

ADMINISTRATIVE REGULATIONS

TITLE: PRIVACY MANAGEMENT PROGRAM

CATEGORY: PERSONNEL

NUMBER: 2095

I. Rationale:

The Board of Education is committed to ensuring the privacy, confidentiality and security of all personal information it collects, uses, shares and retains in connection with its programs and activities. The Board complies with *the BC Freedom of Information and Protection of Privacy Act* (FOIPPA) and the *British Columbia School Act* in relation to protection of privacy. This regulation outlines the district's privacy management program.

II. Definitions:

- A. "FOIPPA" refers to the *BC Freedom of Information and Protection of Privacy Act*.
- B. "Privacy Officer" means the person designate by the Head as the Privacy Officer for a public body.
- C. "Personal Information" as defined by FOIPPA means any recorded information about an identifiable individual except for business contact information. Personal information includes:
 - 1. An individual's name, home address and telephone number
 - 2. An individual's race, national or ethnic origin, colour, religious or political beliefs or associations
 - 3. An individual's age, sex, sexual orientation, marital status or family status
 - 4. An identifying number, symbol or other particular assigned to the individual
 - 5. An individual's finger prints, blood type or inheritable characteristics
 - 6. Information about an individual's health or medical history, including a physical or mental disability
 - 7. Information about an individual's educational, financial, criminal or employment history
 - 8. Anyone else's opinions about the individual
 - 9. The individual's personal view or opinions, unless they are about someone else.
- D. "Privacy Impact Assessment (PIA)" means an in-depth review of any new or significantly revised initiative, project, activity or program to ensure that it is compliant with the provisions of FOIPPA, to identify and mitigate risks arising from the initiative and to ensure that the initiative appropriately protects the privacy of individuals.
- E. "Privacy Breach" means the theft or loss of or the collection, use or disclosure of Personal Information not authorized by FOIPPA, and includes cyber and ransomware attacks and other situations where there are reasonable grounds to believe that any such unauthorized activities have taken place or there is a reasonable belief that they

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will take place.

III. Responsibility:

- A. The Secretary Treasurer is recognized as the Privacy Officer for the school district and is responsible for:
 - 1. privacy-related matters such as privacy questions or concerns;
 - 2. supporting the development, implementation, and maintenance of privacy policies and/ or procedures;
 - 3. supporting the school district's compliance with FOIPPA.
- B. The Privacy Officer may appoint, oversee and, if appropriate, delegate responsibility to supervise the Personal Information management program.

IV. Privacy Awareness and Education:

- A. All employees must complete mandatory privacy and information management training.
- B. School district staff are responsible for:
 - 1. Making reasonable efforts to familiarize themselves with this regulation and the requirements of FOIPPA;
 - 2. participating in privacy training initiatives offered by the school district;
 - 3. following responsible information management practices to ensure that the school district collects, uses and discloses Personal Information in compliance with FOIPPA and applicable laws;
 - 4. seeking at all times to protect Personal Information against unauthorized collection, use and disclosure;
 - 5. cooperating with school district procedures to facilitate the appropriate release of records in response to access requests received under FOIPPA;
 - 6. cooperating with school district procedures for the completion of privacy impact assessments; and
 - 7. reporting privacy breaches to the school district in accordance with the school district's procedures.

V. Privacy Impact Assessments:

- A. The Privacy Impact Assessment (PIA) process allows the district to:
 - 1. Identify and evaluate potential privacy risks of new initiatives and programs.
 - 2. Mitigate privacy risks to protect students' and educators' personal information.
 - 3. Communicate data security measures to parents, students and educators.

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4. Collect appropriate consent.
- B. All employees must complete and submit a Privacy Impact Assessment Form whenever a new initiative, typically software, computer application or program, is being considered.
- C. A list of existing PIAs for already approved software, applications and programs is available at <https://technology.sd46.bc.ca>.
- D. The review timeline for a submitted Privacy Impact Assessment Form will depend on the complexity of the project.

VI. Privacy Complaints and Privacy Breaches:

- A. All staff must without delay report all actual, suspected or expected Privacy Breach incidents of which they become aware in accordance with this regulation. All staff have a legal responsibility under FOIPPA to report Privacy Breaches to the Privacy Officer, who has been delegated responsibility for receiving and responding to such reports.
- B. If there is any question about whether an incident constitutes a Privacy Breach or whether the incident has occurred, staff should consult with the Privacy Officer.
- C. All staff must provide their full cooperation in any investigation or response to a Privacy Breach incident and comply with this regulation for responding to Privacy Breach incidents.
- D. Any member of staff who knowingly refuses or neglects to report a Privacy Breach in accordance with this regulation may be subject to discipline, up to and including dismissal.

VII. Monitoring and Updating the Privacy Management Program (PMP):

- A. The school district will review its Privacy Management Program and ensure its relevancy on an annual basis.
- B. New or updated information from the Province of B.C. or the Office of the Information and Privacy Commissioner will be included as it becomes available.

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References: *Freedom of Information and Privacy Protection Act*