

**JAMES BAY LOWLANDS
SECONDARY SCHOOL
BOARD**

ADMINISTRATIVE PROCEDURE HUMAN RESOURCES NO. 470	
Effective	August 21, 2019
Last Revised	August 15, 2023

SECURITY OF PERSONAL STAFF INFORMATION

PURPOSE

The James Bay Lowlands Secondary School Board is committed to ensuring that all personal information that is collected, used, disclosed, and retained is protected in accordance with the expectations of its staff members and in compliance with its obligations under the *Municipal Freedom of Information and Protection of Privacy Act*.

The Board recognizes that on occasion there will be legitimate inquiries for information concerning staff members. While complying with legitimate inquiries, the Board is also committed to safeguarding the right of the individual to privacy and confidentiality.

This administrative procedure directs that any release of information about staff members that may be of a personal, confidential, and subjective nature be governed by discretion and respect for the rights of the individual. This procedure also makes staff members aware of the individual's right to privacy and the Board's role in protecting the personal information entrusted to the Board.

PROCEDURES

1. Privacy Principles

1.1. Accountability and Responsibility

- a) The finance and human resources administrator is responsible for the management of the personal information in the Board's custody or control. This administrator shall receive and respond to all requests for information in compliance with the rules set out in the *Municipal Freedom of Information and Protection of Privacy Act*.
- b) Examples of requests to which the finance and human resources administrator may respond are requests for information from business establishments, financial institutions, and credit agencies, and requests for confirmation of a staff member's salary, years of service with the Board and position held. The finance and human resources administrator

will confirm only the accuracy of the requester's information, but shall not volunteer any additional information.

- c) Collection of personal information will be limited to information that is necessary for the Board to administer its functions.
- d) If the Board is authorized to collect personal information, it shall, whenever possible, collect the personal information directly from the individual to whom the information relates. The Board shall collect personal information from a source other than the individual to whom it relates only if it obtains the prior consent of that individual, or if it falls within certain other limited circumstances set out in the *Municipal Freedom of Information and Protection of Privacy Act*.

1.2. Notification of Purpose of Collection

At or before the time that personal information is collected from an individual, the Board shall inform the individual of the legal authority for the collection and of the principal purpose(s) for which the information is being collected.

1.3. Limiting Use and Disclosure of Personal Information

The Board shall not use or disclose the personal information in its custody for purposes other than those for which the personal information was collected, unless the Board has obtained the prior written consent of the individual to whom the information relates, or unless it is permitted to do so by law or required to do so by law.

1.4. Retention and Disposal of Personal Information

The Board shall retain and dispose of the personal information it collects in accordance with regulations made under the *Municipal Freedom of Information and Protection of Privacy Act*.

1.5. Security Safeguards

The Board shall take all steps necessary to ensure that personal information is secured and protected from unauthorized access, disclosure, use, or modification or inadvertent loss or destruction.

2. Individual Access to Personal Information

- 2.1. The Board shall allow an individual access to any personal information about them which is held by the Board in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*. An individual is entitled to challenge the accuracy and completeness of his/her personal information held by the Board and to request that it be amended or to have a letter of disagreement retained on file.

2.2. The Board shall notify an individual if any third-party service provider requests their personal information.

3. Attendance/ Medical Information

3.1. Requests for information on a staff member's lost time from work, normal work schedule, and related work attendance history must be referred to the finance and human resources administrator. Information may be provided only on the written submission of the requester, accompanied by a signed release by the staff member.

3.2. The finance and human resources administrator is responsible for all staff medical records and Workplace Safety and Insurance Board (WSIB) claim records and is the only person who shall have access to these records. The WSIB claim records may consist of non-medical and medical records and these shall be handled in a manner consistent with the provisions of the *Workplace Safety and Insurance Act* and the *Municipal Freedom of Information and Protection of Privacy Act* where applicable.

3.3. Staff members may request information contained in their medical records by contacting the finance and human resources administrator. Photocopies of specific information shall be given to a staff member upon written request.

3.4. No information from an employee's medical records is given to a third party without the employee's written consent, unless required by law. If required by law, the finance and human resources administrator shall notify the employee.

4. Reference Checks

4.1. Requests for a reference on a staff member by a prospective employer will be processed confidentially by the appropriate supervisor and/or the supervisory officer. If the reference is to be provided by a named individual, that person will process the request accordingly.

4.2. The prospective employer must provide written proof that the staff member provided permission for the Board to be contacted as a work reference.

REFERENCE DOCUMENTS

Legal:

Education Act: Section 171 Powers of Boards: Records Management

Education Act: Subsection 283 (2) Chief Executive Officer: Develop and maintain an effective organization

Workplace Safety and Insurance Act

Municipal Freedom of Information and Protection of Privacy Act

Board:

Board Policy GOV-02 Role of the Corporate Board

Board Policy GOV-03 Role of the Supervisory Officer

Board Policy GOV-08 Staff Recruitment and Selection

Administrative Procedure 190 Records Retention

Administrative Procedure 406 Collection of Personal Information: Criminal Background Check