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APPROVAL/REVISION DATE:	October 18, 2021	EFFECTIVE DATE: November 1, 2021	REVIEW DATE: November 2026
CROSS REFERENCE:	Appendix A -Summary of Fees for Requested Records Under the Municipal Freedom of Information and Privacy Act Municipal Freedom of Information and Privacy Act and Regulations Personal Health Information Protection Act (PHIPA)		

A: **POLICY**

1. 1.1 It is the policy of the Thunder Bay Catholic District School Board to collect, use, retain and disclose personal information in the course of meeting its statutory duties and responsibilities.

1.2. The Board is committed to the protection of privacy and compliance with all applicable regulations in the Education *Act*, the *Municipal Freedom of Information and Protection Act (MFIPPA*), the *Personal Health Information Protection Act (PHIPA),* and any other applicable legislation.

1.3. All general information in the custody or control of the Board that is not confidential in accordance with MFIPPA and other relevant legislation and regulations are publicly accessible.

B: DEFINITIONS

2. 2.1 **General Information**

General information refers to recorded information in the Board's custody and/or control that is not of a personal nature and is not exempt from public access under MFIPPA unless an access exemption under MFIPPA or other legislation applies. Examples of general information that can be routinely released include: policies, ministry guidelines and memorandum, travel expense statements, collective agreements, Board and school plans for continuous improvement, Board public minutes, or school events and programs.

2.2 **Personal Information**

Personal information is any recorded information that renders an individual identifiable. Examples of personal information that need protection include: Ontario Student Records, psychological and other health related assessments, student discipline related information, vendor and supplier resumes, or grievance files. Note that most employment related and employee relations related information is excluded from the access provisions of MFIPPA.

C: GUIDELINES

3. The protection of personal information held by the Board is guided by the following principles:

3.1. **Accountability and Responsibility**

Under MFIPPA, the Thunder Bay Catholic District School Board is responsible for personal information under its control and may designate in writing an individual(s) within the Board who is accountable for compliance with privacy legislation.

Under PHIPA, health information custodians are responsible for personal health information in their custody and control and may designate an individual within the Board an agent to assist with compliance to privacy legislation.

3.2 **Specified Purposes**

The Board shall identify the purpose(s) for which personal information is collected, and individuals shall be notified of the purposes and any other information required by law at or before the time personal information is collected.

3.3 **Consent**

Personal information is collected for the provision of educational services to students. The knowledge and, in some cases, the consent of an individual is required for the collection, use, retention, and disclosure of personal information, except where otherwise permitted by law.

3.4 **Limiting Collection**

The Board shall limit the collection of personal information to that which is necessary for its specified purposes in accordance with its statutory duties and responsibilities.

3.5 **Limiting Use, Retention, and Disclosure**

The Board shall not use, retain, or disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or as authorized or required by law. The Board shall retain personal information in accordance with the Board's retention schedule.

3.6 **Accuracy**

The Board shall ensure that personal information is accurate, complete, and up-to-date in order to fulfill the specified purposes for its collection, use, disclosure, and retention.

3.7 **Safeguards**

The Board shall ensure that personal information is secured and protected from unauthorized access, use, disclosure, and inadvertent destruction by adhering to safeguards appropriate to the sensitivity of the information.

3.8 **Openness and Transparency**

The Board shall make available to the public specific information about its policies and practices relating to the management of personal information.

3.9 **Access and Correction**

Upon request, the Board shall allow an individual to access his/her personal information and that individual will be given access to that information in accordance with privacy legislation. An individual has the right to challenge the accuracy and completeness of the information and to request that it be amended as appropriate and to have a letter/statement of disagreement retained on file. Any individual to whom the disclosure of the personal information has been granted in the year preceding a correction has the right to be notified of the correction/statement. An individual is advised of any third party service provider requests for his/her personal information in accordance with privacy legislation.

3.10 **Compliance**

An individual shall have the ability to address or challenge compliance with these principles in accordance with the Board's guideline/procedure.

D: PROCEDURE

4. **Accessing General Records**

4.1 In general, staff, students and the general public shall be granted access to general information without making a formal application under the Municipal Freedom of Information and Protection of Privacy Act.

4.1.1 If it is the opinion of the person receiving the request that the information should not be disclosed and/or requires extensive research/cost, the request should be forwarded to the Freedom of Information Officer.

4.1.2 The Freedom of Information Officer will review the request and advise the requester regarding whether a formal request will be required.

4.1.3 If an informal request for general records requires extensive research and/or photocopying, fees may be charged consistent with the fee schedule set out in the Act and its regulations. See Appendix A.

4.2 A formal request for general records made under the Municipal Freedom of Information and Protection of Privacy Act, must be directed to the Director of Education. The Act dictates timelines and applicable fees for all requests.

5. **Collecting and Accessing Personal Information**

5.1 In accordance with the Municipal Freedom of Information and Protection of Privacy Act, when personal information is collected on behalf of the Board, the Board shall inform the individual of:

- the legal authority for the collection;
- the principal purpose(s) for which the information is to be used; and
- the person to contact should additional information be required regarding the collection.

5.2 Personal information shall be secured in locked cabinets or otherwise controlled within a restricted area. This includes information retained in binders. Computer passwords should be used as appropriate and should be changed on a regular basis.

5.3 Access to personal information shall be restricted to:

- the individual about whom the information relates;
- Board personnel who require access in the course of their work;

- other individuals, only in accordance with the Municipal Freedom of Information and Protection of Privacy Act.

5.4 Students, and parents/guardians of students under the age of sixteen (16), shall be granted access to their child's personal information without filing a formal request under the Municipal Freedom of Information and Protection of Privacy Act. Appropriate personnel must be present to supervise the review of the Ontario Student Record.

5.4.1 Parents/guardians of students between the ages of sixteen (16) and eighteen (18) shall be granted access to information contained in the Ontario Student Record.

5.4.2 Parents/guardians of students over the age of eighteen (18) shall not be granted access to any of the student's personal information without the written consent of the student.

5.5 Employees shall be granted access to their personal information without filing a formal request under the Municipal Freedom of Information and Protection of Privacy Act. Reviewing the documentation must be supervised by appropriate personnel.

5.6 If an informal request for personal records requires extensive research and/or photocopying, fees may be charged consistent with the fee schedule set out in the Act and its regulations. See Appendix A.

5.7 A formal request for personal information made under the Municipal Freedom of Information and Protection of Privacy Act must be directed to the Director of Education. The Act dictates timelines and applicable fees for all requests.

6. **Releasing Employee Information to Third Parties**

6.1 Requests from financial institutions, credit agencies and other related businesses for information regarding an employee's position, salary and years of service are to be directed to the Employee Services Department.

6.1.1 The Employee Services Department will only confirm the accuracy of the requester's information and offer corrections, as required. The Employee Services Department will not provide any additional information without prior written consent from the employee.

6.2 The Employee Services Department will process requests for information related to an employee's lost time from work, normal work schedule and related attendance history. This information will be provided to third parties on receipt of a written request and a written consent from the employee.

6.3 Requests for an employment reference will be forwarded to the appropriate supervisory officer/supervisor or specific named individual. A reference should not be provided unless prior consent, written or verbal, has been provided by the employee.

6.4 Requests for other types of personal or confidential employee information will be released only on the written consent of the employee. Requests will be forwarded to the appropriate supervisory officer/supervisor or specific named individual.