

## **FREEDOM OF INFORMATION/PROTECTION OF PRIVACY POLICY**

(see BC Freedom of Information Act 1996)

### **PREAMBLE**

The Freedom of Information and Protection of Privacy Act of B.C. (“the Act”) governs access to information and protection of privacy, with respect to records in the custody or control of a School. Safeguarding personal information of employees and volunteers is a fundamental concern of Maria Montessori Academy. The school is committed to meeting or exceeding the privacy standards established by British Columbia’s Personal Information Protection Act (PIPA) and any other applicable legislation.

This Personal Information Privacy Policy describes the policies and practices of Maria Montessori Academy regarding the collection, use and disclosure of personal information about employees and volunteers, including the steps the school has taken to ensure personal and financial information is handled appropriately and securely.

### **POLICY**

The Board acknowledges the right of access by the public to any information in records in the custody or control of the School, subject to the application of specified exceptions under the Act. An individual has a right of access to any record containing personal information **about themselves**, subject to exceptions to disclosure specified under the Act.

This policy addresses the Board’s obligations as a public body under FOIPPA and the School Act. This policy addresses consent, collection, access, safeguards and security of personal information of students (current and former), parents, employees, volunteers, and third-party service providers in accordance with the Board’s privacy procedures.

### **ADMINISTRATIVE PROCEDURES**

1. The Board will provide students, parents, employees, volunteers, and third-party service providers of why and how it collects, uses, and discloses their personal information, obtain their consent where required, and protect their personal information through responsible information management practices.
2. In accordance with FOIPPA legislation, personal information must be held within Canada.
3. The Comptroller acts as the Freedom of Information and Protection of Privacy Officer

of the Board and is responsible for the administration of FOIPPA, this policy, and its associated procedures.

4. For the purpose of the Act, a **record** is defined as all recorded information in the custody or control of the School regardless of physical format, which is collected, created, deposited, or held by or in the School. Records include 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 do not include computer programs or any other mechanism that produces records.

#### 5. Requests for information

5.1. The Board recognizes its obligations to respond to requests for access to records, including records containing personal information, openly, accurately and completely, and to make every reasonable attempt to assist applicants with their requests.

5.2. The decision to grant complete or partial access to records, or to refuse access will be made by the Principal or designate and guided by the relevant provisions of the Act.

5.3. Requests for access to information, including access to personal information, under the Act must be in writing, and must provide sufficient detail to enable the School, with reasonable effort, to identify the records sought.

5.4. Every written request for access to information under the Act will be directed to the FOI Coordinator (as designated by the Board), who will:

- Acknowledge receipt of the request
- Determine whether information is routinely accessible
- Log the request, create a file and track records
- Refer the request to the area responsible for the information to conduct a search for responsive records
- Determine whether information in the records falls under exceptions in the Act
- Prepare records for disclosure to the applicant

5.5. The area responsible for searching for responsive records (i.e. teacher, principal) will:

- Search for and retrieve records in a timely manner
- Alert the FOI Coordinator to any potential concerns regarding disclosure of the records
- Co-ordinate the release of the records to the FOI Coordinator

#### 6. Timelines

6.1. In the event that a response to a request for access cannot be completed within the initial **thirty business days** as set out in the Act, the FOI Coordinator will notify the applicant of the need for an extension setting out:

- the length of the required extension
- the reasons for the delay
- the right of the applicant to ask the Office of the Information and Privacy Commissioner to review the decision to extend the time period for response.

## **7 Fees**

7.1. A charge for services related to records location, retrieval, production and copying may be levied in accordance with the Schedule of Maximum Fees in the Freedom of Information and Protection of Privacy Regulation under the Act. In the event that a fee for an access request is required, the applicant will be notified in writing of the estimated costs. The applicant may be required to pay a deposit of up to 50% of the fee estimate prior to processing the request.

7.2. The access request will be held in abeyance until the School has received the deposit and the applicant has authorized in writing the completion of the request.

7.3. Payment of the balance of the final fee must be received by the School prior to the release of the records.

7.4. No fees are charged for the release to an individual of a record containing his/her own personal information or for the first three hours spent locating and retrieving records responsive to a request.

## **8. Release of Records**

8.1. The FOI Coordinator will prepare the records for release, including applying any necessary exceptions as provided by the Act.

8.2. The FOI Coordinator will ensure any outstanding fees are collected prior to the release of records.

8.3. The FOI Coordinator will release records to the applicant, with an explanation of any applicable exceptions or reasons for records withheld under the Act.

## **9. Safeguarding personal information of employees and volunteers**

9.1 The safeguarding of personal information of employees and volunteers is a fundamental concern of the Board. Maria Montessori Academy may disclose an individual's personal information to others in connection with the purpose for which it was collected, as consented to by the individual, or as required or permitted by law.

9.2 Personal information about employees is disclosed to third parties for purposes related to the employment relationship, including to:

- government departments, bodies and agencies such as Canada Customs and Revenue Agency, Workers Compensation Board, Ministry of Education, Childcare Licensing Branch;
- payroll outsourcers;
- financial institutions for payroll related purposes;
- Insurance companies, benefit, group RRSP and pension plan administrators for enrolment in and administration of benefits, plans and claims;
- teacher certification information as per form I-2001 filed with the Ministry of Education;
- advisors to Maria Montessori Academy including accountants, lawyers and consultants;
- licensing information to the Childcare Licensing Branch
- Board of Maria Montessori Academy as reasonably required by the operations of Maria Montessori Academy and the Board.

- when required or permitted by law.

9.3 Personal information about volunteers may be disclosed for the purposes of establishing and managing an effective volunteer program and for other purposes identified when the information is collected. Information may also be disclosed when required or permitted by law.

9.4 The school does not sell, lease or trade information about employees and volunteers to other parties.