

FOIP News

Issue No. 23, April 2008



FOIP News is an electronic newsletter produced by Access, Privacy and Security, Service Alberta, to highlight news relating to Alberta's *Freedom of Information and Protection of Privacy Act* (the FOIP Act). *FOIP News* is issued as needed. Web site links are provided to allow you to easily obtain more information on a news item.

In This Issue...

Online FOIP Training.....	1
Directory of Personal Information Banks	1
Need Help Tracking Your FOIP Requests?	2
OIPC Orders and Investigation Reports	2
OIPC Publications and News Releases	5
FOIP Training.....	5
Meeting Calendar.....	5
Upcoming Events	5
Did You Know	7

Online FOIP Training

Access, Privacy and Security is pleased to introduce a new FOIP training offering for all employees of public bodies.

FOIP: Focus on Privacy is an interactive online course that covers FOIP issues most relevant to the day-to-day activities of public body employees – in particular, those involving the collection, use, disclosure and protection of personal information.

FOIP Coordinators can use this course to promote awareness of the FOIP Act within their respective public bodies. For instance, it could be used as part of orientation for new employees. The course is intended to complement, but not replace, the FOIP instructor-led courses offered by Access, Privacy and Security.

This self-paced course requires about 1-2 hours to complete and contains short quizzes to test a participant's knowledge and practical examples to help illustrate key concepts. To take the course or to learn more about it, visit the Online Training page of the FOIP web site at <http://www.foip.gov.ab.ca/training/onlinetraining.cfm>.

Directory of Personal Information Banks

Section 87.1 of the FOIP Act requires all public bodies to make a directory of personal information banks (PIBs) available to the public for viewing or copying. The purpose of this directory is to assist the public with identifying what personal information a public body has about them. The Act requires that the directory be as current as is practicable.

In order to assist public bodies, Access, Privacy and Security has developed the following resources on preparing a directory of personal information banks:

- *Guide to Identifying Personal Information Banks* - This publication explains what a PIB is and provides example PIB listings.
- *Directory of Personal Information Banks Collection Tool* - An Access 2003 database has been developed that may be used to compile PIB descriptions. The database can be downloaded and used with compatible Microsoft Access software. The database generates a report for publishing on a local public body web site and also reports for internal use (e.g., lists of PIBs by division).
- *Collection Tool Instructions* - Directions on using the Access database.

For more information, see <http://www.foip.gov.ab.ca/resources/publications/pibguide.cfm>.

Questions about the FOIP Act requirements and database can be directed to the FOIP Help Desk at (780) 427-5848 or e-mail foiphelpdesk@gov.ab.ca.

Need Help Tracking Your FOIP Requests?

Access, Privacy and Security offers a free web-based application (*FOIPNet*) that can assist public bodies in tracking access requests. *FOIPNet* enables a public body to record essential information about a request, create a log of activities related to a request and remind users when an action is required on a request. In addition, *FOIPNet* enables public bodies to generate statistical and internal reports and submit its annual FOIP statistics to Access, Privacy and Security. The system will be of benefit to users that average ten or more requests per year.

If you want more information, or are interested in using *FOIPNet*, contact Karen Hesson by phone at (780) 427-3950 or by e-mail at karen.hesson@gov.ab.ca.

OIPC Orders and Investigation Reports

Since the last newsletter, the following Orders and Investigation Reports (that relate to local public bodies) have been released by the Office of the Information and Privacy Commissioner (OIPC) of Alberta. Summaries of Orders and Investigation Reports are available on the FOIP web site. Where summaries are not yet available, links to the rulings are provided.

F2007-030: Edmonton Police Service (released January 2, 2008)

Office of the Information and Privacy Commissioner finds that the Edmonton Police Service had the authority to conduct CPIC/PROBE searches about an applicant.

http://www.oipc.ab.ca/ims/client/upload/F2007_030.pdf

F2006-019: Calgary Police Service (released January 3, 2008)

Office of the Information and Privacy Commissioner finds that the Workers' Compensation Board and Calgary Police Service were authorized to collect, use and disclose personal information during an investigation that involved video surveillance of the complainant.

http://www.foip.gov.ab.ca/commissioners_decisions/orders/summary/2006/2006-019summary.cfm

F2006-027: Edmonton Police Service (released January 10, 2008)

Information and Privacy Commissioner upholds the Edmonton Police Service's decision to withhold records pertaining to an investigation into the so-called Overtime Stakeout Incident.

<http://www.oipc.ab.ca/ims/client/upload/F2006-027.pdf>

F2007-023: Capital Health (released January 16, 2008)

Office of the Information and Privacy Commissioner confirms Capital Health's decision not to grant a fee waiver for an information request.

<http://www.oipc.ab.ca/ims/client/upload/F2007-023.pdf>

F2007-003: Edmonton Police Service (released January 23, 2008)

Office of the Information and Privacy Commissioner finds that the Edmonton Police Service cannot refuse to confirm or deny the existence of records requested by an applicant.

http://www.foip.gov.ab.ca/commissioners_decisions/orders/summary/2007/2007-003summary.cfm

F2006-030: Edmonton Police Service (released January 24, 2008)

Information and Privacy Commissioner orders the Edmonton Police Service to release the names of Service members who conducted queries on PROBE and CPIC on an applicant's family.

http://www.foip.gov.ab.ca/commissioners_decisions/orders/summary/2006/2006-030summary.cfm

F2006-023: University of Alberta and University of Calgary (released January 24, 2008)

Office of the Information and Privacy Commissioner finds that the University of Alberta and the University of Calgary properly exercised their discretion under sections 25 and 29 of the FOIP Act in refusing to disclose all of the information, concerning recommended textbooks, requested by the applicant.

<http://www.oipc.ab.ca/ims/client/upload/F2006-023.pdf>

F2007-017: Capital Health (released January 29, 2008)

Office of the Information and Privacy Commissioner orders Capital Health to refund the payment of fees for records relating to a matter of public interest.

http://www.foip.gov.ab.ca/commissioners_decisions/orders/summary/2007/2007-017summary.cfm

F2006-025: University of Calgary (released January 30, 2008)

Office of the Information and Privacy Commissioner finds that the University of Calgary improperly withheld information related to an employee evaluation.

<http://www.oipc.ab.ca/ims/client/upload/F2006-025.pdf>

F2007-011: University of Alberta (released February 12, 2008)

Office of the Information and Privacy Commissioner finds that the University of Alberta did not fulfill its statutory obligations under the FOIP Act and orders the University to release a copy of an agreement with Coca-Cola to the applicant.

http://www.foip.gov.ab.ca/commissioners_decisions/orders/summary/2007/2007-011summary.cfm

F2007-001 & F2007-002: City of Edmonton and Edmonton Police Service (released February 20, 2008)

Information and Privacy Commissioner orders City of Edmonton and Edmonton Police Service to stop collecting client information from pawnshops and secondhand stores and to destroy a database created to store the information.

http://www.foip.gov.ab.ca/commissioners_decisions/orders/summary/2007/2007-001summary.cfm

http://www.foip.gov.ab.ca/commissioners_decisions/orders/summary/2007/2007-002summary.cfm

F2007-028: Edmonton Police Service (released February 21, 2008)

Information and Privacy Commissioner finds that the Edmonton Police Service did not meet its duty to assist and orders a search of back-up files and the disclosure of several emails.

http://www.foip.gov.ab.ca/commissioners_decisions/orders/summary/2007/2007-028summary.cfm

F2008-001: Calgary Police Service (released February 26, 2008)

Office of the Information and Privacy Commissioner finds that the Calgary Police Service contravened the FOIP Act when one of its members collected, used and disclosed a complainant's personal information for non-law enforcement purposes.

http://www.foip.gov.ab.ca/commissioners_decisions/orders/summary/2008/2008-001summary.cfm

F2006-004: Edmonton Police Service (released March 5, 2008)

Information and Privacy Commissioner finds that the Edmonton Police Service had the authority to conduct CPIC searches to obtain, use and disclose the criminal conviction history of a complainant and a witness at a Law Enforcement Review Board hearing.

<http://www.oipc.ab.ca/ims/client/upload/F2006-004.pdf>

F2007-019: Edmonton Public School Board (released March 11, 2008)

Information and Privacy Commissioner rules that parents had no legal standing on a privacy complaint regarding the seizure of their son's cell phone by school administrators who had accessed photographs contained on the phone.

http://www.foip.gov.ab.ca/commissioners_decisions/orders/summary/2007/2007-019summary.cfm

OIPC Publications and News Releases

New Video Surveillance Guidelines

New guidelines set out how companies should evaluate the use of video surveillance that respects privacy rights and complies with the law.

<http://www.oipc.ab.ca/news/detailspage.cfm?id=3541>

Enhanced driver's licences concern Canada's privacy guardians

Plans to consider or implement enhanced driver's licences (EDL) in several Canadian provinces have prompted federal, provincial and territorial privacy guardians to express their concerns about the privacy and security risks of the EDL program.

<http://www.oipc.ab.ca/news/detailspage.cfm?id=3472>

FOIP Training

Training sessions are scheduled for April 14, 15 and 16 in Calgary and May 13, 14 and 15 in Edmonton. The last half-day FOIP General Awareness is scheduled for May 12 in Edmonton. These are the last course offerings before the summer.

The training program includes three one-day sessions for employees who are responsible for FOIP and a half-day session for employees who require a basic overview of the concepts of protection of privacy and access to information. Training sessions are held in Edmonton and Calgary several times a year, or arrangements can be made for delivery of training at your workplace.

For more information, contact Deloitte & Touche LLP, Enterprise Risk Services, at (780) 421-3768 or goafoiptraining@deloitte.ca, or visit http://www.foip.gov.ab.ca/dsp_training.cfm.

Meeting Calendar

Who?	When?	Where?
School Jurisdictions FOIP Network	April 11, 2008	Nisku, AB
Post-Secondary FOIP Network	April 18, 2008	Edmonton, AB
HSIAPN	June 17, 2008	Edmonton, AB

Upcoming Events

Manitoba Access & Privacy Conference 2008

May 6 and 7, 2008 – Winnipeg, Manitoba

- This year's event focuses on many of the access and privacy issues facing the broader public sector today and provides practical guidance and tools on how they can be successfully addressed.

For more information, see <http://www.verney.ca/mbap2008/>.

IAPP Canadian Privacy Summit

May 21 to 23, 2008 – Toronto, Ontario

- The IAPP is hosting its first-ever national conference designed specifically for Canadian privacy professionals, by Canadian privacy professionals. Hear leading experts' perspectives on healthcare privacy, outsourcing, emerging technologies, privacy and marketing, global privacy management, and much more.

For more information, see <https://www.privacyassociation.org/>.

Privacy Compliance: Practical Solutions for Meeting Your Obligations

May 27 and 28, 2008 – Toronto, Ontario

- The Canadian Institute's *Privacy Compliance: Practical Solutions for Meeting Your Obligations* conference focuses on privacy compliance and risk management.

For more information, see http://www.canadianinstitute.com/legal/Privacy_Compliance.htm.

IAPP: CIPP, CIPP/G and CIPP/C examinations

May 29, 2008 – Edmonton, Alberta

- The International Association of Privacy Professionals (IAPP) is responsible for developing and launching the first broad-based credentialing program in information privacy, the Certified Information Privacy Professional (CIPP). The IAPP also offers a stand-alone credential targeted to the specific needs of Canadian privacy professionals, the Certified Information Privacy Professional/Canada (CIPP/C). Testing events are held throughout the year through sponsored events and at partner sites in select cities, including an upcoming event in Edmonton.

For more information, see https://www.privacyassociation.org/index.php?option=com_content&task=view&id=17&Itemid=223.

Access and Privacy Conference 2008

June 18 to 20, 2008 – Marriott River Cree Resort, Edmonton, Alberta

- The conference theme, *Performing at the Speed of Change*, aims to provide opportunities and insights to enable access and privacy professionals working in the public and private sector to anticipate and effectively deal with challenges and issues that can arise during their careers.

For program and registration information click on <http://www3.extension.ualberta.ca/accessandprivacy/>. Early bird pricing will be available until April 18, 2008.

Did You Know...

... Ontario's Information and Privacy Commissioner Ann Cavoukian recently released a ruling on the Toronto Transit System's expansion of its video surveillance system, for the purposes of public safety and security. Commissioner Cavoukian found the system to be in compliance with Ontario's *Municipal Freedom of Information and Protection of Privacy Act* – but she has called on the TTC to undertake a number of specific steps to enhance privacy protection. For the complete report, go to <http://www.ipc.on.ca/index.asp?navid=53&fid1=7874>.

... *The Times* recently reported on a patent application filed by Microsoft “for a computer system that links workers to their computers via wireless sensors that measure...heart rate, body temperature, movement, facial expression and blood pressure.” The article reported that the system would potentially be able to detect emotions, like stress and frustration. The article went on to state “[p]hysical changes to an employee would be matched to an individual psychological profile based on a worker’s weight, age and health. If the system picked up an increase in heart rate or facial expressions suggestive of stress or frustration, it would tell management that he needed help.” The UK Information Commissioner was quick to denounce any such system. Yet another good reason not to *sweat* the small stuff.

Service Alberta
Access, Privacy and Security
3rd Floor, 10155 – 102 Street
Edmonton, Alberta T5J 4L4
Phone: (780) 422-2657
Fax: (780) 427-1120
web site: <http://www.foip.gov.ab.ca>

FOIP Help Desk:
Phone: (780) 427-5848
Toll free dial 310-0000 first
E-mail: foiphelpdesk@gov.ab.ca

If you have an e-mail address, please let us know. Send an e-mail to foiphelpdesk@gov.ab.ca stating your name and organization and we will add you to our e-mail distribution list.