Office of the Information and Privacy Commissioner of Alberta

Request for Review Form – Protection of Privacy Act (POPA)
Privacy Complaints and Requests for Correction to Personal Information

Please complete this form:

- If you are a person who believes that your own personal information has been collected, used or disclosed by a public body in contravention of POPA, you may ask the Commissioner to review that matter. **Proceed to Step A below to ensure you are able to submit your review at this time.**

  OR

- If you have made a request to correct your personal information to a public body and this request has been refused or you have not received a response from the public body. **Proceed to Section 1A or 1B as applicable and Sections 3, 4 and 5 to complete the form.**

Information on how to complete this form is found on page 6. If you are not sure how to complete any part of this form, email generalinfo@oipc.ab.ca or call the Office of the Information and Privacy Commissioner (OIPC) during business hours at 780-422-6860 or toll free at 1-888-878-4044 for assistance.

STEP A - Fill in this portion if you are requesting a review concerning the collection, use or disclosure of your own personal information by a public body. For correction request reviews, go to Section 1A or 1B.

Before you come to the Commissioner, the law requires that you make a complaint to the public body about your concerns regarding the collection, use or disclosure of your personal information.

This gives the public body a chance to respond to your concerns. The public body has 30 business days after it receives the complaint to respond.

☐ **NO, I have not submitted a complaint to the public body. If you want guidance on how to do this, go to the instructions on page 6 under the heading – STEP A "Making a complaint about the collection, use and disclosure of my personal information."**

Do not continue to fill in this form until you have made a complaint to the public body.

☐ **YES**, I have submitted a complaint to the public body and I received a response.

☐ I have attached my complaint to the public body.

☐ I have attached the written response to my complaint by the public body. OR

☐ I received a response to my complaint by the public body, but it was not in writing and below is a summary of what the public body told me

Proceed to Section 1A or 1B and Sections 2, 4 and 5 to complete the form.

OR

☐ I submitted a complaint to the public body and I have not received a response and it has been at least 30 business days from the date the public body received my request.

☐ I have attached my complaint to the public body.

Section 1A – Are you requesting the review for yourself as an individual? If yes, please provide your contact information.

If you are requesting the review for someone else, proceed to Section 1B.

Your Information

Last Name:		First Name and Initial:	
Mailing Address:		Unit/Suite:	
City:	Province:	Country:	Postal Code:
Phone Number:	OK to leave a message?	☐ Yes	☐ No
Email:			

Section 1B – Are you requesting the review for someone else? Are you a lawyer or agent? Has an individual authorized you to act on their behalf? Are you representing a minor, have power of attorney, acting pursuant to a personal directive, are a guardian or trustee, or acting on behalf of someone who is deceased?

Yes – please fill in this section and provide documentation as requested below.
No – Skip to Section 2 if asking for a review of a privacy complaint. Skip to Section 3 if asking for a review of a correction request.

Last Name:		First Name and Initial:	
Name of organization requesting review:			
Mailing Address:		Unit/Suite:	
City:	Province:	Country:	Postal Code:
Phone Number:	OK to leave a message?	☐ Yes	☐ No
Email:			

Please tick applicable box below. Be prepared to provide documentation to support your authority after you submit this form.

☐ The person is deceased and I am the personal representative and my request relates to the administration of the estate.

☐ I am a guardian or trustee under the *Adult Guardianship and Trusteeship Act* and this review relates to the exercise of the right or powers as it relates to my duties.

☐ I am an agent under a personal directive pursuant to the *Personal Directives Act, and* the directive authorizes me to do so.

☐ I have power of attorney granted by the individual, and the exercise of the right or power is related to those conferred on me as the power of attorney.

☐ The individual is a minor, and I am the guardian of the minor.

Age of minor 0

☐ I have written authorization from the individual to act on their behalf. You can use and attach the OIPC form found here or attach other documentation to support your authority.

Person you are acting on Behalf of

Last Name: First Name:

Section 2 – Review of Privacy Complaint

☐ **I request a review of the Public Body's response or lack of response to my complaint about:**

- ☐ **Collection:** My personal information has been collected by the public body contrary to POPA.
- ☐ **Use:** My personal information has been used by the public body contrary to POPA.
- ☐ **Disclosure:** My personal information has been disclosed by the public body contrary to POPA.
- ☐ **Breach:** A breach occurred involving the public body and my personal information.

Public Body Involved:

File Number (if applicable):

Please explain **briefly** the facts or details that support your complaint that your personal information has been collected, used, or disclosed in contravention of POPA. If this space is not sufficent, you may attach more information or evidence to support your complaint to a limit of 15 pages maximum.

Section 3 – Correction to your Personal Information

Public Body Involved:

File Number (if applicable):

☐ **Correction Denied: My request for correction of my personal information was denied.**

☐ I have attached my request for the correction to my personal information.

☐ I have attached the public body's response to my correction request.

☐ **No Response: I did not receive a response to my correction request.**

☐ The public body has not responded to my request within 30 business days after it received my request and I have not received information that the time limit for the public body to respond was extended by the Commissioner.

☐ I have attached my request for the correction to my personal information.

Please note that:

Section 7(2) of POPA states that the Public Body MUST NOT correct an opinion, including a professional or expert opinion.

If a correction cannot be made due to section 7(2), the Public Body must annotate or link the personal information with that part of the requested correction that is relevant and material to the record in question.

Section 4 – How do you think the OIPC may assist you?

Describe the result or outcome you seek.

Section 5 – Acknowledgement

Your Signature and Statements

☐ **Before you send your form to the OIPC,** please check whether you have attached the relevant documentation to support your request for review. **Failure to provide the required supporting documentation will result in the OIPC returning the request and not conducting a review.** The OIPC will not accept a submission that is deficient or submitted in parts.

☐ Section 39(1) – On receiving a request for review, POPA requires the Commissioner to provide a copy of your completed form and all attachments to the Public Body.

I confirm that by checking this box, I understand that this form and attachments will be provided to the Public Body.

☐ I acknowledge by checking this box, that I am required to keep my contact and address information up-to-date and, if I fail to do so, this review may not proceed. If my contact information changes, I must complete a "*Change of Contact and/or Address for Service*" form available here. Likewise, any person you authorize to act on your behalf must keep their contact information current.

Signature (Typing your name confirms acceptance) Date

If you are not sure how to complete any part of this form, email generalinfo@oipc.ab.ca or call the Office of the Information and Privacy Commissioner (OIPC) during business hours at 780-422-6860 or toll free at 1-888-878-4044 for assistance.

Please submit this form and attachments to complaint_review@oipc.ab.ca account. You may also mail this to: Office of the Information and Privacy Commissioner, Suite 410, 9925 109 Street NW, Edmonton, AB T5K 2J8.

www.oipc.ab.ca

Do not include this sheet with your Request for Review Form

How to complete and submit the POPA Request for Review Form for reviews concerning the collection, use or disclosure of your personal information or correction requests

STEP A - Making a complaint to a public body about the collection, use or disclosure of my personal information.

POPA requires that you make a privacy complaint to the public body BEFORE you submit a request for review to the Commissioner.

Here are some tips on how to do that:

- **Make the complaint to head of the public body or its delegated person to deal with these matters under POPA.**
  - **Contact the public body and ask who you should direct your complaint to. When in doubt, submit it to the head of the public body.**
- **If your complaint concerns an Alberta government department (for a listing see https://www.alberta.ca/ministries) you believe inappropriately collected, used or disclosed your personal information, you can submit your complaint to this email address: privacy@gov.ab.ca.**
- **Make your complaint in writing and keep a copy.**
- **Clearly and briefly explain the circumstances around the collection, use or disclosure of your personal information and why you believe those circumstances contravene POPA.**
- **You may find it helpful to follow the WHAT< WHEN<HOW<WHO<WHY method to explain your circumstances:**
  - **WHAT - Identify what personal information you believe was collected, used or disclosed by the public body in contravention of POPA.**
  - **WHEN – did the collection, use or disclosure occur?**
  - **HOW – did the collection, use or disclosure occur? For example, was an email with your personal information sent to the wrong person?**
  - **WHO – collected, used or disclosed your personal information?**
  - **WHY – Describe why the collection, use or disclosure of your personal information was in contravention of POPA.**
- **Provide information or evidence to support that the collection, use or disclosure of your personal information occurred contrary to POPA.**
- **Write down names of people you speak with, when you spoke to them and what they said.**

Section 1A – Your Contact Information

Fill out this section if **you are requesting a review in relation to your own personal information**.

- First and Last name: we will not share your name with anyone outside of our office unless you consent or it is necessary as part of conducting the review or otherwise authorized by law.

- Mailing address: please include your City and Postal Code.
- Phone number(s) include the preferred number for use to call you on. Our preferred method to communicate with you about the review is by phone, therefore, please be available and return calls promptly. Otherwise, a file may not be opened or may be discontinued. If you cannot meet this requirement, you may name an agent to represent you.

- "Ok to leave message" We will not leave details about our interaction, but we will identify who we are, who we are leaving the message for, and ask for a returned call.

- Email address: Please provide this address. We will use secure email for any communications containing sensitive information.

Section 1B- If you are acting on behalf of an individual, please fill in this part.
Fill out this section if you made the access to information request or are **submitting the review on behalf of someone else.**

If you have written authorization to act on behalf of someone, please attach it.

You will be asked by the OIPC to provide documentation for review to support your ability to act on behalf of someone else under ATIA after your form is submitted. Please have this documentation ready to provide when requested. For example, you may be asked to produce a copy of a will to demonstrate you are the personal representative, a personal directive, power of attorney, or proof of guardianship or trusteeship.

- First and Last name: we will not share your name with anyone outside of our office unless you consent or it is necessary as part of conducting the review or otherwise authorized by law.

- Mailing address: please include your City and Postal Code.

- Phone number(s) include the preferred number for us to call you on. Our preferred method to communicate with you about the review is by phone, therefore, please be available and return calls promptly. Otherwise, a file may not be opened or may be discontinued. If you cannot meet this requirement, you may name an agent to represent you.

- "Ok to leave message" We will not leave details about our interaction, but we will identify who we are, who we are leaving the message for, and ask for a returned call.

- Email address: Please provide this address. We will use secure email for any communications containing sensitive information.

Section 2 – Privacy Complaint (complete only if applicable)
Complete this section if you believe your personal information has been improperly collected, used, disclosed or breached.

• Public Body Involved: please list the Public Body that is the subject of your complaint.
• Complaint Type: check all that apply.
• Relevant Details: please include any relevant documents to support that your personal information was collected, used or disclosed in contravention of POPA or if you have knowledge that your personal information was involved in a breach. If you require more room attach a separate sheet up to a maximum of 15 pages. If you submit more than the maximum, those pages that exceed the maximum will not be considered.

You must bring a review to the Commissioner within set time limits under POPA – POPA requires that you submit your request for review to us no sooner than the expiry of the 30 business days the public body has to answer your complaint AND within **60 business days** after you have received a response from the public body.

Or
If the public body did not respond to your complaint within the 30 business days, you must bring your review to the Commissioner within 60 business days after the expiry of the initial 30 days the public body had to respond.

Section 3 - Correction to your personal information (complete only if applicable)

If you have requested a correction to your personal information complete this section.
• Public Body Involved: please list the Public Body subject to the correction request.
• Complaint Type: check the appropriate complaint type(s) from the list.

If you are asking for a correction to an opinion, including a professional opinion, POPA does not allow for this. If this is the case, POPA allows the public body to annotate or make a note concerning the correction request.

Correction requests do not involve the destruction or removal of information from records.

Section 4 - How do you think the OIPC may assist you?

It is important to know what the OIPC may do and what they cannot do for you. You may reconsider submitting the form if you are expecting the OIPC to do something we are unable to do.

What We Cannot Do

- **We cannot issue monetary awards and we do not issue fines** if we find your request for review was valid.
- **We cannot force anyone to be disciplined, suspended or fired from their job.** Decisions related to job discipline are made by the employer. We cannot change those decisions.
- **We cannot change a decision made by another body or administrative tribunal about providing a benefit or issuing a penalty**, such as decisions made by the Workers' Compensation Board, Assured Income for the Severely Handicapped (AISH), Ombudsman, Maintenance Enforcement, and so on.
- **We are not an advocate.** We cannot represent you in your request for review. We also do not represent the Public Body.

Section 5 – Acknowledgement
Provide a completed <u>single submission</u> with all required attachments

- You must provide a completed Request for Review Form and all supporting documents in <u>*one*</u> submission. Otherwise, the submission(s) will be returned or any information you submit after you provide the form may not be accepted.

- **Please only provide the information that we initially ask for.**
  Do not send a large amount of materials, as this will delay processing, cause uncertainty in understanding your concerns, and may result in your request for review or privacy complaint being returned.

  Typically, **submissions should not exceed 15 pages** including the Request for Review Form and all attachments. We enforce this page limit. Your comments and attachments must be relevant to your request for review and to what our office does. If we require more information from you, we will ask for it.

  If you submit an extremely large number of documents or if it is not clear that the information you provided falls within our area to review, your submission will not proceed to a review and you will be asked to re-submit your request for review.

- **Ensure contact information is up to date.** You or the person who you authorized to act on your behalf must keep your contact information up to date. If you fail to do so, your review may not proceed. There is a link to our website with a form you can use to change your contact information.