

BOARD POLICY	
<i>Policy Section</i> FOI/RECORDS MANAGEMENT	<i>Policy Number</i> 308
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POLICY TITLE

Municipal Freedom of Information and Protection of Privacy

1.0 PURPOSE

The Peterborough Victoria Northumberland and Clarington Catholic District School Board is committed to providing individuals with the right of access to certain records and personal information under the custody and control of the Board in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

2.0 POLICY

It is the policy of the Peterborough Victoria Northumberland and Clarington Catholic District School Board to ensure that all employees are aware of, and abide by, the basic principles of the Municipal Freedom of Information and Protection of Privacy Act.

3.0 GUIDELINES

- 3.1 Any information held by the Board shall, in general, be available to the public.
- 3.2 Personal information under the Board's custody and control shall be protected from unauthorized disclosure.
- 3.3 Individuals shall have the right of access to their personal information.
- 3.4 Any exemptions from the right of access to information shall be limited and specific, in accordance with the Act.
- 3.5 Any decisions relating to access to information can be reviewed independently of the Board by the Information and Privacy Commissioner of Ontario.

- 3.6 The Chairperson of the Board shall be designated as the 'Head' in compliance with the Municipal Freedom of Information and Protection of Privacy Act.
- 3.7 The Board of Trustees shall delegate the authority relative to the Municipal Freedom of Information Act to the Director of Education. The Municipal Freedom of Information legislation allows for the Board to designate a member of the Board as head and for the designated Head to subsequently delegate his or her authority under the Act.
- 3.8 The Manager of Communications and Freedom of Information/Protection of Privacy shall be designated Freedom of Information and Privacy Co-ordinator as part of that job's duties and responsibilities.
- 3.9 Requests for information held by the Board shall be made to the Manager of Communications and Freedom of Information/Protection of Privacy who is responsible for managing and ensuring compliance with the principles of the Act.
- 3.10 Statistical Reports for Municipal Freedom of Information and Protection and Privacy Act (MFIPPA) and Personal Health Information Protection Act (PHIPA) shall be submitted to the Information and Privacy Commissioner by February 1 of each year.
- 3.11 The Board shall receive copies of the reports mentioned in 3.11 semi-annually.

4.0 TERMS AND DEFINITIONS

4.1 HEAD

The Head is an individual responsible for the decisions made under the Act by the institution and for the administration of the Act within the institution. The Head can delegate the powers and duties to an officer of the institution who can designate an individual to co-ordinate freedom of information and privacy activities.

4.2 INFORMATION AND PRIVACY COMMISSION/ONTARIO (IPC)

Since January 1, 1988, the IPC has acted independently of government to uphold and promote open government and the protection of personal privacy in Ontario. The Information and Privacy Commissioner of Ontario is appointed by the Ontario Legislature and is responsible for resolving appeals from refusals to provide access to information; investigating privacy complaints about information held by government organizations; ensuring that the government organizations comply with the access and privacy provisions of the Acts; educating the public about Ontario's access and privacy laws; and conducting research on access and privacy issues, and providing advice and comment on proposed government legislation and programs.

4.3 RECORD

A record is any record of information however recorded, whether in print form, on film, by electronic means, or otherwise, and includes:

- correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine readable record, any other documentary material regardless of physical form or characteristics, and any copy thereof, and
- any record that is capable of being produced from a machine readable record under the control of the Board by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the institution.

4.4 PERSONAL INFORMATION

Personal information is recorded information about an identifiable individual, including:

- information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation, or marital or family status of the individual;
- 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;
- any identifying number, symbol, or other particular assigned to the individual;

- the address, telephone number, fingerprints, or blood type of the individual;
- the personal opinions or views of the individual except where they relate to another individual;
- correspondence sent to the Board 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;
- the views or opinions of another individual about the individual; and
- the individual's name where 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.

4.5 BOARD RECORDS

Board records are documents, data, or recorded information in all media and formats created, received, and maintained as evidence and information in the administration of the activities of the Board.

4.6 NON-RECORD MATERIAL

Non-record material is documents, data, or information in all media and formats created, received as a result of personal activities. These may be works created as a result of intellectual or artistic activity and acquired in preparation for teaching and in the course of research (unless created under specific contract with the Board that indicates otherwise), and they are the intellectual properties of the staff and are not Board record.

4.7 ACTIVE RECORDS

Active records are records that are created or received in the course of Board work or activities and are in frequent use. These remain under the custody, responsibility, and control of the department/school of the Board that generates and maintains these records.

4.8 SEMI-ACTIVE RECORDS

Semi-active records are records used less frequently but where the ownership remains with the department even when the records are transferred to the Board's Records Centre or other storage facilities.

4.9 INACTIVE RECORDS

Inactive records are records no longer needed for Board activities. These may be destroyed or, if they are appraised as being records of permanent value, they may be transferred to the Board's archives. Custody, responsibility, and control of permanent records of value are transferred to the Board's archives.

4.10 FORMAT

A format is a pre-established layout for data (paper, electronic, video, CD, DVD, etc.).

5.0 REFERENCES/RELATED DOCUMENTS

The Peterborough Victoria Northumberland and Clarington Catholic District
School Board Records Management Manual
Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)
Education Act
Ontario Student Record (OSR) Guidelines

6.0 RELATED POLICIES

Policy 305, Records and Information Management
Policy 307, Ontario Student Record (OSR) - Protection of and Access to
Personal Information of an OSR

7.0 RELATED FORMS

Access/Correction Complaint Form
Authorization to Act as an Agent for Appeal
Municipal Freedom of Information and Protection of Privacy Act - Access
Request

8.0 APPROVED BY BOARD

June 28, 2011

9.0 EFFECTIVE DATE

June 28, 2011

10.0 POLICY REVIEW DATE

June 2016

11.0 REVIEW BY

Communication Services