

 <p>The City of <b>SPRUCE GROVE</b></p>	<h2>ADMINISTRATIVE POLICY</h2>	<b>Policy No:</b> AP-1114-26
		<b>Approved By:</b> City Manager
		<b>Effective Date:</b> June 11, 2026 <b>Last Reviewed Date:</b> June 11, 2026
		<b>Division:</b> Strategic and Communication Services - City Clerk's Office

## PRIVACY MANAGEMENT PROGRAM POLICY

### POLICY STATEMENT

The City is committed to protecting Personal Information in accordance with the *Protection of Privacy Act*, S.A. 2024, c P-28.5, as amended and the Regulations thereunder. Protecting Personal Information is one of the City's highest priorities and must be built into all City programs, applications, processes, projects, and technology that involves the collection, use, storage, and disclosure of Personal Information.

#### 1. PURPOSE

- 1.1 To ensure compliance with the Act, which provides the legislative framework by which public bodies may collect, use, or disclose Personal Information.
- 1.2 To ensure the protection of Personal Information by establishing roles, responsibilities, principles and procedures governing how Personal Information is collected, retained, accessed, used, disclosed and disposed.

#### 2. DEFINITIONS

- 2.1 "Access and Privacy Office" means the business unit within the City Clerk's Office responsible for the City's access and privacy management program.
- 2.2 "Act" means the *Protection of Privacy Act*, S.A. 2024, c P-28.5, as amended.
- 2.3 "Automated System" means any system, software or process that uses computation as whole or part of a system to determine outcomes, make or aid decisions, inform policy implementation, collect data or observations, or otherwise interact with individuals and/or communities. Automated systems include, but are not limited to, any artificial intelligence, or systems derived

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from machine learning, statistics, or other data processing or artificial intelligence techniques, and exclude passive computing infrastructure.

- 2.4 “Business Day” means a day other than Saturday, Sunday, or a statutory holiday in Alberta.
- 2.5 “Chief Privacy Officer” means the Manager of Information Management / Access and Privacy, who is designated by the responsibility for ensuring that City complies with this policy, the Act, the *Access to Information Act*, S.A. 2024, c A-1.4, as amended, and the Regulations thereunder.
- 2.6 “City” means the municipal corporation of the City of Spruce Grove in the Province of Alberta.
- 2.7 “City Manager” means the administrative head of the City of Spruce Grove.
- 2.8 “Data Derived from Personal Information” means data created by Data Matching and which identifies any individual whose Personal Information was used in the Data Matching.
- 2.9 “Data Matching” means linking Personal Information between two or more databases or other electronic sources of information.
- 2.10 “Electronic Record” means a record that exists at the time a request for access is made or that is routinely generated by a public body that can be any combination of texts, graphics, data, audio, pictorial or other information represented in a digital form that is created, maintained, archived, retrieved or distributed by a computer system.
- 2.11 “Employee” means a person who performs a service for the City as an appointee, volunteer, student or under a contract or agency relationship with the City.
- 2.12 “Head of the Local Public Body” means the City Manager under the Act and the City’s Records and Information Management Bylaw.

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- 2.13 “Information” means the contents of a Record.
- 2.14 “Non-Personal Data” means data, including Data Derived from Personal Information, that has been generated, modified or anonymized so that it does not identify any individual, and includes synthetic data and any other type of non-personal data identified in the Regulations.
- 2.15 “Notice of Collection Statement” means a mandatory disclosure that tells individuals:
- (a) why the City is collecting their Personal Information;
  - (b) the legal authority for doing so;
  - (c) who they can contact with questions; and
  - (d) the City’s intentions, if any, at the time of collection for inputting the information into an Automated System to generate content or make decisions, recommendations or predictions.
- 2.16 “Personal Information” means recorded Information about an identifiable individual, including:
- (a) the individual’s name, home and business address, home and business telephone number, home or business email address or other contact Information, except where the individual has provided the Information on behalf of the individual’s employer or principal, in the individual’s capacity as an employee or agent;
  - (b) the individual’s race, national or ethnic origin, colour or religious or political beliefs or associations;

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- (c) the individual's age, gender identity, sex, sexual orientation, marital status or family status;
- (d) an identifying number, symbol or other particular assigned to the individual;
- (e) the individual's fingerprints, other biometric information, blood type, genetic information or inheritable characteristics;
- (f) information about the individual's health and health care history, including information about the individual's physical or mental health;
- (g) information about the individual's education, financial, employment or criminal history, including criminal records where a pardon has been given; and
- (h) anyone else's opinions about the individual; and
- (i) the individual's personal views or opinions, except if they are about someone else.

2.17 "Personal Information Bank" means a collection of Personal Information that is organized or retrievable by the name of an individual or by an identifying number, symbol or other particular assigned to an individual.

2.18 "Privacy Breach" means any unauthorized or accidental access to, collection, use, disclosure, copying, modification, disposal, or destruction of Personal Information in the custody or control of the City.

2.19 "Privacy Impact Assessment" means a legislated, formal and comprehensive analysis of how a program, system, or initiative collects, uses, discloses, stores, and protects Personal Information.

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- 2.20 “Privacy Management Program” means the City’s program in place that complies with the requirements and duties of the Act. This policy forms part of this program.
- 2.21 “Privacy Scan” means a preliminary, high-level review used to quickly identify whether a program, system, or initiative, or vendor relationship involves Personal Information and whether there may be privacy risks or other prescribed circumstances under the *Protection of Privacy (Ministerial) Regulation*, Alta Reg 143/2025, as amended that require a Privacy Impact Assessment.
- 2.22 “Record” means any Electronic Record or other record in any form in which Information is contained or stored, including information in any written, graphic, electronic, digital, photographic, audio or other medium, but does not include any software or other mechanism used to store or produce the record.
- 2.23 “Regulations” means the *Protection of Privacy (Ministerial) Regulation*, Alta Reg 143/2025 and the *Protection of Privacy Regulation*, Alta Reg 132/2025, as amended.

### 3. RESPONSIBILITIES

- 3.1 The City Manager:
- (a) must, as the Head of the Local Public Body, oversee administration, education and compliance under the Act; or
  - (b) may as the Head of the Local Public Body delegate the duties and functions to another position within the City.
- 3.2 The Access and Privacy Office must:
- (a) promote awareness of and compliance with the Act;

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- (b) develop, implement, and maintain privacy policies, procedures, and best practices;
- (c) review and support departmental collection, use, disclosure, protection, and authorized disposition of Personal Information;
- (d) provide authoritative advice, education, and direction to all City Employees on privacy compliance;
- (e) develop training materials for Employee training, awareness and skill development in privacy compliance, including to promote awareness and ensure compliance with any significant changes to the legislative requirements;
- (f) complete Privacy Scans and Privacy Impact Assessments for any technology, system, program, or service involving the collection or use and protection of Personal Information;
- (g) investigate complaints of Personal Information misuse and/or Privacy Breaches;
- (h) work with departments to address appeals or investigations undertaken by the Information and Privacy Commissioner's Office, where required; and
- (i) advise the City Manager and responsible General Manager on a timely basis when significant issues regarding policy non-compliance arise.

**3.3 Employees must:**

- (a) comply with the requirements set out under the Act and this policy;

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- (b) attend mandatory Access and Privacy training within six months of the start of employment and re-training every three years or sooner if there are significant changes to the Act, the *Access to Information Act*, S.A. 2024, c A-1.4, as amended, or the regulations thereunder; and
- (c) immediately report any suspected Privacy Breach or unauthorized access, use, or disclosure of Personal Information to their supervisor and the Access and Privacy Office.

3.4 General Managers / Directors must provide leadership for the ongoing development and implementation of robust protection of privacy practices within their divisions/departments.

3.5 The Information Systems department must oversee the data and security management of Personal Information to ensure alignment with the privacy requirements of the Act, including implementation of appropriate administrative, technical, and physical safeguards such as access controls, encryption where appropriate, logging, monitoring, and secure disposal practices.

#### 4. DELEGATION OF AUTHORITY

4.1 The City Manager delegates the duties and functions under this policy to the Manager of Information Management / Access and Privacy, who will also be known as the Chief Privacy Officer.

#### 5. CONSENT

5.1 The City will inform individuals why and how their Personal Information is collected, and how it may be used and disclosed; obtain their consent where required; and only handle their Personal Information in a manner that a reasonable person would consider appropriate in the circumstances and as authorized by the Act.

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- 5.2 Where required to do so, the City will obtain consent to collect, use or disclose Personal Information orally, in writing, electronically or through an authorized representative and will ensure the consent complies with requirements of the *Protection of Privacy (Ministerial) Regulation*.
- 5.3 Notwithstanding section 5.2, consent may be implied where collection, use, or disclosure is authorized or required by the Act or other applicable legislation.
- 5.4 Consent may also be implied where notice is given and there is a reasonable opportunity to opt-out of Personal Information being used for advertising such as mail-outs or the marketing of programs and services, and the individual does not opt-out, where such use is authorized under the Act.
- 5.5 Subject to certain exceptions including but not limited to:
- (a) the Personal Information is necessary for the provision of a service; or
  - (b) program or the withdrawal of consent would frustrate the performance of a legal obligation, individuals can withhold or withdraw their consent for use of their Personal Information for certain uses. Withdrawal of consent does not affect any collection, use, or disclosure of Personal Information that occurred prior to the withdrawal and that was authorized at the time.
- 5.6 If an individual's withholding or withdrawal of their consent for certain uses may restrict the City's ability to provide programs or services, the Access and Privacy Office will explain the situation to inform and assist the individual in making their decision.
- 5.7 In accordance with the Act, the City may collect an individual's Personal Information without their knowledge or consent in the following limited circumstances:

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- (a) In an emergency that threatens an individual's life, health, or personal security;
- (b) When the Personal Information is available from a public source (e.g. telephone directory);
- (c) When the City requires legal advice from a lawyer;
- (d) For the purposes of collecting a debt;
- (e) To protect the City from fraud;
- (f) To investigate an anticipated breach of an agreement or a contravention of law; or
- (g) As otherwise authorized under the Act.

## 6. COLLECTING PERSONAL INFORMATION

- 6.1 The City may collect and use Personal Information only when authorized by law or when necessary for an official program or service, and directly related to and necessary for that program and service.
- 6.2 Unless the purposes for collecting Personal Information are obvious and the Personal Information is provided voluntarily for those purposes, the City will communicate the purposes for which Personal Information is being collected, either orally or in writing, before or at the time of collection by way of the Notice of Collection Statement.
  - (a) The amount and type of information collected will be limited to that which is needed to fulfil the identified purposes.

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- 6.3 Notice of Collection Statements must be developed in consultation with the Access and Privacy Office.
- 6.4 The City will develop and maintain Personal Information Banks and will review and audit them routinely, typically on an annual basis where time and resourcing allow to ensure that Personal Information is used for the identified purpose(s) and remains accurate and relevant.

## 7. USING AND DISCLOSING PERSONAL INFORMATION

- 7.1 The City will only use and disclose Personal Information where necessary and authorized under the Act:
  - (a) To fulfill the purposes identified at the time of collection or for uses consistent with those purposes;
  - (b) to conduct surveys in order to enhance the provision of City programs and services; or
  - (c) to contact individuals directly about programs and services that may be of interest to them.
- 7.2 The City will not disclose Personal Information for any additional purpose unless it is authorized under the Act or consent is obtained to do so.

## 8. DATA MATCHING

- 8.1 Data Matching may only occur in circumstances prescribed by the Act. If authority to conduct Data Matching does not exist under the Act, then the City cannot use Data Matching to create Data Derived from Personal Information.

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- 8.2 The City must destroy the Data Derived from Personal Information or transform it into Non-Personal Data once the original purpose for which it was created has been fulfilled. The intent is to have the Data Derived from Personal Information destroyed or changed into Non-Personal Data, as soon as it is reasonably practical, to protect it from unauthorized access, use, or disclosure.
- 8.3 The City may only disclose Data Derived from Personal Information under the specific circumstances identified in the Act.
- 8.4 Data derived from Personal Information cannot be disclosed under a formal access to information request under the *Access to Information Act*, S.A. 2024, c A-1.4, as amended.

## 9. NON-PERSONAL DATA

- 9.1 The City may only create Non-Personal Data for the purposes specified under the Act and the Regulations. The creation of Non-Personal Data for research and analysis ensures the City can modify, anonymize or generate Non-Personal Data from Personal Information to make accurate and informed decisions without putting individuals' personal privacy at risk.
- 9.2 The City will only create Non-Personal Data in accordance with generally accepted best practices and any requirements prescribed under the Act and the Regulations.
- 9.3 Each time the City creates Non-Personal Data, the City will create a maintain a record, in accordance with any requirements under the Regulations, of:
- (a) a description of the Personal Information or Data Derived from Personal Information used to create the Non-Personal Data;
  - (b) the purpose for creating the Non-Personal Data;

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- (c) the method used for creating the Non-Personal Data;
- (d) the assessment done to ensure that the identity of the individual who is the subject of the Non-Personal Data cannot be identified or re-identified from the Non-Personal Data; and
- (e) any other requirements prescribed under the Regulations.

9.4 The City will establish a data quality assurance process to:

- (a) verify and review the effectiveness of any methods used to create the Non-Personal Data;
- (b) ensure any methods used to create the Non-Personal Data can be replicated for auditing purposes;
- (c) identify and account for potential bias in the Non-Personal Data; and
- (d) ensure the accuracy and completeness of the Non-Personal Data if the Non-Personal Data is used to inform decisions about programs or services.

9.5 The City may collect personal information from another public body for an authorized purpose and only use Personal Information or Data Derived from Personal Information to create Non-Personal Data if it is already in custody or under the control of the City.

## 10. RETAINING PERSONAL INFORMATION

10.1 Personal Information used to make a decision that directly affects an individual and Records relating to the use of that Personal Information will be retained for at least one year so that the individual has a reasonable opportunity to request access to it.

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- 10.2 The City will retain Personal Information in accordance with the City's retention schedules and only as long as necessary to fulfill the identified purpose or to meet legal, regulatory, audit or operational requirements.
- 10.3 Personal Information will be disposed of in accordance with the City's Records Management Policy, destruction procedures, and in a secure manner that prevents loss, misuse, theft or unauthorized access.

## 11. ENSURING ACCURACY OF PERSONAL INFORMATION

- 11.1 The City will make reasonable efforts to ensure that Personal Information is accurate, complete and as up-to-date as possible.
- 11.2 Individuals may request correction of their Personal Information in order to ensure its accuracy and completeness. A request to correct Personal Information must be made in writing and provide sufficient detail to identify the Personal Information and the correction being sought.
- 11.3 If the Personal Information is demonstrated to be inaccurate or incomplete, the Personal Information will be corrected as required and the corrected Personal Information will be sent to any organization to which it was disclosed in the previous year.
- 11.4 If the correction is not made due to an inability to verify the Personal Information, the City will note this and advise the individual accordingly.

## 12. SECURING PERSONAL INFORMATION, DATA DERIVED FROM PERSONAL INFORMATION, AND NON-PERSONAL DATA

- 12.1 The City must maintain the security of Personal Information, Data Derived from Personal Information, and Non-Personal Data in order to protect it from unauthorized access, collection, use, disclosure, copying, modification,

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disposal, or similar risks, through appropriate administrative, technical, and physical safeguards proportionate to the sensitivity of the Personal Information, Data Derived from Personal Information, or Non-Personal Data.

12.2 The City has identified and will assign security classification levels for Personal Information, Data Derived from Personal Information, and Non-Personal Data as required under the *Protection of Privacy (Ministerial) Regulation*. The applicable classification levels are:

- (a) **Restricted or highly sensitive:** Financial information, biometric data, Personal Information of a minor, senior or other vulnerable individual is treated as highly sensitive Personal Information and given the strongest security and privacy protection.
- (b) **Confidential or sensitive:** Personal Information or confidential information, such as employee files, demographic information, and program details or any personal attributes of an individual is treated as sensitive information and given strong controls, need to know access, encryption and secure storage.
- (c) **Publicly Available:** Information approved for release to general public, Council meeting agendas, bylaws, public reports, city websites.

12.3 The City must employ reasonable security arrangements to protect Personal Information, Data Derived from Personal Information and Non-Personal Data against such risks as unauthorized access, collection, use, and disclosure. Such security arrangements must be proportional to the assigned security classification levels and employ proper safeguards such as:

- (a) Administrative safeguards: policies, procedures, or practices relating to the City's conduct and protection of Personal Information, Data Derived from Personal Information, and Non-Personal Data.

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- (b) Physical safeguards: measures to protect of the City's physical assets, including electronic information systems, from natural and environmental hazards and unauthorized intrusion.
- (c) Technical safeguards: measures to protect the City's electronic information and control access to it.

12.4 The City will continually review and work with the Information Systems department to update security procedures and controls as technology changes to ensure ongoing Personal Information security, and will conduct risk assessments to evaluate the effectiveness of such safeguards.

### 13. PROVIDING ACCESS TO PERSONAL INFORMATION

- 13.1 Individuals have the right to access their Personal Information, subject to limited exceptions outlined in the *Access to Information Act*, and *Access to Information Regulation*, Alta Reg 133/2025, as amended.
- 13.2 A request to access Personal Information must be made in writing and provide enough detail to enable the City to locate and identify the record within a reasonable time with reasonable effort.
- 13.3 Any requests to access Personal Information should be forwarded to the Access and Privacy Office with a reasonable amount of time.
- 13.4 Upon request, it will be shared with the individual how their Personal Information will be used and to whom it has been disclosed.
- 13.5 Requested information will be available within 30 Business Days. Alternatively, if additional time is required, written notice of an extension will be provided to the requestor.

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- 13.6 No application fee is charged for providing access to Personal Information, unless the fees for producing a copy of a Record exceed \$10 and are in accordance with the *Access to Information Regulation*, Alta Reg 133/2025.
- 13.7 Where a fee may apply, the individual requesting their Personal Information will be informed of the estimated cost and the City will request further direction on whether or not the individual wants to proceed with the request.
- 13.8 If a request is refused in full or in part, the requestor will be notified in writing, providing the reasons for refusal and the recourse available to them.

#### 14. PRIVACY IMPACT ASSESSMENTS

- 14.1 Where required under the Act and Regulations, the City must prepare a Privacy Impact Assessment in accordance with the prescribed requirements.
- 14.2 In conducting a Privacy Impact Assessment, the City must evaluate the relevant practice, program, project, or service for compliance with the Act, identify and review any possible privacy implications and risks related to the City's collection, use, and disclosure of Personal Information, consider possible mitigation strategies and safeguards to reduce or eliminate any negative impact or risks, and address how the City will ensure compliance with its duties under the Act.
- 14.3 Under certain prescribed circumstances under the *Protection of Privacy (Ministerial) Regulation*, Alta Reg 143/2025, as amended, the City must submit the Privacy Impact Assessment to Information and Privacy Commissioner.

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## 15. COMPLAINTS AND REVIEWS

- 15.1 A person who believes that the person's own Personal Information has been collected, used, or disclosed in contravention of the Act may submit a complaint in writing to the Chief Privacy Officer.
- 15.2 If it decides to respond to the complaint, the City must provide its response to the individual making a complaint within 30 Business Days after the City receives the complaint.
- 15.3 Upon first making a complaint to the City regarding a decision that the City makes with respect to the collection, use, or disclosure of their Personal Information, an individual has a right to request a review of such decision or response by the Information and Privacy Commissioner of Alberta.
- 15.4 A person who makes a request to the City for correction of their Personal Information may ask the Information and Privacy Commissioner of Alberta to review any decision, act, or failure to act of the City that relates to the request.
- 15.5 Subject to the conditions in the Act, orders issued by the Office of the Information and Privacy Commissioner must be complied with within 50 Business Days of the City receiving a copy of the order.

## 16. REQUEST FOR CORRECTION

- 16.1 An individual has the right to request a correction of Personal Information, not a right to have a correction made. Requests for corrections can be made for factual information, not opinions on the individual.
  - (a) A request for correction should be made to the Access and Privacy office in writing via the Correction of Personal Information Form.

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- (b) The individual must provide proof in support of the request that it is of the same nature and at least the same quality as the Personal Information required when the original collection took place.
- (c) Examples of documents that might be required to prove facts include a birth or baptismal certificate to prove age, or a notice of assessment from the Canada Revenue Agency to prove income.
- (d) The City cannot correct an opinion, including a professional or expert opinion.
- (e) The City must give written notice to the individual within 30 Business Days of receiving the request that either the correction has been made, or an annotation or linkage has been made.
- (f) The City will provide explanations of decisions that may be needed if a review by the Information and Privacy Commissioner occurs regarding the correction, including any annotations, linkages or refusals of the correction request.

#### 16.2 Making the Correction:

- (a) If the City decides to correct an error, all records containing the Personal Information must be corrected with an annotation of the date of the correction.
- (b) To annotate Personal Information means to add the requested correction to the original record, close to the information under challenge by the applicant.
- (c) An annotation should be signed and dated.

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16.3 Refusing a Correction Request:

- (a) The City may refuse or be unable to make a correction that an individual requests. This may be because the information is not Personal Information, the individual has not submitted adequate proof in support of the requested correction, or the information consists of an opinion rather than fact.

**17. REVIEW**

- 17.1 In accordance with the City's Bylaw and Policy Development and Review Framework Policy, this policy will be reviewed at minimum every four years or sooner to reflect amendments to the Act.

**RELATED LEGISLATION**

*Access to Information Act*, S.A. 2024, c A-1.4, as amended  
*Protection of Privacy Act*, S.A 2024, c P-28.5, as amended  
*Municipal Government Act*, R.S.A. 2000, c M-26, as amended  
 AP-1113-26 - Access to Information Policy  
 AP-1120-26 - Privacy Breach Response Policy  
 AP-1126-26 - Records Management Policy

**APPROVAL**

City Manager: Original signed by Dean Screpnek Date: June 11, 2026