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| Policy No. | A.3.3 |
| Title | Freedom of Information and Protection of Privacy (FOIPPA) |
| Approval Body | Board of Governors |
| Policy Sponsor | Vice President, People & Culture |
| Last Revised/Replaces | April 24, 1997 |
| Effective Date | May 5, 2011 |

CONTEXT AND PURPOSE

As a public institution, Vancouver Community College (VCC; the College) must act within the law, including the Freedom of Information and Protection of Privacy Act (FOIPPA) which governs all public bodies in British Columbia. This policy is intended to inform and help ensure College members are aware of their obligations under FOIPPA in respect to the protection of personal information in VCC's custody or control and for access to information.

The purposes of the FOIPPA include:

- Making public bodies more open and accountable by providing the public with a statutory right of access to records, subject to any exceptions set out in the Act; and
- Protecting individuals' personal privacy by prohibiting the unauthorized collection, use or disclosure of personal information by public bodies.

To fulfill these purposes, the FOIPPA gives individuals the right to request access to records in VCC's custody or control. The FOIPPA also places statutory obligations and limitations on VCC's collection, use, disclosure, accuracy, retention and security of personal information in its custody and control.

Further information about the *Freedom of Information and Protection of Privacy Act* and the process for submitting access requests is available online at <http://www.gov.bc.ca/citz/iao/foi/index.html>.

SCOPE AND LIMITS

This policy applies to all College members, including VCC employees (part-time, full-time, term, and temporary), Board members, service providers, volunteers, and researchers. Throughout this policy the terms "College members" and "employees" will be used interchangeably.

STATEMENT OF POLICY PRINCIPLES

1. VCC is committed to protecting personal information it collects, uses, shares and retains through responsible information management practices.
2. VCC collects uses and shares personal information provided to VCC in compliance with the FOIPPA.

3. All College members are expected to employ the highest standards of confidentiality and privacy regarding personal information entrusted to them, in the course of their duties. Disclosure of confidential information to unauthorized persons is strictly prohibited, and may result in discipline up to and including expulsion or dismissal. For clarity:
 - a. Records generated during the course of employment duties are subject to access requests and therefore, must be professional in content.
 - b. Records relating to telephone calls made on VCC equipment, including cellular phones provided by the College, are records held by VCC and are subject to the FOIPPA, as are recordings, and voice mail messages.
 - c. E-mails, electronic records (Word and Excel documents, etc) on VCC computers as well as all other documents (such as notes) are records held by the College and are subject to the FOIPPA.

DEFINITIONS

College-Related Activity: means any activity at any location that is engaged in by or on behalf of the College by persons acting under the College's direction and control.

Contact Information: is information to enable an individual at a place of business to be contacted and includes the name, position name or title, business telephone number, business address, business email or business fax number of the individual.

Personal Information: means recorded information about an identifiable individual other than Contact Information. Personal information may include someone's name, personal information, personal address, personal telephone number, race, origin, colour, political or religious beliefs, age, sex, sexual orientation, marital or family status, and any identifying number or symbol assigned to a College member. This list is not exhaustive and may include other information that enables identification.

Service Provider: means a person retained under a contract to perform services for a public body.

Records: a record includes books, documents, maps, letters, papers, photos and any other thing on which information is recorded or stored by graphic, electronic, mechanical or any other means. Any record created or obtained in the course of the duties of a College member of VCC is a record in the custody or control of VCC and is subject to the Act.

NOTE: the FOIPPA contains many defined terms. VCC interprets this Policy and Procedures in compliance with the definitions provided in the Act. Further information about the *Freedom of Information and Protection of Privacy Act* and the process for submitting requests is available online at <http://www.gov.bc.ca/citz/iao/foi/index.html>.

RELATED LEGISLATION & POLICIES

Legislation

B.C. College and Institute Act

The British Columbia Human Rights Code

Policies

A.3.9 Records Management

A.3.6 Standards of Employee Conduct & Conflict of Interest

B.5.2 Appropriate and Responsible Use of Education and Information Technology

B.5.4 Electronic Mail (Employees)

RELATED PROCEDURES

Refer to A.3.3 Freedom of Information and Protection of Privacy (FOIPPA) Procedures