



PROCEDURE

SO-019

Privacy and Records Information Management

Board Received: June 13, 2022

Review Date: September 2026

Responsibility: Superintendent of Education responsible for Privacy

1. Guiding Principles:

1.1 Accountability

Under the *Municipal Freedom of Information and Protection of Privacy Act*, the board is responsible for personal information and confidential records under its care or control and has designated a Privacy Officer within the board who is accountable for compliance with privacy legislation.

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

1.2 Specified Purposes

The board shall specify the purposes for which personal information is collected, used, retained and disclosed, and for notifying individuals at or before the time the information is collected.

1.3 Consent

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

1.4 Limiting Collection

The collection of personal information must be fair, lawful and limited to that which is necessary to 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.

1.5 Limiting Use, Retention, and Disclosure

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

1.6 Accuracy

The board shall ensure that personal information and confidential records are accurate, complete and up-to-date in order to fulfill the specified purposes for its collection, use, disclosure and retention.

1.7 Safeguards

Personal information and confidential records are secured and protected from unauthorized access, disclosure and inadvertent destruction by adhering to safeguards appropriate to the sensitivity of the information.

1.8 Openness and Transparency

Policies and practices relating to the management of personal information and confidential records are made readily available to the public.

1.9 Access and Correction

An individual has the right to access their personal information and will be given access to that information, subject to any restrictions.

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 has been granted in the year preceding a correction has the right to be notified of the correction/statement.

An individual is to be advised of any third-party service provider's requests for their personal information in accordance with privacy legislation.

1.10 Compliance

An individual may address or challenge concerning compliance with the above principles to the Privacy Officer accountable to the Board.

2. Privacy

The Director of Education shall serve as Freedom of Information Head for all purposes outlined in the *Municipal Freedom of Information and Protection of Privacy Act*, in accordance with s.3(1) and the Privacy Officer as Freedom of Information Coordinator, in accordance with s.49(1). The Director of Education shall be informed of any privacy concerns.

All Freedom of Information requests shall be considered in consultation with the Privacy Officer to ensure compliance with the above principles.

3. Records Information Management

All Grand Erie District School Board staff shall be responsible and accountable for creating and maintaining accurate business records within their control in accordance with the board's Privacy and Records Information Management procedure. All records and information received, created, and maintained within administrative departments and schools are the property of the Board and subject to this policy.

This policy applies to:

- all records within the custody or under the control of the Grand Erie District School Board regardless of the medium in which those records are stored and maintained;
- all business applications and information technology systems used to create, store, and manage records and information including email, database applications, and websites; and
- all board staff and third-party contractors or agents who collect or receive records and information on behalf of the Grand Erie District School Board.

References:

- Privacy and Records Information Management (SO-19)
- *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*
- *Personal Health Information Protection Act (PHIPA)*
- *Personal Information Protection and Electronic Documents Act (PIPEDA)*
- *Education Act*
- *Ontario Student Record (OSR) Guideline 2000*
- *Ontario Student Records Procedure (SO-104)*
- *Privacy Breach Response Procedure (SO-105)*
- *Volunteers Procedure (SO-126)*