

Access to Personal Information

Policy 4090

June 20, 2006

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In accordance with the BC Freedom of Information and the Protection of Privacy Act, hereafter referred to as the “Act”, employees of the Board of Education responsible for collecting personal information on private individuals, will do so in accordance with the Act and to the best of their abilities and knowledge, ensure the accuracy of that information.

Guidelines

1. The Board shall safeguard the confidentiality of personal information pertaining to private individuals.
2. Personal information may only be obtained as authorized in the Act and used for the specific purposes for which it is gathered. The management and safekeeping of such information is the responsibility of each designated employee. Confidentiality must be protected by each employee who is authorized to have access to this information for the purposes for which it was collected.
3. Access to an individual’s personal information can be gained during normal business hours, upon appointment, and is available to:
 - the individual in the presence of the appropriate manager or designate;
 - other parties (eg. Legal counsel for the individual) with specific written consent of the individual.
4. Copies of any personal information will only be provided to the individual or his/her agent with the specific written consent of the individual. A record of all such transactions must be kept in the file where the information resides.
5. Each file shall be maintained in a comprehensible manner and shall contain a record of those employees who have had access to it, that would usually not have access.
6. Any personal information of a private individual that is no longer required for either administrative, financial, legal, or historical purposes and its retention is not regulated by any statute, may be destroyed in a confidential manner (eg. shredding).
7. The Superintendent of Schools is authorized to issue any procedures required to support this policy.

Regulations

These regulations are to provide a procedure for managing formal applications for access to personal information of private individuals made under the Freedom of Information and Protection of Privacy Act, hereafter referred to as the “Act,” and fulfill the District’s obligation under the Act.

1. All written applications for access to personal information of a private individual made under the Act will be passed in the first instance to the Freedom of Information Coordinator’s office for registration. The request will then be directed to the appropriate department for action.
2. The decision for granting the complete or partial access, or refusing the request will be made by the Superintendent of Schools or designate, in consultation with the Freedom of Information Coordinator and guided by the relevant clauses of the Act.
3. All responses to an application for access to information, whether granted or denied, shall be directed to the Freedom of Information Coordinator for review and final documentation and then forwarded to the individual making the request within thirty days after receipt of the application.
4. In the event that a response to an application for access cannot be completed within the thirty day limit, the Freedom of Information Coordinator must be notified and, under the limited circumstances specified in Section 10 of the Act, the Coordinator will provide the individual making the request written notice of the extension setting out:
 - the length of the extension;
 - the reasons for the delay; and
 - the person’s right of appeal to the Freedom and Privacy Commissioner to review the extension.
5. Disputes between the Freedom of Information Coordinator and the responding department will be forwarded to the Superintendent of Schools for resolution.