



Procedures for Responding to Freedom of Information Access Requests

Link to Parent Policy:	Privacy Policy		
Procedure Reference:	PRPR02_2211N_AD/PRE		
Procedure Sponsor:	President		
Procedure Contact:	Privacy Officer		
Stakeholders:	All members of the OC Community including: Employees, Students, the Board of Governors, Contractors and Visitors		
Approved by:	Executive Team		
Effective Date:	March 23, 2023		
Last reviewed:	December 2022	Scheduled review date:	December 2027

1. Purpose

Okanagan College is committed to openness and transparency with its community and the public and complies with its obligations to receive and respond to access requests made under the provisions of the *Freedom of Information and Protection of Privacy Act* ("**FIPPA**").

The purpose of this Procedure is to set out Okanagan College's process for receiving, responding to and processing access requests in accordance with the provisions of FIPPA.

2. Scope & Responsibility

This Procedural applies to all Employees of the College, each of whom is responsible for following this Procedure in the event that they receive or are requested to assist with processing an Access Request.

3. Responsibility of the Head

The administration of this Procedure is the responsibility of the President, who is the "head" of the College for the all purposes under FIPPA (the "**Head**"). The Head may delegate any of their powers under this Procedure or FIPPA to other College Employees by written delegation.

4. Responsibilities of Employees

4.1 Employees are encouraged to respond to Routine Requests that do not contain sensitive or confidential information or third-party Personal Information without requiring the requestor to make an Access Request. However, if an Employee refuses to disclose Records in response to a Routine Request, the Employee shall inform the requestor that they have a right to make an Access Request to the Privacy Officer at privacy@okanagan.bc.ca.

4.2 Any Employee who receives an inquiry from a member of the public about making an Access Request or a Correction Request will direct that person to make the request to the Privacy Officer at privacy@okanagan.bc.ca.

- 4.3 Any Employee who receives a written Access Request shall promptly provide that request to the Privacy Officer for processing.
- 4.4 Employees shall provide their prompt and diligent assistance to the Privacy Officer if requested to produce Records or consult with the Privacy Officer about an Access Request or Correction Request.
- 4.5 Employees are prohibited from concealing or destroying Records in response to an Access Request.

5. Protecting the Identity of Individual Applicant

- 5.1 The College protects the identity of individuals who make Access Requests in a personal capacity. The identity of such a requestor will be used and disclosed by the College only as permitted under FIPPA and will be shared internally only on a need-to-know basis.

6. Processing of Access Requests

- 6.1 Access Requests must clearly identify the Records being requested, and where possible should identify the subject matter, date range, and nature of the Records requested.
- 6.2 Access Requests are processed by the Privacy Officer, who is responsible for reviewing Records before they are released to determine if they are subject to any applicable exemptions or exclusions to disclosure.
- 6.3 The College endeavours to respond to Access Requests in accordance with the timelines and requirements set out in FIPPA.
- 6.4 Individuals who make a request on behalf of another individual will be asked to provide a written authorization from that individual. The College reserves the right to verify authorizations.
- 6.5 For security reasons, the College reserves the right to require that individuals requesting Records containing their Personal Information present government issued photo identification before the Records are released.

7. Requests for Medical and Counselling Records

- 7.1 In view of the sensitivity of medical and counselling records, it is recommended that students seeking access to their own medical or counselling records first make an informal request to the Practitioner who provided the medical or counselling services to them.
- 7.2 The Practitioner may respond to such informal requests in accordance with their professional judgement, provided that they do not release any Records containing third party Personal Information (ie. Personal Information about an individual other than the requestor).
- 7.3 If the student does not wish to make an informal request under section 8.1 or is not satisfied with the response they receive from their Practitioner, they may submit an Access Request to the Privacy Officer at privacy@okanagan.bc.ca.
- 7.4 If a Practitioner refuses, in whole or in part, to provide access to Records in response to an informal request made under section 8.1, the Practitioner shall inform the student that they have the right to make an Access Request to the Privacy Officer at privacy@okanagan.bc.ca.

8. Fees

- 8.1 The College reserves the right to charge fees to applicants who make Access Requests in accordance with the processes and requirements set out in FIPPA.

9. Contact Information

Questions or comments about this Policy may be addressed to the Privacy Officer.

10. Related Acts and Regulations

College and Institute Act

Freedom of Information and Protection of Privacy Act (FIPPA)

11. Supporting References, Policies, Procedures and Forms

Procedures for Responding to Privacy Critical Incidents and Breaches

Procedures for Responding to Freedom of Information Access Requests

Procedures for Privacy Impact Assessments

Procedures for Website Privacy

History / Revisions

Date	Action
2022-11-09	New Procedure approved by Executive Team: <i>Responding to Freedom of Information Access Requests</i>