



Administrative Procedures Memorandum

#: APC 036

Freedom of Information and Protection of Privacy Policy

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Revised: N/A

MEMO TO: All Staff, Students, Parents/Guardians, and Stakeholders

FROM: Director of Education

PURPOSE

The Waterloo Catholic District School Board (WCDSB) is committed to the protection of personal information under its control and custody, and to the right of privacy with respect to personal information that is collected, used, disclosed, and retained in the board.

The WCDSB adheres to all applicable provisions in the *Education Act*, the *Municipal Freedom of Information and Protection of Privacy Act*, the *Personal Health Information Protection Act*, and any other applicable legislation as it relates to privacy.

REFERENCES

- *Education Act and Regulations*
- *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*
- *Personal Health Information Protection Act (PHIPA)*
- *IV 002 Treatment of Public*
- *IV 003 Board Policy Treatment of Students*
- *Ontario Student Record Guideline*

COMMENTS AND GUIDELINES

The WCDSB only collects personal information, when it is necessary for providing for the education of students, and/or the employment of school board employees or as required and authorized by law.

All Ontario school board employees, are responsible for the protection of personal, confidential, and sensitive information entrusted to them. Employees who violate privacy rights of a student(s) or another staff member or act in contravention of the Act, may be subject to progressive discipline and could be liable to a fine under the Act.

The WCDSB supports the following 10 commitments which are based on globally recognized fair information principles and grounded in Ontario privacy legislation.

1. Accountability

Under the *Municipal Freedom of Information and Protection of Privacy Act*, the WCDSB is responsible for personal information under its custody and control and may designate an individual within the WCDSB who is accountable for compliance with privacy legislation.

Similarly, under the *Personal Health Information and Protection Act*, health information custodians are responsible for personal health information and may designate an individual as an agent to assist in compliance with privacy legislation.

2. Specified Purpose

The WCDSB shall identify the purposes for which personal information is collected, in conjunction with the legal authority for the collection, and the title, business address, and telephone number of an individual who can answer questions about the collection. Individuals shall be notified at or before the time personal information is collected, except where otherwise permitted by law. Disclaimers must be added to all forms that collect personal information.

3. Consent

An individual's informed consent is required for the collection, use, or disclosure of personal information, except where otherwise permitted by law.

4. Limiting Collection

The collection of personal information is fair, lawful, and limited to that which is necessary for the specified purpose. Personal information shall be collected only when it is necessary for providing for the education of students, the employment of staff, or as required and authorized by law.

5. Limiting Use, Retention, and Disclosure

The use, retention, and disclosure of personal information are limited to the specified purpose identified to the individual, except where otherwise permitted by law.

6. Accuracy

The WCDSB ensures to the best of its ability that personal information and confidential records are accurate, complete, and up-to-date in order to fulfill the specified purpose for its collection, use, disclosure, and retention.

7. Safeguards

The WCDSB 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

The WCDSB shall ensure that policies and practices related to the management of personal information are readily made available to the public.

9. Access and Correction

An individual has the right of access to his/her personal information and shall be given access to that information in accordance with privacy legislation, subject to any restrictions.

An individual has the right to challenge the accuracy and completeness of the information and request that it be amended as appropriate or to have a letter/statement of disagreement retained on file.

An individual to whom the disclosure 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.

10. Compliance

An individual shall have the ability to address or challenge compliance with the above principles to the Director of Education and the Office of the Information Privacy Commissioner.