

Use of Cloud Services during COVID-19

June 2020

This information is intended to guide Langara faculty and staff in the use of cloud-based services, such as Zoom remote conferencing and Microsoft Teams, to support the delivery of online instruction and remote administrative operations during the COVID-19 pandemic.

On March 26, 2020, the Minister of Citizens' Services issued [Order MO85](#) under the *Freedom of Information and Protection of Privacy Act* ("FIPPA"). The Order allows public bodies, under the conditions stated below, "to disclose personal information inside or outside of Canada in accordance with s. 33.2(a) or (c) through the use of third-party tools and applications . . . to enable communication or collaboration between individuals." FIPPA defines personal information as recorded information about an identifiable individual, other than business contact information. On June 5th, the Ministry extended the temporary order to be in effect until December 31, 2020.

This Order is significant because it temporarily relaxes provisions in FIPPA that prohibit public bodies to store and access personal information outside of Canada except with consent, or as expressly permitted in specific situations. While it is in effect, educational institutions can rely on the Order to implement cloud-based tools and services to provide instructional services or communicate with and among employees to support operations. The Order, however, does not expand the authority of public bodies to collect, use and disclose personal information beyond their ordinary and usual operational purposes. It will not form the basis of any permanent working arrangements, and faculty and staff should factor the temporary nature of the Order into any decision to purchase or implement cloud-based tools or services.

The Order applies only when the following conditions are met:

- the public body uses cloud-based third-party tools or services to support and maintain programs or activities;
- such tools and services support public health recommendations and requirements to minimize transmission of COVID-19, i.e., they support social distancing through remote work; and
- the public body limits the disclosure and retention of personal information to the minimum amount reasonably necessary for employees to perform their duties.

This temporary Order does not affect existing requirements under FIPPA to ensure that personal information is reasonably secure against loss, theft or unauthorized collection, use or disclosure. The College expects faculty and staff to use cloud-based tools or services in such a way that the personal information of students, employees and others is reasonably secure and protected. Please review [Protecting Personal and Confidential Information While Working Remotely](#), for information.

Faculty should inform students about what cloud-based tools they are using for teaching and assessment and whether students' personal information is stored inside or outside of Canada. It is recommended that faculty direct students to the provider's privacy policy.

For more information or questions about privacy, contact:

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