

<b>Title</b>	<b>Privacy and Access</b>
<b>Number</b>	<b>B5001</b>
<b>Category</b>	<b>Administration</b>

## 1. PURPOSE

To ensure that Langara College complies with requirements of the B.C. *Freedom of Information and Protection of Privacy Act* ("the Act") to:

- a) protect individuals' personal privacy by preventing the unauthorized collection, access, use, disclosure, and disposal of personal information, in any format, under the College's control or in its custody; and
- b) provide the public with access to recorded information, including personal information, under the College's control or in its custody.

To define the roles and responsibilities of employees, service providers, and volunteers to comply with the requirements of the Act.

## 2. DEFINITIONS

**Access** – the ability or opportunity to view, study, or obtain copies of personal information or College recorded information.

**Contact information** – information that enables someone to contact another person at their workplace, including their name, position title, or business telephone number, address, email, or fax.

**Employee** – an individual who provides services under a contract of employment on behalf of the College for wages and/or other form of compensation.

**Informed consent** – when a person provides authorization by written or electronic means to allow the College to collect their personal information after being told the purpose for collecting, using, and disclosing the information.

**Personal information** – recorded information about an identifiable individual other than business contact information.

**Privacy** – the right to control access to your person and information about yourself. This includes anonymity, confidentiality, and security.

**Privacy breach** – means the theft or loss, or the unauthorized collection, use, or disclosure of personal information in the custody or under the control of the College.

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**Recorded information** – refers to all records that employees, service providers, or volunteers create or receive while working or volunteering for the College that they retain to meet operational, legal, financial, legislative, and other needs. In this policy, recorded information includes documents, maps, drawings, photographs, letters, vouchers, papers, and any other thing on which information is recorded or stored by graphic, electronic, mechanical, or any other means, but does not include a computer program or any other mechanism that produces recorded information.

**Service provider/Contractor** – a self-employed individual or entity who provides services to the College under a contract for goods and/or services on an independent or dependent contractor basis and is distinct from an employee.

**Volunteer** – any person appointed by the College to perform duties on behalf of the College, inclusive of participation in College committees and/or College sanctioned events on an unpaid basis.

### 3. POLICY

#### General

3.1 Langara College recognizes its legal and ethical responsibilities to protect and provide access to personal information and to recorded information about the College.

3.2 As the head of a public body, the President:

- a) will ensure that the College complies with the Act's privacy and access to information provisions by:
  - i. following applicable privacy and access-related guidelines and best practices;
  - ii. identifying the types of personal information and recorded information about the College in its custody or under its control;
  - iii. making reasonable security arrangements to protect personal information from unauthorized collection, access, use, disclosure, storage, or disposal;
  - iv. maintaining a privacy management program that provides training, services, and resources to employees, service providers, and volunteers to ensure they understand how to apply this policy and its procedures; and
- b) may delegate to an administrator any duty, power, or function of the head of the public body under the Act, except the duty to delegate.

3.3 The Privacy and Records Management department is responsible to:

- a) provide uniform, College-wide privacy and access-related training, services, and resources on a regular basis; and
- b) coordinate the processing of and response to access to information requests received from individuals and organizations.

3.4 Employees, service providers, and volunteers:

- a) are responsible to secure and protect any personal information they create,

receive, or access while working, providing services, or volunteering for the College whether in the office or working remotely;

- b) will consult with Privacy and Records Management, as well as IT, Enterprise Risk Management, and/or Educational Technology, before they use any online instructional resource or cloud computing service that involves personal information; and
- c) will comply with the Act and College policies and procedures when they collect, use, disclose, store, and dispose of personal information while working, providing services, or volunteering for the College.

3.5 Employees, service providers, or volunteers who contravene this policy may be disciplined or have legal proceedings brought against them.

### **Collection**

3.6 College departments will:

- a) only collect personal information for purposes authorized under the Act;
- b) collect someone's personal information from them directly except when the Act authorizes indirect collection;
- c) obtain the person's informed consent when the Act requires it; and
- d) before collecting the information, notify the person or their authorized representative, of the:
  - purpose for collecting the personal information;
  - statutory authority for collecting the personal information; and
  - contact details of someone who can answer their questions.

### **Access**

3.7 The College will:

- a) provide access to personal information in its control or custody to the individual the information is about, such as a current or former student or employee, or to a third party authorized by the individual, unless exceptions under the Act apply;
- b) provide access to personal information of students who are under the age of majority to their parents, legal guardians, and any legal or authorized representative only with the student's written consent, unless exceptions under the Act apply;
- c) provide access to recorded information about the College unless the Act exempts access;
- d) identify the types of recorded and personal information available without a request for access under the Act, e.g., some types of personal information such as a student's own transcript or an active employee's own records in the personnel file; and
- e) accept only written requests for personal information and recorded information about the College made under the Act.

3.8 The College may charge fees for access to information requested under the Act except when an individual or their representative requests the person's own information.

**Use**

- 3.9 Employees, service providers, and volunteers will use the personal information they create, receive, or access while working or volunteering for the College only to support the College's business operations or instructional programs or activities, or for a use consistent with these purposes.
- 3.10 If use extends beyond the original purpose, College employees will obtain a person's informed consent for its use. Service providers and volunteers will extend the use of personal information only at the direction of the College representative and, in the case of service providers, only as consistent with the confidentiality and non-disclosure terms of their contractual obligations.

**Disclosure**

- 3.11 College employees will disclose someone's personal information to a third party only as authorized under the Act. Service providers and volunteers who receive a request for recorded information about the College or records that contain personal information will refer the request to a College department leader familiar with the operations of the department and the records it maintains.

**Accuracy and Correction**

- 3.12 College departments will make every reasonable effort to ensure that the personal information they collect and use is accurate and complete. College departments will establish procedures for correcting inaccurate or incomplete personal information.

**Retention**

- 3.13 College departments will retain records that contain personal information for at least one year after they use the records to make a decision about someone. Departments may be required to retain records longer than one year to conform to approved retention periods.

**Unauthorized Disclosures and Breaches**

- 3.14 Employees, service providers, or volunteers who know of or suspect that an unauthorized disclosure of personal information has occurred must immediately notify their respective leader or College representative, who will then inform the President or designate without delay.
- 3.15 The College will handle all reports and investigations of unauthorized disclosures or breaches in compliance with the mandatory privacy breach notification provisions of the Act, and according to the Privacy and Access Procedures associated with this policy.

**4. RESPONSIBILITY**

For inquiries about this policy, contact the Vice-President, Administration and Finance or the Manager, Privacy and Records Management.

**5. REGULATIONS/PROCEDURES**[Privacy and Access Procedures](#)

<b>History/Revision</b>	
Origination Date	April 17, 2001 (as Access to Information Policy)
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