@gov.ab.ca stating your name and organization and we will add you to our e-mail distribution list.