

Policy History
<b>Policy No.</b> IM8
<b>Approving Jurisdiction:</b> President
<b>Administrative Responsibility:</b> President
<b>Effective Date:</b> November 30, 2022

# Privacy Policy

## A. CONTEXT AND PURPOSE

The University is committed to its privacy obligations under applicable provincial, national, and international laws, regulations, standards, or guidelines.

The principal privacy law to which the University is subject is the Freedom of Information and Protection of Privacy Act of British Columbia (“FIPPA”), which sets out the obligations to protect Personal Information held by public bodies in BC. The University has established this #IM8 Privacy Policy (“Policy”) and #IM8 Privacy Procedure (“Procedure”) to set out how it observes its obligations under FIPPA.

## B. SCOPE AND LIMITS

As an educational institution, the University has custody or control of many different types of Personal Information from a variety of constituents, including Prospective Students, Applicants, Students, Former Students, Alumni; Prospective Employees, Applicants, Employees, Former Employees; Customers; Donors; and Research Participants.

This Policy and Procedure applies to the management, processing, and protection of Personal Information by the University, including collection, use, disclosure, access, storage, retention, and disposal.

As defined in FIPPA, Personal Information means recorded information about an identifiable individual other than Contact Information, where Contact Information means information to enable an individual at a place of business to be contacted. Refer to the Definitions in the Procedure for examples of Personal Information. Under this Policy, privacy considerations also extend to non-recorded Personal Information.

The Policy and Procedure applies to all University Employees, as defined in the Procedure.

Please refer to *IM4 Confidentiality Policy* in relation to confidentiality of information other than Personal Information.

## C. STATEMENT OF POLICY PRINCIPLES

1. The University is committed to observing Fair Information Principles including obligations under FIPPA:
  - a. The University will manage and process Personal Information in the University's custody or control in accordance with FIPPA, including its collection, use, access, disclosure, storage, retention, and disposal, including as set out in the Procedure;
  - b. The University will protect Personal Information in accordance with FIPPA by making reasonable security arrangements against, and adopting practices to prevent, such risks as unauthorized collection, use, access, disclosure, storage, retention or disposal; and
  - c. The University will process requests to update or correct Personal Information in accordance with FIPPA, including as set out in the Procedure.
2. University Employees are required to protect privacy in their business practices, daily activities, and interactions and must not collect, use or disclose Personal Information except as authorized under FIPPA.
3. It is the responsibility of all University Employees to understand and comply with the University's privacy obligations, as well as the University Employee's privacy obligations. A University Employee's failure to observe privacy obligations pursuant to FIPPA, other applicable authorities, this Policy and Procedure or Privacy Protocols, Guidelines, or Privacy Advice or Guidance may result in discipline up to and including termination of employment.
4. The University will consider privacy when creating or implementing University programs, activities, or initiatives – including when considering information technology selection and implementation.
5. Privacy considerations will guide relationships and interactions within and outside the University community.
6. The University may create additional Privacy Policies/Procedures, Privacy Guidelines and Protocols, or provide Privacy Advice or Guidance for University programs, activities or initiatives. Privacy Policies/Procedures, Protocols, Guidelines, and Privacy Advice or Guidance will be guided by the relevant Privacy Policy, FIPPA, or other applicable authorities.
7. Further to section 6 above, the Office of General Counsel is authorized to develop Privacy Guidelines and Protocols, provide Privacy Advice or Guidance, and to review and advise on privacy materials developed by University Employees for FIPPA accuracy and compliance.
8. The University will respond to Privacy Breaches, Privacy Incidents, or Privacy Complaints as appropriate in the circumstances as set out in the Procedure.
9. The University will consider, manage, and mitigate Privacy Risks related to the collection and processing of Personal Information, including as set out in the Procedure.
10. The University permits audio or video recording, capture, or transmission of Personal Information only as set out in the Procedure.

11. The University is committed to privacy training and awareness at the University. All University Employees must complete privacy training.

## **D. DEFINITIONS**

Refer to IM8 Privacy Procedure for definitions, which will enhance the reader's interpretation of this Policy.

## **E. RELATED POLICIES & LEGISLATION**

*Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996, Chapter 165*

*Freedom of Information and Protection of Privacy Regulation, B.C. Reg. 155/2012*

Related KPU policies and procedures include any that reflect activities involving collection or processing of Personal Information, including the following:

*AD2 Complaints about Instruction, Services, Employees or University*

*IM2 Freedom of Information Policy / Procedure*

*IM3 Information Technology Usage Policy / Procedure*

*IM9 Information Security Policy / Procedure*

## **F. RELATED PROCEDURES**

Refer to IM8 *Privacy Procedure*