

PARKLAND COLLEGE	CATEGORY D	PERSONNEL AND EMPLOYEE RELATIONS
ACCESS TO INFORMATION AND PRIVACY	OPR D - 39	APPROVED: February 13, 2018 REVIEWED:

POLICY

Parkland College is committed to the appropriate use, handling, retention and disposal of the personal information of current and past learners, members of the public, and employees.

PURPOSE:

Parkland College is a "Local Authority" pursuant to The Local Authority Freedom of Information and Protection of Privacy Act (LAFOIP). As such, the college is responsible to protect the personal information it acquires in the course of business operations, provide appropriate access to records in its possession, and ensure that staff and third parties working with the College comply with this policy, LAFOIP, and any other relevant privacy legislation that may apply to the collection, use and disclosure of personal information of any kind.

DEFINITIONS

What is personal information?

According to LAFOIP, "personal information" is "personal information about an identifiable individual that is recorded in any form" as defined in Part IV, Section 23 of LAFOIP.

Typically this will include but not be limited to items such as:

- Name and mailing information;
- Social Insurance Number;
- Citizenship status and/or Place of Origin;
- Gender;
- Marital and/or Family Status;
- Date of Birth;
- Health Services Number;
- Personal health information;
- Disability;
- Age;
- Information disclosed by an individual in order to identify with an equity group ;
- Emergency Contact Information;
- E-mail address and account information;
- Employment history;
- Education history information (including attendance in current programs);
- Criminal history information;
- Financial information;
- Views and opinions of another individual with respect to the individual; and
- Information gathered for the purpose of collecting a tax.

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PROTECTION OF PERSONAL INFORMATION

CONSENT

Parkland College will collect personal information with consent, though in some cases that consent may be reasonably implied.

Personal information shall not be used or disclosed except for the specific purpose for which it is collected. Subject to the Act, individuals are entitled to access their own personal information and to request correction of the personal information where the individual believes there is an error or omission.

The College and its employees will take reasonable and prudent measures to protect Personal Information from unauthorized collection, access, use, disclosure or destruction.

Personal Information will be accessed by authorized employees only for the specific purpose for which it is collected.

Personal information will be stored in a manner which limits access to authorized employees only. This will include:

- storing Personal Information in locations which are not generally accessible to all employees and/or the general public;
- securing the rooms and/or filing cabinets containing Personal Information during those times that an authorized employee or staff member is not present;
- restricting access to Personal Information that is stored in an electronic format to authorized employees by requiring the entry of user names and passwords; and
- employees working from remote locations should ensure that their laptops or other mobile devices are not left logged in and unattended.

USE OF PERSONAL INFORMATION

The College may only use Personal Information:

- for the purpose(s) for which it was obtained or compiled, or for a use consistent with that purpose;
- for a purpose permitted, authorized or required by the Act; or
- for any other purpose provided that the explicit consent for such use has been provided by the individual to whom the Personal Information relates, or by someone duly authorized to provide such consent on behalf of that individual.

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DISCLOSURE OF PERSONAL INFORMATION

The College will only disclose Personal Information to Third Parties or allow it to be made public:

- for the purpose(s) for which it was obtained or compiled, or for a use consistent with that purpose;
- for a purpose permitted, authorized or required by the Act;
- for a purpose which is expressly authorized or required by an enactment of the Government of Canada or the Province of Saskatchewan; or for any other purpose provided that the explicit consent for the disclosure has been provided by the individual to whom the Personal Information relates, or by someone duly authorized to provide such consent on behalf of that individual.

ACCESS AND CORRECTION OF PERSONAL INFORMATION

The College will make reasonable efforts to ensure that all Personal Information in its possession or under its control is as complete and accurate as is required for the purpose(s) for which it was collected.

Subject to any exemptions or restrictions set out in the Act, or in any other enactment of the Government of Canada or the Province of Saskatchewan, individuals shall have the right to access Personal Information about themselves which is in the possession or under the control of the College.

In the event that any of the Personal Information in the possession or under the control of the College is incorrect, incomplete or otherwise inaccurate, the individual to whom that Personal Information relates has the right to request that it be amended or corrected. When such corrections have been requested, the College will review and confirm the corrections and provided that it is satisfied that a correction is warranted, the College will make the correction as soon as reasonably possible.

ACCESS GUIDELINES

The personal information of prospective, current and past learners and employees will be protected and access limited, where within the control of the college, to Parkland College staff requiring the information as part of provision of normal services, to a limited set of third parties who work with the college to provide services and programs, and to those who make proper access requests and are entitled to the information per the Act.

Subject to the Act, individuals are entitled to access their own personal information upon a written request and to request correction of the personal information where the individual believes there is an error or omission.

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Upon written request, learners may request that copies of their learner record be forwarded to themselves or to an identified third party. Where the record kept by Parkland College is not the learner's official record (ie: transcript information housed at brokering institutions), learners will be advised to contact the brokering institution for an official record.

Third party access request may be granted in appropriate cases. The affected learner or employee will be advised if his/her information has been requested and cannot be "de-identified" to comply with the request to give him/her an opportunity to object.

Access to information may be declined or granted on a restricted basis if Parkland College determines that any provision contained within the Act is applicable.

DISCLOSURE

Parkland College may release information where a case of authorized, justified or legally required release is established. These may include:

- Release of personal information in response to a Court Order or formal legal or public investigation;
- Release information to appropriate emergency contacts in the event of an emergency or a safety or security threat to any individual;
- Release of select information to government departments for the purposes of statistical analysis and research, ensuring that the information's confidentiality is protected to the fullest extent possible;
- Release in other situations that are specifically permitted by LAFOIP;
- Release to a limited number of third party partners who provide services related to the delivery of Parkland College programs and services; or
- Release in order to collect a debt owing to Parkland College.

RETENTION

Parkland College retains personal information for as long as needed to fulfill the purposes for which it was collected, and for as long as needed to comply with Operational Policy OPR A-09 Records Retention and Disposal.

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INTERNAL PRIVACY

- Many employees are responsible for sensitive and personal information, which is handled in the course of daily business. Some considerations include:
- Employees should generally not confirm the presence of a learner in a college program or his / her whereabouts to outside parties except in the case of a police investigation or emergency as directed by an out of scope employee.
- When preparing student or employee information for valid release, the copied documents should be marked "Copy".
- Employees must ensure that personal information is not left unsecured when the employee is away from their work area. This would include making sure the work area is locked and / or any files or reports are properly secured if the work area cannot be secured.
- All employees need to consider the nature of printed information to evaluate whether it contains personal or sensitive information and needs to be shredded.
- Shredding should be done in a timely fashion so sensitive information is not lying around unsecured for long periods of time.
- Employees using college credit cards must control their use and distribution of the credit card number and be aware of the possibility of fraud.
- Employees should take due care and attention when emailing or faxing sensitive and confidential information. It is recommended to set up confirmation of receipt and consider whether it is necessary to send any personal information in order to carry out the necessary task. Limit the distribution to only those recipients who have legitimate "need to know".
- Employees should ensure their laptops, USB's or other mobile devices are not left logged in and unattended and password protected.
- If an employee's mobile device or USB or laptop is lost or missing, this must be reported immediately.

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REPORTING A BREACH

Step 1: Reporting the Breach

1. Any employee who becomes aware of a possible breach of privacy involving personal information in the custody or control of the College will immediately document and inform his or her immediate supervisor.
2. The supervisor will inform the responsible out of scope supervisor and will verify the circumstances of the possible breach.
3. As soon as the breach has been confirmed to have or have not occurred, the supervisor will inform the College Privacy Officer.
4. This confirmation will occur within 24 hours of the initial report.

Step 2: Containing the Breach

The College Privacy Officer will take the following steps to limit the scope and effect of the breach. These steps will include:

1. Work with appropriate College staff to immediately contain the breach by, for example, stopping the unauthorized practice, recovering the records, shutting down the system that was breached, or correcting weaknesses in security, and
2. In consultation with College officials, notify the police if the breach involves, or may involve, any criminal activity.

Step 3: Evaluating the Risks Associated with the Breach

To determine what other steps are immediately necessary, the College Privacy Officer, working with other College staff as necessary, will assess the risks associated with the breach.

Step 4: Notification

Notification can be an important mitigation strategy in the right circumstances. The key consideration overall will be whether notification is necessary in order to avoid or mitigate harm to an individual whose personal information has been inappropriately collected, used or disclosed.

Step 5: Prevention

Once the immediate steps are taken to mitigate the risks associated with the breach, the College Privacy Officer will investigate the cause of the breach and identify actions to safeguard re occurrence.

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The **Vice President, Administration** is the designated Privacy Officer at Parkland College.

The primary purpose of the Privacy Officer is to serve as a resource within the College on issues related to access to information and privacy, including compliance with *The Local Authority Freedom of Information and Protection of Privacy Act*.

[The Local Authority Freedom of Information and Protection of Privacy Act.](#)

[The Local Authority Freedom of Information and Protection of Privacy Regulations](#)

The college is currently developing their process to handle Access to information Requests, and employee training. If you have any questions, please contact our Privacy Officer.

CONTACT:

Parkland College's Privacy Officer
Vice President, Administration
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Melville, SK S0A 2P0
a.dubreuil@parklandcollege.sk.ca
P: 1.866.783.6766

ADDITIONAL RESOURCES:

Office of the Saskatchewan Information and Privacy Commissioner
503-1801 Hamilton St
Regina, SK S4P 4B4
1-877-748-2298 Toll free or 1-306-787-8350
E: webmaster@oipc.sk.ca
Website: www.oipc.sk.ca