

This sample policy and related documents are provided as examples of the type of issues that might be addressed in a policy or administrative procedure of this nature. Please consult legal counsel for specific advice on particular policy or procedures.

SAMPLE POLICY

LOCAL AUTHORITY FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

Preamble

As a public entity the Board of Education will encourage access to information that can be made public and will ensure the privacy of information that should not be disclosed.

The Board and employees shall encourage and facilitate the appropriate collection, use, access and retention of information in accordance with privacy and freedom of information laws and regulations.

- a. The Board shall collect only that personal information which is required for the purposes of the school division and shall use information collected only for the purposes for which it was collected.
- b. The Board shall ensure that appropriate security measures are in place to protect personal information.
- c. The Board shall facilitate access to records by the individual who are entitled to access.
- d. The Board shall retain and dispose of records in accordance with legal requirements.

Definitions

1. “**Personal information**” means personal information within the meaning of *The Local Authority Freedom of Information and Protection of Privacy Act (LAFOIPP)*.
2. “**Record**” mean records within the meaning of *The Local Authority Freedom of Information and Protection of Privacy Act (LAFOIPP)*

Appointment of Head under LAFOIPP

1. The Superintendent of _____ or designate shall act as the Head within the requirements of *LAFOIPP* and shall be known as the Privacy Officer.
2. The Head may from time to time delegate, in writing, specific duties related to this policy to other Board personnel.

Education

1. The Head shall from time to time facilitate educational programs to provide instruction to principals and other staff members concerning the principles and application of *LAFOIP*.

Freedom of Information

1. The Head shall facilitate the disclosure of public records and other records required to be disclosed pursuant to the provisions of *LAFOIP*.

Collection of Personal Information

1. Only personal information which is required to provide educational services to students under *The Education Act, 1995*, shall be collected by the Board or its employees.
2. All forms used for the collection of personal information from parents, guardians, students, employees, volunteers or members of the public shall:
 - a) be approved by the Privacy Officer before being used; and
 - b) include a disclosure statement indicating the purpose for which the information is being collected.

Storage of Personal Information

1. All personal information collected by the Board or its employees shall be stored in a secure environment with adequate security precautions to prevent unauthorized access to the personal information.
2. The Privacy Officer shall periodically review arrangements made for storage of information.
3. Employees who collect or use personal information in the course of employment shall follow all procedures established for the storage of such personal information and shall take reasonable precautions to ensure the security of such personal information.

Use of Personal information

1. Only those persons requiring access to personal information in order to perform the duties of their employment shall be allowed access to that personal information.
2. Any employee accessing personal information without authority to do so may be subject to disciplinary measures.

Access to and Disclosure of Personal information

1. No member of staff or administration, other than the Privacy Officer shall give access to or disclose any document, record or personal information to any person unless such access or disclosure is specifically authorised by this policy or by the Privacy Officer.
2. (a) All applications for the access to or disclosure of personal information pursuant to *LAFOIPP* shall be made to the Privacy Officer and all enquiries about such applications shall be directed to the Privacy Officer.

(b) The Privacy Officer shall ensure that each request made pursuant to *LAFOIPP* is dealt with in the appropriate manner in accordance with the provisions of *LAFOIPP*.

(c) All staff shall co-operate fully with the Privacy Officer and provide to the Privacy Officer in a timely manner all documents, records, and personal information requested by the Privacy Officer.
3. The Privacy Officer may from time to time provide direction to principals concerning the access to personal information from student files to parents or guardians that shall include:
 - a) a description of the types of personal information that may be accessed without formal application under *LAFOIPP*; and
 - b) the procedures to be followed when providing access to such personal information.
4. The Privacy Officer may from time to time provide direction to supervisors and administrators concerning the access to personal information from employee files to employees that shall include:
 - a) a description of the types of personal information that may be accessed without formal application under *LAFOIPP*; and
 - b) the procedures to be followed when providing access to such personal information.
5. The Privacy Officer may from time to time provide direction to supervisors and administrators or other employee concerning the disclosure of information relating to contracts that shall include:
 - a) a description of the types of contractual information that may be disclosed without formal application under *LAFOIPP*; and
 - b) the procedures to be followed when disclosing such contractual information.

Disposal of Information

1. Personal information shall be retained only for such period of time as it is required for the purposes for which it was collected or for a purpose consistent with that original purpose.

2. The Privacy Officer shall, having regard to the recommendations set out in the *Records Retention and Disposal Guide for Boards of Education* create or recommend a record retention guide for the school division setting out the retention periods for various types of records.

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2. Records shall be retained for the periods set out in the *Records Retention and Disposal Guide for Boards of Education* together with any additions, deletions or changes that may be directed from time to time by Board policy, administrative procedures or the Privacy Officer.
3. Disposal of records shall be carried out in only accordance with the procedures designated by the Privacy Officer which shall take into account:
 - a) the nature of the records to be destroyed
 - b) the need to create a disposal record setting out what records have been destroyed or transferred to the Archives and the date of that destruction or transfer; and
 - c) requirements to protect the security of personal information that is to be destroyed, including protecting its security and confidentiality during its storage, transportation, handling and destruction.
4. Only those persons authorized by policy or procedure may destroy or otherwise dispose of records.