



## PRIVACY POLICY

Policy Area:	Board of Governors		
Policy Number:	PRPL_2303R_BG/PRE		
Policy Sponsor:	President		
Policy Contact:	Privacy Officer		
Stakeholders:	All members of the OC Community including: Employees, Students, the Board of Governors, Contractors and Visitors		
Authority:	<i>College and Institute Act</i> <i>Freedom of Information and Protection of Privacy Act</i>		
Approval Authority:	Board of Governors		
Approval Date:	March 21, 2023		
Effective Date:	March 22, 2023		
Replaces:	Protection of Privacy Policy (E.2.3)		
Last reviewed:	March 2023	Scheduled review date:	March 2028

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Procedure links:	<i>Responding to Privacy Critical Incidents and Breaches</i> <i>Responding to Freedom of Information Access Requests</i> <i>Privacy Impact Assessments</i> <i>Website Privacy</i>
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### 1. Policy Statement

As a public body that is subject to the British Columbia *Freedom of Information and Protection of Privacy Act* (FIPPA) Okanagan College is committed to upholding the principles of privacy, transparency and accountability. This means that the College recognizes the fundamental importance of maintaining the privacy and security of the Personal Information that it collects, uses and discloses during its operations and programs. The College also acknowledges and supports transparency with the community by facilitating access to College records and information in accordance with the requirements of FIPPA.

### 2. Purpose

This policy addresses Okanagan College's approaches to privacy management.

### 3. Scope and Application

This policy applies to all members of the College Community.

### 4. Definitions

<b>Access Request</b>	Means a written request for access to Records within the custody or control of the College.
<b>Consent</b>	Means express written consent to the collection, use or disclosure of Personal Information.
<b>Correction Request</b>	Means a request received from an individual for the correction of their Personal Information within the control of the College.
<b>College Community</b>	Means Students, Employees, members of the Board of Governors of the College, contractors, volunteers and visitors.
<b>Employees</b>	Means any person employed by (or who has an appointment with) the College. For the purposes of this policy, Employee includes members of the Board of Governors.
<b>FIPPA (or FOIPPA)</b>	Means the <i>Freedom of Information and Protection of Privacy Act</i> of British Columbia, and regulations thereto.
<b>Head</b>	Means the person designated as “head” of the College for the purposes of FIPPA and includes any person to whom the Head has delegated (in writing) their powers to act as Head.
<b>Personal Information</b>	Means any recorded information about an identifiable individual that is within the custody and control of the College and includes information about any student or any Employee of the College. Personal Information does not include business contact information, such as email address and telephone number.
<b>Practitioner</b>	Means a person employed or engaged by the College to provide counselling or health care services to students.
<b>Privacy Breach</b>	Means the theft or loss of or the collection, use, or disclosure of Personal Information not authorized by FIPPA, 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 will take place.
<b>Privacy Officer</b>	Means the Governance & Privacy Administrative Coordinator who has been designated by the Head as the Privacy Officer for the College.
<b>Procedures</b>	Means the procedures of the College established under this Policy.
<b>Records</b>	Means books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or other mechanism that produces records.
<b>Responsible Employee</b>	Means the Department Head or other Employee who is responsible for overseeing an initiative such as an enactment, system, project, program or

activity of the College, and means the Employee designated in the Privacy Impact Assessment (PIA) as the Responsible Employee.

**Routine Requests**

Means any requests for disclosure of Records that do not contain sensitive or confidential information or third-party Personal Information (i.e., the personal information of an individual other than the requestor) and include requests for personnel records and transcripts.

**Student**

Means any person enrolled as a student at the College.

**Supplemental Review**

Means an enhanced process for reviewing the privacy and data security measures in place to protect sensitive Personal Information in connection with an Initiative involving the storage of Personal Information outside of Canada.

**5. Commitment to Privacy Protection**

- 5.1 The College protects the privacy of the Personal Information it collects, uses, shares and retains, and expects all Employees and contracted service providers to follow responsible information management practices to ensure that the College fully complies with its obligations under FIPPA and other applicable laws.
- 5.2 The College and Employees respect the privacy and confidentiality of Personal Information entrusted to them in the course of their duties, and collects, uses and discloses Personal Information only where authorized by FIPPA.

**6. Employee Responsibilities**

- 6.1 College Employees are responsible for:
  - a) Making reasonable efforts to familiarize themselves with this Policy and the requirements of FIPPA, including by participating in privacy training when offered by the College.
  - b) Following responsible information management practices to ensure that the College collects, uses, discloses Personal Information in compliance with FIPPA and other applicable laws.
  - c) Always seeking to protect Personal Information against unauthorized collection, use and disclosure.
  - d) Facilitating the appropriate release of records within the College's custody or control in response to access requests received from members of the College Community under FIPPA.
  - e) Supporting timely access by individuals to their own Personal Information within the College's custody and control in accordance with the provisions of FIPPA.
  - f) Reporting Privacy Breaches to the College in accordance with the College's procedures enacted under this Policy.

**7. Accountability for the Policy**

- 7.1 The President is the "Head" of the College for the purposes of FIPPA and is responsible for the implementation of this Policy and for establishing procedures that will guide the implementation of this Policy.

- 7.2 The Head has been designated by the Board of Governors as the Head of the public body for the purposes of FIPPA, and is responsible to appoint, oversee and delegate responsibility to a Privacy Officer for the College to supervise its Personal Information management programs.
- 7.3 The Governance & Privacy Administrative Coordinator has delegated responsibility under FIPPA, and by the Head to act as Privacy Officer for the College. All questions about how FIPPA applies to College Records should be directed to the College's Privacy Officer.

## **8. Purposes for Collecting Personal Information**

- 8.1 The College communicates the purposes for which Personal Information is collected at or before the time the information is collected, unless otherwise permitted or required by FIPPA.

### ***Student Personal Information***

- 8.2 In the ordinary course of carrying out its programs and activities, the College collects Personal Information of its Students and their parents/guardians for purposes including:
- a) recruitment, registration, enrollment and transfer of Students, including processing financial payments;
  - b) to provide and deliver educational programs and services;
  - c) to accommodate Students with special needs;
  - d) to communicate with Students and respond to inquiries or complaints;
  - e) to prepare and provide assessments of Student performance;
  - f) to supervise and ensure the safety and security of the College (such as through the use of video surveillance);
  - g) to investigate and respond to accidents, safety events, misconduct and similar incidents;
  - h) to ensure compliance with applicable College bylaws, policies and other laws;
  - i) to make all required reports and filings to the Ministry of Advanced Education and other governmental bodies; and
  - j) for other purposes set out in the Procedures.

### ***Employee Personal Information***

- 8.3 In the ordinary course of carrying out its employment programs and activities, the College collects the Personal Information of prospective, current, and former Employees for purposes including:
- a) hiring and recruitment;
  - b) to manage and administer the employment relationship;
  - c) to communicate with authorized union representatives;
  - d) to administer employment compensation and benefits;
  - e) to evaluate performance and manage disciplinary incidents;
  - f) to supervise and ensure the safety and security of the College (such as through the use of video surveillance);
  - g) to investigate and respond to accidents, safety events, misconduct and similar incidents;

- h) to ensure compliance with applicable College policies and other applicable laws; and
- i) for other purposes set out in the Procedures.

## **9. Collection, Use and Disclosure of Personal Information**

- 9.1 The College limits the Personal Information it collects to information to what is related to and necessary in order to carry out its programs and activities or for other purposes authorized by FIPPA.
- 9.2 The College seeks to collect Personal Information by fair, lawful and transparent means, including by collecting Personal Information directly from the individual, except where otherwise authorized by FIPPA.
- 9.3 The College seeks to inform individuals from whom it collects Personal Information the purposes for which the information is being collected, the legal authority for collecting it and the name and contact information of someone at the College who can answer questions about the collection and use of the information.
- 9.4 The College limits the internal and external use and sharing of Personal Information to what is required or authorized by FIPPA or consented to by the individual.
- 9.5 The College only uses or discloses Personal Information for the purpose for which it was collected, except with the individual's Consent or as otherwise required or permitted under FIPPA or other laws.

## **10. Security of Personal Information**

- 10.1 The College protects Personal Information by ensuring it has reasonable security safeguards in place which are appropriate to the sensitivity of the information. Such security safeguards shall include consideration of physical security, organizational security, and electronic security.
- 10.2 All Employees have a duty to protect the privacy and security of Personal Information collected and used by them as part of their ongoing employment responsibilities, including by complying with the terms of this Policy, and all related Procedures.
- 10.3 The College provides training to all Employees to ensure they have the requisite knowledge to ensure compliance with the terms of this Policy and FIPPA.

## **11. Privacy Management Program**

- 11.1 The College maintains a Privacy Management Program under the supervision of the Head and administered by the Privacy Officer. The College's Privacy Management Program is regularly audited and reviewed to ensure that it is consistent with all appropriate and required standards for the management and protection of Personal Information.
- 11.2 The College's Privacy Management Program includes processes for the performance of privacy impact assessments, processes for managing Privacy Breaches and responding to complaints, the provision of privacy training and education to Employees, and the utilization of contractual and other controls to ensure that contracted service providers are aware of and comply with this Policy and the applicable provisions of FIPPA.

## **12. Retention of Personal Information**

- 12.1 The College does not seek to retain Personal Information longer than necessary to satisfy the College's applicable operational, instructional, financial and legal purposes.

- 12.2 Personal Information that is no longer required for either administrative, operational, financial, legal or historical purposes shall be securely destroyed in a confidential manner in accordance with College policies and approved record retention protocols.

### **13. Accuracy and Correction of Personal Information**

- 13.1 The College and its Employees shall make reasonable efforts to ensure the accuracy of the Personal Information that they collect and use while performing their duties.
- 13.2 Individuals have the right to request the correction of their Personal Information, and the College will receive and respond to such requests in accordance with the FIPPA and the Procedures to this Policy.

### **14. Access to Information**

- 14.1 The College supports appropriate transparency and accountability in its operations by making information available to the public as permitted or required under FIPPA.
- 14.2 The Head shall, on at least an annual basis, consider and designate categories of Records that will be made available to the public without the need to make a request in accordance with FIPPA.
- 14.3 The College recognizes that individuals may make requests for access to records within the custody and control of the College, and the College will respond to such requests in accordance with FIPPA.
- 14.4 The College recognizes that individuals have a right to access their own Personal Information within the custody and control of the College and will facilitate such access in accordance with the requirements of FIPPA.
- 14.5 To facilitate access to information by members of the College community, the College has processes for the making of Routine Requests.

### **15. Complaints and Inquiries**

- 15.1 Questions or complaints about the College's information management practices should be directed to the Privacy Officer at [privacy@okanagan.bc.ca](mailto:privacy@okanagan.bc.ca).
- 15.2 The College will respond to all complaints in writing.

### **16. Related Acts and Regulations**

*College and Institute Act*  
*Freedom of Information and Protection of Privacy Act*

### **17. Supporting References, Policies, Procedures and Forms**

*Use of Information Technology Resources Policy*

#### **Policy History / Revisions**

Date	Action
2023-03-21	<i>Approved by the Board of Governors:</i> Privacy Policy
2013-04-16	<i>Approved by President:</i> E.2.3 Protection of Privacy Policy (NEW)