



ALGONQUIN AND LAKESHORE CATHOLIC DISTRICT SCHOOL BOARD

ADMINISTRATIVE PROCEDURES

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY (Policy Statement: Freedom of Information and Protection of Privacy)

Purpose

The Algonquin and Lakeshore Catholic District School Board is committed to the protection of personal information under its control and to an individuals' right of privacy regarding personal information that is collected, used, disclosed, and retained in the school system and has established administrative procedures as guidelines.

References

Education Act and Regulations

Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

Personal Health Information and Protection Act (PHIPA)

Procedures

The Board shall comply with the provisions of all applicable legislation regarding the control and protection of personal information based on the following guidelines:

1. Definitions

1.1 General Information:

General Information refers to recorded information in the Boards' custody and/or control that is not a personal nature and is not exempt from public access under the *Municipal Freedom of Information and Protection of Privacy Act* or other legislation.

1.2 Personal Information:

"Personal information" means recorded information about an identifiable individual, including,
(a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,
(b) information relating to the education or the medical, psychiatric, psychological,

criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,

(c) any identifying number, symbol or other particular assigned to the individual,

(d) the address, telephone number, fingerprints or blood type of the individual,

(e) the personal opinions or views of the individual except if they relate to another individual,

(f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,

(g) the views or opinions of another individual about the individual, and

(h) the individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

2. Accountability and Responsibility

2.1 Under the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)* the Board is responsible for personal information under its control and may designate an individual who is accountable for compliance with privacy legislation. The Director of Education/designate shall be considered the Head of the Board for the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*.

2.2 Under the *Personal Health Information Protection Act*, health information custodians are responsible for personal health information in their custody and control and may designate an individual as an agent to assist with compliance with privacy legislation. The Director of Education shall be considered the agent for the purposes of the *Personal Health Information Protection Act*.

3. Specified Purposes

The purposes for which personal information is collected are specified, and individuals are notified of the purposes at or before the time personal information is collected.

4. Consent

The knowledge and, in some cases, an individual's informed consent is required for the collection, use, and disclosure of personal information, except where otherwise permitted by law.

5. Video and Electronic Surveillance

5.1 The Board will comply with *MFIPPA* regarding the use of video and electronic surveillance. Collection, use, disclosure and storage will be minimized for the specific use of the proper administration of the Board and its facilities and will not be used for any other purpose unless required by law. Notification guidelines and information about the collection, use, disclosure and storage of video surveillance footage will be outlined in Appendix 1 of this policy.

5.2 Individuals will be notified of the areas under surveillance through signage, as shown in

Appendix 2 of this policy, which states the legal authority to collect footage, reasons and a board contact number.

- 5.3 The Board will require School Administrators to request and submit reasons with appropriate rationale to their Superintendent as to why video surveillance is required, which will be reviewed and approved by the Board's Administrative Council. Approved requests will be kept on file in the Office of the Director.

6. Limiting Collection

The collection of personal information is fair, lawful, and limited to that which is necessary for the specified purposes in accordance with statutory duties and responsibilities.

7. Limiting Use, Retention, and Disclosure

The Board shall not use, retain, or disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or as authorized or required by law. The Board shall retain personal information in accordance with the Board records management retention schedule.

8. Accuracy

To the extent of its power and authority, the Board shall ensure that personal information is accurate, complete, and up-to-date in order to fulfill the specified purposes for its collection, use, disclosure, and retention.

9. Security Safeguards

The Board shall ensure that personal information is secured and protected from unauthorized access, use, disclosure, and inadvertent destruction by adhering to safeguards appropriate to the sensitivity of the information.

- 9.1 The Board will use an enforceable password process to decrease the level of risk of breach. Frequency of password changes will be based on roles within the board as noted in Appendix 3 of this policy.

10. Openness and Transparency

The Board shall make available to the public, information about its policies and practices relating to the management of personal information.

11. Access and Correction

Upon request, the Board shall allow an individual to access his/her personal information and will be given access to that information in accordance with privacy legislation, subject to any mandatory or discretionary exceptions. An individual has the right to challenge the accuracy and completeness of the information and to request that it be amended as appropriate or to have a letter/statement of disagreement retained on file. Any individual to whom the disclosure of the personal information has been granted in the year preceding a correction has the right to be notified of the correction/statement. An individual is advised of any third party service provider requests for his/her personal information in

accordance with privacy legislation.

12. Compliance

An individual shall have the ability to address or challenge compliance with these principles and in accordance with the Board's guidelines/procedures.

13. Privacy Breach Protocol

A Privacy Breach Protocol is followed in the event of a privacy breach.

14. Freedom of Information Officer

The Director of Education will designate a Freedom of Information Officer for the purpose of the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.

The Freedom of Information Officer will be responsible for the following:

- (a) Receiving all requests for information under the Act;
- (b) Retrieving and reviewing Board records;
- (c) Preparing correspondence related to notification and access, including tracking of requests;
- (d) Preparing policies and procedures which support and comply with provisions under the MFIPPA;
- (e) Preparing Board records for access, including severing of private information;
- (f) Ensure the completion of the Privacy Breach Protocol whenever a breach in privacy protection occurs;
- (g) Provide consultation and support regarding information access and privacy protection;
- (h) Co-ordinating staff training related to implementation of the legislation;
- (i) Overseeing the administration of fees and financial reporting for requests made under the Act;
- (j) Preparing the Board's Annual Report to the Information and Privacy Commissioner.

Appendices

1. Video and Electronic Surveillance
2. Video and Electronic Surveillance Signage
3. Log In Password Change Schedule/Enforceable Password Change Process
4. School Request Form for Video Surveillance

Forms

Form A: Request for Information made under the *Municipal Freedom of Information and Protection of Privacy Act*

Associated Documents

Privacy Breach Protocol
Retention Schedule

Approved: May 28, 2013
Revised: November 7, 2017