



<b>ADMINISTRATIVE PROCEDURE</b>	
<i>Approval Date</i> <b>2015</b>	<i>Replacing</i> <b>All previous procedures</b>
<i>Review Date</i> <b>2020</b>	<i>Page</i> <b>1 of 4</b>
<i>Contact Person/Department</i> <b>Human Resources Administrator</b>	<i>Identification</i> <b>BD-2121</b>

## **PRIVACY INFORMATION MANAGEMENT (PIM)**

### **1.0 PURPOSE**

Trillium Lakelands District School Board collects, uses, retains, and discloses personal information in the course of meeting its statutory duties and responsibilities. The Board is committed to the protection of privacy and complies with all application regulations in the Education Act and Regulations, the Freedom of Information and Protection of Privacy Act (FIPPA), the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Personal Health Information Protection Act (PHIPA), Personal Information Protection and Electronic Documents Act (PIPEDA), and any other applicable legislation.

### **2.0 REFERENCES/RELATED DOCUMENTS**

1. Education Act and Regulations  
<http://www.ontario.ca/laws/statute/90e02>
2. Freedom of Information and Protection of Privacy Act (FIPPA)  
<http://www.ontario.ca/laws/statute/90f31>
3. Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)  
<http://www.ontario.ca/laws/statute/90m56>
4. Personal Health Information Protection Act (PHIPA)  
<http://www.ontario.ca/laws/statute/04p03>
5. Personal Information Protection and Electronic Documents Act (PIPEDA)  
<http://laws-lois.justice.gc.ca/eng/acts/P-8.6/index.html>
6. Records Retention Procedure – BD-2036  
Freedom of Information and Protection of Privacy Procedure – BD-2031  
Progressive Discipline Procedure – HR-4535  
<http://tldsbc.ca/board/policies-and-procedures/>

### **3.0 TERMS AND DEFINITIONS**

- 3.1 PIPEDA – Personal Information Protection and Electronic Documents Act
- 3.2 FIPPA – Freedom of Information and Protection of Privacy Act
- 3.3 MFIPPA – Municipal Freedom of Information and Protection of Privacy Act
- 3.4 PHIPA – Personal Health Information Protection Act
- 3.5 PIPEDA – Personal Information Protection and Electronic Documents Act

- 3.6 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, 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.
- 3.7 Health Information Custodians – Health Information Custodians as defined under PHIPA are responsible for personal health information in their custody and control, and may designate an individual within their school board as an agent to assist with compliance with the Act.
- 3.8 Agent – With respect to health information, agent means a person that, with the authorization of the custodian, acts for, or on behalf of the custodian in respect of personal health information for the purposes of the custodian, and not the agent's own purposes, whether or not the agent has the authority to bind the custodian, whether or not the agent is employed by the custodian and whether or not the agent is being remunerated.

## **4.0 ADMINISTRATIVE PROCEDURE**

### **4.1 ACCOUNTABILITY AND RESPONSIBILITY**

Under MFIPPA, Trillium Lakelands District School Board is responsible for personal information under its control. The Director of Education and/or designate is accountable for the organization's compliance with this law.

Health Information Custodians as defined under PHIPA are responsible for personal health information in their custody and control and may designate an individual within their school board as an agent to assist with compliance with the Act.

#### 4.2 SPECIFIED PURPOSES

The Board shall identify the purpose for which personal information is collected and individuals shall be notified of the purposes and any other information required by legislation at or before the time personal information is collected.

#### 4.3 CONSENT

Personal information is collected for the provision of educational services to students and employment with the Board in accordance with pertinent legislation. When required by this legislation, the knowledge and informed consent of an individual will be obtained for the collection, use and disclosure of personal information.

#### 4.4 LIMITING COLLECTION

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

#### 4.5 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 legislation. The Board shall retain personal information in accordance with the Trillium Lakelands District School Board's Records Retention Policy (BD-2035) and Records Retention Procedure (BD-2036).

#### 4.6 ACCURACY

The Board shall adhere to processes which are geared to ensure that personal information is accurate, complete and current in order to fulfil the specified purposes for its collection, use, disclosure and retention. It is the responsibility of parents/guardians, and employees to keep the Board notified of changes to personal information.

#### 4.7 SAFEGUARDS

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

4.8 OPENNESS AND TRANSPARENCY

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

4.9 ACCESS AND CORRECTION

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

4.10 ADMINISTRATION OF FREEDOM OF INFORMATION PROCEDURES

The Director of Education, as 'Head' under the Municipal Freedom of Information and Protection of Privacy Act and under section 49(1) of the Act may delegate a Superintendent to be responsible for Freedom of Information. The Superintendent responsible for Freedom of Information will designate a Freedom of Information Officer, and establish procedures for managing Freedom of Information requests and responsibilities.