

# Module 1: The Basics

## TIP SHEET



The **Freedom of Information and Protection of Privacy Act (FOIPPA)** is the privacy and access legislation that governs all public bodies in B.C. As a public body employee, contractor, or service provider, you must ensure that you manage information in accordance with FOIPPA.

### Four domains of information management

Records management, access to information, privacy, and security all play an important role in the effective stewardship of information held by public bodies.

# 1

**Records management:** Records management is the system an organization uses to effectively capture and maintain information associated with business activities and transactions. Records include both print and digital records of such items as email, documents, maps, and handwritten notes.

# 2

**Access:** Public bodies are accountable to the public for ensuring access to records under the custody or control of the public body, with limited exceptions. This includes individuals' right of access to their personal information.

# 3

**Privacy:** Privacy is protected by public bodies treating personal information responsibly and lawfully. This includes ensuring personal information is collected, used, and disclosed appropriately.

# 4

**Security:** Information security is the protection of information and information systems from unauthorized access, use, disclosure, disruption, modification, or destruction to ensure confidentiality, integrity, and availability of that information or system.



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## Where to go for help

- **Your supervisor** can help you determine when and how you are authorized to collect, use, and disclose personal information in the course of your work.
- **Your privacy officer** is the point of contact for privacy in your organization and can help you understand and resolve privacy issues, as well as navigate such processes as completing Privacy Impact Assessments.
- **Your FOI coordinator** is an expert in access to information and can help you navigate responding to FOI (access) requests.
- **The corporate privacy office** within the Ministry of Citizens' Services provides services to government and the broader public sector, including privacy training and resources such as the Privacy & Access Helpline.
- **The Office of the Information and Privacy Commissioner (OIPC)** provides independent oversight and enforcement of B.C.'s access and privacy laws, including the Freedom of Information and Protection of Privacy Act (FOIPPA). The office also has resources on privacy and access for public bodies, organizations, and individuals.

## Custody and control

FOIPPA applies to all records in the custody or under the control of a public body, unless explicitly out of scope of the Act.

- **Custody** of a record means physically possessing that record. It normally includes responsibility for, access to, and security of, that record, as well as managing, maintaining, preserving, and disposing of it.
- **Control** of a record refers to the authority to make decisions about how a record ought to be managed throughout its lifecycle. If a public body has control of a record, even if it does not have custody of that record, the record still may be subject to FOIPPA. For example, a public body's records that rest with one of its service providers would be under its control but may not be in its custody.