


Policy Name:	FREEDOM OF INFORMATION AND PRIVACY POLICY	
Approved By:	President's Council	
Approval Date:	November 17, 2020	
Next Scheduled Renewal Date:	October 2025	
Policy Holder:	President's Council	
Operational Lead:	Choose an item.	
Policy Number:	ADM-003	

FREEDOM OF INFORMATION AND PRIVACY POLICY

1.00 PURPOSE

1.1 Coast Mountain College (CMTN) respects the privacy of individuals. As a public sector organization, all records in the custody or control of CMTN are subject to the British Columbia *Freedom of Information and Protection of Privacy Act* (FOIPPA). The college is committed to policies that are consistent with the *College and Institutes Act* and FOIPPA, working to meet, and striving to exceed these requirements through best practices related to collection, use, and disclosure of personal information.

2.00 DEFINITIONS

- 2.1 **Applicant:** The individual or organization requesting access to information.
- 2.2 **Educational History:** Includes, but is not limited to, course grades, grade point average, academic status, graduation status, other institutions attended, admission status, course schedule, and registration status.
- 2.3 **Financial History:** Includes, but is not limited to, information about beneficiaries, insurance, benefits, and debts.
- 2.4 **Indirect Collection:** The collection of personal information from a source other than the individual for whom the information is about.
- 2.5 **Informal Request:** A request for information that is publicly available or a request for information collected by the College that pertains to the individual requesting.
- 2.6 **Medical History:** Includes, but is not limited to, information about beneficiaries, insurance, benefits, and debts.
- 2.7 **Law Enforcement:** Includes, but is not limited to, disciplinary investigations, or proceedings that lead or could lead to a penalty or sanction being imposed and policing.
- 2.8 **Personal Information:** Recorded information about an identifiable individual which includes, but is not limited to, names, home addresses and telephone numbers, age, sex, marital or family status, identifying number, race, national or ethnic origin, colour, religious or political beliefs or associations, educational history, medical history, financial history, criminal history, anyone else's opinions about an individual, an individual's

personal views or opinions, and name, address and phone number of parent, guardian, spouse or next of kin.

2.9 **Third Party:** The individual or organization whom the information concerns other than the applicant.

3.00 SCOPE AND APPLICATION

3.1 This policy applies to all records in the custody and under control of the College.

3.2 Breaches of this policy may be subject to disciplinary or other actions, and may constitute a breach of the FOIPPA or other legislation, which could result in sanctions against the College or individuals.

4.00 ACCESS TO INFORMATION

4.1 The College supports the public's right of access to information and the individual's right of access to, and the right to request correction of, personal information about themselves.

4.2 The College will provide routine access to information informally upon request, or actively disseminate information, using existing procedures.

4.3 A person has a right of access to any record in the custody or under the control of the College, including a record containing personal information about the applicant.

4.4 The right of access does not extend to information excepted from disclosure under Sections 12 to 22 of FOIPPA, but if that information can reasonably be separated from a record, an applicant has the right of access to the remainder of the record.

4.5 The right of access to a record may be subject to the payment of any fee required according to College policy or practice for informal access requests and for a formal access request under Section 75 of FOIPPA.

5.00 COLLECTION OF INFORMATION

5.1 The College does not collect personal information unlawfully or unfairly.

5.2 In most circumstances, personal information is collected directly from the individual.

5.3 Indirect collection occurs in very limited and specific circumstances, or as required by law.

6.00 DISCLOSURE OF INFORMATION

6.1 The College will not disclose, address, or store personal information outside of Canada without the explicit consent required, unless permitted by law to do so.

6.2 The College does not sell, share, or disclose personal information to others for any type of mailing list.

6.3 Disclosure of an individual's personal information is subject to the application of Part 2 of the FOIPPA.

7.00 PROTECTION OF PRIVACY

7.1 The College will collect personal information about students, employees, graduates, or others as provided for under Sections 26 and 27 of the Act, ensuring at all times that

those supplying personal information are provided appropriate notice and method of collection.

- 7.2 The College will make every reasonable effort to ensure that the personal information it uses is accurate and complete. Upon request by an individual to whom information relates, the College will correct or annotate the information with a correction when documentary evidence, satisfactory to the College, is provided to substantiate the correction.
- 7.3 The College will protect personal information by making reasonable security arrangements to prevent the risk of unauthorized collection, access, use, disclosure, or disposal of personal information. Security measures include, but are not limited to: secure facilities, controlled areas, restricted user access, password protection, firewalls, and encryption software.
- 7.4 The College requires third-party service providers to demonstrate compliance with its privacy obligations, principles, and processes outlined in this policy.
- 7.5 College employees will have access only to information specific to the functions of their role at the College.
- 7.6 The College will retain for at least one year an individual's personal information that was used to make a decision that directly affects the individual.
- 7.7 The College will use personal information only:
 - a) for the purpose for which that information was obtained or compiled
 - b) for a use consistent with that purpose
 - c) with the written consent of the individual
 - d) for the purpose for which that information was disclosed to the College.
- 7.8 The College will not disclose personal information about students or employees to any third party, unless it is otherwise provided for under Sections 22 (4) or 33 of the Act. Appendices A and B describe those circumstances when personal information can be disclosed.

8.00 RESPONSIBILITY

- 8.1 For systems that house Human Resources information, the Director of Human Resources is the Campus Privacy officer and authorizes access to systems that pertain to employee personal information.
- 8.2 For systems that house student information, the Director, Institutional Research and Registrar is the Campus Privacy Officer and authorizes access to systems that pertain to student personal information.
- 8.3 For systems that house financial information, the Director of Finance will authorize access.
- 8.4 The Director of Information Technology will ensure that systems are secure.
- 8.5 Employees are responsible for maintaining the confidentiality of general and personal information according to the policies below and they are required to ensure that personal information is maintained in a secure environment. Violations of this policy may result in disciplinary penalties being imposed.

- 8.6 Employees should consult, as needed, the College's Freedom of Information and Protection of Privacy (FIPP) Officer/s (Section 8.1 for Human Resources and Section 8.2 for Students) about the disclosure of confidential and personal information, including information to be released under Sections 22 (4) or 33 of FOIPPA.

9.00 ACCESS TO GENERAL INFORMATION

- 9.1 The College will continue to provide public access to College records that are now released routinely in response to informal requests and do not contain confidential or personal information.
- 9.2 For informal requests, access will be provided according to those procedures used in the department or office that has custody of the information.
- 9.3 For formal requests, access will be provided according to those procedures coordinated by the College's Information and Privacy Officer.

10.00 ACCESS TO THIRD-PARTY PERSONAL INFORMATION BY EMPLOYEES

- 10.1 Employee access to confidential personal information about students, employees, or others paid through the College's payroll system where the College has custody or control of the information will be allowed if the information is necessary for the performance of the duties of the employee.
- 10.2 Access will be administered according to those specific policies and procedures which may be established and/or updated from time to time by the College to apply to the personal information of specific groups of individuals, such as students, faculty, staff, or others.

11.00 ACCESS TO THIRD-PARTY PERSONAL INFORMATION ABOUT EMPLOYEES

- 11.1 Access to the following information about employees will be provided routinely pursuant to Section 22 (4.e) of the FOIPPA:
 - a) position
 - b) functions
 - c) remuneration.
 - d) These requests will be handled by the Vice-President, Academic, Students, and International regarding employees in the BCGEU faculty and the CUPE bargaining unit, and by the Vice-President, Corporate Services regarding all others.
- 11.2 Access to information about expenses incurred by employees while travelling at the expense of the College will be provided by the Vice-President, Corporate Services pursuant to Section 22 (4.h) of FOIPPA).

12.00 ACCESS FOR RESEARCH, STATISTICAL, ARCHIVAL, OR HISTORICAL PURPOSES

- 12.1 Access to personal information for research, statistical, archival, or historical purposes will be allowed under conditions specified in Sections 35 and 36 of FOIPPA. These include the written agreement of the researcher to comply with all relevant sections of the Act and with the College's policies and procedures relating to the protection of personal information.

13.00 CONFIDENTIALITY OF LETTERS OF REFERENCE AND PERSONAL EVALUATIONS

- 13.1 Any employee or committee (standing or ad hoc) must treat as confidential the personal evaluation supplied in confidence by a third party to an employee or committee unless the third party expressly states otherwise. This applies to employees assigned with when charged with making a recommendation or other decision on one or more of the following matters:
- a) appointment or reappointment
 - b) renewal or promotion
 - c) admission to the College or to a program or faculty within the College and associated matters
 - d) evaluation of academic or employment performance
 - e) awards or honours
 - f) investigation of misconduct or imposition or discipline
- 13.2 Any letter of reference or personal evaluation is considered supplied in confidence by a third party to an employee or committee unless the third party expressly states otherwise.

14.00 RETENTION

- 14.1 The College uses an approved Records Retention Policy, which is customized for each program area. The customization takes into account the length of the time personal information is required.

15.00 CMTN WEBSITE

- 15.1 Website use is anonymous except where sign-in is required. If you choose to send CMTN personal information through the website, you are providing consent to its collection and use by the College.
- 15.2 The College captures identification data from visitors to its website for security, statistical, and reporting purposes only.
- 15.3 In compliance with the *Freedom of Information and Protection of Privacy Act*, the College does not disclose information about any website visitor to external organizations or individuals.

16.00 RELATED POLICIES AND PROCEDURES

- 16.1 ADM-011, *Records Retention Policy*

17.00 AND SUPPORTING DOCUMENTS

- 17.1 [College and Institute Act](#)
- 17.2 [Freedom of Information and Protection of Privacy Act](#)

18.00 HISTORY

Created/Revised/ Reviewed	Date	Author's Name and Role	Approved By
Created			