

## **PRIVACY MANAGEMENT PROGRAM**

### **PURPOSE**

As a public body that is subject to the British Columbia Freedom of Information and Protection of Privacy Act (the “Act” or FIPPA), the Board of Education of School District No. 61 (Greater Victoria School District) (“School District”) is committed to upholding the principles of privacy, transparency and accountability. This means that the School District recognizes the fundamental importance of maintaining the privacy and security of the personal information that it collects, uses, and discloses in the course of its operations and programs. The School District also acknowledges and supports transparency with the community by facilitating access to School District records and information in accordance with the requirements of the Act.

This Privacy Management Program document serves as an Administrative Regulation to Policy 1161: Freedom of Information and Protection of Privacy. It aims to provide School District Staff, Contractors, and Volunteers with the guidelines and regulations to ensure the effective implementation of the Policy.

Public information relating to the Privacy Management Program will be updated on the Greater Victoria School District website here:

### **DEFINITIONS**

Where used in this Administrative Regulation, the following terms have the following meanings:

1. “Consent” means express written consent to the collection, use or disclosure of personal information; unless otherwise authorized or required by law.
2. “FIPPA” means the BC Freedom of Information and Protection of Privacy Act, and regulations thereto;
3. “Head” means the Superintendent, and includes any person to whom the Head has delegated (in writing) their powers to act as Head;
4. “Personal Information” means recorded information about an identifiable individual, but excludes a person’s business contact information. Personal information may also be identifiable through the 'mosaic effect'. The mosaic effect is a concept that illustrates how elements of information may be non-identifiable on their own but when combined could become personally identifiable. For example, a male in his 20s who lives in Vancouver and drives a black Honda would not be identifiable. However, a male in his 60s who lives in Smithers and drives a yellow Lamborghini would be identifiable.
5. “Administrative Regulations” means regulations enacted by the School District under its Freedom of Information and Protection of Privacy Policy;

6. “Records” include any paper or electronic media used to store or record information, including all paper and electronic records, books, documents, photographs, audio or visual recordings, computer files, email and correspondence;
7. “Staff” or “Employees” refers to all employees of the School District who are required to comply with FIPPA and all relevant School District policies and regulations;
8. “Contractors” refers to a service provider retained under a contract to perform services for the School District. Contractors are required to comply with FIPPA and all relevant School District policies and regulations;
9. “Volunteers” refers to community members carrying out volunteer activities on behalf of the School District. Volunteers are required to comply with FIPPA and all relevant School District policies and regulations.

## PRINCIPLES

School District Staff are responsible for:

1. making reasonable efforts to familiarize themselves with this Administrative Regulation and the requirements of FIPPA, including by participating in privacy training initiatives offered by the School District such as [FIPPA: Protecting Information Training](#)
2. following responsible information management practices to ensure that the School District collects, uses and discloses Personal Information in compliance with FIPPA and other applicable laws; see <https://techforlearning.sd61.bc.ca/> for updates and information.
3. seeking at all times to protect Personal Information against unauthorized collection, use and disclosure, including by limiting the sharing of sensitive Personal Information on a need-to-know basis, and use the information only for the purpose for which it was collected.  
Example: Medical information collected for emergency protocols should not be used for any other purpose;
4. cooperating with School District procedures to facilitate the appropriate release of Records within its custody or control in response to access requests received from members of the community under FIPPA. See <https://www.sd61.bc.ca/our-district/about-us/request-for-access-to-information/>;
5. cooperating with School District procedures for enabling informed consent (see the Greater Victoria School District online portals [Parent Connect](#) and [Student Connect](#)),
6. the completion of Privacy Impact Assessments;
7. reporting privacy breaches to the School District in accordance with the School District’s Administrative Regulations (see Administrative Regulation 1161.4 Critical Incident and Privacy Breach

## RESPONSIBILITIES OF THE HEAD

The implementation of this Administrative Regulation is the responsibility of the Superintendent, who is the “Head” of the School District, including for all purposes under FIPPA. The Head is also responsible for ensuring there is a process for completing and documenting Privacy Impact Assessments and, as required, Information Sharing Agreements. The Head may delegate any of their powers under this Regulation or FIPPA to other School District Employees by written delegation.

## RESPONSIBILITIES OF THE PRIVACY OFFICERS

The Privacy Officers are responsible, in consultation with the Head, to ensure that all PIAs and Supplemental Reviews are completed in accordance with the requirements of FIPPA and this Regulation.

The Privacy Officers are also responsible for:

1. being the points of contact for privacy-related matters such as privacy questions or concerns;
2. the development, implementation, and maintenance of privacy policies and/or procedures; and
3. supporting the public body’s compliance with FIPPA.

## COMMITMENT TO PRIVACY PROTECTION

The School District protects the privacy of students, staff and individuals whose Personal Information it collects, uses, shares and retains, and expects all Staff to follow responsible information management practices to ensure that the School District fully complies with its obligations under FIPPA and other applicable laws.

The School District and Staff respect the privacy and confidentiality of Personal Information entrusted to them in the course of their duties, and collects, uses and discloses Personal Information only where authorized by FIPPA.

## PURPOSES FOR COLLECTING PERSONAL INFORMATION

The School District communicates the purposes for which Personal Information is collected at or before the time the information is collected, unless otherwise permitted or required by FIPPA.

In the ordinary course of carrying out its programs and activities, the School District collects Personal Information of its students for purposes including:

1. registration, enrollment and transfer of students;
2. to provide and deliver educational programs and services;
3. to accommodate students with disabilities and diverse learning needs;
4. to communicate with students and respond to inquiries or complaints;
5. to prepare and provide assessments of student performance;
6. supervise and ensure the safety and security of the School District (such as through the use of video surveillance);
7. to investigate and respond to accidents, safety events, misconduct and similar incidents;
8. ensure compliance with applicable School District bylaws, policies and other laws;
9. to make all required reports and filings to the Ministry of Advanced Education; and
10. other purposes set out in the Administrative Regulations or required under applicable laws.

In the ordinary course of carrying out its employment programs and activities, the School District collects the Personal Information of prospective, current and former Staff for purposes including:

1. hiring and recruitment;
2. to manage and administer the employment relationship;
3. to communicate with authorized union representatives;
4. to administer employment compensation and benefits;
5. to evaluate performance and manage disciplinary incidents;
6. to supervise and ensure the safety and security of the School District (such as through the use of video surveillance);
7. to investigate and respond to accidents, safety events, misconduct and similar incidents;
8. to ensure compliance with applicable School District policies and other applicable laws; and
9. for other purposes set out in the Procedures or required under applicable laws.

### **COLLECTION, USE AND DISCLOSURE OF PERSONAL INFORMATION**

The School District limits the Personal Information it collects to information to what is related to and necessary in order to carry out its programs and activities or for other purposes authorized by FIPPA.

The School District seeks to collect Personal Information by fair, lawful and transparent means, including by collecting Personal Information directly from the individual, except where otherwise authorized by FIPPA.

The School District seeks to inform individuals from whom it collects Personal Information the purposes for which the information is being collected, the legal authority for collecting it and the name and contact information of someone at the School District who can answer questions about the collection and use of the information;

The School District limits the internal and external use and sharing of Personal Information to what is required and authorized by FIPPA or consented to by the individual.

The School District only uses or discloses Personal Information for the purpose for which it was collected, except with the individual's consent or as otherwise required or permitted by FIPPA or other laws.

### **SECURING PERSONAL INFORMATION**

The School District protects Personal Information by ensuring it has reasonable security safeguards in place which are appropriate to the sensitivity of the information. Such security safeguards shall include consideration of physical security, organizational security and electronic security.

All Staff have a duty to protect the privacy and security of Personal Information collected and used by them as part of their ongoing employment responsibilities, including by complying with the terms of this Administrative Regulation, and all related Regulations.

The School District provides training to all Staff to ensure they have the requisite knowledge to ensure compliance with the terms of this Administrative Regulation and the FIPPA.

## RETENTION AND DISPOSAL

The School District does not seek to retain Personal Information longer than necessary to satisfy the School District's applicable operational, instructional, financial, and legal needs.

Personal information that is no longer required for either administrative, operational, financial, legal, or historical purposes shall be securely destroyed in a confidential manner in accordance with School District policies and approved record retention protocols.

The Greater Victoria School Districts records retention guidelines are currently being reviewed as part of the Privacy Management Program.

## ACCURACY AND CORRECTION

The School District shall make reasonable efforts to ensure the accuracy of the Personal Information that they collect and use in the course of performing their duties.

Individuals have the right to request the correction of their Personal Information, and the School District will receive and respond to such requests in accordance with the FIPPA and School District Administrative Regulations.

## ACCESS TO INFORMATION

The School District supports appropriate transparency and accountability in its operations by making information available to the public as permitted or required under FIPPA.

The Head shall, on at least an annual basis, consider and designate categories of Records that will be made available to the public without the need to make a request in accordance with FIPPA.

The School District recognizes that individuals may make requests for access to Records within the custody and control of the School District, and the School District will respond to such requests in accordance with FIPPA and the Regulations.

The School District recognizes that individuals have a right to access their own Personal Information within the custody and control of the School District, and will facilitate such access in accordance with the requirements of FIPPA.

## COMPLAINTS AND INQUIRIES

Questions or complaints about the School District's information management practices should be directed to the Privacy Officers at [privacy@sd61.bc.ca](mailto:privacy@sd61.bc.ca)

The School District will respond to all complaints in writing.

## **REVIEW**

This Administrative Regulation relates to newly amended legislation for public bodies and will therefore be reviewed annually until further notice.

## **RELATED ACTS AND REGULATIONS**

School Act and Regulations

Freedom of Information and Protection of Privacy Act (FIPPA) and Regulations

Ministerial Order 462: Personal Information Disclosure For Storage Outside of Canada Regulation

Ministerial Order 411: Education and Advanced Education

Ministerial Order 450: Finance and Advanced Education

Ministerial Order 351: Education

Ministerial Order 030: Citizen's Services

Ministerial Order 276: Environment

## **SUPPORTING REFERENCES, POLICIES, REGULATIONS AND FORMS**

Policy 1161 Freedom of Information and Protection of Privacy

Administrative Regulation 1161.1 Fees for Access to Information

Administrative Regulation 1161.3 Privacy Impact Assessments

Administrative Regulation 1161.4 Critical Incident and Privacy Breach

Adopted: November 27, 2023

Revised: