Procedure Title	**Personal Information - Collection and Use**		
Date of Issue	April 26, 2000	**Related Policy**	
Revision Dates		**Related Forms**	
Review Date		**Originator**	System Administrative Team
References			
Municipal Freedom of Information and Protection of Privacy Act AP 7150-D "Performance Appraisal - Teacher"			

Procedure:

Rationale:

The Municipal Freedom of Information and Protection of Privacy Act specifies how personal information can be collected and accessed. It is therefore the Board's responsibility to safeguard the confidentiality of personal information pertaining to its staff.

Procedure:

Collection and Use

1. Personal information will be collected in accordance with the Act. All personal information will be kept safe and confidentiality will be protected by each employee who is authorized to have access to this information for the purposes of Human Resources services or administration services. Only those employees who require access to perform their assigned job function will have access to the personnel file.

2. Access to an employee's personnel file can be obtained during normal working hours and is available to:

   a) authorized persons as in number one above;

   b) the employee (with appropriate notice and supervision);

   c) other parties with the specific written consent of the employee (with appropriate notice and supervision);

   d) an employee's principal, or in the case of Administrative and Support staff, his/her Supervisor in the presence of the appropriate Supervisory Officer or Human Resources Officer (excluding access to benefits and payroll deduction information; and

   e) The Board's legal counsel (subject to the approval of the Director), appropriate supervisory officers or the Administrator of Employee Relations.

3. Copies of personal information will be provided only with the specific written consent of the employee. A record of all such transactions must be kept in the employee's file. Section 32 of the Act exempts the need for employee consent for disclosure of personal information if it is to a law enforcement agency, or if the release is to comply with another Act or in compelling circumstances affecting the health and

safety of an individual. See the Note at the end of this procedure which includes personal records to which the Municipal Freedom of Information and Protection of Privacy Act no longer applies.

Maintenance

1. Personal Information will be maintained by the Human Resources Department in a secure manner. Electronic access will be password protected. Only persons who require access to these records in the performance of their respective job function will have access.

2. Employee records will be maintained by the Human Resources/Payroll Department in a secure area. This area will be accessible only through a coded entry system. A secondary file may be retained in the work location, i.e. schools by the worksite administrator (Principal/Supervisor). The secondary file is to be maintained and accessed in the same manner as the primary personnel file. A secondary file will only contain records that relate to a board employee that a principal/supervisor "needs to know" in order to perform supervisory responsibilities, such as:

   - Certification (copy)
   - Employee's address and telephone number
   - Current copies of requests for absence and leave
   - Current information for completing the summary of professional growth experiences (this background information is to be destroyed in a confidential manner one year after the summary of professional growth has been completed)
   - Summary of professional growth activities
   - Letters of commendation
   - Performance appraisal reports (probationary employees, upon employee request, employee whose performance requires evaluation)

   Note: When the employee is transferred to another school/workplace within the Board, the employee's secondary file shall be forwarded to the Administrator of the work site or the Human Resources Department, Administration Centre.

3. Confidential information retained in an employee's file located at the Board office will be placed in one or more sealed envelopes. This includes but may not be limited to:
   - Medical information
   - Summary of professional development (every four years)
   - Performance evaluations (probationary employees, upon employee request, employee whose performance requires evaluation)
   - Disciplinary letters (in accordance with Collective Agreements)
   - Workplace Safety and Insurance information
   - Benefit coverage selection and payroll deductions

4. Employee information that is no longer required may be destroyed in a confidential manner in accordance with the Board's approved retention schedules.

   Note: In accordance with the Municipal Freedom of Information Act as amended, certain documents are now excluded from the Act and may not be disclosed.

   Section 52 (6) of the Act reads as follows:

   (6) Subject to subsection (7) this Act does not apply to records collected, prepared, maintained or used by or on behalf of an institution in relation to any of the following:

   1. Proceedings or anticipated proceedings before a court, tribunal or other entity relating to labour relations or to the employment of a person by the institution.

2. Negotiations or anticipated negotiations relating to labour relations or to the employment of a person by the institution between the institution and a person, bargaining agent or party to a proceeding or an anticipated proceeding.

3. Meetings, consultations, discussions or communications about labour relations or employment related matters in which the institution has an interest.