

## SD 42 POLICY: 5700

### PRIVACY MANAGEMENT PROGRAM

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#### PHILOSOPHY

The Board of Education (the “Board”) is committed to maintaining the privacy and security of the personal information that it collects, uses and discloses in the course of its operations, and to ensuring that it meets or exceeds the required standards under the British Columbia *Freedom of Information and Protection of Privacy Act* (“FIPPA”). This Policy and the related procedures describe the School District’s Privacy Management Program.

The School District and its employees shall:

- follow responsible information management practices to ensure that the School District collects, uses and discloses personal information in compliance with FIPPA and other applicable laws;
- seek at all times to protect personal information against unauthorized collection, use and disclosure;
- facilitate the appropriate release of records within its custody or control in response to access requests received from members of the community under FIPPA;
- support timely access by individuals to their own personal information within the School District’s custody and control in accordance with the provisions of FIPPA and the School Act; and
- ensure the timely reporting and response to any privacy breach incidents that may arise in connection with School District operations.

#### DEFINITIONS

Where used in this Policy, the following terms have the following meanings:

- a) “**FIPPA**” means the BC *Freedom of Information and Protection of Privacy Act*, and regulations thereto;
- b) “**personal information**” means recorded information about an identifiable individual, but excludes a person’s business contact information;
- c) “**records**” include any paper or electronic media which is used to store or record information. At the School District, this includes all paper and electronic records, books, documents, photographs, audio or visual recordings, computer files, email and correspondence;
- d) “**staff**” means all persons employed or engaged by the School District to carry out its operations and includes independent contractors, trustees and volunteers.

## **ACCOUNTABILITY**

The Board assigns the responsibility for the implementation of the policy to the Superintendent of Schools and authorizes the Superintendent of Schools to establish procedures that will guide the implementation of this policy.

The Superintendent of Schools is the designated “head” of the public body for the purposes of FIPPA and is responsible to act as Privacy Officer for the School District and to supervise its Privacy Management Program.

The School District’s Privacy Management Program and all related policies, procedures and protocols will be subject to regular review by the Superintendent of Schools to ensure they are current and are sufficient to address the privacy needs of staff, students and members of the public.

## **COMMITMENT TO PRIVACY PROTECTION**

The School District protects the privacy of students, staff and individuals whose personal information it collects, uses, shares and retains. All staff are expected to follow responsible information management practices, participate in School District privacy training, and support compliance with the School District’s obligations under FIPPA and other applicable laws.

The School District and staff respect the privacy and confidentiality of personal information entrusted to them in the course of their duties, and collect, use and disclose personal information only where authorized by FIPPA.

## **IDENTIFYING PURPOSES**

The School District communicates the purposes for which personal information is collected at or before the time the information is collected, unless otherwise permitted or required by law.

In the ordinary course of carrying out its programs and activities, the School District collects personal information:

- To provide and deliver educational programs and services to students;
- To communicate with parents and students and, as applicable, respond to inquiries or complaints;
- To investigate and respond to safety incidents, misconduct and similar incidents;
- To recruit employees and managing the employment relationship;
- To ensure compliance with applicable Board bylaws, policies and other laws; AND
- For other purposes set out in the Procedures and authorized or required by FIPPA and other applicable laws.

## **COLLECTION, USE AND DISCLOSURE OF PERSONAL INFORMATION**

The School District and its staff limit the personal information collected and used to what is directly related to and necessary in order to carry out the School District’s programs or activities, unless broader collection and use is authorized by FIPPA or other applicable laws.

The School District collects personal information by fair and lawful means in accordance with the

requirements of FIPPA.

Personal information will only be used or disclosed for the purpose for which it was collected, except with the individual's consent or as required or permitted by *FIPPA* or other laws.

## **SECURING PERSONAL INFORMATION**

The School District protects personal information by ensuring security safeguards appropriate to the sensitivity of the information are in place.

Such security safeguards shall include consideration of physical security (i.e., locked offices and cabinets), organizational security (e.g. training and procedure) and electronic security (e.g. passwords; encryption).

Every staff member has a duty to protect the privacy and security of personal information collected and used by them as part of their ongoing employment responsibilities. The management and safekeeping of such information is the responsibility of all School District staff.

## **PRIVACY IMPACT ASSESSMENTS**

The School District will have protocols and procedures in place to ensure that privacy impact assessments are completed and documented in respect of new and significantly revised initiatives.

## **PRIVACY BREACH RESPONSE**

The School District will have procedures and protocols in place to respond to privacy breach incidents that arise in connection with School District programs and activities. All staff are expected to be familiar with and comply with those procedures and protocols.

## **RETENTION**

Personal information will be retained only for as long as necessary for fulfillment of the purposes for which it was collected, or as required or permitted by FIPPA and other applicable laws.

Personal information that is no longer required for either administrative, operational, financial, legal or historical purposes shall be securely destroyed in a confidential manner in accordance with Board policies and approved record retention protocols.

## **ACCURACY AND CORRECTION**

Staff are expected to make reasonable efforts to ensure the accuracy of personal information that they collect and use.

If a person believes that there is an error or omission in their personal information collected by the School District, they may request the correction of the information in writing to the department responsible for the information in accordance with the Procedures to this Policy. Requests for correction will be processed in accordance with the requirements of FIPPA.

## **ACCESS TO INFORMATION**

The School District supports appropriate transparency and accountability in its operations by making information available to the public as permitted or required under FIPPA.

The School District also recognizes that individuals may make requests for access to records within the custody and control of the School District, and the School District will respond to such requests in accordance with FIPPA.

The School District seeks to facilitate access by individuals to School District records or their own personal information within the School District's custody or control in accordance with *Procedure 5700.1: Management of Information and Access Requests*.

## **COMPLAINTS AND INQUIRIES**

Questions or complaints about the School District's information management practices should be directed to the Privacy Officer at [privacy@sd42.ca](mailto:privacy@sd42.ca).

The School District will respond to all complaints in writing.

**APPROVED: May 2023**