

DUFFERIN-PEEL CATHOLIC DISTRICT SCHOOL BOARD

BOARD POLICY / REGULATIONS

Board Policy Number:	4.14
Subject:	Freedom of Information and Protection of Privacy
Effective Date:	(414) October 20, 1992

The Dufferin-Peel Catholic District School Board shall comply with the principles and the requirements of the *Municipal Freedom of Information and Protection of Privacy Act, 1989 (the Act)*.

The principles contained in *the Act* are the following:

1. Any individual can access any Board information and records containing his/her personal information in custody and control of the Board.
2. All information is to be made available to an individual unless it falls specifically within one of the exemptions contained in *the Act*.
3. Personal information in the custody and control of the Board must be protected in order to ensure the protection of an individual's privacy.
4. Any individual may appeal any Board decision regarding disclosure and request a review of Board privacy practices with the Information and Privacy Commissioner/Ontario.

"Every employee who deals with information in custody and control of the Board is obligated to ensure that an individual's right to access Board information and an individual's right to privacy is respected and adhered to".

REGULATIONS

4.14 FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

Access to Information

1. Upon denying access to any information held by the Board, the employee must notify the requester that he/she may file an access request under the *Municipal Freedom of Information and Protection of Privacy Act (the Act)* with the Freedom of Information and Privacy Office.

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Cont'd . . .

2. Any individual can make a request for access to information held by the Board under *the Act* when the information is not available through normal channels.
3. The request for access to information under *the Act* must be in writing, must refer to *the Act* and must provide sufficient detail to identify the requested information.
4. The time limits and procedures in *the Act* must be adhered to when responding to a request for access to information under *the Act*. (In general, requests for access must be dealt with within 30 calendar days from the date of receipt.)
5. A current Directory of Records must be available to assist individuals in identifying general information types and describing personal information banks in custody and control of the Board.

Exemptions to Deny Access To Information

1. Because the right of access to information is not absolute, exemptions may be applied to protect the confidentiality of certain information and personal privacy of individuals.
2. Mandatory and discretionary exemptions must be applied as outlined in *the Act*.
 - a) Information relating to relations with governments, third party information and personal information not relating to the requester must not be disclosed to the requester;
 - b) Draft by-laws/records of closed meetings, advice or recommendations, law-enforcement records, information which could prejudice economic interests, solicitor-client privilege records, records which could endanger health and safety, and information available or soon to be published may not be disclosed to the requester;
 - c) Compelling public interest provisions may override certain exemptions.

Privacy Protection

1. The collection, use and disclosure of personal information in custody and control of the Board must be restricted as outlined in *the Act*.
 - a) Personal information can be collected only if it is expressly authorized by statute;

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Cont'd ...

b) In general, personal information can only be used or disclosed for the purpose it was collected or for a consistent purpose, or with the consent of the individual;

c) Whenever personal information is collected by the Board, the Board must inform the individual that a collection of his/her personal information has occurred.

2. Any individual can access and request correction of his/her personal information in custody and control of the Board with limited exceptions.

3. Personal information held in custody or control of the Board must be retained for at least one year or for the period set out in by law/resolution unless an individual consents to its earlier disposal.

Independent Review by the Information and Privacy Commissioner/Ontario

1. Any requester can appeal any Board decision regarding access to information under *the Act* to the Information and Privacy Commissioner. (The appeal must be filed within 30 days after notification of the Board's decision.)

2. Any individual can request a review of personal information practices of the Board by the Information and Privacy Commissioner.

3. The Board is required to comply with any decisions and orders issued by the Information and Privacy Commissioner as specified under *the Act*.