

INSTITUTIONAL POLICIES

PERSONAL INFORMATION PRIVACY POLICY

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Introduction

Concordia University College of Alberta (CUCA) is governed by privacy legislation enacted by the Province of Alberta and the Government of Canada. The *Personal Information Privacy Act (PIPA)* protects the personal information of the public and employees of organizations operating in Alberta. It governs the collection, use, disclosure and retention of personal information by organizations in a manner that recognizes and balances the right of an individual to have his or her personal information protected, and the need of an organization to collect, use, disclose or retain personal information for purposes that are reasonable.

CUCA is bound by the requirements of *PIPA* as well as other provincial and federal legislation, and CUCA collects, uses, discloses and retains personal information in accordance with this legislation. In keeping with provincial and federal legislation, CUCA has enacted its Personal Information Privacy Policy (*PIPP*).

I. The Purpose of *PIPP*

The purpose of *PIPP* is to govern the collection, use, disclosure and retention of personal information by CUCA in a manner that recognizes: 1) the right of an individual to have his or her personal information protected; and 2) the need of CUCA to collect, use, disclose and retain personal information for purposes that are reasonable.

CUCA will also develop reasonable practices and procedures to implement *PIPP* so that it can meet its obligations under provincial and federal legislation.

II. The Scope of *PIPP*

PIPP shall apply to apply to the following persons and in the following circumstances:

1. CUCA employees, students, volunteers (including board members), contractors and agents providing services on behalf of CUCA;
2. CUCA alumni, donors, and friends;
3. Individuals who request information about CUCA as well as those who apply to work, teach, or study at CUCA;
4. Any personal information that identifies an individual, in whatever form or medium (paper, digital, audio-visual, graphic, website etc.) created or received in the course of carrying out CUCA's mandated functions and activities; and,

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5. All facilities and equipment required to collect, manipulate, transport, transmit, or keep information at CUCA.

PIPP and *PIPA* do not apply to personal information that is in the custody of CUCA if the *Freedom of Information and Protection of Privacy Act* applies to that information.

III. The Privacy Principles of *PIPP*

CUCA is committed to protecting the privacy of employees, students, volunteers, alumni, donors, and friends. To that end, CUCA has implemented the following provisions to ensure that personal information is protected:

1.0 Accountability

- 1.1 CUCA is responsible for protecting the confidentiality of personal information in its custody or under its control in compliance with the applicable federal or provincial legislation.
- 1.2 CUCA has identified and designated a Privacy Officer to be responsible for implementing the privacy program and ensuring compliance with legislation.
- 1.3 Where CUCA engages the services of a person or corporation, whether as an agent, by contract or otherwise, CUCA is responsible for that person's or corporation's compliance with *PIPP*.
- 1.4 Where CUCA discloses or transfers personal information to a third party, CUCA is responsible for that third party's compliance with *PIPP*.

2.0 Identifying Purposes

- 2.1 CUCA collects information that it requires to carry out its functions as a post-secondary institution pursuant to legislation and regulations. The information that is collected is necessary for CUCA to fulfill its mandate, duties and obligations as a post-secondary institution.
- 2.2 CUCA will identify the purposes for which personal information is collected. The purposes for which personal information is collected shall be identified either in writing or verbally before or at the time the information is collected. CUCA may also provide the name of a CUCA representative who may provide additional information concerning the purpose for the collection, use, disclosure and retention of the personal information.

3.0 Consent

- 3.1 CUCA collects personal information only for reasonable purposes and with the consent of the individual, except where otherwise authorized by legislation. More specifically, CUCA will not:
- a. collect personal information about an individual unless that individual consents to the collection of that information;
 - b. collect personal information about an individual from a source other than the individual, unless that individual consents to the collection of that information from the other source;
 - c. use personal information about an individual unless that individual consents to the use of that information; or
 - d. disclose personal information about an individual unless that individual consents to the disclosure of that information.
- 3.2 CUCA shall not require an individual to consent to the collection, use or disclosure of personal information beyond what is necessary for CUCA to carry out its mandate, duties and obligations.
- 3.3 An individual may give his or her consent in writing or orally to the collection, use disclosure and retention of personal information about the individual. An individual is deemed to consent to the collection, use, disclosure or retention of personal information for a particular purpose if:
- a. the individual, after being advised of the purpose for collecting and using the information, provides the information for that purpose; and
 - b. it is reasonable that a person would voluntarily provide that information.
- 3.4 When CUCA collects, uses, discloses or retains personal information about an individual for a particular purpose, it will provide the individual with a notice in a form that the individual can reasonably be expected to understand.
- a. The said notice will indicate that CUCA intends to collect, use or disclose personal information about the individual for a particular purpose.
 - b. The said notice will give the individual a reasonable opportunity to decline or object to having his or her personal information collected, used or disclosed for those purposes.
- 3.5 An individual may convey his or her consent to CUCA in writing. If it not feasible to obtain written consent, then an individual may convey his or her consent verbally or by electronic means.

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- 3.6 An individual may at any time withdraw or vary his or her consent to the collection, use, disclosure or retention of personal information. Upon receiving notice that an individual intends to withdraw or vary his or her consent, CUCA will endeavor to inform the individual of the likely consequences of withdrawing or varying the consent.
- 3.7 If an individual withdraws or varies his or her consent to the collection, use, disclosure or retention of personal information, CUCA will
- a. stop collecting, using, disclosing or retaining the information upon receipt of the withdrawal of consent; or
 - b. abide by the directions of individual in the case of a variation of consent.

CUCA will not abide by the individual's decision to withdraw or vary his or her consent if this decision would frustrate CUCA's performance of a legal obligation as required or permitted by law.

- 3.8 CUCA may collect, use, disclose or retain personal information about an individual without the consent of that individual when it is permitted pursuant to *PIPA*, or when it is prescribed or permitted by a statute or regulation of the Province of Alberta or the Government of Canada.
- 3.9 Any information about an individual that was collected by CUCA prior to January 1, 2004, is deemed to have been collected with the consent of the individual.
- 3.10 CUCA may collect, use, disclose or retain personal information about an individual without the consent of that individual as provided in sections 14, 17, and 20 of *PIPA*.

4.0 Limiting Collection

- 4.1 CUCA's collection of personal information shall be limited to that which is reasonably necessary for the identified purpose. CUCA shall only collect personal information in a fair and lawful manner.

5.0 Limiting Use, Disclosure and Retention

- 5.1 CUCA will not use, disclose or retain personal information for purposes other than those for which the information was collected, except with the consent of the individual, or as permitted or required by law.
- 5.2 When an individual has given consent to CUCA to:
- a) collect personal information from a third party, or
 - b) disclose personal information to a third party,

then before or at the time that the personal information is collected or disclosed, CUCA will notify the third party that the individual has consented to the collection or disclosure of the personal information.

- 5.3 Notwithstanding that an individual has withdrawn or varied his or her consent, CUCA may for legal purposes retain personal information as long as is reasonable.

6.0 Accuracy

- 6.1 CUCA will make all reasonable efforts to ensure that personal information collected, used, disclosed or retained by or on behalf of CUCA is accurate, complete and current.

7.0 Safeguards

- 7.1 CUCA will protect personal information by taking such measures as:

- a. Implementing technological safeguards to secure personal information that is stored in electronic form;
- b. Ensuring that the areas in which information is stored are reasonably secure;
- c. Restricting access to personal information stored in paper form; and
- d. Preventing unauthorized access, collection, use, disclosure, copying, modification, disposal or destruction of the personal information.

8.0 Openness

- 8.1 CUCA develops and follows privacy and security policies that are compliant with legislation. CUCA will make information about *PIPP*, and related policies and practices available on request.

9.0 Individual Access

- 9.1 An individual has the right to access his or her personal information held by CUCA, subject only to limited and specific exceptions. Individuals can address any request for access to information to CUCA's Privacy Officer. All requests for access to personal information must be in writing.

- 9.2 CUCA will not provide an individual with access to his or her personal information if:

- a. the disclosure of the information could reasonably be expected to threaten the life or security of a third party;

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- b. the information would reveal personal information about a third party;
- c. the information would reveal the identity of a third party who has in confidence provided an opinion about the individual, and the third party does not consent to disclosure of his or her identity, or to release of the third party's information; or
- d. CUCA is permitted by law to refuse access.

9.3 If CUCA is reasonably able to sever the information referred to in section 9.2 from a copy of the record that contains personal information about the individual who requested it, then CUCA will provide the individual with access to the record after the information referred to in section 9.2 has been severed.

9.4 Any right or power conferred on an individual by these policies may be exercised by a third party as provided in section 61 of *PIPA*.

10.0 Challenging Compliance

10.1 An individual may also challenge the accuracy and completeness of the information held by CUCA and have it amended as appropriate.

10.2 If an individual requests a correction of an error or omission in the personal information, CUCA will, subject to legal limitations, correct the information as soon as is reasonably possible or annotate it with the correction that was requested. Where CUCA has disclosed incorrect information to a third party, CUCA will send a notification containing the corrected information to each third party to which the incorrect information has been disclosed, if it is reasonable to do so.

10.3 CUCA will not correct or otherwise alter an opinion, including a professional or expert opinion, that is contained in personal information.

10.4 CUCA's Privacy Officer will make every reasonable effort to assist individuals asking for access to or correction of their personal information, and will respond as accurately and completely as is reasonably possible within the time limits specified in *PIPA*.

10.5 All requests must be in writing and must set out in sufficient detail the scope of the request. Requests should be delivered or mailed to CUCA's Privacy Officer. If a request is complex and requires an extensive or detailed search, CUCA may, at its sole discretion, charge a reasonable fee. CUCA will give the applicant a written estimate of the total fee before providing the service, and may require the applicant to pay a deposit in the amount determined.

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10.6 Individuals can address any complaint regarding compliance with the above principles with CUCA's Privacy Officer. An individual who makes a request respecting personal information may ask the Alberta Privacy Commissioner to review any CUCA decision, action, or refusal to act.

11.0 Other Provisions

11.1 Concordia will not take any adverse employment action against an employee, or deny an employee a benefit, on account of or for any reason arising out of the situation where a CUCA employee, acting in good faith and on the basis of reasonable belief:

- a. has disclosed to the Alberta Privacy Commissioner that CUCA or any other person has contravened or is about to contravene privacy legislation;
- b. has done or stated an intention of doing anything that is required to be done in order to avoid having any person contravene privacy legislation;
- c. has refused to do or stated an intention of refusing to do anything that is in contravention of privacy legislation.

11.2 CUCA provides information on its website concerning CUCA's programs, activities, faculty, and staff. CUCA has developed a specific privacy policy for its website, and this website privacy policy will always be posted on CUCA's website.