

SUBJECT ACCESS TO INFORMATION AND PROTECTION OF PRIVACY**1. Purpose**

To provide policies which are consistent with the *University Act* and the *Freedom of Information and Protection of Privacy Act* (the "Act") regarding access to general information and the protection of personal information held by the University about students, employees or other persons whose contractual arrangements are administered by the University and where the University has custody or control of the information.

2. Responsibility

As the Head of the University, the President is responsible for the implementation of this policy.

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 manner.

Employees should consult, as needed, the University's Freedom of Information and Protection of Privacy ("FIPP") Officer about the disclosure of confidential and personal information, including information to be released under Sections 22(4) or 33 of the Act.

3. Scope

This policy applies to all employees of the University who have access to general and personal information.

4. Definitions

The terms below are those used in the Act. The definitions use examples from the university community to help illustrate their meaning. The following definitions describe the types of information which must not be disclosed to persons other than those who are authorized 1) under the *FIPP Act* and Section 6(e) of this policy, or 2) by consent from the person the information is about.

Personal Information means 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, disabilities, blood type, employment 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.

It does *not* include information to enable an individual at a place of business to be contacted and includes the name, position name or title, business telephone number, business address, business email or business fax number of the individual.

Educational History includes course grades, grade point average, academic status, graduation status, other institutions attended, admission status, course schedule and course registration status.

Financial History includes information about beneficiaries, insurance, benefits and debts.

Employment History includes personal recommendations or evaluations, character references or personnel evaluations, letters of discipline and reprimand and reasons for termination.

Medical History includes health care history relating to medical, psychiatric or psychological diagnosis, condition, treatment or evaluation.

Law Enforcement includes disciplinary investigations or proceedings that lead or could lead to a penalty or sanction being imposed and policing

Related Definitions

Applicant means the applicant (i.e. individual or organization) requesting access to information.

Third Party means the person or organization whom the information concerns other than the Applicant.

5. Access to Information

- (a) The University 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.
- (b) The University will provide routine access to information informally upon request, or actively disseminate information using existing procedures.
- (c) A person has a right of access to any record in the custody or under the control of the University, including a record containing personal information about the Applicant. However, the right of access does not extend to information excepted from disclosure under Sections 12 to 22 of the Act, but if that information can reasonably be severed from a record an Applicant has the right of access to the remainder of the record.
- (d) The right of access to a record may be subject to the payment of any fee required according to University policy or practice for informal access requests and for a formal access request under Section 75 of the Act.

6. Protection of Personal Privacy

Collection

- (a) The University 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 it uses an appropriate notice and method of collection.

Accuracy of Factual Information

- (b) The University 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 University will correct or annotate the information with a correction when documentary evidence, satisfactory to the University, is provided to substantiate the correction.

Protection

- (c) The University will protect personal information by making reasonable security arrangements to prevent the risk of unauthorized collection, access, use, disclosure or disposal of personal information.

Retention and Disposition

- (d) The University will retain for at least one year an individual's personal information when it is used to make a decision that directly affects the individual.

Use

- (e) The University will use personal information only:
 - i. for the purpose for which that information was obtained or compiled;
 - ii. for a use consistent with that purpose;
 - iii. with the written consent of the individual; or
 - iv. for the purpose for which that information was disclosed to the University.

Disclosure

- (f) The University 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.

7. Procedures

Access to General Information

- (a) The University will continue to provide public access to University records that are now released routinely in response to informal requests and do not contain confidential or personal information.
- (b) For informal requests, access will be provided according to those procedures used in the department or office that has custody of the information.
- (c) For formal requests, access will be provided according to those procedures coordinated by the University's FIPP Officer.

Access to Third Party Personal Information by Employees

- (d) Employee access to confidential personal information about students, employees or others paid through the University's payroll system where the university has custody or control of the information will be allowed if the information is necessary for the performance of the duties of the employee.
- (e) Access by employees will be administered according to those specific policies and procedures which may be established from time to time by the University to apply to the

personal information of specific groups of individuals, such as students, faculty, staff, graduates or others.

Access to Third Party Personal Information About Employees

- (f) Access to the following information about employees will be provided routinely pursuant to Section 22(4)(e) of the Act.:
- i. Position
 - ii. Functions
 - iii. Remuneration

Requests will be handled by the Provost regarding employees covered by the UNBC Faculty Agreement, and by the Vice-President (Administration and Finance) regarding all others.

- (g) Access to information about expenses incurred by employees while travelling at the expense of the University will be provided routinely pursuant to Section 22(4)(h) of the Act. Requests will be handled by the Vice-President (Administration and Finance).

Access for Research, Statistical, Archival or Historical Purposes

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

Confidentiality of Letters of Reference and Personal Evaluations

- (i) Any employee, committee or ad hoc committee that is charged with making a recommendation or other decision on one or more of the following matters:
- Appointment and reappointment,
 - Renewal, tenure or promotion,
 - Admission to the University or to a program or Faculty within the University and associated matters,
 - Evaluation of academic or employment performance,
 - Awards or honours,
 - Investigation of misconduct or imposition of discipline,

must treat as confidential the personal information of the candidate.

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.