



## Policy Manual – Human Resources

### H.M.04 Security Confidentiality and Protection of Personal Information - PROCEDURES

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The Hamilton-Wentworth Catholic District School Board (HWCDSD) collects, uses, retains and discloses personal information in the course of meeting its statutory duties and responsibilities. The HWCDSD only collects personal information when it is necessary for providing for the education for students and/or the employment of school board employees or as required and authorized by law. The HWCDSD regards security and confidentiality of data and information to be of utmost importance and is committed to the protection of privacy of personal information for all staff, students, parents and guardians.

#### Definition

Staff should be aware that personally identifiable information (PII) is defined as recorded information about an identifiable individual including,

- a) Information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual;
- b) Information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual;
- c) Any identifying number, symbol or other particular assigned to the individual (e.g., a student's Ontario Education Number (OEN) number);
- d) The address, telephone number of an individual;
- e) The personal opinions or views of the individual except where they relate to another individual;
- f) Correspondence sent to an institution 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;
- g) The views or opinions of another individual about the individual; and, the individuals' 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.
- h) More information about Personal Information can be found at the Information and Privacy Commissioner of Ontario - <http://www.ipc.on.ca>

#### Accountability and Responsibility

Under the regulations outlined above, the HWCDSD is responsible for personal information under its control. Accountability for compliance with privacy legislation rests with the Office of the Director of Education.

### **Specified Purposes**

The HWCDSB will identify the purpose(s) for which personal information is collected, and individuals shall be notified of these purposes and any other information required by law at or before the time personal information is collected.

A school or school board may disclose personal information in some situations:

1. Consistent Purpose - for the reason it was collected or for a consistent purpose;
2. With Consent - if permission has been provided by the individual or their parent or guardian in the case of a minor;
3. Required by law - to comply with a law, for example, the duty to report to the Catholic Children's Aid Society;
4. Law Enforcement - to aid an investigation by an institution or law enforcement agency in Canada, such as the police; and,
5. Health and Safety - in compelling circumstances affecting the health or safety of an individual, where the disclosure is reasonably likely to reduce the risk of harm.

### **Consent**

Personal information is collected for the provision of educational services to students. The knowledge and, in some cases, the consent of an individual is required for the collection, use, retention, and disclosure of personal information, except where otherwise permitted by law.

### **Limiting Collection**

The HWCDSB will limit the collection of personal information to that which is necessary for its specified purposes in accordance with its statutory duties and responsibilities.

### **Limiting Use, Retention, and Disclosure**

The HWCDSB will not use, retain, or disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or as authorized or required by law.

All employees who have access to personal information held by the HWCDSB will sign a Confidentiality Agreement (see below). Failure to comply with the terms of the Confidentiality Agreement and this policy as well as all relevant privacy legislation can result in disciplinary action up to and including termination of services and/or prosecution.

All personal information held by the HWCDSB will be done in accordance with the retention schedule established by the school board.

### **Accuracy**

The HWCDSB will ensure that personal information is accurate, complete, and up-to-date in order to fulfill the specified purposes for its collection, use, disclosure, and retention.

**Safeguards**

The HWCDSB shall ensure that personal information is secured and protected from unauthorized access, use, disclosure, and inadvertent destruction.

**Openness and Transparency**

The HWCDSB shall make available to the public specific information about its policies and practices relating to the management of personal information.

**Access and Correction**

Upon request, the HWCDSB will allow an individual to access his/her personal information and will be given access to that information in accordance with privacy legislation, subject to any mandatory or discretionary exceptions. An individual has the right to challenge the accuracy and completeness of the information and to request that it be amended as appropriate or to have a letter/statement of disagreement retained on file. An individual is advised of any third-party service provider requests for his/her personal information in accordance with privacy legislation. All requests for access and correction should be directed to the Office of the Director of Education.

**BEST PRACTICES FOR PROTECTING PERSONAL INFORMATION**

- Familiarize oneself with your workplace policies;
- Treat all information about students as personal information that deserves protection under the law;
- Avoid casual sharing of students' personal information, even with colleagues;
- Provide privacy and security training to all staff;
- Restrict access to those employees that need the records or information to do their job;
- Ensure that sensitive and confidential information is not visible to the public;
- Encourage a clean desk policy to reduce the risk of exposing confidential information.
- Lock office and classroom doors and filing cabinets when not in use;
- Label filing cabinets, drawers, boxes and other storage containers to indicate they contain confidential information;
- Keep filing equipment or mailboxes behind a counter or other physical barrier separate from the public;
- Create strong passwords for email and other online communication tools;
- Use appropriate anti-virus, anti-spyware software to support secure online internet connections;
- Regularly review personal security and privacy settings;
- Particularly sensitive documents/information should only be shared online via an encrypted/password protected email;
- Make sure fax machines and printers are in a secure area and retrieve sensitive documents right away;
- Carefully read the school board's record retention schedule to find out how long to retain—and how to securely destroy—personal information;
- Use locked shredding boxes for the secure destruction of paper records.

- Position computer screens to prevent unauthorized viewing;
- Do not disclose passwords; and,
- Seek advice and direction from the school administrator if you are unsure about anything to do with personal information of students.

The above procedures for the protection of personal information held by the HWCDSB are adapted from the Privacy & Information Management Taskforce (PIM Taskforce) Toolkit available at: <http://www.pimedu.org> and Privacy and Access to Information in Ontario Schools: A Guide for Educators - Information and Privacy Commission of Ontario.



Hamilton-Wentworth Catholic District School Board  
*Believing, Achieving, Serving*

## Confidentiality Agreement

### Confidentiality Agreement of Student and Employee Information

The Hamilton Wentworth Catholic District School Board regards security and confidentiality of data and information to be of utmost importance. As such, the Board requires users of data and information to follow procedures outlined below.

Each person granted access to data and information holds a position of trust and must preserve the security and confidentiality of the information s/he uses.

I understand that from time to time I will be required to access confidential Student and/or Employee Information in the performance of my duties. I agree that:

- I will not show, tell, copy, give, sell, review, or change any confidential information.
- I will not misuse or be careless with confidential information.
- I will not share any confidential information even if I am no longer a Board employee.
- I know that my access to confidential information may be audited.
- I will tell my supervisor if I think there might have been a confidentiality breach.
- I know that confidential information I learn on the job does not belong to me.
- I know that the Board may take away my access at any time.
- I will protect the privacy of our employees and students.
- I am responsible for my use or misuse of confidential information
- I will abide by applicable laws and policies with respect to access, Use or disclosure of data and information.
- I will follow control procedures and take reasonable measures to protect the data to which I have been granted access.
- I understand it is a statutory requirement as well as a job expectation that I maintain at all times the confidentiality of any Student and/or Employee Information to which I have access, and that I use such Information only for the performance of my job duties and functions.
- I understand that confidentiality of Student and/or Employee Information is protected by the provisions of the Municipal Freedom of Information and Protection of Privacy Act, the Education Act, their regulations and the guidelines published there under, including the Ontario Student Record (OSR) Guidelines published by the Ministry of Education and any breach of this confidentiality may result in the termination of my employment and/or civil or criminal legal penalties.

I hereby acknowledge I have received information regarding the requirements imposed by the above statutes, regulations and guidelines concerning the confidentiality of Student and/or Employee Information.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_