



HURON-PERTH CATHOLIC

District School Board

Freedom of Information and Protection of Privacy

Adopted:	May 25, 1998	Policy #:	P 3.4.11.
Revised:	September 26, 2022	Policy Category:	3.4. Human Resources

BELIEF STATEMENT:

The Huron-Perth Catholic District School Board (“the Board”) believes in the dignity of the individual, and respects the fundamental rights of the human person. The Board will act morally and legally, informed by and rooted in Catholic tradition.

POLICY STATEMENT:

It is the policy of the Huron-Perth Catholic District School Board that the provisions of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) and the Personal Health Information Protection Act (PHIPA) are complied with. The Board collects, uses, accesses and discloses personal information and personal health information in accordance with MFIPPA and PHIPA.

PROCEDURES:

In accordance with the MFIPPA, HPCDSB designates the Director of Education as head for the purposes of the MFIPPA.

The Director of Education or designate is responsible for:

- Receiving all requests for information under the MFIPPA
- Retrieving and reviewing Board records
- Preparing correspondence related to notification and access, including tracking of requests;
- Preparing Board records for access, including Information that is subject to exemptions set out in MFIPPA;
- Preparing the Board’s Annual Report to the Information and Privacy Commissioner;
- Coordinating staff training and awareness programs for staff involved in the handling of records and access requests;
- Overseeing the administration of fees and financial reporting for requests made under the MFIPPA, in cooperation with the Finance Department; and
- Developing procedures relating to the implementation of this Policy.

The Board is committed to implementing privacy standards relating to the collection, use, disclosure, retention, security, disposal, access, and correction of personal information and personal health information that are consistent with the following privacy standards:

Privacy Standards

1. **Accountability and Responsibility**

Under MFIPPA, HPCDSB is responsible for personal information and confidential records under its custody and control. Under the PHIPA, health information custodians who are employed or retained by the Board are responsible for the personal health information they have collected.

2. **Notice (Purpose)**

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

3. **Choice and Consent**

Personal information is collected for the provision of educational services to students and related matters. 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.

4. **Collection (Limiting Collection)**

The collection of personal information is fair, lawful, and limited to that which is necessary for the specified purposes.

5. **Use, Retention and Disposal (Limiting Use, Retention, 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 retention schedule of the Board.

6. **Access (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.

7. **Disclosure to Third Parties (Security Safeguards)**

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

8. **Security for Privacy (Openness and Transparency)**

To the extent it is able, 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.

9. **Quality (Access and Correction)**

Upon request, HPCDSB shall allow an individual to access their personal information and

will be given access to that information in accordance with the provisions of the *Education Act* and MFIPPA.

An individual may challenge the accuracy and completeness of their personal information held by the Board and request that it be amended, as appropriate, or to have a letter/statement of disagreement retained on file.

Access to information requests relating to personal or general information will be processed in accordance with the MFIPPA, PHIPA and the *Education Act*.

10. Monitoring and Enforcement (Compliance)

An individual shall have the ability to address or challenge compliance with these principles to the Director of Education or his or her designate. Where the issue of compliance is against the Director of Education, the individual challenging compliance may direct the issue to the Board of Trustees through the Chair.

DEFINITIONS:

Record - A Record refers to information held by the Board, regardless of how it is recorded. This includes: correspondence, minutes, reports, photographs, videotapes, computer tapes/discs, email, files, drawings, and any other information that is in the control of a board.

General Information - General Information refers to recorded information in the custody or control of the Board that is not personal information or personal health information and may be disclosed under the MFIPPA unless an exemption to access applies. Examples of general information that can be routinely released include, but are not limited to policies, Ministry guidelines, collective agreements, minutes of public meetings of the Board of Trustees, information relating to school events and programs.

Personal Information - MFIPPA defines personal information as recorded information about an identifiable individual and including:

- i. Information relating to their race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual;
- ii. Information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;
- iii. Any identifying number, symbol or other particular assigned to the individual, the address, telephone number, fingerprints or blood type of the individual;
- iv. The personal opinions or views of the individual except if they relate to another individual;
- v. Correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence;
- vi. The views or opinions of another individual about the individual; and
- vii. The individual's name if it appears with other personal information relating to the individual, or where the disclosure of the name would reveal other personal

information about the individual.

Personal Health Information - personal health information under PHIPA, is defined as identifying information about an individual in oral or recorded form if the information:

- viii.** Relates to the physical or mental health of the individual, including information that consists of the health history of the individual's family;
- ix.** Relates to the providing of health care to the individual, including the identification of a person as a provider of health care to the individual;
- x.** Is a plan of service for the individual within the meaning of the Long-Term Care Act;
- xi.** Relates to payments or eligibility for health care, or eligibility for coverage for health care, in respect of the individual;
- xii.** Relates to the donation by the individual of any body part or bodily substance of the individual or is derived from the testing or examination of any such body part or bodily substance;
- xiii.** Is the individual's health number; or
- xiv.** Identifies an individual's substitute decision-maker.

REFERENCES:

- Legal References
 - Municipal Freedom of Information and Protection of Privacy Act.
 - Personal Health Information Protection Act The Education Act.
- Related References
 - Information/Privacy Commissioner of Ontario - A Guide to Privacy and Access to Information in Ontario Schools.
 - Information/Privacy Commissioner of Ontario - Planning for Success: Privacy Impact Assessment Guide.

RESOURCES, APPENDICES AND FORMS:

- N/A