

Title	Privacy and Access
Number	B5001
Category	Administration

1. PURPOSE

To ensure that Langara College complies with requirements of the B.C. *Freedom of Information and Protection of Privacy Act* (“the Act”) to:

- a) protect individuals’ personal privacy by preventing the unauthorized collection, access, use, disclosure and disposal of personal information, in any format, under the College’s control or in its custody; and
- b) provide the public with access to recorded information, including personal information, under the College’s control or in its custody.

To define the roles and responsibilities of employees and service providers to comply with the requirements of the Act.

2. DEFINITIONS

Access – the ability or opportunity to view, study or obtain copies of personal information or College recorded information.

Contact information – information that enables someone to contact another person at their workplace, including their name, position title, or business telephone number, address, email, or fax.

Employee – anyone the College employs to provide services on its behalf.

Informed consent – when a person provides authorization by written or electronic means to allow the College to collect their personal information after being told the purpose for collecting, using and disclosing the information.

Personal information – recorded information about an identifiable individual other than business contact information.

Privacy – the right to control access to your person and information about yourself. This includes anonymity, confidentiality and security.

Recorded information – refers to all records that employees or service providers create or receive while working for the College and retain to meet operational, legal, financial, legislative and other needs. In this policy, recorded information includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or any other means, but does not include a computer program or any other mechanism that produces recorded information.

Service provider – in this policy, anyone who performs an unpaid service to the College; anyone paid through a contract or agency relationship to provide services to the College.

3. POLICY

General

- 3.1 Langara College recognizes its legal and ethical responsibilities to protect and provide access to personal information and to College recorded information.
- 3.2 The College will:
- a) follow applicable privacy and access-related laws and best practices;
 - b) identify the types of recorded information and personal information in its custody or under its control;
 - c) make reasonable security arrangements to protect personal information from unauthorized collection, access, use, disclosure, storage or disposal; and
 - d) provide training, services and resources to employees and service providers to ensure they understand how to apply this policy and its procedures. Records Management and Privacy is responsible for providing uniform, College-wide privacy and access-related training, services and resources on a regular basis.
- 3.3 Employees and service providers:
- a) are responsible to secure and protect any personal information they create, receive or access while working or providing services for the College;
 - b) will consult with Records Management and Privacy, as well as IT and/or Educational Technology, before they use any online instructional resource or cloud computing service that involves personal information; and
 - c) will comply with the Act and College policies and procedures when they collect, access, use, disclose, store and dispose of personal information while working or providing services for the College.
- 3.4 Employees or service providers who contravene this policy may be disciplined or have legal proceedings brought against them.
- 3.5 As the head of a public body, the President:
- a) will ensure that the College complies with the Act's privacy and access to information provisions; and
 - b) may delegate to an administrator any duty, power or function of the head of the public body under the Act, except the duty to delegate.

Collection

- 3.6 The College will:
- a) only collect personal information for purposes authorized under the Act;
 - b) collect someone's personal information from them directly except when the Act authorizes indirect collection;
 - c) obtain the person's informed consent when the Act requires it; and
 - d) notify the person or their authorized representative, before collecting the information, of the:
 - purpose for collecting the personal information;
 - statutory authority for collecting the personal information; and

- contact details of someone who can answer their questions.

Access

- 3.7 The College will:
- a) provide access to personal information in its control or custody to the individual the information is about, or to an authorized third party, unless exceptions under the Act apply;
 - b) provide access to College recorded information unless the Act exempts access;
 - c) identify the types of recorded and personal information available without a request for access under the Act, e.g., some types of personal information such as a student's own transcript or an active employee's own records in the personnel file; and
 - d) accept only written requests for personal information and College recorded information made under the Act.
- 3.8 The College may charge fees for access to information requested under the Act except when a person or their representative requests the person's own information.

Use

- 3.9 Employees and service providers will use the personal information they create, receive or access while working for the College only to support the College's business operations or instructional programs or activities, or for a use consistent with these purposes.
- 3.10 If use extends beyond the original purpose, employees will obtain a person's informed consent for its use. Service providers will only extend the use of personal information at the direction of an administrator familiar with the operations of the department and its use of personal information.

Disclosure

- 3.11 Employees will disclose someone's personal information to a third party inside or outside of Canada only as authorized under the Act. Service providers will only disclose personal information at the direction of an administrator familiar with the operations of the department and its disclosure of personal information.

Accuracy and Correction

- 3.12 The College will make every reasonable effort to ensure that the personal information in its control or custody is accurate and complete. College departments will establish procedures for correcting inaccurate or incomplete personal information.

Retention

- 3.13 College departments will retain records that contain personal information for at least one year after they use the records to make a decision about someone. Departments may be required to retain records longer than one year to conform to approved retention periods.

Unauthorized Disclosures and Breaches

- 3.14 Employees and service providers who know of or suspect that an unauthorized disclosure of personal information has occurred must immediately notify the President or designate in compliance with section 30.5(2) of the Act.
- 3.15 The College will handle all reports and investigations of unauthorized disclosures or breaches according to the Privacy and Access Procedures associated with this policy.

4. RESPONSIBILITY

For inquiries about this policy, contact the Vice-President, Administration and Finance or the Manager, Records Management and Privacy.

5. REGULATIONS/PROCEDURES

[Privacy and Access Procedures](#)

History/Revision	
Origination Date	April 17, 2001 (as Access to Information Policy)
Amendment Date	February 23, 2021
Next Review Date	February 23, 2024