



Privacy Policy

PREAMBLE

- i) The University is a university as defined in the *Post-secondary Learning Act* (Alberta) and, as such, is a "Public Body" as defined in the *Freedom of Information and Protection of Privacy (FOIP) Act*. As a Public Body, the University is required to adhere to the *FOIP Act*. The University will also adhere to any other relevant privacy legislation (e.g. *Health Information Act*).
- ii) The purpose of this Privacy Policy is to govern the collection, use and disclosure of Personal Information by the University in a manner that recognizes both the right of an individual and/or corporate entity to have their Personal Information protected and the need of the University to collect, use or disclose Personal Information for purposes that are reasonable.
- iii) The University will manage Personal Information in transparent practices outlined in this Privacy Policy.
- iv) The University collects Personal Information from members of its prospective students, student applicants, students and alumni; its prospective employees and employees; its donors, volunteers and community users; and the members of its Board of Governors and Senate.
- v) This Privacy Policy does not purport to deal with publicly available information or aggregated information that cannot be associated with a specific individual or corporate entity.
- vi) This Privacy Policy must be in accordance with the *FOIP Act* and shall be reflected through mutual agreement in the provisions, where present, of the Employee Policy and Procedures Manuals, the Academic Staff Collective Agreement, Graduate Students' Handbook, and the Support Staff Collective Agreements. If a discrepancy arises regarding the provisions of this Privacy Policy and those contained in any of the foregoing, the provisions of the

AUTHORITY:	RESPONSIBILITY:	EFFECTIVE DATE:	RELATED POLICIES:
Board of Governors	Associate Vice-President (Human Resources)	December 16, 2010	<ul style="list-style-type: none">• Records Management Policy• Confidentiality of Student Records• Consent Form Authorization for Visual Recordings

foregoing documents will apply as long as the legislative requirements are met.

1.0 SUMMARY OF PRINCIPLES

The University is committed to protecting the privacy of the Interested Parties and the confidentiality of their Personal Information and the University is committed to the ten principles, which are set out in the *Personal Information and Protection of Privacy Act* (Alberta), subject always to the *FOIP Act*.

2.0 DEFINITIONS

In this Privacy Policy the following terms have the meaning ascribed to them:

- 2.1 "*FOIP Act*" means the *Freedom of Information and Protection of Privacy Act* (Alberta).
- 2.2 "Interested Parties" means the individuals, including members of its prospective students, student applicants, students and alumni; its prospective employees and employees; its donors, volunteers and community users; and the members of its Board of Governors and Senate, from whom the University collects Personal Information.
- 2.3 "Personal Information" , as defined by the *FOIP Act*, means recorded information about an identifiable individual, if collected, including but not limited to:
 - 2.3.1 the individual's name, home or business address or home or business telephone number;
 - 2.3.2 the individual's race, national or ethnic origin, colour or religious or political beliefs or associations;
 - 2.3.3 the individual's age, sex, marital status or family status;
 - 2.3.4 an identifying number, symbol or other particular assigned to the individual;
 - 2.3.5 the individual's fingerprints, other biometric information, blood type, genetic information or inheritable characteristics;
 - 2.3.6 information about the individual's health and health care history, including information about a physical or mental disability;
 - 2.3.7 information about the individual's educational, financial, employment or criminal history, including criminal records where a pardon has been given;
 - 2.3.8 anyone else's opinions about the individual; and
 - 2.3.9 the individual's personal views or opinions, except if they are about someone else.

2.4 "University" means The University of Lethbridge.

3.0 **ADOPTION OF PRINCIPLES**

The University adopts the following principles as the foundation of this Privacy Policy:

3.1 **Accountability**

The University is responsible for Personal Information under its control and shall designate an employment position(s) to be accountable for the University's compliance with the principles set out in this Privacy Policy and in applicable legislation. Other University policies which govern the collection and management of personal information must be consistent with this policy. The University employment position(s) and department(s) which are associated with the responsibility for those documents will be identified within those documents.

3.2 **Identifying Purposes**

The University will identify the purposes for which Personal Information is collected at or before the time the information is collected.

3.3 **Limiting Collection**

The University will limit the collection of Personal Information to that which is necessary for the purposes it identifies. The University will only collect information by fair and lawful means.

3.4 **Consent, Limiting Use, Disclosure and Retention**

The University will not use or disclose Personal Information for purposes other than those for which it was collected, except with the consent of the individual or as required by law or law enforcement and in emergency situations. The University will only retain Personal Information as long as necessary for the fulfillment of those purposes or as required by statute and in accordance with the University's Records Management Policy.

3.5 **Accuracy**

The University will endeavour to ensure that Personal Information is as accurate, complete and up-to-date as is necessary for the purposes for which it is used.

3.6 **Safeguards**

The University will protect Personal Information by reasonable security safeguards appropriate to the sensitivity of the information and the format/medium by which it was collected and is stored.

3.7 **Openness**

The University will make readily available to Interested Parties specific information about its policies and practices relating to the management of Personal Information.

3.8 **Individual Access**

Upon a written request, the University will inform an Interested Party of the existence, use and disclosure of his or her Personal Information and allow access to that information.

3.9 **Challenging Compliance**

An Interested Party will be able to address a challenge concerning compliance with the above principles to the designated employment position(s) accountable for the University's compliance.

4.0 **THE UNIVERSITY'S PRIVACY PRINCIPLES FOR INTERESTED PARTIES INFORMATION**

4.1 **Accountability**

The University is responsible for Personal Information under its control and shall designate an employment position(s) to be accountable for the University's compliance with the principles set out in this Privacy Policy and in applicable privacy legislation.

4.1.1 Responsibility for ensuring compliance with the provisions of this Privacy Policy rests with the University's senior administration, which may designate an employment position(s) to be accountable for compliance with this Privacy Policy.

4.1.2 The University is responsible for safeguarding Personal Information in its possession or control. The University will use appropriate means to provide a comparable level of protection when Personal Information is being processed by a third party.

4.1.3 The employment position(s) will have responsibility to give effect to the Privacy Policy, which responsibility shall include:

4.1.3.1 implementing procedures to protect Personal Information and to oversee the University's compliance with this Privacy Policy;

4.1.3.2 establishing procedures to receive and respond to inquiries and complaints;

4.1.3.3 training staff and communicating to staff about the University's policies and practices; and developing public information to explain the University's policies and practices.

4.2 Identifying Purposes for Collection

The University will identify the purposes for which Personal Information is collected at or before the time the information is collected.

- 4.2.1 The University will document the purposes for which Personal Information is collected, and will only collect Personal Information for the identified purposes.
- 4.2.2 The University will specify to the individual, orally, electronically or in writing, the identified purposes at or before the time Personal Information is collected. Upon request, employee(s) collecting Personal Information will explain these identified purposes or refer the individual to a designated employment position(s) within the University who will explain the purposes.
- 4.2.3 Unless required by law or law enforcement or in emergency situations, the University will not use or disclose for any new purpose Personal Information that has been collected without first identifying and documenting the new purpose and obtaining the consent of the individual.

4.3 Obtaining Consent for Collection, Use or Disclosure

The University will obtain the consent of an Interested Party for the collection, use or disclosure of his or her Personal Information, except required by law, or law enforcement or in emergency situations.

- 4.3.1 The consent of an individual is required for the collection, use or disclosure of Personal Information, except as required by law, or law enforcement or in emergency situations. In those limited circumstances, Personal Information can be collected, used or disclosed without the knowledge and consent of the individual.
- 4.3.2 Generally, the University will seek consent to use and disclose Personal Information at the same time it collects the information. However, in certain circumstances, the University may seek consent to use and disclose Personal Information after it has been collected.
- 4.3.3 In obtaining consent, the University will ensure that an Interested Party is advised of the identified purposes for which Personal Information will be used or disclosed. Purposes will be stated in a manner that can be reasonably understood by the individual.
- 4.3.4 In determining the appropriate form of consent, the University will take into account the sensitivity of the Personal Information and the reasonable expectations of the Interested Parties involved. The University may obtain consent from individuals in different ways.
- 4.3.5 An Interested Party may withdraw consent at any time, subject to legal, statutory and regulatory obligations or contractual restrictions and reasonable notice. Interested Parties may contact the University for

more information regarding the potential implications of withdrawing consent.

4.4 Limiting Collection of Personal Information

The University will limit the collection of Personal Information to that which is necessary for the purposes it identifies. The University will only collect information by fair and lawful means.

- 4.4.1 The University will not collect Personal Information indiscriminately, and will limit the amount and type of information to that which is necessary to fulfill identified purposes.
- 4.4.2 The University collects Personal Information primarily from Interested Parties, but the University may also collect Personal Information from other sources, including but not limited to employers or personal references.

4.5 Limited Use, Disclosure and Retention of Information

The University will not use or disclose Personal Information for purposes other than those for which it was collected, except with the consent of the Interested Party or as required by law or law enforcement and in emergency situations. The University will only retain Personal Information as long as necessary for the fulfillment of those purposes or as required by law and in accordance with the University's Records Management Policy.

- 4.5.1 The University will keep Personal Information only as long as it remains necessary or relevant for the identified purposes or as required by law. Where Personal Information has been used to make a decision about an Interested Party, the University will retain that Personal Information for a period of time that is reasonably sufficient to allow for access by the individual.
- 4.5.2 The University will maintain reasonable and systematic controls, schedules and practices for information and records retention and destruction which apply to Personal Information that is no longer necessary or relevant for the identified purposes or required by law to be retained. Such information will be destroyed, deleted or made anonymous.
- 4.5.3 The University will maintain a record of the third parties that Personal Information is disclosed to in accordance with this Privacy Policy.

4.6 Accuracy of Personal Information

The University will endeavour to ensure that Personal Information is as accurate, complete and up-to-date as is necessary for the purposes for which it is used.

- 4.6.1 Personal Information used by the University shall be as accurate, complete and up-to-date as is necessary to minimize the possibility that inappropriate information may be used to make a decision about an individual.
- 4.6.2 The University will update Personal Information as and when necessary to fulfill the identified purposes or upon notification by the Interested Party.
- 4.6.3 The University will not routinely update Personal Information, unless it is necessary to fulfill the identified purposes.

4.7 Security Safeguards

The University will protect Personal Information by security safeguards appropriate to the sensitivity of the information.

- 4.7.1 The University will protect Personal Information against loss or theft, as well as unauthorized access, disclosure, use, modification or destruction, through appropriate security measures. The nature of the safeguards will vary depending on the sensitivity of information collected and on the format/medium in which the information is collected.
- 4.7.2 The University will ensure that Interested Parties that have access to Personal Information respect the confidentiality of that information and comply with this Privacy Policy.
- 4.7.3 Contractors, consultants and third party service providers will be advised of University policies that reference privacy of information.
- 4.7.4 The University will use care in the disposal or destruction of Personal Information, to prevent unauthorized parties from gaining access to the information.

4.8 Openness Concerning Policies and Practices

The University will make readily available to individuals specific information about its policies and practices relating to the management of Personal Information.

- 4.8.1 The information that the University makes available about its policies and practices will be easy to understand, and will include:
 - 4.8.1.1 the employment position(s) and the University's contact information for those employment positions that are accountable for the University's policies and practices and to whom complaints or inquiries can be forwarded;
 - 4.8.1.2 the means of gaining access to Personal Information held by the University;
 - 4.8.1.3 a copy of any brochures or other information that explain

- 4.8.1.4 the University's policies, standards or codes;
what Personal Information is made available to related organizations; and
- 4.8.1.5 a description of the type of Personal Information held by the University including a general account of its use.

4.9 Individual Access to Personal Information

Upon a written request, the University will inform an Interested Party of the existence, use and disclosure of his or her Personal Information and allow access to that information.

- 4.9.1 Upon request, the University will afford Interested Parties a reasonable opportunity to review the Personal Information in their respective file. Personal Information will be provided in an understandable form within a reasonable time period, and at a reasonable or no cost to the individual.
- 4.9.2 In certain situations the University may not be able to provide access to all the Personal Information that it holds about an Interested Party. For example, the University may not provide access to information if doing so would likely reveal Personal Information about a third party or could reasonably be expected to threaten the life or security of another individual. Also, the University may not provide access to Personal Information if disclosure would reveal confidential commercial information, if the information is protected by solicitor client privilege, if the information was generated in the course of a formal dispute resolution process, or if the information was collected in relation to the investigation of a breach of an agreement or a contravention of a federal or provincial law. If, upon a request being made by an Interested Party, access to his or her Personal Information cannot be provided, the University will provide the reasons for denying access.
- 4.9.3 An individual can obtain information or seek access to their individual file by contacting the employment position(s) designated responsible for such files. This does not preclude employees from seeking access to their employment file in accordance with Handbooks, collective agreements, or employment manuals.

4.10 Challenging Compliance

An Interested Party will be able to address a challenge concerning compliance with the above principles to the designated employee(s) accountable for the University's compliance.

- 4.10.1 The University will maintain procedures for addressing and responding to all inquiries, or complaints from individuals about the University's handling of Personal Information.
- 4.10.2 The University will inform Interested Parties about the existence of these procedures as well as the availability of complaint procedures.

- 4.10.3 The University will investigate all complaints concerning compliance with this Privacy Policy. If a complaint is found to be justified, the University will take appropriate measures to resolve the complaint including, if necessary, amending its policies and procedures. An Interested Party will be informed of the outcome of the investigation regarding his or her complaint.
- 4.10.4 The University will promptly correct or complete any Personal Information found to be inaccurate or incomplete. Any unresolved differences as to accuracy or completeness will be noted in the individual's file. Where appropriate the University will notify third parties having access to the Personal Information in question about any amended information or the existence of any unresolved differences.
- 4.10.5 An Interested Party that has concerns with the University's privacy practices should contact the employment position(s) designated for this purpose.

APPENDIX "A"

Personal Information Designates

Responsibility for ensuring compliance with the provisions of this Privacy Policy rests with the University's senior administration, which may designate to an employment position(s) accountable for compliance with this Privacy Policy.

Please contact the appropriate University of Lethbridge Position/Department for inquiries related to privacy matters.

Personal Information	Position/Department	Phone Number
Student	Associate Vice-President (Students)/ Executive Director of Student Enrolment Management & Registrar	403-332-4432
Employee	Associate Vice-President (Human Resources)/Dean	403-329-2274
Alumni	Vice-President (Development, Alumni Relations & Community Engagement)	403-329-2582
Donors	Vice-President (Development, Alumni Relations & Community Engagement)	403-329-2582
Volunteers/Community	FOIP Coordinator	403-332-4620
Board of Governors & Senate	FOIP Coordinator	403-332-4620
General Inquiries	FOIP Coordinator	403-332-4620