



WHAT IS THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT?

The Freedom of Information and Protection of Privacy Act is a law that came into effect in British Columbia in 1993. The Act provides individuals with specific information and privacy rights with regards to information that is collected or controlled by public bodies in British Columbia.

WHAT ARE MY INFORMATION AND PRIVACY RIGHTS UNDER THE ACT?

You have two major rights under the Freedom of Information and Protection of Privacy Act:

- the right of access to records in the custody or under the control of a public body, including your own personal information, and;
- the right of protection of the privacy of your personal information in the custody or under the control of a public body.

You also have several related rights, such as the right to request correction of your personal information if you think it is inaccurate, and the right to ask the Information and Privacy Commissioner to investigate if you think your rights are not being upheld.

WHAT ARE "RECORDS?"

Records are books, documents, maps, drawings, photographs, letters, vouchers, papers, and information that is recorded or stored on a computer, audio cassette, or videotape.

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WHAT ARE "PUBLIC BODIES?"

Public bodies include most provincial government, local government, and self-governing professional bodies in British Columbia. They are ministries, agencies, boards, and crown corporations; hospitals, municipalities, regional districts, municipal police, school districts, universities, and colleges; and numerous professional bodies, such as the British Columbia College of Teachers, the College of Physicians and Surgeons, and the Law Society of British Columbia. The Act does not apply to private businesses or associations.

WHAT IS "PERSONAL INFORMATION?"

Personal information is any recorded information that uniquely identifies you, such as your name, address, telephone number, age, sex, race, religion, sexual orientation, disability, fingerprints, or blood type. It also includes your health care, educational, financial, criminal, or employment history and anyone else's opinions about you or your own views or opinions.

ARE THERE ANY EXCEPTIONS TO MY INFORMATION AND PRIVACY RIGHTS UNDER THE ACT?

Yes. If you are requesting records from a public body, you will not get access to Cabinet confidences, someone else's personal information, or information that could harm another individual's business interests. You also will not generally get access to records that could harm law enforcement, the economic or financial interests of a public body, other individuals, or the public. Further, although you can expect a public body to protect the privacy of your personal information, it has the authority to release your information to others in certain circumstances, such as for law enforcement or to protect someone else's health or safety.

HOW DO I EXERCISE MY RIGHTS?

If you want access to records in the custody or under the control of a public body, you may request them directly from the public body. If you are concerned about a public body's protection of the privacy of your personal information, you should

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contact them directly to share your concerns. If you are dissatisfied with how a public body responds to your request or your concerns, you have the right to ask the Information and Privacy Commissioner to investigate.

REQUESTING RECORDS HOW DO I REQUEST RECORDS FROM THE SCHOOL DISTRICT?

Write to the FOI Officer of School District 46 or complete a "Request Form" at the school board office. Describe the records as clearly and completely as possible and request access to them. Normally, a public body must respond to your request within 30 days. If a public body needs additional time to respond, it must tell you so and explain why. It also must tell you when you can expect its full response. You have the right to request a review of a public body's extension of time to the Information and Privacy Commissioner.

WHAT KIND OF RESPONSE CAN I EXPECT?

If the school district does not have the records you requested, it will tell you and may transfer or refer your request to the public body that does. If the school district does have the records you requested, it may release all or parts of them to you. If the school district refuses to release all or parts of records to you, it must tell you why. It also must tell you that you have the right to request a review of its decision by the Information and Privacy Commissioner within 30 days.

DOES IT COST MONEY TO REQUEST RECORDS?

The school district cannot charge you for access to your own personal information. It may, however, charge you for access to non-personal information if it takes more than three hours to find or prepare the records for release. It also may charge you for the cost of copying and sending records to you. If the school district intends to charge a fee for records, it must first give you a fee estimate. You have the right to ask the Information and Privacy Commissioner to review a decision to require a fee.

FEES FOR ACCESS REQUESTS

Section 75 of the Freedom of Information and Protection of Privacy Act permits the school district to assess and charge a fee for certain costs associated with responding to access requests.

The Act outlines the maximum fees that can be charged for the following;

- Locating, retrieving and producing the record
- Preparing the record for disclosure
- Shipping and handling the record
- Providing a copy of the record

If fees are determined, the requestor will be notified in writing of any estimated costs in advance of the preparation of records. Many records are

REQUESTING A REVIEW

WHAT IS A REQUEST FOR REVIEW?

A request for review is an appeal to the Information and Privacy Commissioner about a public body's decision about records. Under the Freedom of Information and Protection of Privacy Act, the Commissioner may review any decision, act, or failure to act of a public body relating to a request for records. This includes decisions about the release of records, corrections to records, time extensions, and fees.

HOW DO I REQUEST A REVIEW?

Write to the Commissioner's Office within 30 days of receiving a public body's written decision about records and ask the Commissioner to review it. Attach a copy of your original request to the public body and a copy of the public body's response to you.



SCHOOL DISTRICT 46 SUNSHINE COAST

For more information on the Protection of Privacy and the Act in School District 46 - Sunshine Coast contact:

Freedom of Information Officer
School District 46 - Sunshine Coast



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**SCHOOL DISTRICT 46
SUNSHINE COAST**