B5001 – PRIVACY AND ACCESS

PROCEDURES

1. Protecting Privacy

1.1 General

Leaders will determine the level of access to personal information that employees, service providers, and volunteers in their departments require to perform their duties.

Leaders will ensure that paper and electronic forms and data entry screens used in their departments to collect personal information from students, alumni, employees, and others include a notice to inform the individual of:

- the purpose for collecting the information;
- the College's legal authority for its collection and use; and
- the position or department name and contact information to answer questions about its collection, use, or disclosure.

See Appendix I for a sample of a collection, use, and disclosure of personal information notification.

Leaders in the Information Technology (IT) and Educational Technology (EdTech) departments will establish policies, procedures, guidelines, and security measures to protect personal and confidential information maintained on the College's computer systems from unauthorized collection, access, use, disclosure, storage, or disposal.

Departments that finalize the purchase of goods or services or finalize contracts and agreements that involve the collection, use, disclosure, or storage of personal information will ensure that they include privacy protection provisions that meet *Freedom of Information and Protection of Privacy Act* (the Act) requirements.

1.2 Information Sharing Agreements (ISA)

Before a department begins any initiative that involves the College and another public or private organization jointly collecting, using, and/or disclosing students' personal information, leaders and the other party's representative will complete an Information Sharing Agreement with the assistance of the Registrar and Privacy and Records Management. The ISA, which both parties approve, sets out conditions for their collection, use, and/or disclosure of personal information. Privacy and Records Management will maintain a permanent file of completed ISA's.

1.3 Privacy Impact Checklists and Assessments

Before a department develops, implements, or changes any program, system, or initiative that involves personal information, leaders will collaborate with Privacy and Records Management to complete a Privacy Impact Checklist to identify potential privacy impacts or issues.

When potential privacy impacts are significant, Privacy and Records Management will complete a comprehensive Privacy Impact Assessment (PIA) with the assistance of departmental subject matter experts as well as the Information Technology or Educational Technology departments, as applicable. The initiative lead(s) and executive sponsor(s) are responsible for the final review and approval of Privacy Impact Assessments. Privacy and Records Management will maintain a permanent file of completed Privacy Impact Checklists and PIA's.

2. Providing Access to Information

2.1 Responding to Requests for Routinely Available Information

Leaders in College departments and Privacy and Records Management will work together to identify the types of recorded information about the College and records that contain personal information that the department routinely makes available upon request and establish access procedures or guidelines.

Employees who receive a request for recorded information about the College or records that contain personal information will confirm that the department has listed that record as being routinely available and provide it to the requester without delay.

2.2 Responding to Requests for Information Not Routinely Available

Employees who receive a request for recorded information about the College or records that contain personal information that is not routinely available will refer the request to a department leader who will consult with Privacy and Records Management to determine if the Act authorizes the release of information.

Service providers or 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.

Privacy and Records Management will process most requests for access to information, including personal information, according to the Act's procedures and timelines. However, other departments, such as Registrar and Enrolment Services, may process certain types of requests, e.g., hiring agencies and employers requesting student credential information or program status.

2.3 Third-Party Requests for Personal Information

Leaders will develop consent forms for students to complete to authorize the release of their own personal information to their parents, legal guardians, or others. Departments will retain the completed consent form in the student's file. *See Appendix II for a sample of a consent to release personal information form.*

Departments that receive written requests from third parties not listed on a consent form on file, such as law firms or insurance companies, will forward the request, the individual's authorization form, and the requested records to Privacy and Records Management for processing, without delay.

When Privacy and Records Management receives a written request directly from a third party for personal information with the person's written authorization, it will request the records from the appropriate department and provide a copy of the letter and authorization, without delay.

Employees who receive verbal requests from external third parties for the personal information of students or other employees will not provide the requested information without first obtaining the individual's written authorization. In specific situations, such as when the health and safety of the person or of other people is at imminent risk, employees may need to disclose personal information without written authorization.

2.4 Personal Information Banks

As required by the Act, Privacy and Records Management will maintain a Directory of Personal Information Banks and make it accessible to the public. A personal information bank is a collection of personal information that is organized or retrievable by a person's name or by an identifying number, symbol, or other attribute assigned to the person. The Directory will include the following for each personal information bank:

a) its title and location;
b) a description of the kind of personal information and the categories of persons included in the bank;
c) the authority for its collection;
d) the College's purposes for obtaining or compiling the information and the purposes for using or disclosing it; and
e) the categories of persons who use the bank or to whom it is disclosed.

3. Privacy and Access Training, Services, and Resources

3.1.1

Privacy and Records Management will maintain a privacy management program that provides privacy and access-related training, services, and resources to employees, service providers, and volunteers to ensure uniform privacy protection and access to information practices across the College including, but not limited to:

- Presentations, tutorials, and quizzes
- Privacy impact assessments and checklists
- Software request reviews
- Contract and service agreement reviews
- Ad hoc consultation and advice.

4. Investigating Unauthorized Disclosures and Breaches of Personal Information

4.1 When an employee, service provider, or volunteer discovers an unauthorized disclosure of personal information they must immediately notify their respective leader or College contact, who will then inform the President or designate without delay.

4.2 Information Technology and, as applicable, Privacy and Records Management, Enterprise Risk Management, and Educational Technology will investigate unauthorized disclosures and breaches of personal information to:

- identify the source and extent of the breach and take immediate steps to contain it by, as applicable:
    a) stopping the unauthorized practice;
    b) shutting down the system;
    c) recovering lost records or data; and/or
    d) revoking system access.
- analyze the cause of the breach and identify measures to prevent similar incidents in the future; and
- determine whether there is a potential risk of significant harm to anyone involved, such as identity theft, financial loss, or risk to personal safety.

4.3 Information Technology will report the results of an investigation to the Executive Leadership Team. When the College determines that a breach may cause significant harm, Privacy and Records Management will submit a report on the incident and subsequent investigation to the Office of the Information and Privacy Commissioner.

4.4 The Executive Leadership Team will decide whether to notify individuals who may be harmed by the breach.

Appendix I – Sample Collection, Use and Disclosure of Personal Information Notification

Langara College collects the information on this form under the authority of the College and Institute Act [RSBC 1996, Chapter 52, Section 41.1]. This information is needed, and will be used, for purposes that are consistent with activity necessary to the operation of the College and in compliance with the provisions of the Freedom of Information and Protection of Privacy Act [RSBC 1996, Chapter 165]. This information will be used for admission, registration, and maintenance of your student record. Information is shared with College Advancement and the Langara Students' Union.

The personal information you provide on this form may be shared with the Ministry of Education and will be used to verify your British Columbia Personal Education Number (PEN) or assign one to you. The personal information you provide and your PEN are used for authorized statistical and research purposes only.

For questions about the collection, use and disclosure of your personal information, contact Registrar & Enrolment Services at 604.323.5241 or the Dean of Continuing Studies at 604.323.5322.

Excerpted from Domestic Student Application for Admission Form

Appendix II – Sample Consent to Release Personal Information Form

Langara.
THE COLLEGE OF HIGHER LEARNING.

Consent for Authorized Representative

Registrar & Enrolment Services

STUDENT INFORMATION

LANGARA ID: _____ DATE OF BIRTH (MM/DD/YYYY): _____

LEGAL SURNAME: _____ LEGAL FIRST NAME: _____

REPRESENTATIVE INFORMATION

FULL NAME OF PERSON/AGENCY: _____

RELATIONSHIP: _____ EMAIL*: _____

* Information will only be shared with this representative in person and/or by email. If you do not wish for information to be shared by email, please leave this field blank. Email inquiries will only be responded to if sent from this address.

This waiver will be valid for the following period, or until I revoke authority:

From: _____ To: _____

STUDENT INFORMATION

I authorize the person/agency stated above access to the following information:

- ☐ Academic standing
- ☐ Application status
- ☐ Final grades
- ☐ Graduation requirements
- ☐ Registration information (including current registration status)
- ☐ Special needs documentation or disability accommodations
- ☐ Other (specify): _____

FINANCIAL INFORMATION

I authorize the person/agency stated above access to the following information:

- ☐ Student account balance
- ☐ Student awards
- ☐ Student loan information
- ☐ Tuition and fees assessment
- ☐ Other (specify): _____

STUDENT TRANSACTIONS

I authorize the person/agency stated above to carry out the following transactions on my behalf:

- ☐ Order transcripts, confirmation of enrolment letters, RESP forms, etc.
- ☐ Pick up transcripts, confirmation of enrolment letters, RESP forms, etc.
- ☐ Other (specify): _____

CONDITIONS

1. I understand that the Authorized Representative is permitted to represent me up to and including the end date I have selected.
2. I understand that Langara College collects, uses and discloses my personal information in compliance with the provisions of the British Columbia Freedom of Information and Protection of Privacy Act [RSBC 1996, Chapter 152] and will use the information for research and statistical purposes subject to the provisions of the Act.
3. I understand that if I wish to extend the authorization period I have selected above, it is my responsibility to submit a new Consent for Authorized Representative form.
4. I understand that any request to cancel this authorization before the end date I have selected above must be submitted in writing.
5. I understand that if I have already submitted a Consent for Authorized Representative form, this form overrides the previous one.
6. I have read and understood the above statements.

STUDENT'S SIGNATURE: _____ DATE: _____

SUBMIT COMPLETED FORM

In person to: Registrar & Enrolment Services, Langara College, 100 West 49th Ave., Vancouver, BC V5Y 2Z6

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Appendix III – Guidelines for Protecting Personal Information

1. Receive and return student work in a way that protects students' personal information from being disclosed to others. Such records include assignments, tests, or other documents that include a student's name, identification number, physical address, e-mail address, telephone number, or other personal identifier.

2. Do not put student records, such as completed assignments, or employee records that contain personal information in publicly accessible places, including holders outside office doors.

3. Keep a 'Clean Desk' policy. Whether working remotely or in the office, remove any records that contain personal information from your desk or printer when you leave your work area and place them in a lockable drawer or file cabinet.

4. Protect and secure records that contain personal information on computers, laptops, portable storage devices, and mobile devices by using strong passwords or pass phrases, encryption, privacy screens, or other security measures. Lock your computer when you leave your work area, even if it's just for a moment. Delete any records that contain personal information when they are no longer required to support College operations.

5. Send personal information by e-mail, fax machine, or other electronic means only to the individual it concerns and request recipients to keep the information secure.

6. Do not use your personal email to transfer records containing work-related personal or confidential information.

7. Do not forward electronic communications to any personal accounts or servers, including, but not limited to, personal webmail (such as GMail, Yahoo, etc.) or document storage services (such as Dropbox).

8. Securely dispose of records that contain personal information according to retention schedules approved by the College.

9. Deposit paper records that contain personal information in confidential destruction bins located throughout the College, or use department/home shredders. Do not use recycling containers either at work or at home.