



## FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

Dept: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Date Completed: \_\_\_\_\_

### Department FOIP Compliance Checklist

*This Department FOIP Compliance Assessment Checklist is based on Chapter 9 – Privacy Compliance from the FOIP – Guidelines & Practices provided by the Government of Alberta (Service Alberta).*

<http://www.servicealberta.ca/foip/resources/guidelines-and-practices.cfm>

**Questions or Inquiries can be forwarded to:**  
Information Management & Privacy Advisor  
Mount Royal University  
(403) 440-7288  
[FOIP@mtroyal.ca](mailto:FOIP@mtroyal.ca)  
<http://www.mtroyal.ca/PrivacyPolicy/FOIP/index.htm>

August 28<sup>th</sup>, 2012

## General Department/Area Privacy Operations

Our department/area has a FOIP Advisor and they are posted on the MRU external FOIP website  
[http://www.mtroyal.ca/PrivacyPolicy/FOIP/PoliciesGuidelines/foip\\_foipadvisors](http://www.mtroyal.ca/PrivacyPolicy/FOIP/PoliciesGuidelines/foip_foipadvisors)

Yes

No

Our FOIP Advisor's name is: \_\_\_\_\_

Our department/area's FOIP Advisor has participated in FOIP Awareness Training

Yes

No

Our entire team/department/area has participated in FOIP Awareness Training and are generally aware of the FOIP obligations for the University (a public body)

Yes

No

Staff that handle FOIP requests are aware of what department records can be routinely disclosed to the public without the need for a Formal FOIP request

Yes

No

Examples of records that can be "routinely disclosed" in our area are (if any):

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Staff that handle department FOIP requests know when personal information cannot be disclosed [sections 16 – 29] and recognize when the request needs to be formally forwarded to the University Privacy Office (Note: FOIP Awareness training covers this material)

Yes

No

Our department/area have accurately and publicly posted the personal information we have in our custody in the University Personal Information Bank (available online)

[http://www.mtroyal.ca/PrivacyPolicy/FOIP/PoliciesGuidelines/FOIP\\_PersInfoBanks.htm](http://www.mtroyal.ca/PrivacyPolicy/FOIP/PoliciesGuidelines/FOIP_PersInfoBanks.htm)

Yes

No

### **Authority for collection – Section 33**

*Section 33 limits the collection of personal information by public bodies. Collection must be authorized under section 33 of the FOIP Act.*

**Our department/area has the authority to collect personal information based on the following:  
[Usually section 33(c)]**

33(a) – the collection of that information is expressly authorized by an enactment of Alberta or Canada

33(b) – that information is collected for the purposes of law enforcement

33(c) – that information relates directly to and is necessary for an operating program or activity of the public body.

**Our department/area has evaluated our collection of personal information and have ensured that the minimum amount of personal information is in fact collected to only that, which is absolutely necessary to carry out the program/activity/purpose the information was collected for:**

Yes

No

**Manner of collection – Section 34(1)**

Section 34(1) requires public bodies to collect personal information directly from the individual the information is about except in certain limited circumstances.

**Our department/area has determined where the personal information is directly collected from the individual the information is about.**

Yes

No

It is directly collected by: \_\_\_\_\_ Department/Business Unit

**Notification of collection – Section 34(2)(a)(b)(c)**

Section 34(2) requires that when personal information is collected directly from an individual, notification of the purposes of, and the legal authority for, the collection must be provided to the individual.

**Our department/area notifies the individual of the following prior to the collection of information:**

34(2)(a) - The purpose for which the information is collected

34(2)(b) - The specific legal authority for the collection ie) usually 33(c)

34(2)(c) - The contact information: Title, Business Address, Business Telephone # of public body employee who can answer the individual's questions about the collection

**Our department/area notifies the individual prior to the collection of information by:**

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Note: Examples of FOIP Notification Statements are available online:

[http://www.mtroyal.ca/PrivacyPolicy/FOIP/PoliciesGuidelines/standard\\_consent\\_forms.htm](http://www.mtroyal.ca/PrivacyPolicy/FOIP/PoliciesGuidelines/standard_consent_forms.htm)

## **Accuracy of personal information – Section 35(a)**

*Section 35(a) requires that a public body must make every reasonable effort to ensure that personal information used to make a decision that affects an individual is accurate and complete*

**Our department/area has some of the following procedures in place to ensure the accuracy and completeness of personal information collected:**

- Verifying the identity of an individual from whom personal information is collected. (especially over the phone or electronically)

Process Example: \_\_\_\_\_

- Using validation processes for data within electronic systems.

Process Example: \_\_\_\_\_

- Providing regular updating, if necessary, and recording when personal information in a record was last updated.

Process Example: \_\_\_\_\_

- Using the most reliable sources to update personal information and recording of source information.

Process Example: \_\_\_\_\_

- Allowing individuals to review their own personal information and request a correction or annotation in case of errors or omissions.

Process Example: \_\_\_\_\_

- Another process not mentioned in the list as follows:

Process Example: \_\_\_\_\_

## **Correction of personal information – Section 36**

*Section 36 requires a public body to respond to requests for the correction of personal information and to notify other public bodies, or third parties to which the information has been disclosed, about the request.*

**Our department/area has some of the following procedures in place that ensures that personal information is corrected when requested:**

- Procedures in place to ensure that a public body can respond to a request by an individual for access to their personal information and to request a correction of that information. (The process should not normally require the individual to make a formal FOIP request)

Process Example: \_\_\_\_\_

- Procedures in place so that notification of a correction or annotation of personal information can (if necessary) be sent to any other public body or which the information has been disclosed.

Process Example: \_\_\_\_\_

- There is no need to notify other public bodies or third parties of any corrections for our area

Process Example: \_\_\_\_\_

## **Directories of personal information banks – Section 87.1**

*Section 87.1 requires a public body to maintain and publish a directory of its personal information banks, either in printed or electronic form outlining the kind of personal information collected, the purpose for collecting the information .*

**Our department/area is listed online on the Mount Royal University Personal Information Bank [http://www.mtroyal.ca/PrivacyPolicy/FOIP/PoliciesGuidelines/FOIP\\_PersInfoBanks.htm](http://www.mtroyal.ca/PrivacyPolicy/FOIP/PoliciesGuidelines/FOIP_PersInfoBanks.htm)**

Yes

No

**Retention of personal information – Section 35(b)**

Section 35(b) requires the retention of personal information used to make a decision about an individual for one year from the date of last use in most cases.

Our department/area is aware of and utilizes the Mount Royal University Records Retention Schedule to retain, manage, and destroy official University records in accordance with legal and policy requirements.

Yes

No

**Protection of personal information – Section 38**

A public body must have safeguards in place that are appropriate under the specific circumstances. The measure of security measures will depend on such factors as, the sensitivity of the personal information.

- 1) Physical Security (Procedures) such as, locked file cabinets, locked offices, limited countertop access

**Our department/area has implemented the following Physical Security measures**

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- 2) Administrative Security (Procedures) such as, regular team training, policies, limiting team access

**Our department/area has implemented the following Administrative Security measures**

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- 3) Technical Security (Procedures) such as, locking unattended computers [Control, Alt, Delete], passwords, setting the screen saver to de-activate when idled.

**Our department/area has implemented the following Technical Security measures**

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- 4) Laptop and Portable Security (Procedures) such as encrypting portable devices, refraining from leaving portable devices unattended

**Our department/area has implemented the following Portable Device Security measures**

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## **Use of personal information – Section 39(1)(a)(b)(c)**

*Section 39 limits the purposes for which public bodies may use personal information.*

**Our department/area only uses the collected personal information for the following purposes:**

- 39(1)(a) – for the purpose for which the information was collected or compiled or for a use consistent with that purpose.
- 39(1)(b) – if the individual the information is about has identified the information and consented, in the prescribed manner, to the use
- 39(1)(c) – for a purpose for which that information may be disclosed to that public body under section 40, 42 (Stats), 43 (Archives)

**Our department/area only collects the amount and type of personal information necessary for the public body to carry out its purpose in a reasonable manner:**

- Yes
- No

## **Disclosure of personal information – Section 40**

*A public body may only disclose personal information to third parties only in accordance with provisions under section 40.*

**Our department/area is aware to protect privacy and not disclose an individual's personal information to a Third Party**

- Yes
- No

**For our department/area, disclosure of personal information can occur under the following subsection(s) under the allowance to disclose under section 40(1):**

**Example: 40(1)(x)** \_\_\_\_\_

**Our department/area has procedures in place to document or log the release of personal information to a third party under section 40(1)**

- Yes
- No
- N/A