

YORK CATHOLIC DISTRICT SCHOOL BOARD



BOARD POLICY	
<i>Policy Section</i> Governance	<i>Policy Number</i> 112
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<i>Original Approved Date:</i> September 1, 2009	<i>Last Approval Date:</i>

POLICY TITLE: PRIVACY AND PERSONAL INFORMATION MANAGEMENT

SECTION A

1. PURPOSE

The York Catholic District School Board recognizes its obligation for the protection and right of privacy with respect to personal information that is collected, used, disclosed, and retained for the education of students and/or the employment of Board employees and, on occasion, as required and authorized by law. The purpose of this policy is to outline the parameters and procedures that shall be followed with respect to privacy and information management.

2. POLICY STATEMENT

It is the policy of The York Catholic District School Board that personal information collected, used, retained and/or disclosed in the course of meeting its statutory duties and responsibilities shall be managed in a manner that respects the privacy of the individual in keeping with the parameters of this policy and related legislation.

3. PARAMETERS

- 3.1 The collection of personal information within the York Catholic District School Board shall
- comply with all legal requirements including specifying the purpose(s) for which personal information is collected, the legal authority for the collection, and the title, business address, and telephone number of the individual who can answer questions about the collection; and
 - be fair, lawful, and limited to that which is necessary for the specified purpose.

4. RESPONSIBILITIES

- 4.1 The York Catholic District School Board
 - To assume responsibility for all information under its custody or control (MFIPPA)*;
 - To ensure compliance and appropriate practice by designating a person in writing who is accountable for conforming with privacy legislation;
- 4.2 Privacy Manager
 - To oversee Board compliance with privacy legislation.
- 4.3 Health Information Custodians
 - To ensure confidential management of personal health information in their custody and control (PHIPA)**
- 4.4 Employees
 - To follow the spirit and mandate of the policy and related procedures.

5. DEFINITIONS

- 5.1 Personal Information (as defined by MFIPPA)
 - Recorded information about an identifiable individual which shall be treated as confidential unless it is public information or unless the individual consents to its disclosure or disclosure of the information is otherwise permitted by MFIPPA.
- 5.2 Confidential Records and Information Management
 - Refers to records and information that must be maintained in confidence and must not be disclosed unless authorized.

6. CROSS REFERENCES

- Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)
- The Education Act
- Personal Health Information Protection Act (PHIPA)
- Personal Information and Protection of Electronic Documents Act (PIPEDA)***
- Ontario Student Record (OSR) Guideline, 2000
- The Privacy and Information Management Toolkit
- Privacy and Information Management Task Force
- YCDSB Privacy and Information Management Reference Guideline (under development)

* MFIPPA - Municipal Freedom of Information and Protection of Privacy Act

** PHIPA – Personal Health Information Protection Act

*** PIPEDA – Personal Information and Protection of Electronic Documents Act

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SECTION B

GUIDELINES

The management of personal information collected by the York Catholic District School Board shall adhere to the following guidelines developed by the Privacy and Information Management Task Force. The guidelines are intended to help prevent breaches of privacy, security, or confidentiality.

1. Accountability and Responsibility

- 1.1 Under MFIPPA the Board is responsible for personal information under its control and may designate an individual(s) within the school Board who is accountable for compliance with privacy legislation;
- 1.2 Under PHIPA, health information custodians are responsible for personal health information in their custody and control. The Board may designate an individual to serve as an agent to assist with compliance.

2. Specified Purposes

- 2.1 The Board shall identify the purpose(s) for which personal information is collected, and individuals shall be notified of the purposes and any other information required by law at or before the time personal information is collected.

3. Consent

- 3.1 Personal information is collected for the provision of educational services to students and/or the employment of Board staff, or, as required and authorized by law. The knowledge, and in some cases, the consent of an individual is required for the collection, use, retention, and disclosure of personal information, except where otherwise permitted by law.

4. Limiting Collection

- 4.1 The Board shall limit the collection of personal information to that which is necessary for its specified purpose in accordance with its statutory duties and responsibilities.

* MFIPPA - Municipal Freedom of Information and Protection of Privacy Act

** PHIPA – Personal Health Information Protection Act

5. Limiting Use, Retention and Disclosure

- 5.1 The Board shall not use, retain, or disclose personal information for purposes other than for those for which it was collected, except with the consent of the individual or as authorized or required by law.
- 5.2 The Board shall retain personal information in accordance with the Board retention schedule.
- 5.3 Disclosure of confidential records and information should be limited to specific people or groups for a specific purpose.

6. Accuracy

- 6.1 The Board shall ensure that personal information is accurate, complete, and up-to-date as possible in order to fulfill the specified purposes for its collection, use, disclosure, and retention.

7. Safeguards

- 7.1 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.

8. Openness and Transparency

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

9. Access and Correction

- 9.1 Access to confidential records and information is determined by the content of the records and information. MFIPPA allows an employee or agent of the organization who needs the records and information in the performance of their duties to have access to personal and confidential records and information, on a limited, need-to-know basis. Access to personal information should be minimized as much as possible to reduce risk.
- 9.2 Upon request, the Board shall allow an individual to access his/her personal information and s/he 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 shall be advised of any third party service provider requests for his/her personal information in accordance with privacy legislation.

* MFIPPA - Municipal Freedom of Information and Protection of Privacy Act

** PHIPA – Personal Health Information Protection Act

