

# ROLLING RIVER SCHOOL DIVISION POLICY

## Information Access and Privacy

EHB/P

Rolling River School Division is committed to protecting all personal information under its custody and control while providing right of access to information according to the principles of access to information in a democratic society. The Division is mindful of the issues of confidentiality and privacy in all of its interactions and protects the personal information of individuals in accordance with legislation governing the collection, use, disclosure, retention, and security of personal information.

Two pieces of legislation govern access and privacy for school divisions in Manitoba:

FIPPA (<http://www.gov.mb.ca/chc/fippa/index.html>)

- The Freedom of Information and Protection of Privacy Act (FIPPA) requires that public bodies make recorded information available to members of the public. It also ensures that personal information contained in records is protected.

PHIA (<http://web2.gov.mb.ca/laws/statutes/ccsm/p033-5e.php>)

- The Personal Health Information Act (PHIA) ensures that individuals can request access to their health information and that trustees of this information are collecting, using and disclosing information in a manner that protects its privacy. Rolling River School Division is a trustee of personal health information that is contained in student records, employee records and records related to health related services in the school division.

For the purposes of the Freedom of Information and Protection of Privacy Act, the duties, powers and responsibilities are delegated as follows:

Access and Privacy Officer – Secretary-Treasurer  
Access and Privacy Coordinator – Executive Assistant

The Access and Privacy Officer is the person responsible for overall direction of access to information and protection of privacy matters in the school division and may be contacted at the Rolling River School Division, Administration Office.

The Access and Privacy Coordinator is responsible for receiving applications for access to records and for the day to day administration of the Acts and may be contacted at the address shown above.

All employees will sign a Media Release Form at time of hire.

*Effective the 2018-2019 school year, staff and volunteers are required to sign the form.*

**Appendix A: Pledge of Confidentiality**

**Appendix B: Pledge of Confidentiality – Volunteers/Others**

**Appendix C: Employee Print and Digital Media Release Form**

**Appendix D: FIPPA/PHIA Information Sheet**

**Index**

**Regulation**

**Date Adopted:** April 23, 2018

**Date Reaffirmed:** October 5, 2022



# ROLLING RIVER SCHOOL DIVISION REGULATION

## INFORMATION ACCESS AND PRIVACY

### APPENDIX "A"

#### PLEDGE OF CONFIDENTIALITY

As an employee of Rolling River School Division, I acknowledge and understand that I may/will have access to personal information and personal health information about others, including students, the confidentiality and protection of which is governed by the Freedom of Information and Protection of Privacy Act (FIPPA) and The Personal Health Information Act (PHIA), or any other applicable Acts.

I further acknowledge and understand that the Rolling River School Division and Manitoba Education have established written policies and procedures containing provisions for the security of personal records and information in the Division's possession during its collection, use, disclosure, storage, and destruction; provisions for the recording of security breaches; and corrective procedures to address security breaches.

I agree not to use in any manner whatsoever, at any time during or after the course of my employment with the Division any such personal information except as required to perform my job duties, unless authorized in writing by my supervisor or manager prior to such use.

I further agree not to disclose to any person at any time during or after the course of my employment with the Division any such personal information except in compliance with the written policies referenced above.

I acknowledge that I am bound by the policies and procedures established by Rolling River School Division in accordance with these Acts and I am aware that a consequence of breaching these policies and/or procedures is prosecution under these Acts, and/or disciplinary action in accordance with Division policy.

---

Employee Name (please print)

---

Position

---

Signature

---

Date



# ROLLING RIVER SCHOOL DIVISION REGULATION

## INFORMATION ACCESS AND PRIVACY

### APPENDIX “B”

#### PLEDGE OF CONFIDENTIALITY – VOLUNTEERS / OTHERS

In the course of my volunteer duties (or in a similar unpaid capacity) at Rolling River School Division, I acknowledge and understand that I may/will have access to information that is personal and/or confidential in nature. I understand that this information is not to be communicated to anyone or disclosed in any manner or form other than for the sole purpose of fulfilling my duties within the school context or under the Freedom of Information and Protection of Privacy Act (FIPPA) and The Personal Health Information Act (PHIA), or any other applicable Acts.

As well, I acknowledge that I have read the FIPPA/PHIA INFORMATION SHEET attached to this Pledge explaining my obligations in this regard.

\_\_\_\_\_  
Employee Name (please print)

\_\_\_\_\_  
Position

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



# ROLLING RIVER SCHOOL DIVISION REGULATION

## INFORMATION ACCESS AND PRIVACY

### APPENDIX "C"

#### EMPLOYEE PRINT AND DIGITAL MEDIA RELEASE FORM

Rolling River School Division has established an online presence to further connect and form relationships with students, parents, staff and the community at large. Social media platforms, including Facebook and Twitter will be used as a communication tool to promote and celebrate our division. These platforms will be used to share information, including news articles and photos, to represent Rolling River School Division.

- 1. Publication and Distribution of Employee Photos** - Employee photographs may appear on Rolling River School Division's website, social media platforms, or be distributed in the Division newsletters only with prior permission from the employee.
- 2. Publication and Distribution of Employee Names** - Employee names may appear on social media platforms, or be distributed in the Division newsletters only with prior permission from the employee.

***Please check ONE of the following four options and sign below:***

Having read and understood the protocols outlined above,

- ☐ **YES, I DO** grant Rolling River School Division permission as per items 1 and 2 above to publish **both my photograph and my name.**
- ☐ **YES, I DO** grant permission as per item 1 above to publish **my photograph only.**
- ☐ **YES, I DO** grant permission as per item 2 above to publish **my name only.**
- ☐ **NO, I DON'T** grant Rolling River School Division permission to publish my name or photography as per the protocols outlines above.

**PLEASE NOTE: Photos taken at a large scale Divisional event / public forum are excluded from this form. Subjects in such photos will not be identified by name unless approval is/was granted.**

Name of Employee: \_\_\_\_\_

Signature of Employee: \_\_\_\_\_ Date: \_\_\_\_\_

*The personal information contained on this form is collected and protected under the authority of the Public Schools Act, the Education Administration Act, and the Freedom of Information and Protection of Privacy Act and will be used for administrative purposes. If you have any questions about the collection of this information contact the Access and Privacy Officer, Rolling River School Division, 36 Armitage Avenue, Minnedosa, MB R0J 1E0, (204) 867-2754.*



# ROLLING RIVER SCHOOL DIVISION REGULATION

## INFORMATION ACCESS AND PRIVACY

### APPENDIX “D”

#### FIPPA/PHIA INFORMATION SHEET

The Purpose of this Information Sheet is to remind EMPLOYEES of their obligations respecting the ACCESS, USE, and DISCLOSURE of an individual's (student or employee) personal information.

Personal information may be electronic (computer, cellular telephone, or other electronic media format) or non-electronic (paper, photographs, cassette tapes, etc.). Textual records may appear as files, documents, or data items. All personal information is subject to FIPPA and PHIA limits and protections on access, use, and disclosure.

Employees must **limit access, use, and disclosure** of personal information to what is necessary to perform the duties of their job. “**Access**” means seeing or handling information. “**Use**” means using information within the School Division. “**Disclosure**” means releasing information to an individual or organization outside the School Division.

Disclosure has the most risk of causing damage to an individual and therefore guidance must be sought from a supervisor or manager prior to any disclosure where specific consent of the individual has not, or cannot be obtained.

Accessing, using, or disclosing personal information **should not occur** except in the carrying out of authorized School Division business.

#### Please note:

- **Unauthorized access** happens when employees have access to personal information that they do not need to see or handle to accomplish School Division business.
- **Unauthorized use** happens when personal information is used for a purpose that is not permitted under FIPPA and PHIA.
- **Unauthorized disclosure** happens when personal information is made known, revealed, exposed, shown, provided, sold or given in circumstances that are not permitted under FIPPA and PHIA. Unauthorized disclosure may happen verbally, through the provision of electronic copies, or by other means.

*The Freedom of Information and Protection of Privacy Act and The Personal Health Information Act* are provincial laws. All employees of the School Division must comply with these laws.

FIPPA places limits on access, use and disclosure of personal information. “**Personal information**” incorporates fourteen broad categories of information. (See definition of “**Personal information**” below.)

PHIA places strict limits on access, use and disclosure of health information. “**Health information**” is any information about an individual's health or health care, including the individual's PHIN number. (See definition of “**Health information**” on page 3.)

If you have questions please contact the Access and Privacy Officer, Rolling River School Division, 36 Armitage Avenue, Minnedosa, MB, R0J 1E0 (204) 867-2754.



# ROLLING RIVER SCHOOL DIVISION REGULATION

## INFORMATION ACCESS AND PRIVACY

### The Freedom of Information and Protection of Privacy Act

#### Definition of “Personal Information”

“**Personal information**” means “recorded information” about an identifiable individual, including:

- a) The individual's name,
- b) The individual's home address, or home telephone, facsimile or e-mail number,
- c) Information about the individual's age, sex, sexual orientation, marital or family status,
- d) Information about the individual's ancestry, race, colour, nationality, or national or ethnic origin,
- e) Information about the individual's religion or creed, or religious belief, association or activity,
- f) Personal health information about the individual,
- g) The individual's blood type, finger prints, or other hereditary characteristics,
- h) Information about the individual's political belief, association or activity,
- i) Information about the individual's education, employment or occupation, or educational, employment or occupational history,
- j) Information about the individual's source of income or financial circumstances, activities or history,
- k) Information about the individual's criminal history, including regulatory offences,
- l) The individual's own personal view or opinions, except if they are about another person,
- m) The views or opinions expressed about the individual by another person, and
- n) An identifying number, symbol or other particular assigned to the individual.

Clauses (a) to (n) of the definition “**personal information**” list examples of **personal information**. This list is not exhaustive, as the word “including” is used; clauses (a) to (n) do not set out the only information which is “**personal information**”.

“**Record**” or “**recorded information**” means a record of information in any form, and includes information that is written, photographed, recorded or stored in any manner, on any storage medium or by any means, including by graphic, electronic or mechanical means, but does not include electronic software or any mechanism that produces records.

#### The Personal Health Information Act

#### Definition of “Personal Health Information”

“**Personal health information**” means “**recorded information**” about an identifiable individual that relates to:

- a) the individual's health or “health care” history, including genetic information about the individual,
- b) the provision of health care to the individual, or
- c) payment for health care provided to the individual,

and includes

- d) the “PHIN” and any other identifying number, symbol or particular assigned to an individual, and
- e) any identifying information about the individual that is collected in the course of, and is incidental to, the provision of health care or payment for health care.

“**Health care**” means any care, service or procedure:

- a) provided to diagnose, treat or maintain an individual's physical or mental condition,
- b) provided to prevent disease or injury or promote health, or
- c) that affects the structure or a function of the body,

and includes the sale or dispensing of a drug, device, equipment or other item pursuant to a prescription.

“**PHIN**” means the personal health identification number assigned to an individual by the minister to uniquely identify the individual for health care purposes.

“**Record**” or “**recorded information**” means a record of information in any form, and includes information that is written, photographed, recorded or stored in any manner, on any storage medium or by any means, including by graphic, electronic or mechanical means, but does not include electronic software or any mechanism that produces records.

**Source: St. James-Assiniboia School Division Policy -**

[https://www.sjasd.ca/Governance/PolicyManual/Documents/Section%20G%20-%20Personnel/GBJA%20Access%20and%20Privacy%20in%20St.%20James-Assiniboia%20School%20Division\\_.pdf](https://www.sjasd.ca/Governance/PolicyManual/Documents/Section%20G%20-%20Personnel/GBJA%20Access%20and%20Privacy%20in%20St.%20James-Assiniboia%20School%20Division_.pdf)