

Support Services 5400	Administrative Application	
	Freedom of Information and Protection of Privacy	Last Reviewed /Approved on:
	References:	The Education Act, 1995, Sec. 85 (1)(c) The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP) Records Retention and Disposal Guide for Saskatchewan School Divisions), Sept 2019 Policy 12 - Role of the Director
	Status:	Operational

Preamble

The Regina Catholic School Division (RCSD) and employees shall encourage and facilitate the appropriate collection, use, access and retention of information in accordance with privacy and freedom of information laws and regulations.

Definition

1. **Personal Information** - means personal information within the meaning of *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)*.
2. **Record** - means record within the meaning of *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)*.

Application

1. **Appointment of Head under LA FOIP**
 - a. The Superintendent of Education Services or designate shall act as the Head within the requirements of *LA FOIP* and shall be known as the Privacy Officer.
 - b. The Head may from time-to-time delegate, in writing, specific duties related to this policy to other school division personnel.
2. **Education**
 - a. The Head shall from time to time facilitate educational programs to provide instruction to principals and other staff members concerning the principles and application of *LA FOIP*.
3. **Collection of Personal Information**
 - a. Forms used for the collection of personal information from parents, guardians, students, employees, volunteers, or members of the public shall:

- i. Be approved by the Privacy Officer before being used; and
- ii. Include a disclosure statement indicating the purpose for which the information is being collected.

4. **Storage of Personal Information**

- a. All personal information collected by RCSD, or its employees shall be securely stored to prevent unauthorized access to the personal information.
- b. The Privacy Officer will periodically review arrangements made for storage of information.
- c. Employees who collect or use personal information in the course of employment shall follow all procedures established for the storage of such personal information and shall take reasonable precautions to ensure the security of such personal information.

5. **Use of Personal Information**

- a. Only those persons requiring access to personal information to perform the duties of their employment shall be allowed access to that personal information.
- b. Any employee accessing personal information without authority to do so may be subject to disciplinary measures.

6. **Access to and Disclosure of Personal Information**

- a. No member of staff or administration shall give access to or disclose any document, record or personal information to any person or systems unless such access or disclosure is specifically authorized by this policy or by the Privacy Officer.
 - i. All applications for the access to or disclosure of personal information pursuant to *LA FOIP* shall be made in writing to the Privacy Officer using the *LA FOIP Access to Information Request Form* found on the website of the [Office of the Saskatchewan Information and Privacy Commissioner](#). All enquiries about such applications shall be directed to the Privacy Officer.
 - ii. All staff shall cooperate fully with the Privacy Officer and provide to the Privacy Officer in a timely manner all documents, records, and personal information requested by the Privacy Officer.
- b. The Privacy Officer may from time to time provide direction to principals concerning the access to personal information from student files to parents or guardians including the procedures to be followed when providing access to such personal information.

7. **Disposal of Information (Records Retention and Disposal Guide for Saskatchewan School Divisions)**

- a. Personal information shall be retained only for such period of time as it is required for the purposes for which it was collected or for a purpose consistent with that original purpose.
- b. Records shall be retained for the periods set out in the *Records Retention and Disposal Guide for Saskatchewan School Divisions* together with any additions, deletions or changes that may be directed from time to time by Board policy, administrative procedures or the Privacy Officer.
- c. Disposal of records shall be carried out in only accordance with the procedures designated by the Privacy Officer. Requests and copies of records pertaining to the request will be disposed of three (3) years after the completion of the request and will also take into account:
 - i. The nature of the records to be destroyed;
 - ii. The need to create a disposal record setting out what records have been destroyed or transferred to the Archives and the date of that destruction or transfer; and
 - iii. Requirements to protect the security of personal information that is to be destroyed, including protecting its security and confidentiality during its storage, transportation, handling, and destruction.
- d. Only those persons authorized by policy or procedure may destroy or otherwise dispose of records.

8. **Breach of Privacy**

- a. Breach of Privacy complaints shall be directed to the Privacy Officer.
- b. The Privacy Officer will be responsible for conducting required investigations.

9. **Expectation of Privacy**

- a. All employees and students are reminded that they do not have a reasonable expectation of privacy in anything they create, store, send, retrieve, or delete using the Technology. Computer usage can be traced by site logs, desktop monitoring, and other tracked information. In particular, RCSD reserves the right to access the contents of all files stored on its Technology and all information, messages, and other data transmitted through its Technology.