Basic FOIP Information for Public Libraries in Peace Library System: Resources and Training

(Updated May 2, 2019)

1. **The Public Library Services Branch provides some information for Public Libraries regarding Confidentiality of User Records, and regarding FOIP:**

   a. http://www.municipalaffairs.alberta.ca/plsb_policies

   Confidentiality of User Records

   - Your board must keep user records confidential, except when required by law.
   - It is best practice to require a written legal order before disclosing user records to law enforcement officers.
   - Your board must also follow the Freedom of Information and Protection of Privacy (FOIP) Act.

   b. http://www.municipalaffairs.alberta.ca/plsb_other_legislation

   Freedom of Information and Protection of Privacy Act (FOIP): As public boards, library boards must follow this provincial legislation that governs the use and release of records of public organizations in Alberta. It also stipulates how personal information can be collected, used, and released by public organizations in Alberta. This legislation requires library boards to have several policies:

   - **FOIP Policy**: This is a policy passed by your library board that tells who will be responsible for managing FOIP requests at your library and how fees will be charged. Click here for a sample policy.

   - **Records Retention Policy**: This is a policy that states how long your board will keep its various records, in what format, and how the records will be destroyed after they are kept. Click here for more information about creating a records retention policy.

   - **Personal Information Bank (PIB) Policy**: This is a policy that states what personal information is managed by the library about specific groups of people, where that information is stored, and who has access to it. Your personal information bank policy should be made available to the public. Click here for more information about identifying personal information banks and creating a personal information bank policy.

   In addition to these policies, whenever boards collect a patron's personal information on a form they will need to include a notice stating under what authority it is being collected, how it will be used, and who can be contacted with questions about the information. A **sample FOIP notice** can be found here.

c. **Peace Library System suggests some best practices:**

- Library staff should point out the FOIP notice before the patron sign's their library card. Having the FOIP notice on a plaque or tent card at the circulation desk may be helpful.

- When registering a patron, explain to the patron how to turn their reading history on for themselves through their TRACpac My Account, rather than staff switching it on for the patron through Polaris.

- The *FOIP Act* and the *FOIP FAQs for Public Libraries* (see 2c) explain that "employee" includes staff, library board members, volunteers, students on work experience assignments, contractors, and appointed committee members. They all have the same responsibility to protect privacy.

- Make sure everyone has read the Confidentiality of User Records policy and understands their particular duty to protect patron information and privacy. Some library boards also require an oath of confidentiality to be sworn/affirmed before a commissioner of oaths.

2. **The Service Alberta provincial government website provides the FOIP Act and FOIP Regulation, resource guide, forms to use, and training available.**
   www.servicealberta.gov.ab.ca/foip/index.cfm

   a. **Online Training** www.servicealberta.gov.ab.ca/foip/training-for-public-bodies.cfm

   The "FOIP: Focus on Privacy" course is an online training tool designed specifically for employees of all levels within public bodies, but is accessible online by anyone. The course is a self-managed awareness training intended to provide a basic overview of the concepts of informational privacy and Alberta's privacy legislation. Most of the course deals with privacy and the protection of personal information. The public's right to access records of a public body is discussed as well. A certificate of completion is available to print at the end of the course. However, participation and completion of the course are not recorded. The course modules include:

   - **Module 1:** Introduction to Privacy
   - **Module 2:** Introduction to the FOIP Act
   - **Module 3:** Collection, Use and Disclosure of Personal Information
   - **Module 4:** Accuracy, Retention, Correction and Protection
   - **Module 5:** Access and Accountability
   - **Course Conclusion:** Review, Quiz and Certificate

   b. **Help Contact** www.servicealberta.gov.ab.ca/foip/training/who-to-contact.cfm

   FOIP Help Desk (for questions **about FOIP** or for **technical help** with the online training)
   Information Access and Protection
   Service Alberta
   Phone: 780-427-5848 (Toll free by dialing 310-0000 first)
   Fax: 780-427-1120
   Email: foiphelpdesk@gov.ab.ca – questions about FOIP
   Email: foiptraining@gov.ab.ca – technical help with the online course

c. <mark>**FOIP FAQs for Public Libraries** http://www.servicealberta.gov.ab.ca/foip/faqs.cfm</mark>

d. **FOIP Forms** http://www.servicealberta.gov.ab.ca/foip/resources/appendix-5.cfm

- **Request to Access Information** form to have members of the public complete if they are seeking General Information about a third party (initial $25 fee) or their own Personal Information (no initial fee).

- **Law Enforcement Disclosure** form to have law enforcement officers complete if they are investigating and require patron information. (Law Enforcement refers to a person with legal authority to enforce law, such as police, child welfare, Alberta Justice maintenance enforcement payments, etc.)

- **Annual "FOIP Request Statistics"** Section 86 of the FOIP Act requires Service Alberta to prepare an annual report about the operation of the FOIP Act. Your library may receive an email in May from Service Alberta (FOIPstats@gov.ab.ca) requesting that you complete their online form to report any FOIP requests the library received during the fiscal year (April-March). The email will provide you with login information to the online form and a mid-June deadline to submit. You are asked to complete the form even if your library did not receive any FOIP requests that year.

e. **Resources: Brochures and Guides**
   http://www.servicealberta.gov.ab.ca/foip/resources/brochures-and-guides.cfm

- **Conducting Surveys: A Guide to Privacy Protection** Provides advice to help public body staff ensure that surveys conducted by the public body comply with the privacy requirements of the FOIP Act.

- **FOIP: A Guide** Provides an overview of the FOIP Act and Regulation for the public and staff of public bodies.

- **Guide to Using Surveillance Cameras in Public Areas** Designed to assist public bodies in deciding whether collection of personal information by means of a surveillance camera is both lawful and justifiable.

- **The Right to Information and the Right to Privacy (Brochure)** Briefly explains for the public the purposes of the FOIP Act and provides general instructions on how to make a request for information.

f. **Legislation** www.servicealberta.gov.ab.ca/foip/legislation.cfm

- FOIP Act
- FOIP Regulation
- Recent and Unproclaimed Amendments