

**RECORDS INFORMATION MANAGEMENT ACCESS TO INFORMATION POLICY**

Department	Administration	Policy No.	0340-93
Section	Records and Information Management	Date Approved by Board	
Repeals		Board Resolution #	

Amended		Board Resolution #	
Amended		Board Resolution #	
Amended		Board Resolution #	

Repealed		Board Resolution #	
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**1. Purpose**

- 1.1 The purpose of the Access to Information Policy is to
- strike a balance between operating an open and transparent local government and protecting personal and confidential information;
  - provide guidance when Freedom of Information (FOI) requests or access to personal information requests are received; and
  - achieve compliance with the *Freedom of Information and Protection of Privacy Act* (the Act).

**2. Scope**

- 2.1 This policy, unless otherwise noted, applies to all Peace River Regional District (PRRD) Board members, volunteers, employees, contractors and consultants; and to all records and information in their custody and/or under their control, including electronic and physical records.

**3. Definitions**

- 3.1 See RIM-01 Records and Information Management Framework Policy for definitions.

**4. Policy**

- 4.1 Positions: The *Freedom of Information and Protection of Privacy Administration Bylaw No. 2452, 2021*, appoints the PRRD's Corporate Officer as the FOI Head and the Corporate Services Coordinator as the Information and Privacy Coordinator.
- 4.2 Internal Access: PRRD records will be accessible to all PRRD employees unless such records are confidential. Access to electronic and physical records is determined according to the IT Acceptable Use and Info Security Policy.
- 4.3 Routine Release: PRRD employees will freely provide any information that is routinely available as authorized by the Head.



- a. As required by the Act, the PRRD will maintain a Routine Records Release List which provides a current list of records or files identified as immediately available for public release.
- b. Where feasible, records which are often routinely released (e.g., annual reports, budgets, plans, policies, etc.) should be available through the website.

#### 4.4 Freedom of Information Requests:

- a. Every effort will be made to comply with the timelines of the Act.
- b. When an FOI request is received, the records involved may be subject to a legal hold if there is a risk of destruction before discovery.
- c. PRRD FOI request forms and checklists will be used when possible.

#### 4.5 Personal Information Banks: As required by the Act, databases, records or files which are used to collect and manage personal information must be identified as a personal information bank (PIB) and compiled into a Personal Information Bank List.

- a. The PIB List identifies the databases, systems, and classification codes which include collections of personal information that are organized or retrievable by the name of an individual or by an identifying number, symbol or other particular assigned to an individual.

#### 4.6 Collection of Personal Information: Collection of personal information must only occur as permitted under the Act.

- a. PRRD must have legal authority to collect personal information.
- b. Only the minimum amount of personal information will be collected as required to perform required the PRRD's functions.
- c. Personal information collected by or for PRRD must only be collected for an identified program or activity.
- d. Unless otherwise permitted by the Act, personal information will only be collected directly from the individual who the personal information is about.
- e. Unless indirect collection is authorized under the Act, an individual from whom personal information is collected must be informed of the following:
  - i. The purpose for collection of the personal information;
  - ii. The legal authority for collecting the personal information; and
  - iii. The title and contact information of an employee who can answer an individual's questions about the collection of personal information.
- f. PRRD forms which involve the collection of personal information will follow the requirements of the Act and this policy.

#### 4.7 Use, Disclosure, and Access of Personal Information:

- a. Personal information is only to be used, disclosed or accessed:
  - i. With the consent of the individual the information is about.
  - ii. For the purpose for which it was collected or a use that is consistent with the purpose for which it was collected.
  - iii. When a specific use, access, or disclosure is authorized by legislation.



iv. As required for the purposes of fulfilling work-related duties at the PRRD.

4.8 Access, Accuracy, and Correction of Personal Information:

- a. If personal information is used by or on behalf of the PRRD to make a decision about an individual, every reasonable effort must be made to ensure that the personal information is accurate and complete.
- b. Except in limited circumstances, individuals have the right to access their own personal information upon request.
- c. Individuals have the right to request correction of their factual personal information. A notation must be placed in the documentation if a correction cannot be applied. The individual must be advised of the reason their request was not applied.

4.9 Discoverability: All data, information, records and files in custody and control of the PRRD may be discoverable during litigation or legal proceedings.

- a. Any records maintained on PRRD computer systems, including mobile devices, are in the custody of the PRRD and are therefore discoverable.
- b. PRRD records stored on personally owned computer systems, mobile devices or storage media are still under the control of the PRRD. Therefore, such systems, devices or storage media become discoverable if PRRD records are present. If possible, PRRD records should not be stored or managed on personal devices.

4.10 Privacy Breaches: Any potential privacy breaches will be managed according to the PRRD's Privacy Management Program and related policies.

Affiliated Policy	Privacy Management Program Policy Data Backup and Auto-Deletion Policy 0340-94
Affiliated Procedure	