

TITLE	DATE PASSED	REPLACES
FOIP Policy	May 13th, 2021	2_FS.03.2015
POLICY #	SECTION	DATE LAST REVIEWED
2_FS.06.2021	2_ Foundations of Service	

Purpose: The Freedom of Information and Protection of Privacy (FOI) Act, aims to balance the public’s right to know with the individual’s right to privacy, as those rights pertain to information held by public bodies. The Alberta legislation can be found at <http://www.servicealberta.ca/foip/>. This legislation applies to public libraries.

The FOIP Act provides that Albertans have:

- the right to request access to information held by the Library,
- the right to access personal information about themselves held by the Library,
- the right to request correction to their personal information held by the Library,
- controls on the collection, use and disclosure of personal information by the Library, and
- the right to request independent review of decisions made under FOIP

1. The Library Director is designated as head of the local public body for the purposes of the FOIP Act.
2. Upon request, a library user will be given access to all information concerning their records that the library has on file. Access to a user’s record is limited to that user with the following exceptions:
 - 2.1. In the case of a library user twelve (12) years of age and under, access is also provided to the parent.
 - 2.2. In the case of a library user thirteen (13) to seventeen (17) years of age inclusive, access is also provided to the parent if the information is provided to aid in the retrieval of overdue library material or the collection of outstanding library charges.
 - 2.3. In the case of a person with diminished capacity such that the law has deemed that person not to be responsible for his/her actions, access will be provided to the person(s) noted in the user record as assisting in the management of the care and return of library materials.
 - 2.4. In the case of a library user thirteen (13) years of age and older who wishes to allow specified other people full access to his/her user record, access is also provided to those individuals named on a “Permission for Access” form signed by the person granting access. Full access to the user’s record will be provided to the person(s) named on the form until such time as the user rescinds his/her permission.
 - 2.5. In the case of a library user twelve (12) years of age and under, full access to the user record is also provided to those individuals named on a “Permission for Access” form signed by the parent. Full access to the user’s record will be provided to the person(s) named on the form until such time as the parent rescinds his/her permission or the library user reaches thirteen (13) years of age.
3. When an applicant may be charged a fee for services under Schedule 2 of the Freedom of

Information and Protection of Privacy Regulation, the maximum amount shall be charged.

4. User records showing library resources used or user requests for information and/or library resources may be accessed by a law enforcement agency only upon the production of a court order.
5. Where not covered by this policy, access to user records will be in accordance with the FOIPP Act, s.40 (1).

Note: This policy replaces some aspects of 2_FS.03.2015. Policies 2_FS.03.2021 and 2_FS.06.2021 were designed to more clearly separate policies pertaining to FOIP requests and the outlining the confidentiality of user records. This policy includes additional required material such as the designation of the head of the local public body.

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Sources

Grande Prairie Public Library Policy Manual. (2018). Retrieved April 15, 2021, from <https://www.gppl.ca/assets/Documents/board/Policy~Manual/POLICY MANUAL - March 2021.pdf>

Policies and Bylaws: A Guide for Alberta Public Library Boards. (2017). Retrieved April 15, 2021, from <https://open.alberta.ca/dataset/16450bbb-2ce2-42e1-88eb-003e40e035bb/resource/202e731d-d1ee-4bae-bdcb-35cbca5d0f4a/download/policies-and-bylaws-guide-final-september-2017.pdf>

Service Alberta > FOIP Home. (n.d.). Retrieved April 15, 2021, from <http://www.servicealberta.ca/foip/>