

Policy on the Protection of Personal Information

Category: Operations

Approval: PVP

Responsibility: The Vice-Presidents and University Secretary are responsible for ensuring that departments reporting to them are in compliance with this policy and with related privacy legislation. The Access/Privacy Officer is responsible for providing advice on interpretation of, and compliance with, this policy.

Date: September 19, 2006

Definitions:

Personal information: For purposes of this policy, personal information is defined as information that can be linked to an identifiable individual other than the type of information that would typically appear on a Trent University business card.

Purpose/Reason for Policy:

To clarify privacy protection standards for various types of personal information held by the University, support compliance with privacy legislation and provide for the continued protection of personal information to which legislation may not apply.

Guiding Principles:

Trent University is committed to protecting the privacy of individuals (including students, faculty, staff, alumni, donors, volunteers, visitors and the general public) whose personal records are in the custody of the University. To the greatest extent possible, the University strives to follow the privacy protection principles set out below:

- a) Trent University is responsible for personal information under its control and shall designate an individual or individuals who are accountable for the organization's compliance with the privacy principles set out in this policy.
- b) The collection of personal information shall be limited to that which is necessary for the purposes identified by the University. Information shall be collected by fair and lawful means.
- c) The purposes for which personal information is collected shall be identified by the University at or before the time when the information is collected.
- d) The knowledge and consent (express or implied) of the individual are required for the collection, use or disclosure of personal information, except in limited circumstances where it may not be appropriate to obtain consent.

- e) Personal information shall not be used or disclosed for purposes unrelated to the purpose for which it was collected, except with the knowledge/consent of the individual or as required by law.
- f) Personal information shall be retained as long as necessary to fulfil the specified purposes and to meet legislated requirements.
- g) Personal information shall be as accurate, complete, and up-to-date as is necessary for the purpose for which it is to be used.
- h) The University shall implement security safeguards appropriate to the sensitivity of the personal information in its custody.
- i) The University shall make readily available to individuals specific information about its policies and practices relating to the management of personal information.
- j) With some limited exceptions, individuals have a right to access and to request correction of their own personal information.

Policy Statement:

1. The University collects, maintains, uses, discloses, stores and destroys personal information in compliance with all applicable legislation, and in a way which protects the privacy of the individual to whom the information pertains.
2. Service providers who collect or process personal information on behalf of the University are required to comply with applicable privacy legislation and this policy.
3. All faculty, staff and volunteers are required to protect the privacy of individuals and to exercise the utmost caution when handling personal information. Access to personal information is on a need-to-know basis and is restricted to those individuals who require the information to perform their legitimate duties for the University. All departments of the University must ensure that appropriate physical and electronic security precautions are in place to safeguard all personal information in their custody.
4. As a general rule, University offices do not release personal information in response to external or third party inquiries without the authorization of the individual to whom the information pertains, except where the information requested is a matter of public record; e.g. the Convocation roll or the business contact information of individuals employed by the University. Limited exceptions may be made for the purpose of complying with a statute or , in an emergency, for compassionate reasons or other exceptional circumstances.
5. The University supports the right of individuals to access their own personal information in order that they may verify its accuracy, request a correction or include a statement of disagreement. Students, alumni, volunteers, donors and the public may access their own personal information in accordance with the Ontario Freedom of Information and Protection of Privacy Act (FIPPA). Access to one's own personal information may be denied in limited circumstances; for example, where disclosure of the material could compromise health or safety, another individual's privacy, solicitor-client privilege, law enforcement or certain evaluative processes. In the case of employment-related records that are generally not subject to FIPPA, employees may continue to request access in accordance with relevant collective agreements and practices established by the Department of Human Resources and the Office of the Dean of Arts and Science.

6. The standards for the protection of personal information held by or on behalf of Trent University are as follows:
- a) Personal Information of Students/Alumni/Volunteers/General Public: Most personal information that is maintained to administer the University's core operations is governed by the Ontario Freedom of Information and Protection of Privacy Act (FIPPA). [<https://www.ontario.ca/laws/statute/90f31>] This information is collected, used, disclosed, stored and destroyed by the University in accordance with FIPPA. Related administrative policies and procedures must be consistent with the requirements of the Act.
 - b) Personal Information of Donors: Philanthropic records are managed in accordance with FIPPA and related administrative policies and procedures are to be consistent with the Act.
 - c) Health Services Information: Personal information collected by campus health information custodians must be managed in accordance with the requirements of the Ontario Personal Health Information Protection Act (PHIPA). [<https://www.ontario.ca/laws/statute/04p03>]
 - d) Personal Information for Commercial Activity: Personal information collected for primarily commercial purposes should be managed in compliance with both FIPPA and the Personal Information Protection and Electronic Documents Act (PIPEDA). [<https://laws-lois.justice.gc.ca/eng/acts/p-8.6/>].
 - e) Personal Information in Records Excluded from Legislation: Personal information contained in records that are not currently subject to any privacy legislation is protected in accordance with this policy.
 - f) Personal information Used in Research: Personal information used for academic research purposes is protected through approved research agreements and protocols.

Contact Officer:

Access/Privacy Officer

Date for Next Review:

N/A

Related Policies, Procedures & Guidelines

- a) Handling Sensitive Information Policy
- b) User Electronic Information Policy
- c) Counselling Services – Privacy Policy

Policies Superseded by This Policy:

N/A