


Policy Name:	FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY	
Approved By:	President's Council	
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Policy Holder:	President's Council	
Operational Lead:	Director, President's Office	
Policy Number:	ADM-003	

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY POLICY

1.00 PURPOSE

1.1 Coast Mountain College (CMTN; the College) respects the privacy of individuals. As a public sector organization, all records in the custody or control of CMTN are subject to the British Columbia [Freedom of Information and Protection of Privacy Act](#) (FOIPPA). The College is committed to policies that are consistent with the [College and Institute Act](#) and FOIPPA, working to meet, and striving to exceed these requirements through best practices related to collection, use, and disclosure of personal information.

2.00 DEFINITIONS

- 2.1 **applicant:** The individual or organization requesting access to information.
- 2.2 **educational history:** Includes, but is not limited to, course grades, grade point average, academic status, graduation status, other institutions attended, admission status, course schedule, and registration status.
- 2.3 **financial history:** Includes, but is not limited to, information about beneficiaries, insurance, benefits, and debts.
- 2.4 **indirect collection:** The collection of personal information from a source other than the individual for whom the information is about.
- 2.5 **medical history:** Includes, but is not limited to, information about beneficiaries, insurance, benefits, and debts.
- 2.6 **personal information:** Recorded information about an identifiable individual which includes, but is not limited to, names, home addresses, and telephone numbers (other than contact information for business purposes as defined in FOIPPA), age, sex, marital or family status, identifying number, race, national or ethnic origin, colour, religious or political beliefs or associations, educational history, medical history, financial history, criminal history, anyone else's opinions about an individual, an individual's personal views or opinions, and name, address and phone number of parent, guardian, spouse, or next of kin.
- 2.7 **record:** Books, documents, maps, drawings, photographs, letters, vouchers, papers, and any other thing on which information is recorded or stored by graphic, electronic,

mechanical, or other means, but does not include a computer program or any other mechanism that produces records.

- 2.8 **third party:** The individual or organization whom the information concerns other than the applicant.

3.00 SCOPE AND APPLICATION

- 3.1 This policy applies to all records in the custody and under control of the College.
- 3.2 A breach of this policy may be subject to disciplinary or other actions, and may constitute a breach of FOIPPA or other legislation, which could result in sanctions against the College or individuals.
- 3.3 If this policy conflicts with another College policy, this policy prevails to the extent of the conflict except where a conflicting College policy relates to significant public policy considerations including public safety, protection of confidences, disclosures of wrongdoing under the [Public Interest Disclosure Act](#), or protection from harassment. Such conflicts between this and another College policy will be resolved in accordance with any guidelines prescribed by the President.

4.00 ACCESS TO INFORMATION

- 4.1 The College supports the public's right of access to information and the individual's right of access to, and the right to request correction of, personal information about themselves.
- 4.2 A person has a right of access to any record in the custody or under the control of the College, including a record containing personal information about the applicant.
- 4.3 The right of access does not extend to information exempted from disclosure under FOIPPA but if personal information can reasonably be separated from a record to which an applicant has a right of access, an applicant has the right of access to the remainder of the record.
- 4.4 In accordance with FOIPPA, the right of access to a record may be subject to the payment of any fee required according to College policy, procedure or guidelines for an access request under this policy.

5.00 COLLECTION OF INFORMATION

- 5.1 The College does not collect personal information unlawfully or unfairly.
- 5.2 In most circumstances, personal information is collected directly from the individual.
- 5.3 Indirect collection occurs in very limited and specific circumstances, or as required by law.

6.00 DISCLOSURE OF INFORMATION

- 6.1 The College may not disclose, address, or store personal information outside of Canada without the explicit consent required, unless permitted to do so by law.
- 6.2 The College does not sell, share, or disclose personal information to others for any type of mailing list.
- 6.3 Disclosure of an individual's personal information is subject to the requirements of FOIPPA respecting protection of privacy.

7.00 PROTECTION OF PRIVACY

- 7.1 The College will collect personal information about students, employees, graduates, or others as provided for under FOIPPA, ensuring at all times that those supplying personal information are provided appropriate notice and method of collection.
- 7.2 The College will make every reasonable effort to ensure that the personal information it uses is accurate and complete. Upon request by an individual to whom information relates, the College will correct or annotate that personal information with a correction when documentary evidence, satisfactory to the College, is provided to substantiate the correction.
- 7.3 The College will protect personal information by making reasonable security arrangements to prevent the risk of unauthorized collection, access, use, disclosure, or disposal of personal information. Security measures include, but are not limited to secure facilities, controlled areas, restricted user access, password protection, firewalls, and encryption software.
- 7.4 Where required by FOIPPA, the College will require third party service providers to demonstrate compliance with its privacy obligations, principles, processes, and guidelines in respect of this policy.
- 7.5 College employees will have access only to information specific to the functions of their role at the College.
- 7.6 The College will retain for at least one year an individual's personal information that was used to make a decision that directly affects the individual.
- 7.7 The College will use personal information only:
 - a. for the purpose for which that information was obtained or compiled,
 - b. for a use consistent with that purpose,
 - c. with the written consent of the individual, or
 - d. for the purpose for which that information was disclosed to the College.
- 7.8 The College will not disclose personal information about students or employees to any third party, unless such disclosure is otherwise provided for by FOIPPA.

8.00 RESPONSIBILITY

- 8.1 The President will ensure that systems respecting the collection, use, disclosure, and retention of personal information are secure, may issue guidelines to ensure compliance with this policy, and may delegate in respect of this responsibility as the President determines.
- 8.2 Employees are responsible for maintaining the confidentiality of general and personal information according to any applicable College policies and they are required to ensure that personal information is maintained in a secure environment. Violations of this policy may result in disciplinary penalties being imposed.
- 8.3 For any inquiries about the disclosure of confidential or personal information, employees must consult with the College Privacy Officer designated by the President.

9.00 ACCESS TO GENERAL INFORMATION

- 9.1 The College will continue to provide public access to College records that are now released routinely subject to any of its policies, procedures, and guidelines, and which do not contain confidential or personal information.
- 9.2 Access to records will be provided according to those guidelines coordinated by a Privacy Officer.

10.00 ACCESS TO THIRD PARTY PERSONAL INFORMATION BY EMPLOYEES

- 10.1 Employee access to confidential personal information about students, employees, or others paid through the College's payroll system where the College has custody or control of the information will be allowed if the information is necessary for the performance of the duties of the employee or otherwise requested through FOIPPA.
- 10.2 Access will be administered according to those specific policies and procedures which may be established and/or updated from time to time by the College to apply to the personal information of specific groups of individuals, such as students, faculty, staff, or others.

11.00 ACCESS TO THIRD PARTY PERSONAL INFORMATION ABOUT EMPLOYEES

- 11.1 Access to the following information about employees will be provided routinely where required by FOIPPA or other applicable law:
 - a. position
 - b. functions
 - c. remuneration.

12.00 ACCESS FOR RESEARCH, STATISTICAL, ARCHIVAL, OR HISTORICAL PURPOSES

- 12.1 Access to personal information for research, statistical, archival, or historical purposes will be allowed under conditions specified in FOIPPA. These include the written agreement of the researcher to comply with all relevant sections of the Act and with the College's policies and procedures relating to the protection of personal information.

13.00 CONFIDENTIALITY OF LETTERS OF REFERENCE AND PERSONAL EVALUATIONS

- 13.1 Any employee or committee (standing or ad hoc) must treat as confidential the personal evaluation supplied in confidence by a third party to an employee or committee unless the third party expressly states otherwise. This applies to employees when charged with making a recommendation or other decision on one or more of the following matters:
 - a. appointment or reappointment
 - b. renewal or promotion
 - c. admission to the College, a program or teaching department within the College, and any associated matters
 - d. evaluation of academic or employment performance
 - e. awards or honours
 - f. investigation of misconduct or imposition or discipline.

13.2 Any letter of reference or personal evaluation is considered supplied in confidence by a third party to an employee or committee unless the third party expressly states otherwise.

14.00 RETENTION

14.1 The College uses an approved records retention policy ([ADM-011, Records Retention Policy](#)), which is customized for each record type. The customization takes into account the length of the time personal information is required.

15.00 CMTN WEBSITE

15.1 Website use is anonymous except where sign-in is required. If a user of the site chooses to send personal information through the College website, they are providing consent to its collection and use by the College.

15.2 The College captures identification data from visitors to its website for security, statistical, and reporting purposes only.

15.3 In compliance with FOIPPA, the College does not disclose information about any website visitor to external organizations or individuals.

16.00 RELATED POLICIES AND PROCEDURES

16.1 [ADM-011, Records Retention Policy](#)

17.00 OTHER SUPPORTING DOCUMENTS

17.1 [College and Institute Act](#)

17.2 [Freedom of Information and Protection of Privacy Act](#)

17.3 [Public Interest Disclosure Act](#)

18.00 HISTORY

Created/Revised/Reviewed	Date	Author's Name and Role	Approved By
Created	2017		Board of Governors
Revised	June 1, 2024	Director, President's Office	Board of Governors