

ACCESS TO INFORMATION AND PROTECTION OF PRIVACY

Background

The purpose of this Administrative Procedure is to express the commitment of the District to comply with the requirements of the School Act and the Freedom of Information and Protection of Privacy Act (FIPPA) as such legislation and any other laws pertain to student, employee, District, and other records and information under the care and control of the District and its employees.

The District will respect the CFTA Collective Agreement; Article E71, and the CUPE Collective Agreement; Article 2, Section 2d.

The District is committed to appropriately managing and respecting confidential records and information relating to students, employees, and others in the school community in accordance with the School Act and the FIPPA.

Procedures

1. The appropriate use of records and information is the responsibility of each employee and volunteer or other person who has care and control of District records and information. Each employee, volunteer and other person who is authorized to have access to information and records has an obligation to treat such information and records confidentially and consistent with the statutory obligations outlined in the School Act and FIPPA.
2. The Secretary Treasurer, as head of the District for the purposes of the FIPPA, is responsible for routine decisions relating to the management of records and information.
3. Each student, employee or other District file containing records with personal information shall be maintained in an organized and confidential manner and shall contain a record of those individuals who have had access to the file, other than those individuals that would usually have access to the file.
4. Any records that are no longer required for administrative, financial, operational, educational, legal or historical purposes, and whose retention is not regulated by any statute, policy, or law may be destroyed in a confidential manner (i.e., shredding), and subject to legal requirements.
5. All requests, under the FIPPA, for access to records containing a person's personal information in the care and control of the District must be in writing and provided to the Secretary Treasurer who will ensure the request is acted upon by the appropriate District employee/department.
6. Decisions regarding requests for access to records will be made by the Secretary Treasurer consistent with the requirements of the School Act and FIPPA.

7. Copies of any records containing personal information will only be provided to the person who the information concerns, or their agent with the specific written consent of the individual, subject to the appropriate statutory or other rules governing such access to information. A record of all such requests for access to information and disclosure of information must be kept in the file where the information resides.
8. Access by employees to records containing their personal information will occur during normal business hours, upon appointment to the appropriate District employee responsible for such records, in accordance with the School Act, FIPPA, any relevant collective agreement requirements, Board policy, District administrative procedures and any other relevant laws.
9. Access to student records is governed by the School Act and Administrative Procedure 320 – Student Records.
10. Security measures for the protection of information may be physical, procedural or electronic. To enhance security, the District will adhere to the following measures, where reasonably practicable:
 - 10.1. Ensure confidential files are stored in locked rooms or storage cabinets.
 - 10.2. Establish security measures for computers such as passwords and security codes for all digital devices and electronic devices.
 - 10.3. Locate computer terminals so that screens cannot be seen by passersby.
 - 10.4. Wherever possible, do not fax personal information. If information is faxed - recipient must be telephoned to confirm transmission.
 - 10.5. Establish check-out procedures for files - restrict access on a "need to know basis".
 - 10.6. Segregate records in files so that staff may view only those records required by their job duties.

Reference: Sections 22, 65, 85 School Act
Freedom of Information and Protection of Privacy Act
Freedom of Information and Protection of Privacy Regulation

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