

## A Guide to Alberta's *Freedom of Information and Protection of Privacy Act (FOIP)*

Alberta's *Freedom of Information and Protection of Privacy Act (FOIP)* came into effect on **October 1, 1995**. FOIP applies to Alberta Health Services (AHS) as a **public body**. Employees of AHS must also comply with FOIP. AHS **employees** include those who perform a service for AHS as an appointee, volunteer, student or those under a contract or agency relationship with AHS. FOIP seeks to strike a balance between the right to know information about a public body and individuals' right to privacy.

### FOIP and AHS Records

FOIP applies to most AHS records, including **personal information about individuals**, but does **NOT** apply to health information as defined by the *Health Information Act (HIA)*.

- **Records** include information that is written, photographed, recorded or stored in any format, including electronically.
- **Personal Information** is recorded information about an identifiable individual including name, contact information, race/ethnicity, age, sex, marital status, religious/political beliefs, identifying numbers or symbols (such as a social insurance number), and educational/financial/employment history.

### The Right of Access

**Any individual may request access to AHS records including personal information about themselves.**

- The right of access is central to ensuring transparency and accountability of public bodies.
- An individual may also request that their personal information be corrected or amended if they believe there is an error or omission.
- AHS must make reasonable efforts to assist an individual with a request for information, and respond openly, accurately and completely.

### Exceptions to the Right of Access

**The right of access is not absolute. FOIP contains some mandatory and discretionary exceptions when access to information may be refused.**

- Information will not be disclosed if doing so will harm the financial or business interests of another person, invade the personal privacy of another person, or will result in a threat to individual or public health or safety.
- There are other limited circumstances when information may not be provided in response to an access request. Please contact Information & Privacy for more details.

### Protection of Privacy

**AHS is responsible for the protection of personal information.**

- Measures must be in place to protect personal information from risks (such as unauthorized access, use, disclosure, or destruction).

### Collection of Personal Information

**Personal information may only be collected if it relates to and is necessary for an operating program or activity of AHS or required by law.**

- Information must be collected directly from the individual whenever possible. There are some situations where FOIP allows information to be collected from a third party.
- When personal information is collected, AHS has a duty to inform of the purpose and authority for the collection and provide a contact within AHS who can answer questions about the collection.

### Using Personal Information

**Generally, FOIP allows AHS to use personal information only for the purpose it was collected (or consistent purposes), or if consent exists.**

- When using personal information AHS has a duty to ensure that it is accurate and complete, and is retained appropriately.
- AHS must limit the amount of personal information it uses to that which is necessary to meet the purposes.

### Disclosing Personal Information

**FOIP restricts the disclosure personal information to specific circumstances.**

- Disclosure of personal information may only occur in circumstances where there is no invasion of personal privacy, where there is consent, for the purpose it was collected, or to comply with legal processes. Other limited circumstances exist. Please contact Information & Privacy.
- Personal information should only be disclosed in a limited manner.

**For more information contact Information & Privacy:**

Phone: 1-877-476-9874

Email: [privacy@albertahealthservices.ca](mailto:privacy@albertahealthservices.ca)

Web: <http://insite.albertahealthservices.ca/1189.asp>